

MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: October 4, 1978

TIME: 9:45 A.M.

INVOCATION: Rev. Richard Weiss, Asst. Pastor
First United Presbyterian 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

Audrey Daines, Asst.
City Attorney, PM Sessio

APPROVED BY REFERENCE January 3, 19 78

ATTEST:

Emmi M. O'Connell CITY CLERK *William J. Briare* MAYOR

MINUTES

October 4, 1978

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 4th day of October, 1978 was called to order by his Honor, Mayor William H. Briare, at the hour of 9:45 A.M.

AGENDA POSTED September 28, 1978 (See Page 3 of these Minute Affidavit)

AGENDA MAILED September 27, 1978 (See Page 4 of these Minute 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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

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

William Bradley

Gloria James, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 28 day of September, 1978, at the hour of 2:00 P.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:

(REGULAR MEETING OF OCTOBER 4, 1978)

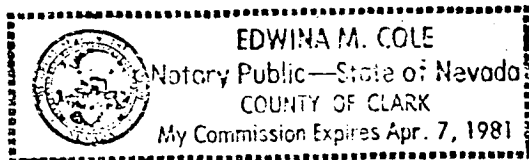
1. On the Public Bulletin Board in the United States Post Office
301 E. Stewart Avenue
2. On the Public Bulletin Board in the Federal Building
300 Las Vegas Blvd., South
3. On the Public Bulletin Board in the Clark County Court House
200 E. Carson Avenue
4. On the Public Bulletin Board at the Plaza Level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

William Bradley
Gloria James
(name)

Subscribed and sworn to before
me this 28th day of Sept., 1978

M 5 - 112 - 04
(department or division)

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



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

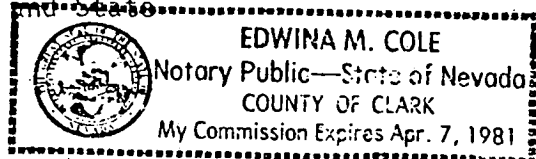
STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Cynthia Cicero, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 27th day of September, 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 4th day of October, 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).

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

Subscribed and sworn to before me
this 27th day of Sept., 1978

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



AGENDA

City of Las Vegas

October 4, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Actic

Z-62-78 (cont'd)

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

1. Resolution of Intent to be restricted to a 12-month time limit.
2. Additional fire hydrant to be installed as required by the Department of Fire Services.
3. Building to be constructed to follow as closely as possible to the elevation presented.
4. Loading and unloading shall be only from the interior of the building.
5. The 1st story of the building shall be a minimum of 14 ft.

PROTESTS: 0

APPROVED AGENDA ITEM

D.C.T. 9/15/78

SPECIAL SLIDE
PRESENTATION BY
RECREATION &
LEISURE ACTIVITIES

Mayor Briare: Ladies and gentlemen, before we start our meeting today, we have a special slide presentation, which I'm sure that you'll enjoy. Mr. Schank, would you like to proceed?

Mr. Campbell: This presentation we've been making to some of the local service clubs. It is our intent to present it to the junior and senior high schools to act as a recruitment factor for the students in the various high schools.

Mayor Briare: Thank you, Mr. Campbell.

(Slide presentation entitled, "Recreation and Leisure Activities Has Something For You".)

Mayor Briare: Mr. Campbell, does that cover it? Very nicely done. You did a good job. Comments from the Commissioners?

Commissioner Woofter: I'd like to compliment the Department of Parks and Recreation, Mr. Schank, Mr. Campbell, Mr. Stanfill. I think it's a beautiful film, and I think it's all-encompassing. So I do want to compliment that particular department. Good job.

(Meeting called to order at 10:10 A.M.)

INVOCATION

Mayor Briare: Okay, ladies and gentlemen, this is the regular meeting of the Las Vegas City Commission. This morning we're delighted to have the Reverend Richard Weiss, who is the Assistant Pastor of First United Presbyterian Church. He is going to offer the invocation, and we're going to ask the Reverend if he would please include in his invocation a prayer for those people who were killed in the last four days in automobile accidents. Also, following the invocation, please remain standing for the Pledge of Allegiance.

Rev. Weiss: Let us pray. Dear Heavenly Father, you have charged your people with the responsibility to keep order in this world that you have given us. We ask, Father, that these public servants who serve the City of Las Vegas will be blessed by your presence and guidance this morning as they do this function that you have given them. We ask, Father, that we also take a personal responsibility as your citizens and to slow down on the highways, on the roads and streets of the cities so that we can try to make our lives safer. We pray, Father, that those who have been killed, and especially for those families, we ask that you be a special guide and a blessing to those people. We pray, Father that now that as the work of this morning is being done that you will

show your presence in Jesus' name.

Pledge of Allegiance.

DEPARTMENT OF BUSINESS ACTIVITIES
ILA M. BRITT, DIRECTOR

Mayor Briare: Thank you, very much, Reverend Weiss. We appreciate it. As close as we can at 10:30 this morning, we're going to deviate from the agenda to go to a hearing that was given a time certain at 10:30, but until that time we'll go with the agenda as the Commissioners have it and as the audience who wish to have agendas follow, and that will be with the Department of Business Activity. First items are child facility care applications.

See Pages 9 thru 14 - Annotated Agenda.

LIQUOR & RETAIL
REBEL PLUS

Mayor Briare: Item E is a Liquor and Retail tobacco license for Rebel Plus.

Commissioner Lurie: Move for approval subject to conditions.

Commissioner Woofter: Mayor, I did ask the Department of Business Activity for clarification in this regard because there were certain calls to me in regards to service stations being able to obtain a liquor license. Just for the record, I want it to be clear that this is not for a service station per se but for a convenience store adjacent to the service station.

Mayor Briare: Thank you, Commissioner. Any other comments? Cast your votes. Opposed. The motion is approved and the application is allowed.

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

See Pages 15 thru 17 - Annotated Agenda.

JIM'S DELI

Mayor Briare: Next is a retail tobacco vendor license for Jim's Deli.

Commissioner Lurie: Move for approval.

Mayor Briare: Any comments or questions on this?

AGENDA

City of Las Vegas

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

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ITEM

Commission Action

Department Action

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

Family Child Care Homes

1. ELLA GRAUBERGER
 833 Cline

 3 children days only

2. DAWN-SHAROL LOUKS
 3600 Hudson Bay

 5 children days/3 nights

Items 1 and 2
 Approved as
 recommended
 Lurie - unanimous

Director
 authorized
 to proceed

*B. GAMING -- Additional

1. HORSESHOE CLUB OPERATING CO.

 The Horseshoe Club
 128 Fremont Street
 1 slot

Items 1 thru 5
 Approved
 as requested
 Lurie - unanimous

Same as above

AGENDA

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BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Actor
<p>III. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>*B. <u>GAMING -- Additional</u> (cont'd)</p>	See Page 3	See Page 3
<p>2. <u>MINI PRICE MOTOR INN CASINO, INC.</u></p>		
<p>Bingo Palace Casino 2540 South Rancho Road 1 Faro Bank</p>		
<p>3. <u>UNITED COIN MACHINE COMPANY</u></p>		
<p>Rendezvous Hotel & Casino 400 East Ogden 9 slots</p>		
<p>Cornets 401 East Fremont 1 slot</p>		
<p>Desert Inn Liquor 1503 Las Vegas Blvd. South 1 slot</p>		
<p>Fiesta Cantina 7002 West Charleston Blvd. 3 slots</p>		
<p>The Highlander 1926 Western 1 slot</p>		
<p>The Lift 3045 Valley View 2 slots</p>		
<p>Sunset Liquor 1027 South Main Street 3 slots</p>		

AGENDA*City of Las Vegas*

October 4, 1978

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

*C. RETAIL TOBACCO -- Additional
(cont'd)

1. W W VENDING COMPANY
(cont'd)

Sleepy Shoe Shine
507 Jackson Avenue

Soul Sisters
418 Jackson

Star Glo
301 South Highland

Young's Food Shack
808 West Lake Mead

Bruces Sahara Texaco, Inc.
2301 West Sahara

Green Tree Apartments
517 North 28th Street

Studio Plaza Apartments
915 South Casino Center

Cosmo's Underground Ristorante
& Lounge
32 East Fremont

Forest Lane Apartments
1600 South Main

Great Wall Restaurant
1155 East Sahara

Holiday International Casino
300 North Main

Leroy's Horse & Sports Place
114 South First

See Page 5

See Page 5

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

*C. RETAIL TOBACCO -- Additional
(cont'd)

See Page 5

See Page 5

1. W W VENDING COMPANY (cont'd)

Los Rancheros Horseman's Club
7800 Ann Road

Mission Inn
201 South 6th Street

Peach Tree Apartments
1121 Ogden

The Pepper Tree
820 South 3rd Street

Peter Paul
532 East Sahara

D. LIQUOR -- Additional

1. *FOUR QUEENS HOTEL & CASINO
202 East Fremont
Package Liquor License

Approved
subject to
conditions
Lurie - unanimous

Director
authorized
to proceed

Elsinore Corporation

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

AGENDA

City of Las Vegas

October 4, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM	Commission Action	Department Action
<p>III. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>E. <u>LIQUOR & RETAIL TOBACCO -- New</u></p>		
<p>1. *REBEL PLUS 529 Rancho Road Beverage Off-Sale</p>	<p>Approved subject to conditions Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>Auto Flite Oil Company, Inc. -- Jack E. Cason, Pres, Dir Carl L. Bailey, Secy-Treas, Dir</p>		
<p>*Subject to the provisions of the Planning, Building, and Fire codes and Health Department regulations</p>		
<p>F. <u>LIQUOR -- Change of Corporate Officers</u></p>		
<p>1. KUNG FU WEST 2211-A Las Vegas Blvd South Service Bar License</p>	<p>Approved Lurie - unanimous</p>	<p>Same as above</p>
<p>China Lounge, Inc. --</p>		
<p>From: Frank M. Zeigler, sole officer and stockholder</p>		
<p>To: William Thomas Tong, Pres, 50% Bing Fai Moy, Secy- Treas, 50%</p>		

AGENDA

City of Las Vegas

October 4, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

G. LIQUOR -- Request for Waiver Under 5-18-6 (D)

1. LONG JOHN SILVER'S SEAFOOD SHOPPE
3000 East Sahara
Restaurant Beverage License

Monarch Seafood Enterprises, Ltd. --
General Partners:
Herbert L. Porter, 35%
James Lynwood Wilder, Jr., 35%
Limited Partners Requesting
Waiver of Investigation:
Thomas J. Mauro, as Trustee
for Thomas J. Mauro, Jr.,
M.D., Inc., Pension and Profit
Sharing Plan, 10%
Arthur E. Briggs, 5%
Tulley E. Brown, 5%
William R. Eriksen and Judith R.
Eriksen as Joint Tenants, 2.5%
Jeffrey G. Wood and
Coleen F. Wood, 2.5%
Roger Porter, 2.5%
John D. Pierce and Gloria E.
Pierce, as Joint Tenants, 2.5%

Approved
Lurie - unanimous

Director
authorized
to proceed

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

1. STOP N GO MARKETS
Beverage Off-Sale
Locations: 3939 Coran Lane
1201 Stewart Street
471 Decatur Blvd.
1220 Atlantic Avenue
1401 W. Lake Mead Blvd.
2520 Arville
2929 W. Sahara
732 North Eastern
3001 Valley View

Approved
Lurie - unanimous

Same as above

cont'd . . .

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City of Las Vegas

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
<p><u>III. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>H. <u>LIQUOR & RETAIL TOBACCO -- Approval of Additional Corporate Officer</u> (cont'd)</p>	See Page 9	See Page 9
<p>1. <u>STOP N GO MARKETS</u> (cont'd)</p> <p>National Convenience Stores, Inc., parent company of Stop 'N Go Markets of Nevada, Inc. Verne Hile Van Horn, Pres, Director et al</p> <p>Additional Officer: Thomas Warren Ewens, Vice President</p>		
<p>I. <u>LIQUOR, GAMING & RETAIL TOBACCO -- Change of Ownership</u></p>	Approved subject to conditions Lurie - unanimous	Director authorized to proceed
<p>1. *CASBAH BAR/RESTAURANT 19 East Lewis Hotel Bar License Gaming: 6 Business-owned slots</p> <p>From: Woodrow P. Porter, 100%</p> <p>To: Ann S. Meyers, 100%</p> <p>*Subject to the provisions of the Planning, Building, and Fire codes and Health Department regulations</p>		

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ITEM

Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

J. LIQUOR, GAMING & RETAIL TOBACCO --
Change of Business Name

1. From: Larry's Lariat

To: LARRY'S FIRESIDE INN
3535 North Rancho Road
Tavern License
5 Operator Slots

Larry's Lariat, Inc. --
Lawrence A. La Penta,
sole officer and
stockholder

Approved
Lurie - unanimous

Director
authorized
to proceed

K. GAMING -- New

1. CASBAH HOTEL
19 East Lewis
5 Business-Owned Slots

Ann S. Meyers, 100%

Approved
Lurie - unanimous

Same as above

L. RETAIL TOBACCO -- New

1. EARNEST'S CAFE & ICE CREAM
1284-A Miller Avenue

Earnest Phillips, 100%

2. BONANZA UNION '76
530 North Las Vegas Blvd.

Dewey Ponder, 100%

Items 1 and 2
Approved
Lurie - unanimous

Same as above

JIM'S DELI (CONT)

Commissioner Woofter: Just one question, Mayor. I notice that it's two particular locations. The vendor is Jim's Deli? I noticed the backup material, but I'm still confused. Is it covering the locations of Janet's Cafe and Duck Inn?

Mayor Briare: Mrs. Britt, would you come forward and comment on that?

Mrs. Britt: The two locations are his present locations he's applying for. However, as an approved vendor, he could have additional locations in the future.

Mayor Briare: Any other questions or comments? The motion is to approve. Would you cast your votes? Opposed. The motion is approved.

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

See Pages 19 thru 22 - Annotated Agenda.

DIRTY BOOK STORE
APPEAL

Mayor Briare: The next is an appeal on the denial of a license for the Dirty Book Store. Would you use the microphone, please, sir? State your name.

Mr. Lockage: My name is Dave Lockage, appearing on behalf of Mike Hines who is attorney for Mr. Williams. Mr. Hines was called out of town unexpectedly. Could this matter be continued for a month, say?

Mayor Briare: Are you a lawyer?

Mr. Lockage: Yes, I'm Dave Lockage. I work for Mr. Hines.

Mayor Briare: Is your client present?

Mr. Lockage: Yes he is.

Mayor Briare: Are you Mr. Williams? And you own all those buildings?

Mr. Williams: I own part of them, not all of them.

Mayor Briare: Do you own all the dirty book stores and pornography shops down there?

Mr. Williams: There's two of them in my building. The rest of them are in Jonas' building.

Mayor Briare: When did Mr. Hines know he was going to be called out of town?

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ITEM	Commission Action	Department Action
<p>III. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>M. <u>RETAIL TOBACCO VENDOR -- New</u></p> <p>1. JIM'S DELI 4200 Boulder Highway James Paul Damman, 100%</p> <p>Locations: Janet's Cafe 1961 East Charleston</p> <p>Duck In 2839 West Sahara</p>	<p>Approved Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>N. <u>BURGLAR ALARM & LOCKSMITH LICENSE -- New</u></p> <p>1. *BUFFALO SAFE COMPANY, INC. 317 Wall Street</p> <p>Buffalo Safe Company, Inc. -- Rudy Perry, Pres, Treas, 94.5% George David Padgett, Secy, 5.5%</p> <p>*Subject to the provisions of the Planning, Building, and Fire codes</p>	<p>Approved subject to conditions Lurie - unanimous</p>	<p>Same as above</p>
<p>O. <u>SPECIAL EVENT LIQUOR LICENSE</u></p> <p>1. NEVADA HISTORICAL SOCIETY</p> <p>Location: City Hall Plaza 400 East Stewart</p> <p>Date: October 20th, 1978</p> <p>Responsible Licensee: Christ Karamanos</p>	<p>Approved as requested Lurie - unanimous</p>	<p>Same as above</p>

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

P. LIQUOR -- Request for Extension of Inactive Status

1. 7-ELEVEN FOOD STORE # 20687
1600 North Rancho Road
Beverage Off-Sale

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

(Approved 8/16/78. Request for extension of inactive status for 60-day period: 10/15/78 thru 12/13/78.)

2. CIRCLE K STORE # 1254
SE corner Rancho/Michael Way
Beverage Off-Sale

CIRCLE K STORE # 1246
NE corner Michael Way/Vegas Drive
Beverage Off-Sale

CIRCLE K STORE # 18
NW corner Eastern/Searles
Beverage Off-Sale

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

(Approved 8/16/78. Request for extension of inactive status for 60-day period: 10/15/78 thru 12/13/78.)

Items 1 thru 5
Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

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III. DEPARTMENT OF BUSINESS ACTIVITY
 (cont'd)

P. LIQUOR -- Request for Extension
 of Inactive Status
 (cont'd)

See Page 13

See Page 13

- 3. BERNIE'S PLACE
 2327 South Eastern Avenue
 Tavern License

C.L.M., Inc. --
 Bernard Mannion, Pres
 Douglas H. Campbell, V. P.
 Richard R. Lake, Secy-Treas

(Closed 8/9/78. Request for extension of inactive status for 60-day period: 10/9/78 thru 12/7/78.)

- 4. YANKE DISTRIBUTING
 1311 South Commerce
 Wholesale Beverage License

Hyman Yanke, 50%
 Marcella Yanke, 50%

(Approved 8/16/78. Request for extension of inactive status for 60-day period: 10/15/78 thru 12/13/78.)

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Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

P. LIQUOR -- Request for Extension
of Inactive Status
(cont'd)

5. HOF BRAU
1111 Las Vegas Blvd. South,
Suite "J"
Tavern License

Peggy J. Irete, 100%

(Change of Location approved
8/16/78. Request for extension
of inactive status for 60-day
period: 10/15/78 thru 12/13/78.)

See Page 13

See Page 13

Q. COMMUNICATION ITEM

Letter from Charleston Plaza
Merchants, Inc., requesting
reduction of license fees to
\$25.00 per day for Jett's
Petting Zoo for the period
November 24th, 1978 thru
December 3rd, 1978.

Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

R. APPEAL ON DENIAL OF BUSINESS
LICENSE

1. THE DIRTY BOOK STORE & ARCADE
2120 East Charleston Blvd.

Licensee: John E. Williams

Abeyance to
11/1/78

(Michael L.
Hines, Counsel)

11/1/78 Agenda

Z-62-78
ELEANOR VOLKMAR
(CONT)

Ms. Kepper: My name is Anna Dean Kepper, and I am President of the Preservation Association of Clark County. My objections to the building proposed and the reclassification of property are several. The initial objection is, indeed, one of scale. We do oppose a six-story building in an area that has been classified C-1, small commercial business. It is true that the Federal Building is a four-story building with the intention of going six stories, but it's already in an area that's classified correctly.

We oppose this structure because of function. Basically what we are talking about is a warehouse, and just as a rose by any other name is still a rose, so is a warehouse still a warehouse. I believe the function here is still, basically, an industrial function. Because of that we feel that this may alter and act not to preserve the neighborhood in which the building is proposed because even though Mr. Volkmar and architects attempted to draw an attractive building, the Preservation Association feels that ultimately this will have a negative impact on the area, that the reclassification of property there is, in effect, a wedge that will further deteriorate the neighborhood.

Commissioner Woofter: May I interrupt you? I've grown up here, and you say "deteriorate" the neighborhood. Do you see what's on that particular location at the present time?

Ms. Kepper: I don't think we're just talking about the 300 block of South Sixth Street. The proposed building is only one block from Las Vegas High School.

Commissioner Woofter: Correct. That's where I went to high school.

Ms. Kepper: We're not opposed to development of the area. What we're asking for is sensitive development that fits in with the former zoning. We're opposing reclassification of the property.

Commissioner Woofter: Ma'am, my understanding is that the applicant has assured us this will be a paper warehouse, not a warehouse what you say, "a rose is a rose and a warehouse is a warehouse". What we're talking about is it'll be a paper warehouse, storage of records and nothing else. You see the drawing of that rendering, and comparing that with what is on that location at the present time, you know, we're all for Las Vegas. I just can't see any argument to the contrary what is proposed and what is there at the present time.

Z-62-78
ELEANOR VOLKMAR
(CONT)

but I believe the first time you were here your matter was held over because of a tie vote, a 2-2 and then last time you requested it be held over so that you could have your architect present. So in view of the fact that we're missing one Commissioner, I want to be sure and see if we can conclude this today, so we'll hold just a minute and then you can present the application. Okay, would you proceed now?

Mr. Volkmar: Yes, my name is Carl Volkmar, 332 S. Sixth Street. I believe the Commissioners are familiar with this. I do have one addition, I have a letter from a Mrs. Dorothy Baker who owns the adjoining parcel to this immediately to the north expressing her approval. I present that. If there are any questions today, Mr. Simons is the architect here.

Mayor Briare: Well, which one of you want to present the plan of what you want to do because you'll recall... Mr. Simons.

Mr. Simons: Duane Simons, architect, 5358 Modena Drive, Las Vegas. This project is called a warehouse, and the connotation of a warehouse always seems to scare someone off. We nestled it such a way that we felt like it wouldn't be of a hindrance to the neighborhood. There was some talk of the fact that this building occurs on a piece of property that is historical property. In searching the inventory, we found in fact it is not on the piece of property. The 200 block and the 600 block is the property in question here. The 200 block and the 600 block of Sixth Street is in the inventory but this piece of property is not. For that reason we do not feel we are violating the historical preservation areas at this point.

What you see is the way it will be built. Sometimes you do get flowery renderings and they sometimes are not built that way, but we will assure the Commission it will be built in this manner to enhance the neighborhood. Another question that has come up is the fact that it is six stories and would dwarf any of the other buildings in the area. The Federal Building, one block to the west, is a four-story building structure and capable of going two more floors. I have talked to people over there, and they have told me the plans are not immediate, but they will someday build another two stories. So we would have two six-story buildings within a block of each other.

Mayor Briare: Any questions or comments by the Commissioners? Is there anyone in the audience that...yes, would you come forward, please?

DIRTY BOOK STORE
APPEAL (CONT)

advice to the Commission that you are precluded by this ordinance from issuing that business license.

Commissioner Leavitt: Then as far as you're concerned, then, there is no grandfather rights and under our ordinance he would preclude from this unit.

Mr. Sloan: Those businesses which were operating on the effective date of the ordinance were allowed to continue for five years in their existing operation. But from the information presented by Mr. Hines, this place was vacant, and now he seeks to establish a new business. Clearly that is not going to be grandfathered into the ordinance. There was no intention, nor is that the language of the ordinance.

Mayor Briare: Well, inasmuch as the business is not open and Mr. Hines is not here, and if it meets with the approval of the Commission, we'll follow the recommendation of Commissioner Woofter and hold this off. Counselor, would you prepare yourself in the event Mr. Hines is not able to be here at the next meeting that you will be able to represent Mr. Williams here? Because we have some questions we want to ask Mr. Williams, and we want him to be represented by counsel. If there's no objections to that, then that will be the order. The next meeting is on October 18.

Commissioner Lurie: Make it November 1.

Mayor Briare: Counselor, we'll make it November 1. It would appear to me that the next item on the agenda is what the Press is actually waiting for...oh, I'm sorry, I announced at the very beginning that we had a special order at 10:30, and that is in three minutes. So we're going to have a recess. At our last meeting as you'll see on the agenda, we had a time certain set for 10:30, and we're going to follow our agenda. So if you'll all just relax a little bit at 10:30 we're going to come back and have the item that was held in abeyance from the last meeting set at 10:30 this morning for Eleanor Volkmar. We'll be in recess for three minutes.

(Meeting Recessed at approximately 10:25)
(Meeting Reconvened at approximately 10:30)

Z-62-78
ELEANOR VOLKMAR

Mayor Briare: The Commission is back in order now to handle the matter that was set for 10:30 this morning, the zone change Z-62-78 for Eleanor Volkmar. Gentlemen, would you come forward? The status of this, I believe, in fact, if my memory serves me, Mr. Volkmar, you'll be able to tell better than I

DIRTY BOOK STORE
APPEAL (CONT)

Mr. Lockage: Some time yesterday.

Mayor Briare: Could you explain to the Commission what the nature of the business is that he went out of town for?

Mr. Lockage: I'm not sure, to tell you the truth.

Commissioner Woofter: Your honor.

Mayor Briare: Commissioner Woofter.

Commissioner Woofter: My feeling is that it is unexpected, and since it can't be opened until there is action on the part of the Board, I don't see any harm in granting the continuance so Mr. Hines can be present if he wants to make a record before we take action.

Mayor Briare: I just wonder, Commissioner, I'm not going to argue what you say there, but I wonder if the letter that we have before us that Mr. Hines is giving his opinion that there should be a grandfather clause allowance allowed in this. We have an ordinance that is quite specific, and I wonder if Mr. Sloan believes that an attorney's opinion that our ordinance is improper would bear on this.

Commissioner Woofter: Mayor, may I intercede? That's my understanding being an attorney that I think we're precluded because of the ordinance to be able to take any affirmative action, but still the request is to allow Mr. Hines to be here to make a record in that regard.

Mayor Briare: That's fine with me, Commissioner. If it's agreeable with the other Commissioners, that will be the order because I have some questions I want to ask Mr. Williams, and I want his attorney to be here so that he can advise him on the answers Mr. Williams might give.

Commissioner Leavitt: I think you ought to follow up what you started with. Mr. Sloan, in view of Mr. Hines that there's some kind of "grandfather clause" right in this, I think you ought to be prepared to give us a legal opinion on that.

Mr. Sloan: Commissioner, it's my opinion that Mr. Hines is in error and the ordinance as written, which is ordinance 1918, Dispersal Ordinance, precludes this establishment of this business. I advised Mrs. Britt accordingly, but much along the same theory as Commissioner Woofter, we felt attorney Hines should have the opportunity to come here and make a record if he wants to go to court. But it would be my

Z-62-78
ELEANOR VOLKMAR
(CONT)

Ms. Kepper: Well, I think the point that I would like to make is that once the property, the one parcel of property is reclassified, what is to prohibit the entire area from requesting that reclassification. That's the point that we're trying to make.

Commissioner Woofter: I understand that.

Ms. Kepper: Finally, I think that it is a question of planning. I understand that the initial staff recommendation was negative, and I do feel that it's necessary for us to try to fit new construction in old areas with the plan for the entire city. That's all I have to say.

Mayor Briare: Thank you, Ms. Kepper.

Commissioner Leavitt: I understand this design is going to be six floors, no windows at all. It's just going to be a solid, block building.

Mayor Briare: Was there anyone else in the audience that wished to be heard on this? Mr. Volkmar, would you like to make a concluding remark?

Mr. Volkmar: Yes, I would like to point out to the Commission that this property is presently zoned C-1, and under the present existing C-1 zoning an identical structure could be built to that under the C-1 zoning. It wouldn't be for the same use, it'd be an office.

Commissioner Leavitt: It'd have windows and so forth, right?

Mr. Volkmar: Windows could be screened. Nevada Power has their office right across the street here. Their windows are screened. The notion that this-- this is basically a zone change from C-1 to C-2. I'm not asking for an industrial use. I'm asking for a C-2 use that's in your zoning ordinance and has been for a long time. I believe that this type of facility is desirable, and I've always called this personal storage. When I applied for this I suggested it was personal storage, and they crossed that out and put commercial storage. I'm precluded from using this for retail storage or heavy, intensive warehousing uses, and I would appreciate your approval. Thank you.

Mayor Briare: Okay. Is there anyone else, then? All right. This matter will be closed, and we'll ask the Commission what the pleasure of the Board is.

Z-62-78
ELEANOR VOLKMAR
(CONT)

Commissioner Woofter: Move to approve.

Mayor Briare: The motion is to approve the application. Are there any comments on the motion? Cast your votes. Opposed. The motion fails, and therefore the request is denied.

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

METRIC MONETARY
MINT

Mayor Briare: The next item on the agenda, Mr. Pat Clary, would you come forward, please? (Mr. Clary approaches podium.) Mr. Clary, you addressed a letter to the Mayor and City Commissioners making a request that on behalf of your client, the Metric Monetary Mint of Nevada Corporation, that a hearing officer be appointed for the purpose of considering the denial by Mrs. Britt. The consensus of opinion of the City Commission is that your request be allowed, and you will be, providing we have a motion to that effect, we will advise you at a later date as to who the officer is, and that hearing officer will be in touch with you. Mr. Leavitt?

Commissioner Leavitt: I'd like the record to show that I have to abstain on that decision. I represent Bob Broadbent who is a trustee in bankruptcy for the Western Pacific Gold and Silver Exchange Corporation, of which Mr. Houston is the sole stockholder and present director. As Mr. Clary knows, I am on the adversity side of him in that bankruptcy.

Mr. Clary: I wouldn't say that anything in the bankruptcy is adverse, Commissioner.

Commissioner Leavitt: In any event, because of the fact that I do represent the trustee in bankruptcy, Bob Broadbent, in the Western Pacific Gold and Silver Exchange Corporation bankruptcy of which I believe Mr. Broadbent is being sued at the same time I represent him being sued by Mr. Houston. In view of that, I'll have to abstain from that decision.

Mayor Briare: Thank you, Commissioner. Commissioner Lurie.

Commissioner Lurie: Mayor, I'd like to make a motion that this item be referred to the hearing officer and then the recommendation be brought back to us.

METRIC MONETARY
MINT (CONT)

Mayor Briare: Any comments from the Commissioners other than Commissioner Leavitt's previous comment? Cast your votes. Opposed. Motion is approved.

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

SABELLA'S
ITALIAN SEAFOOD
EXTENSION OF
INACTIVE STATUS

Mayor Briare: Next is an abeyance item for Sabella's Italian Seafood House. This is a request for an extension of Inactive Status. Counselor, have you got your civil problems resigned yet?

Mr. Hess: We don't have any civil problems resolved yet. It's just getting into court. I'm preparing an answer. My one concern is this. Mr. Sabella of the corporation has about over \$20,000 in local creditors here who are all waiting anxiously hoping that Mr. Sabella is able to relocate, transfer and continue his business with the idea in mind that they will be reimbursed at some time. The corporation currently has no assets with which to do this. I'm afraid if he's not allowed to continue in business ultimately these local creditors will be with no recourse. They will all be out of whatever Mr. Sabella owes them. So with that in mind, I'd certainly appreciate that the inactive status be considered in the hope that we can resolve the matter shortly and transfer the license and get him in business again and pay off all our locals.

Mr. Sloan: Your honor recalls that our office asked two weeks ago that this be held over because at that time there had been a temporary restraining order issued against the City, in effect commanding the City to extend the license. Since that time that order has been vacated to the extent that it compelled this Commission to extend the license and so you're free to act on this without any input from the judiciary.

Mayor Briare: Is there anyone else who wished to make any comments on that? Anyone in the audience? Any comments from the Commissioners? Mrs. Britt, would you refresh our memory just a little bit? It seems like we're in a situation here where we are approving a license that we're tacitly approving a new liquor license because there's two people arguing here that one wants a new liquor license somewhere else, and then the other wants to continue on a license at the existing location. Is that about it?

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM	Commission Action	Department Action
<p>III. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)</p>		
<p>R. <u>APPEAL ON DENIAL OF BUSINESS LICENSE</u> (cont'd)</p>	<p>Remanded to Hearing Officer Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>2. METRIC MONETARY MINT 325 South Third Street</p> <p>Licensee: Metric Monetary mint -- James Ray Houston, Pres, Dir, stockholder Delano Hadarly, V. P., Secy- Treas, Dir, stockholder Boris Buzan, Director Richard Dean Allen, stockholder</p>	<p>Commissioner Leavitt abstained</p>	
<p><u>ABEYANCE ITEM -- Tabled 9/20/78</u></p>		
<p>S. <u>LIQUOR -- Request for Extension of Inactive Status</u></p>	<p>Approved Christensen - unanimous</p>	
<p>1. SABELLA'S ITALIAN SEAFOOD HOUSE 1401 Las Vegas Blvd. South Tavern License</p> <p>Sabella's of Nevada, Inc. -- Saverio A. Sabella, Dir, sole officer and stockholder</p>		<p>Director authorized to proceed</p>
<p>(Closed 5/26/78. Extension for 7/25/78 thru 9/22/78 approved 7/19/78. Extension for 9/23/78 thru 10/6/78 approved 9/20/78.</p>		

SABELLA'S
ITALIAN SEAFOOD
EXTENSION OF
INACTIVE STATUS

Mrs. Britt: Las Vegas Oriental, Inc., I believe is the name of the organization, owns the property where this restaurant is located and had, previous to Mr. Sabella, the tavern license there. They sold the business, or leased the business, to Mr. Sabella who operated it for under a year. Now Las Vegas Oriental has the property back and wishes to apply for a change of the tavern license back to them. There is a dispute between the two groups as to who has a right to that license, and that is before the courts now as I understand it. Whoever gets the existing license there would be the only one who has a license. There cannot be two come out of the issue.

Mayor Briare: So you're asking that it be held so that you can protect your client's interest, and the other people, of course, would like to see it...

Mrs. Britt: Well, I believe both sides would like to have it extended because if it is not, the license automatically revokes in the ordinance provision. Neither side has a clear right to it at this time.

Mr. Sloan: Basically, the extension would just preserve the status quo while they litigate it in court, your honor.

Mayor Briare: Do any of the Commissioners or the City Attorney see any compelling reason why we should not extend the inactive status?

Commissioner Christensen: I think the compelling reason has been vacated. I move for the extension.

Mayor Briare: Okay. Any comments on the motion. Cast your votes. Opposed. Motion is approved. I believe that concludes the Business Activity agenda.

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

ADMINISTRATIVE AGENDA
RUSSELL W. DORN, CITY MANAGER

HALL OF JUSTICE
DISCUSSION

Mr. Dorn: Item A, your honor, is the Hall of Justice concept. This is a very important issue, and I would like to go over some of the facts that lead to my recommendation on the Hall of Justice. At your meeting on July 19, I informed the Commission that following the September 12 vote on the reorganized municipal government I would give my recommendations

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BOARD OF CITY COMMISSIONERS
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ITEM	Commission Action	Department Action
<p>IV(a) ADMINISTRATIVE AGENDA RUSSELL W. DORN, CITY MANAGER</p>		
<p>A. <u>DISCUSSION - HALL OF JUSTICE</u></p>	*	C/M to proceed
<p>B. <u>PERMISSION TO NEGOTIATE SALE OF PROPERTY AT NORTHEAST CORNER OF EASTERN AND HARRIS</u></p>	<p>Referred to Real Estate Committee - Commissioners Christensen and Lurie</p>	
	<p>Lurie - unanimous (Mayor Briare did not vote - at approx. 11:25 a.m., excused until 2:00 p.m.)</p>	
	<p>*Motion that the City enter into a lease with the County for Municipal Court space in the proposed Hall of Justice for \$1.00 per year Woofter - unanimous</p>	
<p>C. <u>MINUTES</u></p>		
<p>1. Regular meeting of July 19, 1978. 2. Regular meeting of August 16, 1978</p>	<p>Items 1 and 2 Approved by reference Lurie - unanimous (Commissioner Woofter did not vote - temporarily absent - Mayor Briare did not vote - excused)</p>	<p>Mayor and Clerk authorized to sign</p>

HALL OF JUSTICE
DISCUSSION (CONT)

on whether the City should relocate its municipal courts in the Hall of Justice proposed by Clark County.

The County has offered to the City to lease space to the City of Las Vegas for the Municipal Courts, an expanded County Courthouse on a twenty year lease with an estimated rental rate of 73¢ a square foot for the first five years of occupancy. The 73¢ figure may vary by as much as 5¢ either way. The cost of a 20-year lease on the low side would be an estimated \$3,264,000 or \$163,200 a year assuming no change in the rental rate. The City would pay \$3,744,000 for twenty years or \$187,200 per year at the higher estimate. Additionally, there is an estimated cost of \$150,000 for moving, relocation and new equipment necessary for the location of the municipal courts in this proposed new building.

We the staff have concluded that the present location of the municipal courts in our City Hall Complex will meet the caseload needs for a minimum of five years without the need to consider expansion of existing facilities. If the Commission desires, the City may also want to proceed with preliminary design work for the expansion of one to three additional tiers to the City Hall complex, which could be funded, if possible, through the local Public Works Round III funds. This expansion would meet the needs for an increase in City services another ten to twenty years.

If I may make a note there also that the original design of this building, the general drawings considers the expansion of the court area for one tier for future needs for the expansion of municipal courts when the building was built. The approximate estimate of \$78 is approximately \$891,000 to build one tier for the expansion of Municipal Courts.

If I may continue, at a meeting at the State Judicial Planning Committee in June, both myself and Municipal Court Judge Seymour Brown recommended to the committee to consider the possibility of having the State build and fund a Hall of Justice Building in both Clark and Washoe County as part of proposals for a full State funding for the court system. Until this proposal or similar State funding proposals of a unified court system are finalized by the Nevada Legislature, it would not be prudent to enter into a 20-year, long-term lease with the County to rent space for our municipal courts, especially since the additional court space is not needed at this time.

Although the City staff agrees conceptually with the idea of a unified court system located in the new Hall of Justice as a convenience to the public, it appears the financial commitment by the

HALL OF JUSTICE
DISCUSSION (CONT)

City would be too costly at this time in view of other demands upon our tax dollars such as the Consent Decree on the Clark County Jail facility and other projects and service needs. I, therefore, recommend against entering into a long-term lease with the county for the court space in the proposed Hall of Justice because of the financial burden of an estimated \$3.7 Million that would be placed on the taxpayers of the City of Las Vegas and because the City presently has sufficient courtroom space to handle the existing projection of case loads. This recommendation is based on administrative and business decision, and I submit that to the Commission.

Mayor Briare: Mr. Dorn, would you advise the Commission and the others that might be interested as to the method of funding that the County proposes for the construction of the Hall of Justice?

Mr. Dorn: Your honor, I can't speak on behalf of the County. It's my understanding at previous discussions that the County would have to go to a bond issue to fund this building because it's very costly for that.

Mayor Briare: And that public includes those of us who live in the City of Las Vegas. So the obligation of building the building would rest equally with the people that live inside the City of Las Vegas as well as those who live in the County. And was there any suggestion as to renting other space other than solely the space that would have been designed for municipal court rooms?

Mr. Dorn: No, we haven't looked at that.

Mayor Briare: So, we'd be the only renter. Everybody else that would utilize the Hall of Justice would be there without paying additional rent. Only the City of Las Vegas for the Municipal Courts would be asked to pay rent.

Mr. Dorn: Well, that was the agreement recommendation in discussion with the County that it would be a lease agreement and we would pay for approximately one floor for the needs of 20,000 square feet for the location of the courts. But it's my understanding that the County has intent to look into maybe the possibility of State agencies locating in that building, the Supreme Court, and maybe other lease agreements with other clients.

Mayor Briare: And my last comment would be in the discussions that you and Judge Brown had relative to the possibility of the Legislature creating a full State funding for courts, was there any suggestion as what the possibilities of that being passed were? This has been discussed before. And was there any conjecture on their part as to whether it would be passed into law?

HALL OF JUSTICE
DISCUSSION (CONT) Mr. Dorn: Well, your honor, I believe Commissioner Lurie can speak better because he was at that meeting on this topic. There is many studies on this and right now a concerted effort to look at this proposal, and this morning I asked Mr. Irwin Kitchner, I invited him down to speak to the Commission if you have a desire to talk about that, but Commissioner Lurie represented the City at the last Judicial Planning Committee. He might like to say something.

Mayor Briare: Commissioner Christensen wanted to make a comment. Could we ask for Commissioner Lurie's comment on that and then from Commissioner Christensen. Okay. As soon as Commissioner Lurie comments, we'll go right to you, Commissioner.

Commissioner Lurie: I'll give Commissioner Christensen the opportunity.

Mayor Briare: No, just relative to this one question.

Commissioner Lurie: Well, I had to leave the meeting a little early and Mr. Kitchner can fill me in on the final outcome of the meeting, but what I received from the comments at the time I spent at the meeting was that if the full State funding was to go ahead, then everybody seemed to be in agreement as long as they took over all the obligations of all the funding of the jails and the court system, then we would probably support a plan such as that as long as the funding was completely taken over by the State. Is that what you got out of that meeting, Mr. Kitchner?

Mayor Briare: We'll hear from you in a moment, Mr. Kitchner. Commissioner Christensen.

Commissioner Christensen: Well, I feel it's unfortunate for the County staff to try through the press to foster a County City fight again over a bulding that's misnamed. This building they refer to as a Hall of Justice is in reality a County Administrration building with less than half of the space devoted to Hall of Justice. With the present growth rate of the County staff, which is manyfold in the last few years, I'm sure they'll need the space, and that may be well. In fact, they probably would be able to fill that building by the time it's built and still maintain their lease at the Valley Bank Building for their offices there. I think it would be better if we had a Hall of Justice considered that is truly a Hall of Justice. Then put the Police Department in the Hall of Justice and the courts. Then the City's City Hall, which the City taxpayers are paying for, could be better utilized for City functions such as Municipal Courts and so forth.

What a lot of people fail to realize is that the City is part of the County. The County is not part of the City, but we are residents of the County.

HALL OF JUSTICE
DISCUSSION (CONT)

Consequently, if this goes to a bond issue, and unfortunately, not like the expansion of the City vote, it will be all County-wide, so one segment of the population can't veto this. If this goes to a vote of the people and is passed, and the City was to lease courtroom space in that building we would be paying twice because the City residents would be paying out of their ad valorem tax the cost of building this "Hall of Justice", which is in reality an administration building. And if we lease space from them, then we would be still paying for that building but paying for the space we use one more time, which is another example of the double taxation situation we're forced into constantly by the County administrative staff. I would have to recommend against it for those reasons.

Mayor Briare: Thank you, Commissioner. Any other comments from the Commissioners? Commissioner Woofter.

Commissioner Woofter: Yes Mayor. My only comment is that I have to agree with Commissioner Christensen's comments in regards to the possibilities of what use would come into being as far as the construction of the proposed building. However, I have to go on record to say I have to believe and go along with the general concept of the Hall of Justice. Being an attorney, being a former judge, being in the courtroom many, many times I think that we have to look at other factors besides the cost, and I feel that the one factor that we definitely have to consider is the consideration of the convenience of the taxpayer and the citizen of the City of Las Vegas as well as the County of Clark.

There's no question, and I believe Mr. Sloan would even concur with me that there are many, many citizens that come over to this building planning on going to court and finding out they have to go to Justice Court or vice versa, they go to Justice Court and they have to come to Municipal Court. So I think if there's any way to be worked out, and I definitely agree with Commissioner Christensen that the taxpayer of the City of Las Vegas shouldn't be taxed twice and shouldn't have to be called upon to have to lease space in this Hall of Justice. Once it's built, it should be built for both the City and the County, but I definitely believe in the concept that we should go along and do whatever we can as far as representing the City of Las Vegas to see that this concept comes into being and we do have a Hall of Justice for the Police Department and all of the courts involved in the judicial system should be housed in one building and hopefully we can do this sometime in the very near future.

HALL OF JUSTICE
DISCUSSION (CONT)

Mayor Briare: Thank you, Commissioner.
Commissioner Lurie.

Commissioner Lurie: I think that just add one item, and I attended some meetings when they made the presentation on the Hall of Justice, is the fact that the County actually needs the City to proceed with any type of Hall of Justice administrative building because the County doesn't have the bonding capacity to fund the entire construction of their administration building "Hall of Justice", and that's why they need the City's bonding ability to finance the construction of this building.

Mayor Briare: Mr. Kitchner for years has been very, very active with the Chamber of Commerce on this concept, and we're happy to have you here. Don't use that microphone, though. We're still having sound problems here. Would you go right ahead?

Mr. Kitchner: Honorable Mayor, City Commissioners. I find myself in a rather unique position this morning. I have never heard so many so much in favor of so little and yet the realization is so far, basically. I say this with respect because I do respect your opinions, both pro and con. The unique situation is that I am filling several roles. As referred to, I represent the Chamber of Commerce, which I feel is basically the business community of the citizenry of Las Vegas, Greater Las Vegas, by the way. Everybody, City and County. I also am chairman of a task force from the State Judicial Planning Council charged with the responsibility of trying to accomplish the building construction of a "Justice Hall".

Thirdly, and I'm not running for public office, believe me, I find myself as co-chairman of a constitutional mandate for a unified court system in a way which has to do with full court State funding, which Commissioner Lurie represented earlier. How do you reconcile this situation? May I first respond to several questions which were compounded, one by Mayor Briare, another to fill in Commissioner Lurie.

My advocacy is not for "administrative building", or involve City versus County because I believe I work fairly effectively with both. I have spoken to every single person sitting up there as far as their feelings, and I feel as true citizens they are in favor of a justice hall, whatever definition it comes into. And I respect you for that. My problem is one of reality, using a cliché of the late Edgar Bergen, getting the show on the road. And that problem is this, I do not represent again, the County position, but I know factually the Supreme Court has signed a letter of intent as

HALL OF JUSTICE
DISCUSSION (CONT)

a lessee for this building, whatever name is designed to give to it.

As far as Commissioner Lurie and the Legislature passing enactments that would enable us to build a justice hall both in Washoe and Clark County, I would say the results of the meeting, which Judge Brown was there until the end, were not quite in that direction. We were fortunate, not mentioning names, having the representatives from the Legislative Ways and Means Committee as well as the Finance Committee. I believe the course of action which will be recommended, and I will not represent this officially because we will have a meeting and I hope you will be there in November, that will be a phasing in process for a unified court system. For those of the press who are not familiar with it, there was a constitutional amendment passed, I believe, in 1976 which authorized the Supreme Court to implement a unified court system, meaning one, basically central operations, budgetary considerations. They were trying to do two things primarily. Commissioner Woofter expounded upon it very well. It offers the specifications to provide the citizenry with speed, effective justice on an organized level on a parity throughout the entire state.

I don't want to take up your time. I'll give you just one instance of what that involves. There are four separate bail structures in the State right now for the same offense. That's just one example. These are the things we're trying to rectify through the unified court system. The same thing as computerized fining, ticketing, records, track records that you can pull out through a computer. You can't do it effectively now. It would have some appeal in Judge Brown's court. He himself has pointed up that he doesn't know the man has twenty prior offenses when he's sentencing him. I won't go to the qualifications or unqualifications to that statement, but basically this was his representation before the committee.

Secondly, and this is a primary concern on a day-to-day basis as Russell Dorn is the potential, and I cannot give you a contract. The potential of tax dollar saving of such a system. We have charts, we have projections, but we also know things don't always come out the way we think they will. At least we feel we're on the right track, that it will save the taxpayer, Commissioner Woofter again, time and trouble of knowing where to go so that the justice system can function more effectively.

What am I saying in essence? I'm saying,

HALL OF JUSTICE
DISCUSSION (CONT)

factually the Supreme Court has signed a letter of intent as a lessee for this building, whatever name is designed to give to it.

As far as Commissioner Lurie and the Legislature passing enactments that would enable us to build a justice hall both in Washoe and Clark County, I would say the results of the meeting, which Judge Brown was there until the end, were not quite in that direction. We were fortunate, not mentioning names, having the representatives from the Legislative Ways and Means Committee as well as the Finance Committee. I believe the course of action which will be recommended, and I will not represent this officially because we will have a meeting and I hope you will be there in November, that will be a phasing in process for a unified court system. For those of the press who are not familiar with it, there was a constitutional amendment passed, I believe, in 1976 which authorized the Supreme Court to implement a unified court system, meaning one, basically central operations, budgetary considerations. They were trying to do two things primarily. Commissioner Woofter expounded upon it very well. It offers the specifications to provide the citizenry with speed, effective justice on an organized level on a parity throughout the entire state.

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HALL OF JUSTICE
DISCUSSION (CONT)

frankly, I'm frustrated. Because I find merit with what Commissioner Christensen says, and yet I don't believe that every time that we approach an issue it can be put off for someone else to solve the problem. The Legislature is not about to, at least indications we have very strongly, solve this problem for us. These are the full court State funding enactment and anything else of this nature.

My concern as was presented at a luncheon by the Chamber of Commerce last Friday as far as crime, and I will relate this directly, it keeps going up and up and up. And there is no half solution to crime by building a building. I'm not trying to present that to you. It is only one of many steps to try and get the justice system working more efficiently and more speedily that possible, more than likely probable, results will be a potential decrease in our penal situation. I believe the citizenry, and I know you feel this way, are entitled to this. I cannot give you an answer. I cannot say build a building for X dollars and this will solve your problems. But I believe that we have to take a positive step forward, and as expounded by Commissioner Woofter, the dollar value is costing you more every single year. It's costing you \$10,000 a year to put any person in our State prison right now, a year. It's costing \$650,000, I think it's gone up to \$750,000. These figures were two years ago, for every patrolman on the street on a longevity basis.

I don't have to go into your fining structure, your other costs, your insurance costs, you have a businessman sitting up there. And what it's costing you the longer this situation goes on. It's not realistic for the City to bankrupt the community to try and approach this. No, that's foolish. But I believe there has to be a hard line approach, both fiscally and innovatively in the direction of accomplishing this purpose. And I hold if you do not approve the present structure, that this will not stop for a five-year lease, or a ten-year lease, or twenty years down the line, that you find a means to begin working for the citizens of this community, not County not City and go in the direction to serve not just the electorate but yourselves, which I know you are very, very strong in these feelings, your families and everyone else to accomplish this goal. I thank you.

Commissioner Leavitt: Can I ask a question? Is there any attempt to include the North Las Vegas and Henderson Municipal Courts and Justice Courts in this building?

Mr. Kitchner: I believe there was a discussion

HALL OF JUSTICE
DISCUSSION (CONT) thoroughly on the possibility of including them at some future date.

Commissioner Leavitt: And they rejected it, right?

Mr. Kitchner: I believe I--my recollection is correct, Commissioner.

Commissioner Leavitt: Well how come, then, you only want the City of Las Vegas Municipal Courts and not these other courts? If you talk about confusing the citizens, I mean it's just as confusing as to where the boundary line is between Las Vegas and North Las Vegas is between the City and the County.

Mr. Kitchner: Well, because I think it was, as an attorney, you're well aware, the incident of violations factually will occur within the County/City limit that serves this immediate area as opposed to the minimal amount of violations that you would have with people that reside in those other areas per se.

Commissioner Leavitt: You know, I was a County Commissioner at one time, and this was one of the projects I tried to get started as chairman of the County Commission, talking about back in 1973, was to build a Hall of Justice where it is today, but at that time there was no plan to include administrative offices in it. There was no plan to include the Municipal Courts. It was going to be the District Courts, the Public Defender, the District Attorney and the Court Clerk. Now what happened after that I don't know. The money was originally set aside. We had about \$1 1/2 million set aside at that time but it's since been whittled away and used for other projects. But at the present time now you're starting to include administrative offices into it, and you're trying to bring the Municipal Courts into it, and you're only going to bring the City of Las Vegas and not Henderson and North Las Vegas.

I don't think that you're going to, the fact that the City of Las Vegas Municipal Court isn't included is going to make any difference one way or another since the other municipal courts are not included, either.

Mr. Kitchner: I think you interjected several... if I may address myself to your comments.

Commissioner Leavitt: And one more thing, too, of course, especially the fact that under this recommendation it's going to cost us \$3.2 million in rent to be there when we don't have to and \$150,000 to move our courts over there when we have a sufficient court system right now to handle our needs for the next five or ten years as far as the Municipal Court is concerned.

Mr. Kitchner: You've interjected about four or five different points, and if I may address myself to each one as far as that goes. I am sure you didn't intend this, but you say "you".

HALL OF JUSTICE Commissioner Leavitt: I didn't mean you personally,
DISCUSSION (CONT) you know that.

Mr. Kitchner: I do not formulate the occupancy or the rental structure for the proposed building. And that is for the record. I don't think there's any issue with that whatsoever.

Commissioner Leavitt: Well, the whole concept has changed since 1973.

Mr. Kitchner: In 1973 I wasn't involved, Commissioner Leavitt.

Commissioner Leavitt: I was. I was involved at that time and we were ready to go at that point. Then something's happened along the line to change it to make it an administrative building and to make it cost a lot more money, and you still got the Public Defender over in the executive towers, and you still got the DA spread out all over. At that point I think we had him in the Bank of Nevada Building. I think they should all be brought in one building. The concept's good, but at that time the municipal courts weren't even talked about.

Mr. Kitchner: But times change also, and I'm sure we're all aware of it. I'm sure we're well aware of five years, what's happened taxwise and everything else. But let me address myself, if I may, to each of your suggestions. As I mentioned, I was not involved in 1973. I'm not responsible for administrative offices being put in there or even discussing things of this nature.

I am as you are, a person in favor of the concept of the Justice Hall for the purpose it will accomplish. That is our primary goal. We brought out the fact as far as the other entities per se, where incidents again, and there again I was not responsible for the initial non-corporation for these municipalities. This is of their own volition in that sense. Their incidents as far as the violations occurring, different things that would involve this particular thing are minimal.

But where do you start? Where do you begin? We use the municipal courts very well. I can take issue with this one. Not with this one but with the statement that we're set for five or ten years. Things that were said (inaudible) were said all along. I'm sure you won't argue with this, but as far as the crime rate, no one has said crime will be outdated in five years.

Commissioner Leavitt: Well, there's only one thing.

Mr. Kitchner: May I finish this?

Commissioner Leavitt: Well, let me say just this one point. Let's talk about money. As Commissioner Christensen mentioned the City of Las Vegas taxpayers are going to, should the bond pass, will have to pay for this through their ad valorem tax dollar. Then, in addition to that, they're asked to pay \$2.2

HALL OF JUSTICE
DISCUSSION (CONT)

Million in the way of a lease for a building that they helped pay for. Now the City of North Las Vegas residents are not going to have to do that, the City of Henderson residents are not going to have to do that, Boulder City residents will not have to do it. Only the residents that live in the City of Las Vegas will have to pay that \$2.2 Million in rent for something that they had already paid for in the way of ad valorem tax dollars. Now that's the inherent unfairness of it as I see it.

Mr. Kitchner: Again, without, frankly, bucking the issue I did not set up this structure as far as this goes. But let me answer this...

Mayor Briare: Mr. Kitchner, I have to interrupt for just a second. I think that we might be getting...I don't think that anyone on this Commission is quarreling with the concept of a Hall of Justice. And when you talk about crime rates and you talk about future planning, you've probably got five strong supporters here, and I would venture to say, and I better speak for myself personally in this matter, that when it comes time to go on the ballot for a Hall of Justice "administration building" or whatever, I'm going to vote in favor of it as a County taxpayer. I'm a County taxpayer; I live in the City.

However, I wonder if it would serve our purpose here this morning more if we confined ourselves to the Municipal Court comments. Because, Mr. Kitchner, you're not going to resell us. You've already sold us. As you've indicated, you talked to each of us, and I think each of us supported a Hall of Justice concept so why don't we get off that part and get on to the points that City Commissioner Leavitt has just made and Commissioner Woofter has made, and that is the Muni Court. I think that we could go on all morning, both of us talking and approving the same things, but this thing of Muni Court going over there and becoming a tenant. Actually, the issue before us is whether we want to become a tenant, whether we think the City of Las Vegas should be a tenant in a building in which the City of Las Vegas partially owns, and if you have any comments that would be helpful to us on that score, I'm sure that we would be able to move along a lot better.

Mr. Kitchner: Well, originally, and I would say this very qualifyingly in answer to part of Commissioner Leavitt's discussions, because there again, I was not in the initial formulation stage, but I believe, and correct me if I'm mistaken, I believe originally the City was invited to participate in the overall construction, is that not correct, and paying a pro rata bonding capacity, architect's fees, the whole

HALL OF JUSTICE
DISCUSSION (CONT)

thing, rather than being in the lessee position?

Mr. Dorn: Yes, and that's one of the difficulties I had with the County's proposal as Commissioner Leavitt and the Mayor just pointed out. If this building costs \$20 Million, approximately, just by the population size and the County rate for the City residents of Las Vegas, we might pay almost \$8 Million of that share. So we've already paid for that building with our County tax dollars, and that's what I brought to the County's attention, and secondly when you say that we only want to lease one floor of a ten floor building. So I said to the County that quite frankly we just want to lease. We don't want to pay because we're paying County tax rate, we don't want to pay for the entire building, and that's how we came up with the lease agreement at that meeting and with further meetings with the County. We're not going to pay the architect's fees; we're not going to pay the amortization for the entire life history. We just would like to look at the feasibility of one floor and not the other nine floors and five floors that are going to be used for the County Administration building.

Commissioner Leavitt: Again, it's the only city in the Valley that is affected that way, and only the residents of the City of Las Vegas are going to get stuck twice. If you live in North Las Vegas, you don't get that; if you live in Henderson, you don't get that extra tax burden.

Mayor Briare: It might be, I'm just going to throw this in because I'll do it for my friend, Paul Christensen, because I'm sure he would. Mr. Kitchner, you know it might kill the whole bond issue if you were to let it be known that the City of Las Vegas would intend to move their Municipal Court in there because you'd lose all the County votes. They don't want any part of this combining.

Mr. Kitchner: I believe as you well stated several minutes ago we can run far afield and get into a political arena, which I'm not advocating right in this moment. I'd like to address myself to the Municipal Courts, which you posed the question to me, basically. And that is this. Open you eye on staff projections. Now I represent only the staff projections and not my own. On a curved, ran basis over x period of time, in spite of the initial cost of the Municipal Courts that the savings again in tax dollars, fines, revenues, whatever it be, will be returned to the municipality, to the citizens of the community as a whole. I could give you a dollar for dollar breakdown figure on that. This was, in fact, I don't want to put any of the judges on the spot, but they were convinced of the same feeling that

HALL OF JUSTICE
DISCUSSION (CONT)

plans, and that when the building is complete, the Municipal Courts will move over there and occupy it on the same basis as the other State District Courts and the other Justice Courts who perform their functions and everybody else. Do you think that will fly?

Mr. Kitchner: I want to thank you and the City Commissioners for your time, patience and interest, and I sincerely hope that the electorate will substantiate whatever your feelings are. Thank you very much.

Mayor Briare: Does this require action, because if the reports that we have are accurate, the County Manager has been instructed to proceed with plans without the Municipal Courts.

Mr. Dorn: No, I believe, your honor that his direction was to wait and see the City Commission's action today. There was one vote by one County Commissioner to go ahead with that. The other County Commissioners wanted to wait to see today what the City Commission might do. But I think, in fairness to the County, we have to take action in a motion form to let them get on their way.

Mayor Briare: Take action. Okay well the proposed question before us, then, would be the action on your recommendation.

Mr. Dorn: Yes, my recommendation is that for the cost of our Municipal Courts, we should stay where we're presently located, and we concur with the unified.

Mayor Briare: Would any Commissioner want to put into a motion form the recommendation of the City Manager?

Commissioner Woofter: I make a motion that we enter into a lease with the County for court space in the proposed Hall of Justice for a \$1.00 a year for the space to be utilized.

Mayor Briare: You missed some conversation, Commissioner Christensen, when you were out.

Commissioner Christensen: I obviously did.

Mayor Briare: What we've done through the auspices and the very astute input of Mr. Kitchner, we've agreed amongst ourselves that the County should not charge the City anything for the use of space in a building which is to be built substantially with City money and we should have no rent whatsoever, and Commissioner now has put it into a positive manner that we should pay \$1.00 a year, which I can support very strongly. Does that cause any confusion or question in the Commissioners' minds? Ready for a vote?

HALL OF JUSTICE
DISCUSSION(CONT)

Commissioner Christensen: I have voted.

Mayor Briare: Would you please cast your votes.
Nobody in the world can say that we're not
cooperative in trying to work together.

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

Mr. Dorn: If I may, your honor, Commissioner
Woofter's motion is an excellent idea because of the
problem of the Legislature deciding about full State
funding. Maybe they'll take our proposal of building
just a Hall of Justice concept with the possibility
of a jail and fund criminal justice system for future
investment. So it's an excellent recommendation.

(Mayor Briare excused at 11:25 for remainder of
morning session.)

PERMISSION TO
NEGOTIATE SALE
OF PROPERTY
EASTERN & HARRIS

Commissioner Lurie: The next item is Item B,
permission to negotiate sale of property at the
northeast corner of Eastern and Harris. Mr. Dorn.

Mr. Dorn: Yes your honor. The City sold a parcel of
land approximately seven acres in 1960 to the
Episcopal Church for \$15,000. The property, as indi-
cated, is located at the northeast corner of Harris
and Eastern. One of the conditions for the sale of
this property was to restrict the use of this pro-
perty for church purposes. The church has indicated
an interest in selling the vacant portion because
they've only used a small portion for church pur-
poses, of this property. I have discussed this
matter with the City Attorney's office and have been
advised that the church cannot sell the property
without the condition being removed and that the City
could negotiate with the church for a portion of the
profit in return for removing the condition.

It is the Manager's recommendation, with your
permission, to negotiate with the church to allow the
sale of the property with the City participating in
the benefits derived from such sale.

Commissioner Lurie: I think that we'll...I'll move
that we follow that recommendation and also that this
item be referred to the Real Estate committee,
Commissioner Christensen and Commissioner Lurie, to
review all of your recommendations and negotiations.
Cast your votes on the motion. Opposed. The motion
is approved.

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

See Page 32 - Annotated Agenda.

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

See Page 48 - Annotated Agenda.

DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS
BOB McPHERSON, AEP, DIRECTOR

See Page 49 - Annotated Agenda.

DEPARTMENT OF FUNDS COORDINATION
RICHARD B. BLUE, DIRECTOR

AWARDING OF
CONTRACT FOR
DIRECTOR OF
SENIOR CITIZENS
LAW PROJECT

Commissioner Lurie: Page 20, Department of Funds Coordination, authorization to award contract in the amount of \$21,250 to Richard E. Donaldson as Director of the Senior Citizens Law Project. Mr. Blue, do you want to present that to us?

Mr. Blue: On September 1 the City received funding from Title III of the Older American Act to have a Senior Law Project designed for low and moderate income citizens residing in Clark County and Pahrump, Nevada. The purpose of the project is to provide legal services to seniors on an ability to pay basis. Richard Donaldson was selected by the Senior Advisory Board Employee Recruitment Committee, and I recommend approval.

Commissioner Lurie: I would move that we follow the recommendation and award the contract to Richard Donaldson. Any comments on the motion? Cast your votes. Opposed. The motion is approved. Thank you, Richard.

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

DEPARTMENT OF RECREATION & LEISURE ACTIVITIES
RICHARD CAMPBELL, DIRECTOR

See Pages 50 and 56 - Annotated Agenda

DEPARTMENT OF MUNICIPAL SERVICES
J.C. CATHCART, DIRECTOR

JOINT CONTRACT
WITH N. LAS VEGAS
SOFTBALL'S

Commissioner Lurie: Page 21, Purchasing and Contracts Division, Item A, Permission to Receive Bids, 1, 2 and 3.

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CORRECTED
Page 18

Oct. 4, 1978
Department Actor

ITEM

Commission Action

IV (b)

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

*CONSENT AGENDA

All matters listed under item 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. H708594, H708598, I708926, I708844, I708864, I1307 to I1313, I709016 to I709027, I14536 to I709030, I709036 to I709040, I709041, I709050 to I709066, I709068, I709073 to I709317, inclusive.

In the amount of \$ 3,835,513.26

*B. PAYROLL WARRANTS

Nos. 124517 to 126037, inclusive.

For Pay Period Ending 9/16/78

In the amount of \$ 547,825.93

Items A and B
Approved
as presented
Christensen - unan.
(Commissioner
Woofter did not
vote - temporarily
absent - Mayor
Briare did not vote -
excused)

Director
authorized
to issue

AGENDA

City of Las Vegas

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

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 10/4/78

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

Dept/Class	Monthly Salary	Justification
(1) PS/Quality Control Assistant Eng. Technician (replace budgeted vacancy)	\$917	Part of a survey crew flagging in traffic, pounding stakes and other functions re- quired on routine surveys.
(2) PS/Building & Safety Electrical Inspector (replace budgeted vacancy)	1203	To inspect buildings and building construc- tion for compliance with electrical codes and laws.
(3) Municipal Court Court Administrator (fill budgeted vacancy)	1876	Responsible for plan- ning and directing general administrative and office activities of the Municipal Court.
(4) City Clerk Minutes Clerk (replace budgeted vacancy)	963	Responsible for taking and transcribing min- utes of City Commission proceedings and per- forming other clerical duties in the office of the City Clerk.
(5) Business Activity Stenographer (fill budgeted vacancy)	831	Responsible for hand- ling correspondence to citizens, other govern- mental agencies, emplo- yees and other City departments concerning business licensing.
(6) Business Activity Jr. Office Assistant (fill budgeted vacancy)	682	Does routine clerical functions in the Licen- se & Revenue Division.

Items 1 thru 6
 Approved
 as recommended
 Woofter - unanimous

Director
 authorized
 to proceed

Recd 9/26/78
 APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 4, 1978

BOARD OF CITY COMMISSIONERS

Page 20

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Actic
<p>IV(d) DEPARTMENT OF FUNDS COORDINATION - RICHARD B. BLUE, DIRECTOR</p>		
<p>A. AUTHORIZATION TO AWARD A CONTRACT IN THE AMOUNT OF \$21,250 TO RICHARD E. DONALDSON AS DIRECTOR OF SENIOR CITIZENS LAW PROJECT.</p>	<p>Adopted Resolution Lurie - unanimous</p>	<p>Director authorized to proceed</p>
<p>APPROVED AGENDA ITEM TCJ 9/25/78</p>		
<p>IV(e) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES - RICHARD CAMPBELL, DIRECTOR</p>		
<p>A. The Rainbow Company seeks permission to apply for Special Projects Grant from National Committee Arts for the Handicapped</p>	<p>Approved Christensen - unanimous</p>	<p>Director authorized to proceed</p>

AGREEMENT BETWEEN THE CITY OF LAS VEGAS

and

RICHARD E. DONALDSON

for

ATTORNEY/PROJECT DIRECTOR OF THE
SENIOR CITIZENS LAW PROJECT

THIS AGREEMENT, entered into this ____ day of September, 1978 by and between the City of Las Vegas (hereinafter called the "Sponsor") and Richard E. Donaldson, 4210 Fairbanks Circle, Las Vegas, Nevada (hereinafter called the "Attorney").

PART I

WITNESSETH:

WHEREAS, The Sponsor desires to engage the Attorney to render professional services hereafter described in connection with the Senior Citizens Law Project which is expected to be partially financed under Title III of the Older Americans Act of 1965 (P.L. 94.135),

NOW, THEREFORE, the parties hereto do mutually agree as follows:

SECTION 1. DEFINITIONS. That the following definitions shall apply to the terms used in this Agreement, except where the context necessary requires otherwise:

- a. The "Project" shall mean the Senior Citizens Law Project as described in Attachment 1, Statement of Work.
- b. The "Agreement" shall mean a written agreement between the Sponsor and the Attorney, and any amendments thereto, to perform the work detailed in this Project.
- c. The "Grant" shall mean the grant awarded the Sponsor under Title III of the Older Americans Act.
- d. The "Sponsor" shall mean the City of Las Vegas as sponsor of the Senior Citizens Law Project under the Grant.

SECTION 2. EMPLOYMENT OF ATTORNEY. The Sponsor hereby agrees to engage the Attorney and the Attorney agrees to perform the services set forth in Attachment 1, Statement of Work, in connection with the Project of the Sponsor under AOA _____. It is both desirable and necessary to employ the Attorney as an independent contractor to assist the Sponsor in implementing the aforementioned Grant.

SECTION 3. INDEPENDENT CONTRACTOR. It is agreed that Attorney shall perform as an independent contractor under this Agreement. The Attorney is, for all purposes arising out of this Agreement, an independent contractor pursuant to Nevada Revised Statute 284.173 and shall not be deemed an employee of the Sponsor. It is expressly understood and agreed that there shall be no (1) withholding of income taxes by the Sponsor; (2) industrial insurance coverage provided by the Sponsor; (3) participation in group insurance plans which may be available to employees of the Sponsor; (4) participation or contributions by either the independent contractor of the Sponsor to the Public Employees' Retirement System; and (5) accumulation of vacation leave or sick leave.

SECTION 4. INDEMNITY. The Attorney shall exonerate, indemnify and hold harmless Sponsor from and against, and shall assume full responsibility for, payment of all Federal, State and local taxes or contributions imposed or required under unemployment insurance, Social Security and income tax laws, with respect to Attorney in performance of this Agreement. The Sponsor, and its agents and employees, shall not be, nor be held, liable for any liabilities, penalties or forfeitures, or for any damage to the goods, properties or effects of the Attorney, or of any other persons, nor for personal injury to, or death of them, whether caused by or resulting from any negligent act or omission of Attorney. The Attorney further agrees to indemnify and hold harmless the Sponsor and Sponsor's agents and employees against and from any and all of the foregoing liabilities, and any and all costs or expenses incurred by Sponsor on account of any claim. The Attorney agrees to assume the foregoing obligations and liabilities, by which it is intended by both parties that Attorney shall indemnify and hold harmless Sponsor from all claims arising by reason of the work done or by reason of any act or omission of the Attorney.

SECTION 5. SERVICES TO BE PERFORMED BY ATTORNEY. The Attorney shall perform all necessary services as described in Attachment 1, Statement of Work, and Attachment 3, Reporting Requirements.

SECTION 6. PERSONNEL.

- a. The Attorney will secure at Project expense, all personnel required under the provisions of the Grant to perform the services under this Agreement. Such personnel will have a contractual relationship with the Sponsor.
- b. All of the services required hereunder shall be performed by the Attorney or under his supervision and all personnel engaged in the work shall be fully qualified in accordance with Grant specifications.

SECTION 7. PERIOD OF PERFORMANCE. The Period of Performance shall have commenced September 11, 1978 and shall terminate September 30, 1979. The parties agree that the performance of the

Attorney shall be reviewed by the Sponsor and the Senior Citizens Law Project Advisory Board on March 1, 1979 and that following such evaluation, this Agreement may be terminated with or without cause with the approval of the Sponsor and the Advisory Board jointly.

SECTION 8. COMPENSATION. The Attorney shall be compensated for services in such amount and in such manner as detailed in Attachment 2, Schedule of Compensation.

SECTION 9. TERMINATION OF AGREEMENT FOR CAUSE. If, through any cause, the Attorney shall fail to fulfill in timely and proper manner his obligations under this Agreement, or if the Attorney shall violate any of the covenants, agreements or stipulations of the Agreement, the Sponsor shall thereupon have the right to terminate this Agreement by giving written notice to the Attorney of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In such event, all finished or unfinished legal documents prepared by the Attorney under this Agreement shall be the property of the Sponsor.

The Attorney shall not be relieved of liability to the Sponsor for damages sustained by the Sponsor by virtue of any breach of the Agreement by the Attorney and the Sponsor may withhold any payments to the Attorney for the purpose of setoff until such time as the exact amount of damages due the Sponsor from the Attorney is determined.

SECTION 10. TERMINATION FOR CONVENIENCE OF SPONSOR. The Sponsor may terminate this Agreement at any time funds are unavailable under the Grant due to suspension or termination of the Grant by giving written notice to the Attorney of such termination and specifying the effective date thereof at least fourteen (14) days prior to the effective date of such termination. In that event, all finished or unfinished documents and other materials remain as property of the Sponsor.

SECTION 11. TERMINATION OR SUSPENSION BY ATTORNEY. The Attorney may suspend work when funds are not available to the Sponsor for payment of services rendered under terms of the Compensation Schedule (Attachment 2) of this Agreement. In such event, all finished or unfinished documents and records prepared under the Project shall remain as property of the Sponsor.

SECTION 12. EQUAL EMPLOYMENT OPPORTUNITY. (a) The Attorney will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Attorney shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex or national origin. The Attorney agrees to post in conspicuous places available to employees notices to be provided setting forth the provisions of this non-discrimination clause. The Attorney will in all solicitations or advertisements for employees placed by or

on behalf of the Attorney, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin. (b) The Attorney shall keep such records and submit such reports concerning the racial and ethnic origin of applicants for employment and employees as may be required. (c) The Attorney agrees to comply with such rules, regulations or guidelines as the Secretary may issue to implement these requirements.

SECTION 13. PROFESSIONAL LIABILITY INSURANCE. The Attorney agrees to secure professional liability and malpractice insurance for the Project through the National Legal Aid and Defender Association at Project expense.

SECTION 14. INTEREST OF MEMBERS OF THE SPONSOR AND OTHERS. No officer, member, or employee of the Sponsor and no members of its governing body, and no other public official of the governing body of the locality or localities in which the Project is situated or being carried out who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this Project shall participate in any decision related to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or have any personal or pecuniary interest, direct or indirect, in this Contract or the proceeds thereof.

SECTION 15. ASSIGNABILITY. The Attorney shall not assign any interest in this Contract, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Sponsor.

SECTION 16. INTEREST OF ATTORNEY. The Attorney covenants that he presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Contract. The Attorney further covenants that in the performance of this contract no person having any such interest shall be employed.

The Attorney further covenants that all fee generating cases will be referred to Clark County Lawyer Referral Service. The Attorney may participate in said Service and assume responsibility for cases referred to him by the Service so long as they do not infringe upon the performance of services required under this Contract.

SECTION 17. OFFICIALS NOT TO BENEFIT. No members of or delegate to the Congress of the United States of America, and no resident commissioner, shall be admitted to any share or part hereof or to any benefit to arise herefrom.

SECTION 18. AUDITS AND INSPECTIONS. At any time during normal business hours and as often as the Sponsor, State Administration on Aging, HEW and/or the Comptroller General of the United States may deem necessary and for three (3) years after final payment on this Agreement there shall be made available to the Sponsor, State Administration on Aging, HEW and/or representatives of the Comptroller General for examination all of its records with respect to all matters covered by this Contract and will permit the Sponsor, State Administration on Aging, HEW and/or representatives of the Comptroller General to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Contract, except where the access to client records would constitute a clearly unwarranted invasion of personal privacy.

SECTION 19. ATTACHMENTS INCORPORATED AS PART. Three (3) attachments are incorporated as part of this Agreement: Attachment 1, Statement of Work; Attachment 2, Schedule of Compensation; Attachment 3, Reporting Requirements.

SECTION 20. PROVISIONS REQUESTED BY LAW DEEMED INSERTED. Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to be ensured herein and the Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, the Contract shall forthwith be physically amended to make such insertion or correction.

IN WITNESS WHEREOF THE SPONSOR AND THE ATTORNEY HAVE EXECUTED THIS AGREEMENT AS OF THE DATE FIRST ABOVE WRITTEN.

CITY OF LAS VEGAS (SPONSOR)

By William H. Briare
WILLIAM H. BRIARE, MAYOR

RICHARD E. DONALDSON (ATTORNEY)

By _____
SENIOR CITIZENS LAW PROJECT
ADVISORY BOARD (TITLE OR CAPACITY)

ATTEST:

Edwina M. Cole, City Clerk

1 WHEREAS, the City of Las Vegas is committed to the support of
2 recreational and cultural activities for the handicapped; and

3 WHEREAS, the Rainbow Company Children's Theater, sponsored by
4 the City of Las Vegas, has developed a special performance project for
5 handicapped children; and

6 WHEREAS, this performance project entitled Special Class has
7 received the endorsement of the City of Las Vegas, the Governor of the
8 State of Nevada, Nevada's Senators and Congressman, and all major handicap
9 associations throughout the State; and

10 WHEREAS, the Rainbow Company Children's Theater is seeking
11 funding support to enable this program to tour to local schools in order
12 to bring this unique City-sponsored project to such entities.

13 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of City
14 Commissioners that:

- 15 1. The Board of City Commissioners hereby authorizes the
16 Department of Recreation & Leisure Activities to submit an
17 application for touring funds to the National Committee Arts
18 for the Handicapped in the amount of \$9,800.
- 19 2. That the total amount of funding support will be \$9,800
20 with no additional City matching funds required beyond
21 regular program support.
- 22 3. That the Department of Recreation & Leisure Activities
23 Cultural & Community Affairs Branch will be responsible for
24 the administration of such funding received.

25 PASSED, APPROVED AND ADOPTED THIS 4th day of October, 1978.

26 
27 WILLIAM H. BRIARE, Mayor

28 
29 Edwina M. Cole, City Clerk

30 (SEAL)
31
32

SOFTBALLS (CONT) Commissioner Woofter: One question on that, Mayor Pro-Tem, Number 2, I'm still confused even with the backup. Is that to entering a joint contract with North Las Vegas to get a better price as far as say per se, softballs and bases and so forth?

Mr. Campbell: It's basically just allowing North Las Vegas to purchase it with us so they get to get the benefit of the same price we get.

Commissioner Woofter: Move to approve then.

Commissioner Lurie: There is a motion to approve Item A 1, 2, and 3. Cast your votes on the motion. Opposed. Motion is approved.

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

Commissioner Woofter: What's wrong with the County entering in with us?

Commissioner Leavitt: They don't have a softball program.

Commissioner Lurie: They don't have a program.

Mr. Campbell: The County has not to this date any programming of softball or anything.

Commissioner Christensen: That's another benefit the County residents get by having the City next to them.

Commissioner Woofter: I bet if we figured it out, I bet over 50% of the softball players live in the County.

Commissioner Christensen: Well listen, I wasn't kidding when I said we should consider charging an extra fee unless they can prove City residence.

Commissioner Lurie: Parks and Recreation through Mr. Campbell's department, that City residents will get priority over any team participation, and then the County residents would get to participate after the City residents got their teams delegated for certain times and fields.

Commissioner Woofter: I agree with Commissioner Christensen. Mr. Sloan just advised me that that possibly could be legally considered. They want to charge us for a Hall of Justice twice. Maybe we ought to charge them on the softball programs.

Commissioner Leavitt: I don't know. There may be a good short stop in the County, you know.

SOFTBALLS (CONT) Commissioner Woofter: Well it depends on which team they play for.

Commissioner Lurie: We'll get back to the agenda on award of bids.

Mr. Campbell: Commissioner?

Commissioner Lurie: Mr. Campbell.

Mr. Campbell: I just want to say that Mr. Dorn has instructed us to begin looking into some type of ways to offset our budget and ways to bring in funds, and we are looking into the concept of having a surcharge to those that live out of the City that actively participate in our programs on a daily basis, or very much of a scheduled basis, anyway.

Commissioner Lurie: Very good. Would you report back to us on that. Keep us informed.

Mr. Dorn: It's interesting our tentative figures show that 60% of our softball league is used by County residents; 40% by City residents. Is that correct?

Mr. Campbell: I believe that's 60-40 when you include North Las Vegas also. Forty-five percent is City residents.

Commissioner Lurie: Start putting a little pressure on the County residents, the County Commission to do a little bit more planning in their recreation department to provide some additional services if we start discontinuing our services to County residents.

Commissioner Christensen: An interesting side light to that is it can't go the other way, either, because we are County residents. It's kind of a one-way street. We can use any of the County facilities we want, but they are not City residents and have so voted.

STAGE LIGHTING
SYSTEM, LIBRARY
AND ART CENTER

Commissioner Lurie: Right. Moving on. We'll go on to item B, Award of Bids. I just have one question on item three. The bid came in considerably higher than the estimate. Mr. Cathcart, could you give us some comments on that?

Mr. Cathcart: Yes your honor. The estimate was made over a year and a half ago on this particular project. The bids have been sent back through a committee. They have been evaluated, and it's still our recommendation. This is really the cheapest way to go ahead with this particular project. This also involves a delivery schedule of the whole Charleston Library.

AGENDA

City of Las Vegas

October 4, 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) <u>DEPARTMENT OF MUNICIPAL SERVICES, CONTD.</u>		
*B. <u>AWARD OF BIDS, CONTD.</u>	See Page 21	See Page 21
4. Bid #REV78.131 - Theatre Sound System - Charleston Heights Library and Art Center (Public Services - Recreation & Leisure Activities)		
5. Bid #78.132 - Truck, 1-1/2 Ton Crew Cab With Specialized Emergency Lighting Equipment (Fire Services)		
6. Bid #REV78.133 - Library Furniture for Charleston Heights Library and Art Center (Public Services - Recreation & Leisure Activities)		
Bid Group I and III <u>Only</u>		
Bid Group II and IV <u>Only</u>		
7. Bid #78.134 - Miscellaneous Fire Nozzles, Monitors & Wyes (Fire Services)		
8. Bid #78.135 - Replacement Fire Hose, Adaptors, and Equipment (Fire Services)		
9. Bid #78.12 - Street Lighting - Charleston Square - SID No. 423 (Public Services)		
C. <u>PURCHASE ORDER APPROVAL</u>		
1. Request Purchase Order Approval to <u>Motorola, Inc.</u> , Las Vegas, Nevada for furnishing and installing Modax 500 Radio Paging Terminal (City Hall General)	Items 1 thru 4 Approved as recommended Lurie - unanimous	Director authorized to proceed
2. Request Purchase Order Approval to <u>John M. Tettermer Assoc.</u> , Los Angeles, California for Consulting Services on 208 Program (Public Services - Sanitation)		

AGENDA

City of Las Vegas

October 4, 1978

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

C. PURCHASE ORDER APPROVAL, CONTD.

3. Request Purchase Order Approval to A. B. Dick/Scott, Burlingame, California for Initial Startup Supplies for City Wide Micrographics Program (Municipal Services - Building & Safety Division)

4. Request Purchase Order Approval to Cartania, Inc., Las Vegas, Nevada for a Three-Wheel Scooter for use in Department of Business Activities, Parking Enforcement Division

D. REJECTION OF BIDS

1. Bid #REV78.129 - Auditorium Seating - Charleston Heights Library and Art Center (Public Services - Recreation & Leisure Activities)

REQUEST PERMISSION TO READVERTISE WITH REVISED TECHNICAL SPECIFICATIONS

See Page 22

See Page 22

Approved as recommended Christensen - unanimous

Director authorized to proceed

AGENDA

City of Las Vegas

Oct. 4, 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, and D are considered to be routine by the City Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.

*A. APPROVAL OF SUBDIVISION PLATS

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

1. Charleston Rainbow No. 16-D. (Sproul Homes of Nevada, R. B. Cline, President)
2. Summerplace, a Planned Unit Development. (Four Rent, Inc., James Weber, Secretary-Treasurer)
3. Washington Square No. 6. (Robert Shaw Construction)
4. Nova Park No. 3. (Consolidated Realty and Management, Inc., Dwight W. Jory, President)
5. Tara I. (Consolidated Realty and Management, Inc., Dwight W. Jory, Pres.)

Items 1 thru 5
 Approved
 Wofter - unanimous

Director
 authorized
 to proceed

*B. RELEASE OF BOND

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

1. Location: 1405 "A" St.
 Use: Offsites
 Builder: 84 Lumber Co.
 Surety: INA (Ins. Co. of No. America)
 Amount: \$3,800.00
 Bond No.: MNR 09 01 55

Items 1 and 2
 Approved
 Wofter - unanimous

Clerk to proceed

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

*B. RELEASE OF BOND (Continued)

2. Location: 29 No. 28th St.
Use: Offsite improvements
Builder: Simpson & Mather Const. Co.
Surety: First Western Savings & Loan
Amount: \$1,728.87
Bond No.: 52-77

See Page 26

See Page 26

*C. RELEASE OF CONSTRUCTION CONTRACT

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

1. Bid No.: 78.28
Contractor: Empire Construction Co.
For: Three (3) 12' x 60' Personnel Trailers
Notice of Completion: Aug. 9, 1978
Release Date: September 12, 1978

Approved as recommended
Woofter - unanimous

Director authorized to proceed

*D. RIGHT OF WAY ITEMS

1. Grant Deed (Rerecorded)
From: Merlin S. Murphy
To: City of Las Vegas
For: Portion Fairview Tract 4th St. and Alley
Recorded as Instrument No. 905781 in Official Record Book 946 in the office of the County Recorder on September 20, 1978.

Items 1 thru 7
Approved
Woofter - unanimous

Same as above

AGENDA*City of Las Vegas*Oct. 4, 1978
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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Actio

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

*D. RIGHT OF WAY ITEMS (Continued)

See Page 25

See Page 25

2. Grant Deed

From: Alan B. Curtis, a married man, 1/3 interest; Arthur Brent Curtis, a single man, 1/3 interest; and Arthur W. Curtis, a married man as his sole and separate property, 1/3 interest, as joint tenants

To: City of Las Vegas
For: Portion of NE-1/4, Sec. 12, T20S, R60E Thom Blvd. Dedication (9/18/78)

3. Grant Deed

From: Harris P. Sharp and Margaret J. Sharp, husband and wife, Walter F. Zick and Mildred R. Zick, husband and wife, Howard W. Cannon and Dorothy Cannon, husband and wife, and Frank E. Scott who acquired title as an unmarried man

To: City of Las Vegas
For: Portion NW-1/4, Sec. 33, T20S, R61 E Mesquite Circle. Dedication (6/7/78)

4. Grant Deed

From: R. C. Associates, a Limited Partnership
To: City of Las Vegas
For: Portion SW-1/4, Sec. 28, T20S, R61E Mesquite Circle. Dedication (9/12/78)

AGENDA

City of Las Vegas

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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)		
*D. RIGHT OF WAY ITEMS (Continued)		
<p>5. Grant Deed From: Ettore D. Mascetelli and Angela Mascetelli To: City of Las Vegas For: Portion NE-1/4, Sec. 23, T20S, R60E Jones Blvd. (RSHC Project) Recorded as Instrument No. 901624 in Official Record Book 942 in the office of the County Recorder on September 12, 1978</p>	See Page 25	See Page 25
<p>6. Grant Deed From: Joseph R. Melanson and Eileen T. Melanson To: City of Las Vegas For: Portion NE-1/4, Sec. 23, T20S, R60E Jones Blvd. (RSHC Project) Recorded as Instrument No. 901625 in Official Record Book 942 in the office of the County Recorder on September 12, 1978</p>		
<p>7. Grant Deed From: Dane W. Young and Dorothy E. Young, husband and wife as joint tenants To: City of Las Vegas For: Portion NE-1/4, Sec. 23, T20S, R60E Jones Blvd. (RSHC Project) Recorded as Instrument No. 902374 in Official Record Book 943 in the office of the County Recorder on September 13, 1978</p>		

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City of Las Vegas

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE
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ITEM	Commission Action	Department Action
IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)		
*D. RIGHT OF WAY ITEMS (Continued)		
8. Permission to appraise, purchase or condemn parcels required for Washington Ave. from Main St. to Las Vegas Blvd. No. (Reg. Street & Highway Project)	Approved Lurie - unanimous	Director authorized to proceed
E. REPORTS/ACTION		
1. Phase I East Charleston parking lots. (Abeyance)	Abeyance	11/1/78 Agenda
2. Resolution objecting to unreasonable controls by EPA on drinking water contaminants.	Adopted Resolution *Christensen - unanimous	Same as above
3. Oversizing of sewer line on Marion Drive - Stewart Ave. to Cedar Ave. from 8" to 12" VCP, \$5608.00; Cedar Ave. to Bonanza Ave. from 8" to 10" VCP, \$5910.00. Total \$11,518.00.	Approved as recommended Christensen - unanimous	Same as above
4. Agreement to Proceed between City of Las Vegas and Nevada State Highway Dept. 6 Traffic Signals at various locations	Approved as recommended Christensen - unanimous	Same as above
*Commissioner Leavitt did not vote - temporarily absent		

RESOLUTION #10-4-78

COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA

WHEREAS, the City of Las Vegas, State of Nevada, is a municipal corporation authorized under the laws of the State of Nevada having the duty and responsibility of representing its citizens in matters of public policy having a direct impact on their daily lives; and

WHEREAS, matters relating to water for consumption, domestic use and other purposes is of such prime importance to its citizens that their literal survival is dependent upon this natural resource; and

WHEREAS, the City of Las Vegas receives the major portion of its water from the Las Vegas Valley Water District which in turn receives the major portion of its water from and through the Alfred Merritt Smith Water Treatment Facility; and

WHEREAS, the first stage of this water treatment facility, with a capacity of 200 million gallons per day, was placed in operation in 1971; and

WHEREAS, plans are now being developed for the enlargement of this facility increasing its operational capacity to 400 million gallons per day on or before September 1, 1981; and

WHEREAS, this central treatment facility is important in that it also serves and provides treated Colorado River water to the Cities of North Las Vegas, Henderson and Boulder City and certain unincorporated areas of Clark County as well as Nellis Air Force Base for their residential, commercial and industrial use; and

WHEREAS, the water quality objectives for the Alfred Merritt Smith Water Treatment Facility have been, and continue to be, more stringent than those established under the National Interim Drinking Water Regulations effective June 24, 1977; and

WHEREAS, the City of Las Vegas is dedicated to ensure that safe drinking water is supplied to its citizens and that this natural resource is administered in a cost-effective manner; and

WHEREAS, the Environmental Protection Agency has proposed regulations for the control of organics in drinking water which also address the subject of carcinogens in water; and

WHEREAS, the issues raised by the proposed regulations have such broad

impacts on capital investment, construction, operation and maintenance, all of which affect the cost of water to consumers; and

WHEREAS, the Environmental Protection Agency has not provided sufficient evidence to justify the proposed trihalomethanes or synthetic organic standards or treatment; and

WHEREAS, the National Academy of Sciences was charged by Congress and the Environmental Protection Agency to recommend maximum organic contaminant levels for water, but instead recommended further research; and

WHEREAS, the City of Las Vegas believes that the agencies responsible for the quality of the water are continuing strong efforts to effectively control organics and are working in concert with the Environmental Protection Agency toward obtaining such goals,

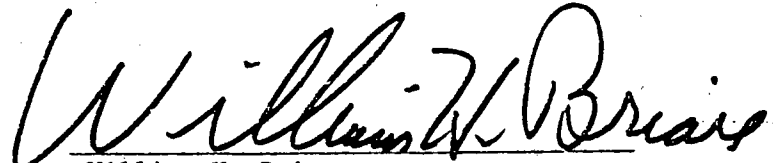
NOW, THEREFORE, BE IT RESOLVED That the Commissioners of the City of Las Vegas, State of Nevada, hereby endorse the following three-point program in lieu of the Environmental Protection Agency's proposed drinking water organic regulations:

1. Expanded and accelerated health-effects research on trihalomethanes (THM) and synthetic organics as recommended by the National Academy of Sciences. A scientific basis for regulation must be established before, not after, rules are promulgated.
2. Elimination of EPA's proposed requirement of granular activated carbon (GAC) as a treatment technique. In its place, provide at least four plant-size research projects underwritten by the government to gather financial, operating, and scientific data, which do not now exist.
3. Adoption of EPA's proposed monitoring program for trihalomethanes (THM), except that notification should not be required. Establishment of a monitoring program for synthetic organic chemicals, financed and operated by EPA.

BE IT FURTHER RESOLVED, That the Mayor of the City of Las Vegas sign this Resolution on behalf of the Commissioners of the City of Las Vegas and that copies of this Resolution be sent to Deputy Assistant Administrator Victor J. Kimm of the Environmental Protection Agency, Governor Mike O'Callaghan, Senator Howard W. Cannon, Senator Paul Laxalt, Congressman James D. Santini, Chairman John Fransway of the State Environmental Commission, Director

Norman S. Hall of the State Department of Conservation and Natural Resources,
Las Vegas Valley Water District, and Division of Colorado River Resources.

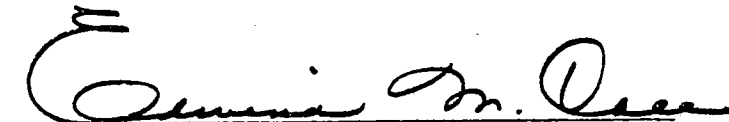
Unanimously adopted at a regular meeting of the Commissioners of the
City of Las Vegas held at The City Commission Chambers on the 4th day of
October, 1978.



^{WHS}
William H. Briare
Mayor of the City of Las Vegas
State of Nevada

Date: ~~October 4, 1978~~

ATTEST:


^{EMC}
Edwina M. Cole, City Clerk

CITY OF LAS VEGAS

Date

INTER-OFFICE MEMORANDUM

Oct. 4, 1978

<p>TO: MAYOR BRIARE COMMISSIONER CHRISTENSEN COMMISSIONER LEAVITT COMMISSIONER LURIE COMMISSIONER WOOFER</p>	<p>FROM: DIRECTOR OF PUBLIC SERVICES</p>
<p>SUBJECT: AGENDA ITEM - AGREEMENT BETWEEN STATE HIGHWAY AND CITY OF LAS VEGAS</p>	<p>COPIES TO: CITY MANAGER, RUSSELL DORN DEPUTY CITY MANAGER, DON SAYLOR CITY CLERK, EDWINA M. COLE</p>

This agreement is being signed to confirm our traffic control improvements for Fiscal Year 1978-79. The traffic signals will be located as follows:

Las Vegas Blvd., Main St. and St. Louis - rebuild and modernize the signal. Estimated cost - \$80,000

Rainbow and Alta - This will include lighting and conduit. Estimated cost - \$25,000


Rancho Drive and Decatur - a complete new signal. Estimated cost - \$60,000

7th and Fremont - a complete new signal. Estimated cost - \$40,000

Mojave and Charleston - signal modification. Estimated cost - \$9,000

Charleston and Torrey Pines - signal modification. Estimated cost - \$50,000

The financing of these will be 50% State Highway and 50% Regional Streets and Highways. City's cost will be for the design. Bids for construction are to be accepted on or before June 30, 1979.


 WILLIAM J. PURVIS, P.E.

WJP/lm

ACTION TAKEN

Approved by
[Signature]
 Date 10-4-78

IV(g)E-4

AGENDA

City of Las Vegas

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

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 Department Acti

ITEM

Commission Action

ITEM	Commission Action	Department Acti
<p>V. MIKE SLOAN - CITY ATTORNEY</p>		
<p>A. Resolution to annex to the City of Las Vegas property generally located on the south side of Lone Mountain Road west of Lorenzi Boulevard</p>	<p>Adopted Resolution Lurie- unanimous</p>	<p>Staff to proceed</p>
<p>B. Resolution to adopt recommendations of the Traffic and Parking Commission and the Traffic Engineer for the betterment of traffic and parking conditions</p>	<p>Adopted Resolution Lurie Commissioner Woofter voted "no"</p>	<p>Staff to proceed</p>
<p>C. Special Improvement District No. 426 East Charleston Blvd. - 6th Street to 10th Street</p> <ol style="list-style-type: none"> 1. Resolution making a provisional order to the effect that the work of improvement of certain street improvements and parts thereof within the proposed SID No. 426 shall be done. 2. Notice of Public Hearing on the improvement of certain streets and parts thereof and proposed assessments within the proposed SID No. 426. 	<p>Approved Christensen - unanimous</p>	<p>Staff to proceed Clerk to mail Notices</p>

R E S O L U T I O N

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to Title X of the City Code to be done by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

WHEREAS, the City Commission deems it to be for the betterment of traffic and parking conditions to adopt said recommendations of the Traffic and Parking Commission and the Traffic Engineer.

NOW, THEREFORE, be it resolved by the Board of City Commissioners of the City of Las Vegas, Nevada, that the following schedules pertaining to Title X of the City Code be amended as follows:

Schedule 3-1, Page 1, be amended to include the following as parking meter zones:

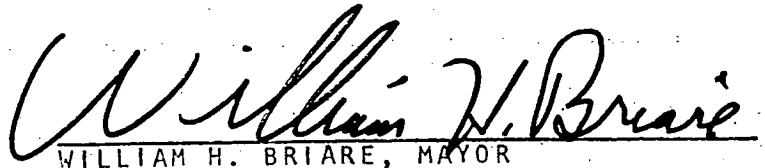
4th Street - east side - from Clark Avenue to Bonneville Avenue

Schedule 17-VI, Page 29, be amended to include the following as parking time limited zones:

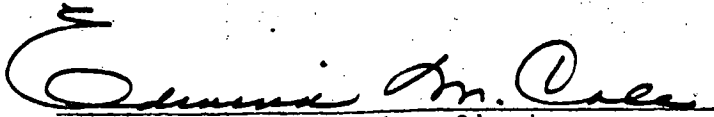
Garces Avenue - south side - between 3rd Street and 4th Street

PASSED, ADOPTED AND APPROVED this 4th day of

October, 1978.


WILLIAM H. BRIARE, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

See Page 71 - Annotated Agenda.

NEW BILLS

See Page 74 - Annotated Agenda.

VACANCIES - BOARDS AND COMMISSIONS

See Page 75 - Annotated Agenda.

REPORTS FROM RECOMMENDING COMMITTEES

Commissioner Lurie: We'll go to page 32 now, reports from Recommending Committees. Bill No. 78-65.

Mr. Dorn: Mayor Pro-Tem, we have a difficulty on reports from Recommending Committees. I would like to recommend that we hold these items in abeyance due to a publication error by one of the local newspapers.

Commissioner Christensen: Will we still be able to make the publication dates if we wait until our next meeting? That will be in October, will it not?

Commissioner Woofter: Newspapers don't make errors, what are you saying?

Mr. Dorn: In this case they didn't publish any, Commissioner. They made a couple of errors.

Commissioner Lurie: Well, then we'll have to... why don't you make a recommendation, then, that these be held.

Mr. Sloan: I concur with the City Manager's recommendation.

Commissioner Lurie: Then all of them, items A through D will be held until our next meeting which will be October 18.

Mr. Dorn: For the Commission's information, at the staff meeting yesterday we discussed it and there were no emergency cases in these publications or recommendations.

Commissioner Lurie: If there's no other business before us this morning, then the meeting will be adjourned until 2:00 this afternoon.

(Meeting Recessed at 11:50 A.M.)

(Meeting Reconvened at 2:15 P.M.)

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

A. Bill No. 78-69 To amend Title II Chapter 5, to repeal Section 2 titled "Definitions" and to add a new Section 2 titled "Definitions" which will delete, add and amend certain definitions applicable to this Chapter.

1st Reading and Referred - Commissioners Christensen and Leavitt

Clerk to proceed with 1st Publication

B. Bill No. 78-70 Creating Las Vegas, Nevada, Special Improvement District No. 424. Step requirement. MEADE AVENUE BETWEEN VALLEY VIEW AND RANCHO ROAD

1st Reading and Referred - Commissioners Lurie and Woofter

Same as above

C. 78-Z-2 To amend Title XI, Chapter 1, Section 3 to amend the Land Use Plan Map of the City of Las Vegas by changing the various zone designations

1st Reading and Referred Commissioners Lurie and Christensen

Same as above

APPROVED AGENDA ITEM

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VII. VACANCIES - BOARD & COMMISSIONS

A. JOINT PLUMBERS EXAMINING BOARD - (2-year Term)

Sec. 19(a) of the 1976 UNIFORM PLUMBING CODE provides: "Appointment to the JOINT BOARD OF PLUMBER EXAMINERS shall be made from members of the Board of Plumber Examiners by the Board of Commissioners of the City of Las Vegas for the term of 2 years only."

The following recommendations have been made for appointment to this JOINT PLUMBERS EXAMINING BOARD:

1. Ralph Joeckel (Mechanical Engineer)
2. Charles C. Englert (Plumbing Contractor)

PLUMBERS EXAMING BOARD (2-year Term)

For 2-year terms expiring 10/2/80, the following have been recommended:

1. Ernest Pacheco (Vegas Valley Water Conditioning)
To replace Archie P. Jones as of 10/2/78
2. Frank Gonzales (Sedillo Landscape Sprinkler)
To replace Richard D. Brown as of 10/2/78

Appointed
 Ralph Joeckel and
 Charles C. Englert
 to Joint
 Plumbing Board

Clerk to notify

Abeyance

11/1/78 Agenda

APPROVED AGENDA ITEM

DCT 5/28/78

AGENDA

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ITEM	Commission Action	Department Action
<p>VIII. <u>REPORTS FROM RECOMMENDING COMMITTEES</u></p>		
<p>A. <u>BILL No. 78-65</u> - Amending Title X, Chap. 29, Section 7(H) to provide that for each and every vehicle which exceeds 70 ft. in length, a \$50.00 application fee shall be assessed against the operator, rather than an operator of several excessively long vehicles being allowed to pay a single \$50.00 application fee</p>	<p>Abeyanace</p> <p>(Due to the failure of the L.V. SUN to publish Items A thru D)</p>	<p>11/1/78 Agenda</p>
<p>Committee: Commissioners Lurie and Woofter</p>		
<p>1st Publication - L.V. SUN 9/26/78</p>		
<p>B. <u>BILL No. 78-66</u> - Amending Title VIII, Chap. V, to clarify, by adding it to the City Code, the already established City policy which places responsibility for maintaining sewer main facilities in City-owned rights-of-way and easements on the City, and responsibility for maintaining sewer laterals to the point of connection with sewer main facilities on the private property owner</p>		
<p>Committee: Commissioners Lurie and Christensen</p>		
<p>C. <u>BILL No. 78-67</u> - Satisfies the requirements of the Nevada Revised Statutes for annexation (Annexation A-5-78) - property generally located on the South side of O'Bannon Drive, between Jones Blvd. and Torrey Pines Drive</p>		
<p>Committee: Commissioners Lurie and Christensen</p>		
<p>1st Publication - L.V. SUN 9/26/78</p>		
<p>D. <u>BILL No. 78-68</u> - To amend Title I, Chap. 7, of the Municipal Code, by adding a new percentage increase to Sec. 3, Sub-section (d) of the Compensation Plan of June 1977</p>		
<p>Committee: Commissioners Woofter and Lurie</p>		
<p>1st Publication L.V. SUN 9/26/78</p>		

APPROVED AGENDA ITEM

Copies of Resolutions on File in Office of City Clerk

Bill No. 78-65

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE X, CHAPTER 29, SECTION 7(H) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO PROVIDE THAT THE OPERATOR OF VEHICLES WHICH EXCEED SEVENTY FEET (70') IN LENGTH SHALL RENDER AN APPLICATION TO THE DIRECTOR OF PUBLIC SERVICES AND PAY A FIFTY DOLLAR (\$50.00) APPLICATION FEE FOR EACH AND EVERY VEHICLE WHICH EXCEEDS SEVENTY FEET RATHER THAN AN OPERATOR OF SEVERAL VEHICLES BEING ALLOWED TO PAY A SINGLE \$50.00 APPLICATION FEE FOR ALL HIS VEHICLES WHICH EXCEED THE ALLOWABLE SEVENTY FEET; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Bill No. 78-66

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE VIII, CHAPTER V OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING A NEW SECTION 6 THERETO TO CLARIFY MAINTENANCE RESPONSIBILITIES FOR CITY SEWER FACILITIES; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BILL NO. 78-67

ORDINANCE NO. _____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. (ANNEXATION A-5-78).

Bill No. 78-68

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 1, CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY CHANGING THE MINIMUM PERCENTAGE INCREASE IN SECTION 3, SUBSECTION (A) OF THE COMPENSATION PLAN OF JUNE 1977, AS ADOPTED BY REFERENCE ON JUNE 15, 1977 AND AMENDED JULY 6, 1978; SAID PERCENTAGE INCREASE AFFECTING THE SALARY STRUCTURE OF CLASSIFIED EMPLOYEES NOT COVERED BY COLLECTIVE BARGAINING CONTRACTS AND FURTHER AMENDING TITLE 1, CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, BY REPEALING ATTACHMENT (A), ENTITLED "CLASSIFIED POSITION, GRADE & STEP SCHEDULE" BEING ATTACHED TO THE COMPENSATION PLAN OF JUNE 1977, AS ADOPTED BY REFERENCE AND FURTHER AMENDING TITLE 1, CHAPTER 7 OF THE MUNICIPAL CODE BY ADDING A NEW ATTACHMENT (A), ENTITLED "CLASSIFIED POSITION, GRADE & STEP SCHEDULE, JULY 1978 FINAL". SAID ATTACHMENT TO BE RECORDED WITH THE COMPENSATION PLAN OF JUNE 1977, AND BY REPEALING ATTACHMENT (A) THERETO; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES

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ITEM

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

A. Proposed amendment to the MASTER PLAN OF STREETS AND HIGHWAYS by the deletion of Washburn Road between Torrey Pines Drive on the East and Tenaya Way on the West

Approved as recommended by Planning Commission Lurie - unanimous

Director authorized to proceed

No protests

APPROVED AGENDA ITEM

Oct 5 1978

PUBLIC HEARINGS

PROPOSED AMEND-
MENT TO MASTER
PLAN - Deletion
of Washburn Rd.

Mayor Briare: Sorry for the delay, ladies and gentlemen. The first item on the agenda this afternoon is a Public Hearing on a proposed amendment to the Master Plan of Streets and Highways.

Mr. Foster: In front of you on the map is the area that's involved in the proposed amendment to the street plan. It is proposed to delete Washburn from Tenaya easterly over to Torrey Pines, which is a distance of approximately one mile. Through the center portion of the map you can see Rancho Drive and the intersection of the Rainbow Expressway where there will be a major interchange. Some time ago a property owner to the east, east of Rancho Drive, was proposing to divide his land and he came upon this item that a portion of his property would extend north of the alignment of Washburn leaving parcels of land ranging from thirty to sixty feet in size.

The Public Services Department explored the feasibility of realigning Washburn so that they would line up with the property lines or half off the property to the south and half to the north. In exploring that they also found out that the State was not proposing to allow Washburn to cross Rancho Drive, and it would be terminating on each side of Rancho Drive. So the proposal has been developed to delete Washburn from between those two major streets mentioned. This will still allow the traffic circulation on the major streets to connect at these locations where it will terminate. In addition, as you see there are frontage roads that the State has picked up to provide additional traffic circulation around the Expressway. The Planning Commission felt that it was proper to delete this section from the major street plan and recommended approval.

Mayor Briare: Is there anyone in the audience present today who wishes to be heard on this matter before the Commission relative to changing the Master Plan by deleting Washburn Road between Torrey Pines Drive on the East and Tenaya Way on the west? Mrs. Cole have the record reflect that there was no one present to be heard on this matter. Comments or questions by the Commission.

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

Mayor Briare: Cast your votes. Opposed. The 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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Department Ac

X 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) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license; (3) Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy; (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (Excluding single family development) (5) 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.

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X COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, ACTING DIRECTOR (CONTINUED)

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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ITEM	Commission Action	Department Action
<p>X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT</u> <u>HAROLD P. FOSTER, ACTING DIRECTOR</u></p>		
<p>A. <u>ZONE CHANGE - Z-81-78 - JERRY E. HERBST</u></p> <p>Property generally located at the northwest corner of Highland Drive and Pinto Lane. From: C-1 (Limited Commercial) To: R-4 (Apartment Residence) Proposed Use: 24 Unit Apartment Complex</p> <p>Planning Commission recommends APPROVAL (6=yes, 1=no), subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Resolution of Intent to be restricted to a twelve (12) month time limit. 2. Dedication of a 15 ft. radius corner prior to the time of development as required by the Department of Public Services. 3. At the time of development, construction of sidewalk, and street lighting on Highland Drive and Pinto Lane frontage along with alley paving on alley frontage as required by the Department of Public Services. (Engineering drawings to be submitted and a bond posted for this construction.) 	<p>Approved as recommended by Planning Commission Christensen Commissioner Woofter voted "no"</p> <p>(Richard Koch, Counsel)</p>	<p>Clerk to notify Planning to proceed</p>
<p>PROTESTS: 3</p>		
<p>B. <u>ZONE CHANGE - Z-77-78 - WILLIAM H. JOHNSON, ET AL</u></p> <p>Property located on the northwest corner of Mesquite Avenue and Eastern Avenue. From: R-1 (Single Family Residence) To: C-1 (Limited Commercial) Proposed Use: Retail Sales</p> <p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Resolution of Intent to be restricted to a twelve (12) month time limit. 2. Construction of concrete sidewalk on Mesquite Avenue frontage as required by the Department of Public Services. 	<p>Abeyance (at applicant's request)</p>	<p>11/1/78 Agenda Clerk to notify Planning to proceed</p>

Z-77-78
WILLIAM JOHNSON

Mayor Briare: Next item is an application for William Johnson, zone change Z-77-78. Oh, that's been requested to be held in abeyance. Do you know if Mr. Johnson had something he wanted to question or argue on that? Conditions or...

Mr. Foster: Not as far as I know.

Mayor Briare: There were no protests. Is there anyone present in the audience today to be heard on the application of William Johnson. Would we just be saving ourselves one item next time by going ahead and following the recommendation?

Commissioner Lurie: Well, maybe find out why he wanted it held. There might be a reason.

Commissioner Christensen: It doesn't do any damage anyway. You're on a resolution of intent.

Mayor Briare: Which, Commissioner. You mean to go ahead with it?

Commissioner Christensen: Well, it's a resolution of intent, isn't it?

Mr. Foster: That's correct.

Commissioner Christensen: Well, then you're not changing the zoning which is done by ordinance. So if he has a problem or there is a problem with it or something like that, you're not locked in under Resolution of Intent so you can change that.

Mr. Foster: The only thing I can think of, we asked to move the building seven feet north and indicated that he could provide the additional square footage along the easterly side of his property. It's conceivable he may be taking exception to that even though he did agree to it at the Planning Commission meeting.

Commissioner Christensen: I move we hold it until the man comes back.

Mayor Briare: Okay, we'll hold it. It'll be held.

See Page 84 - Annotated Agenda.

Z-4-72
PLOT PLAN REVIEW

Mayor Briare: Plot plan review for James McKeller.

Mr. Foster: This is just to change the layout of the proposed apartment development. You can see it's north of Fremont on the east side of 25th. This is the layout. The red indicates the location of the new buildings. They have ample parking. Planning Commission recommended that there be two accesses to the alley that runs along the north side. With that condition and the others mentioned, they recommended approval.

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ITEM	Commission Action	Department Action
<p>X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u></p>		
<p>3. Revise the parking plan to provide minimum 9' x 20' spaces and driveway openings to conform to City of Las Vegas standards, as required by the Department of Public Services.</p>	See Page 36	See Page 36
<p>4. Redesign the plot plan to comply with staff's recommendations.</p>		
<p>PROTESTS: 0</p>		
<p>NOTE: Applicant has requested this item be held in abeyance until October 18, 1978, because he will be out of town and unable to attend this meeting and wishes to be present when his application is considered.</p>		
<p>C. <u>EXTENSION OF TIME - Z-104-77 - CARL A. SIZER</u></p>		
<p>Request for a Two Months Extension of Time of a Resolution of Intent to R-3 (from R-1) on property generally located at the south-west corner of Alta Drive and Desert Lane.</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to not Planning to proceed</p>
<p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p>		
<p>1. Extension of time shall be limited to a two month time limit.</p>		
<p>2. Conformance to any ordinance requirements enacted subsequent to the original approval.</p>		
<p>D. <u>PLOT PLAN REVIEW - Z-4-72 - JAMES A. MCKELLAR, JR.</u></p>		
<p>Request for a Plot Plan Review to allow an apartment project on property generally located on the east side of 21st Street between Fremont Street and Sunrise Avenue, R-4 zone.</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to notify Planning to proceed</p>
<p>Planning Commission unanimously recommends APPROVAL, subject to the following conditions:</p>		
<p>1. The proposed driveway opening on 21st Street is not to exceed 25 ft. in width as required by the Department of Public Services.</p>		

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

2. Provide two driveways to the alley as required by the Department of Community Planning and Development.

See Page 37

See Page 37

E. EXTENSION OF TIME - Z-85-77 - TED BOSSART

Request for a Six Months Extension of Time of a Resolution of Intent to R-PD19 (from R-E) on property generally located at the southeast corner of Cedar Avenue and 28th Street to allow an 80 unit four-plex development.

Approved as recommended by Planning Commission
Lurie - unanimous

Clerk to notify Planning to proceed

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

1. Extension of time shall be limited to a six month time limit.
2. Conformance to any ordinance requirements enacted subsequent to the original approval.

F. PLOT PLAN REVIEW Z-127-77 - ROBERT HAYDEN

Request for a Plot Plan Review to allow revision of the original plot plan from a four-plex to a ten-plex on property located at 4833 E. Owens Avenue, R-3 zone.

Approved as recommended by Planning Commission
Lurie - unanimous

Clerk to notify Planning to proceed

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

1. Signing an Assessment District Agreement for half-street improvements as required by the Department of Public Services.
2. Installation of temporary asphalt paving at driveway entrances at the time of development as required by the Department of Public Services.

Z-4-72
CONT.

Mayor Briare: Comments? Yes sir, did you wish to be heard on this?

Mr. McKellar: My name is James McKellar, Jr, 3241 Montecedo. I'm open for any questions you might have.

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

Mayor Briare: Motion is to approve. Any comments? Cast your votes. Opposed. The motion is approved.

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

Z-85-77
TED BOSSART

Mayor Briare: The next is a request for an extension of time by Ted Bossart.

Mr. Foster: He's still in the process of getting his loan. It's his first extension. The Planning Commission recommended approval.

Commissioner Lurie: Move we follow the recommendation.

Mayor Briare: Comments. Cast your vote. Opposed. The motion is approved.

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

Commissioner Christensen: I've got one question with a couple of these. Number one on E, which was just approved, says "extension of time shall be limited to a six-month time limit". Does that mean that the extension of time shall be limited until they ask for another extension of time or does that mean that we limit the extension to six more months.

Mr. Foster: It just means that it's for six months and he can ask for another extension at that time.

Commissioner Christensen: Okay.

Z-127-77
ROBERT HAYDEN

Mayor Briare: Next is a plot plan review for Robert Hayden.

Mr. Foster: This is another request to review the plot plan and to increase the number of units on the south side of Owens Avenue, about a block west of Nellis. This is the proposed layout showing the two buildings. It's actually for ten units. The original plot plan had four units on it. The Planning Commission recommended approval.

Z-127-77
ROBERT HAYDEN
(CONT) Commissioner Lurie: Was there any protest the first time that this came in and then they're coming in and asking for additional units?

Commissioner Christensen: That was my question. It sticks in my mind this is one of those that we had a heavy protest factor on before.

Mr. Foster: No protests.

Commissioner Christensen: On the original one.

Mr. Foster: On the original.

Commissioner Christensen: This isn't the same one then.

Mr. Foster: You see there were, what, two more, one that's outlying to the east and another one that's already developed and zoned.

Mr. Saylor: Remember the two people got together, the apartment people and the horse people and said that they could have what they want and I keep what I want and it worked out.

Commissioner Christensen: That's what I wondered if this was part of that because I remember this issue down there.

Mayor Briare: Is it conceivable that could happen that a person would come in for four units and then just by a simple matter of an application increase that to eight or sixteen or something?

Commissioner Lurie: Not once the zoning has taken place on it you can't.

Mr. Foster: These are discretionary situations. If it's a substantial change then the Planning Commission and/or this Commission has the right to hold it and renotify the property owners. The Planning Commission felt that this wasn't to that extent and did not hold it for that purpose, and I think part of the fact was there wasn't any protest on it, but it's not an advertised hearing.

Mayor Briare: What is the maximum number of units that could go on this particular property, for example?

Mr. Foster: Ten. He's at the maximum density now.

Mayor Briare: Any other comments. Was there a motion on this?

Commissioner Lurie: Move that we follow the recommendation of the Planning Commission subject to their conditions.

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

G. EXTENSION OF TIME - Z-53-75 - SOUTHERN NEVADA
MEMORIAL HOSPITAL

Request for an Extension of Time to allow temporary parking facilities for hospital employees on property owned by NIC and located at 1710 West Charleston Boulevard, C-V zone. (City Commission granted temporary parking facilities at their meeting on February 15, 1978, but to be approved only until August 31, 1978.)

Planning Commission recommends APPROVAL (6-yes, 1-abstention), subject to the following conditions:

1. Extension of time shall be granted until December 31, 1978.
2. Conformance to any ordinance requirements enacted subsequent to the original approval.

Approved as recommended by Planning Commission Lurie

Commissioner Christensen voted "no"

Clerk to notify

Planning to proceed

H. PLOT PLAN REVIEW - Z-76-76 - H. GREGORY
NASKY ON BEHALF OF THE SHOWBOAT HOTEL

Request for a Plot Plan Review to allow a storage building on property generally located on the northeast corner of Atlantic Street and East Oakey Boulevard, C-2 zone.

Planning Commission unanimously recommends APPROVAL.

Approved as recommended by Planning Commission Lurie

Commissioner Woofter voted "no"

Mayor Briare abstained

Clerk to notify

Planning to proceed

I. PLOT PLAN REVIEW - Z-10-76 - JUAN CARLOS
LABORATI, M.D.

Request for a Plot Plan Review to allow construction of a six ft. slumpstone wall along the front of the building located at 1809 South Eastern Avenue, P-R zone.

Planning Commission unanimously recommends DENIAL.

Denied as recommended by Planning Commission Lurie - unanimous

Clerk to notify

Planning to proceed

Z-127-77
CONT.

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

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

Z-35-78
SNMH

Mayor Briare: Next is a request for an extension of
time for Southern Nevada Memorial Hospital.

Mr. Foster: Presently the hospital is using a parcel of
land owned by the NIC for a temporary employees' parking
lot. They are doing this until they can acquire a par-
cel of land on Hastings for this parking lot. They have
acquired the land. They are in the process of the
zoning action that will come before you at your next
meeting, and I think they had some time frame there that
they had to allow the owner sufficient time to move from
the property, which I think was just last month. So
they're in the process of replacing this lot, and
they're asking for an extension to the end of this year.
The Planning Commission recommended approval.

Commissioner Christensen: Your honor.

Mayor Briare: Commissioner.

Commissioner Christensen: What's being done about the
situation with the parking out there where they're
encroaching into that neighborhood over across the
street from the hospital, like on Pahor and in there.
I've had an awful lot of complaints from those people
that they can't move in there because of the employees'
cars parked in front of their houses. It's a very small
cul de sac. There's a couple of streets in there that
are cul de sacs. I think Commissioner Woofter used to
live over there.

Commissioner Lurie: I think the neighbors applied to
the Traffic and Parking Commission to put a time zone in
there.

Commissioner Christensen: Has that been done?

Commissioner Leavitt: More meters?

Commissioner Lurie: No meters, but there's posted, I
think, two hour limit, isn't there? I recall that
that's what was going to happen.

Commissioner Christensen: Well I know we discussed that
but I didn't know if it'd ever been done because we have
had that problem, and that was my question, no
necessarily for the man from the hospital but staff as
to whether or not that had been done and what was the
results and so forth because I know we did have a
problem on that.

Z-53-75
CONT.

Mr. Presser: My name is Kenneth Presser. I represent the hospital. Yes, Commissioner Christensen, they put the two hour signs up on those streets, and it evidently has eliminated the problem.

Mayor Briare: Any other comments?

Commissioner Lurie: I move we follow the recommendation of the Planning Commission subject to the conditions set forth.

Mayor Briare: Comments on the motion. Cast your votes. Opposed. The motion is approved.

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

Z-76-76
SHOWBOAT

Mayor Briare: Next is a plot plan review for Greg Nasky on behalf of the Showboat Hotel.

Mr. Foster: This is to allow a storage building just north of Oakey. It's directly west of the Gaudin Ford development. This probably shows you the location better. This is in red the proposed storage building. This is the Showboat Hotel facility. Gaudin Ford would be in this area. This would be Fremont Street. The structure is 80 feet by 150 feet in size with a six-foot block wall around the property. Planning Commission recommended approval.

Commissioner Woofter: Excuse me, Mayor. What type of storage?

Mr. Foster: Storage for the hotel. Just basically their supplies.

Commissioner Leavitt: How big is it?

Mr. Foster: Eighty by one fifty.

Commissioner Woofter: Huge. Eight thousand square feet.

Commissioner Leavitt: Is there a big block wall there on Oakey?

Mr. Foster: Block wall on Oakey. Yes.

Commissioner Leavitt: Okay.

Mr. Carson: Doug Carson, 4330 West Desert Inn, here for the applicant. Are there any questions?

Commissioner Lurie: How many square feet is that?

Mr. Carson: Twelve thousand.

Z-76-76
CONT

Commissioner Lurie: That's what I figured. It didn't look right.

Commissioner Woofter: It's no little structure. What's adjacent to it? Is that all open area?

Mr. Carson: Yes it's existing the parking lot. Yes.

Commissioner Lurie: How high is it going to be?

Mr. Carson: Twelve feet.

Commissioner Lurie: Just twelve feet high.

Commissioner Christensen: What are you going to use, a steel building?

Mr. Carson: Yes, just primarily for storage.

Commissioner Woofter: It's all open parking between storage and the main complex?

Mr. Carson: Right. It's all one big parking lot.

Commissioner Woofter: I didn't realize there was that much open space left in the Showboat parking lot.

Mr. Foster: The existing warehouse or storage building in this location is going to be removed after they construct that.

Mayor Briare: Any other comments?

Commissioner Lurie: Move for approval.

Mayor Briare: Comments on the motion. Cast your votes.

Commissioner Christensen: That one that'll be the most affected will be Gaudin Ford down there, wouldn't it?

Mr. Carson: Not really. That's adjacent to their storage lot.

Commissioner Christensen: But it won't be Gaudin Ford anymore I don't think because they're building a new facility on Sahara.

Mr. Carson: I think their intentions are to keep the existing facility on Boulder Highway.

Mr. Foster: Plus I think they have a building that backs up to this location.

Mayor Briare: Post. Motion is approved.

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

Z-10-76 Mayor Briare: Next is a plot plan review for Juan LABORATI, MD Carlos Laborati.

Mr. Foster: This is a request for a six-foot slump stone between the existing office building and Eastern Avenue. You see the segment of Eastern Avenue it's on between St. Louis and Oakey. The block wall is in this small area outlined in red. The blue is the existing building, parking around and a driveway immediately to the north. The plot plan indicated landscaping in the area. The applicant's a psychiatrist. He wants the six foot wall to reduce the noise level when he meets with patients in the room next to the block wall area. Plus he feels as a safety precaution in case cars would happen to hit the builing that this would help stop the vehicles.

The Planning Commission felt with the six-foot block wall coming clear out to the sidewalk it would cause egress problems on the property and you would not be able to see pedestrians as they walk along the sidewalk, and plus they would have to project into the sidewalk area before they could see the oncoming cars as well as they felt it would be a hazard to pedestrians who would possibly step in front of a car egressing from the driveway. One further point, they felt it may set an undesirable precedent along Eastern Avenue because the set backs are very minimal now from the sidewalk to the existing buildings. For those reasons they recommended denial.

Mayor Briare: Is Dr. Laborati present? (Not present.) What's the pleasure of the Commission?

Commissioner Lurie: Move for denial.

Mayor Briare: Cast your votes. Opposed. Motion is approved. The application is denied.

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

VAC-4-72
JOANN HAWKINS
WAIVER OF
CONDITIONS

Mayor Briare: Item J is a waiver of conditions for Joann Hawkins.

Mr. Foster: This involves an approved vacate from a small segment of the alley. It's at Washington and Torrey Pines in a residential subdivision. The alley was vacated because it was felt to be more of a nuisance and not needed. One of the requirements of the Public Service Department was that there be a sidewalk with curb and gutter constructed along Fargo Avenue. The property owners have met, I think, all the other requirements. They have incorporated the alley into the yard, they've grassed it, and they did not wish to construct those improvements. They feel that it's been working satisfactorily. However, Public Services feels that they should have these improvements constructed.

The Planning Commission, in reviewing this, voted to approve her request which is waiving the off-site improvements that were required by Public Services.

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ITEM	Commission Action	Department Action
<p>X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u></p>		
<p>J. <u>WAIVER OF CONDITIONS - VAC-4-72 - JO ANN HAWKINS</u></p> <p>Request to waive the construction of curb and gutter, and sidewalk along the Fargo Avenue side of the alley as a condition of vacation of property generally located on the north side of Fargo Avenue between Crestline Drive and Miami Street.</p> <p>Planning Commission unanimously recommends APPROVAL.</p>	<p>Approved as recommended by Planning Commission Christensen - unanimous</p>	<p>Clerk to notify Planning to proceed</p>
<p>K. <u>ANNEXATION - A-10-78 - ETHEL M. AND WILLIAM A. McCALL</u></p> <p>Petition to annex property generally located at the southeast corner of Vegas Drive and Tenaya Way.</p> <p>Planning Commission unanimously recommends APPROVAL.</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to notify Planning to proceed</p>
<p>L. <u>ANNEXATION - A-11-78 - SPROUL HOMES OF NEVADA</u></p> <p>Petition to annex property located on the south side of Westcliff Drive approximately one-fourth mile west of Buffalo Drive.</p> <p>Planning Commission unanimously recommends APPROVAL.</p>	<p>Approved as recommended by Planning Commission Lurie - unanimous</p>	<p>Staff to proceed</p>
<p>M. <u>TENTATIVE MAP - PRESTIGE ESTATES</u></p> <p>Property generally located on the east side of "N" Street between Madison Avenue on the north and Jefferson Avenue on the south, R-1 zone.</p> <p>Owner/Subdivider: George B. Kline No. of Acres: 2.30 No. of Lots: 10</p> <p>Planning Commission unanimously recommends APPROVAL, subject to the following condition:</p> <p>1. Requirements of the Nevada Division of Water Resources concerning water quantity be met.</p>	<p>Approved as recommended by Planning Commission Christensen - unanimous</p> <p>Commissioner Lurie did not vote - excused from balance of meeting</p>	<p>Clerk to notify Planning to proceed</p>

VAC-4-72
CONT

Commissioner Christensen: Why don't they want to put that in there? Just the expense?

Mr. Foster: Probably the expense. We have the applicant here who can answer that.

Ms. Hawkins: JoAnn Hawkins, 6264 Fargo. I am the applicant. There is a cement apron there with a gutter which does drain very well. Now we didn't mind putting the sidewalk in our half. See, we divided it up between our house and the neighbors next door. We had some pictures, I think, with the thing. My neighbor decided to put in a driveway, and so he has a driveway which is for the cement, and it comes in like a driveway. It's a very out of line street.

Commissioner Christensen: What you're telling us is that there is a curb all the way down but there's a curb cut there, and there's just no sidewalk behind it.

Ms. Hawkins: There's a cement apron and a drain, but there was no sidewalk, no sir, because it went into like an alley. The map shows that Fargo Street is straight, but actually it isn't because I am the last Sproul home and then when Becker built his homes the street extends out eight feet. So it makes kind of a..the street narrows there, and the way it turns with my neighbor in a driveway to park his cars in his, the area that the sidewalk would be three feet or whatever the sidewalk's width. But it has been in there for six years now and people have been...it's just like they step down onto a cement apron and then they walk across it and step up another curb just like they did when the alley was in there. There've been no accidents or...

Commissioner Christensen: The reason I was asking the questions, I wondered if we had drainage problems and so forth there, but apparently that's taken care of as near as I can see by the pictures. There is an apron and curb and it's all cemented so that you don't get all your other stuff in there.

Mayor Briare: Why did Public Works disapprove, Mr. Foster?

Mr. Foster: They felt that the curb would continue the drainage along there more effectively as well as the sidewalk would be continued without any stepdown.

Ms. Hawkins: But we've had some very hard rains as you know in the last couple of years, and we never had any problem with it. It just goes through and drains. It never goes up over the curb or comes into our yard or leaves debris or anything.

VAC-4-72
CONT.

Mayor Briare: Any comments by the Commissioners?

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

Mayor Briare: Comments on the motion. Cast your votes. Opposed. The motion is approved.

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

A-10-78
E. and W. McCALL

Mayor Briare: Next is an annexation request from Ethel M. and William McCall. Does this begin the standard process? Is there anyone present on this application? Yes sir. Are you Mr. McCall?

Mr. Hoffer: No sir, I'm J.D. Hoffer, 1700 E. Desert Inn Road for Mr. McCall.

Mayor Briare: To begin the procedures, counselor, we have to either say yes or no to this and then they begin their long, tedious bookkeeping, right? Any comments by the Commissioners?

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

Mayor Briare: Comments on the motion. Cast your vote. Opposed. The motion is approved.

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

See Page 93 - Annotated Agenda.

Z-71-78
E.A. BECKER

Mayor Briare: The next is a zone change request for E.A. Becker, Jr., Z-71-78.

Mr. Foster: This involves a request for several new types of zoning as you see on the agenda. The property on the screen is the one shaded in green. It's outlined in dark. The one that has the pattern boundary around it on the west side of the Rainbow Freeway was approved not too long ago. This piece that's under consideration today, there was a similar application on it that was denied by this Commission. I think basically it was denied because there was a parcel of R-3 zoning along the westerly portion. To the east in the area that's not colored, that's County area that's developed primarily with R-E development. To the northeast south of Gowan is a Water District facility. To the northeast you've approved R-D zoning which is that portion south of the Jade Park development. Further north is in the County.

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

N. ZONE CHANGE - Z-71-78 - E. A. BECKER, JR.

Property generally located on the northwest corner of Cheyenne Avenue and Lorenzi Blvd.

From: N-U (Non-Urban)

To: R-E (Residence Estates)

R-D (Single Family Residence, Restricted)

R-1 (Single Family Residence)

R-PD20 (Residential Planned Develop.)

C-1 (Limited Commercial)

Planning Commission recommends APPROVAL (4-yes, 3-no), subject to the following conditions:

1. Drainage from the west shall be distributed on the Gowan Road and Cheyenne Avenue alignments as required by the Department of Public Services.
2. Right-of-way dedications to include 20 ft. additional right-of-way for Cheyenne Avenue; 50 ft. right-of-way for Lorenzi Boulevard, 80 ft. for Gowan Road and radius corners as required by the Department of Public Services, within sixty days after approval of the zoning.
3. Development plans to be approved on the C-1 portion by the Planning Commission prior to construction.
4. The layout of the residential areas shall be revised as required by the Department of Community Planning and Development.

PROTESTS: 17

O. PLOT PLAN REVIEW - Z-108-63 - JOHN H. MIDBY AND ASSOCIATES

Request for a Plot Plan Review to allow offices and retail sales on property generally located on the north side of Sahara Avenue between Richfield and Rancho Drive, C-1 zone.

Abeyance

The following to be notified when this item will again be on the City Commission agenda:

Teri Hannaman
3360 N. Serene Dr.
L.V. 08
648-9204

David Kent
6772 Atwood
L.V. 08
647-1080

11/1/78 Agenda

Approved as recommended by Planning Commission
Christensen - unanimous

Clerk to notify Planning to proceed

Z-71-78
CONT

This is the plot plan in front of you. You can see they're proposing a row of R-D lots along the west side of Lorenzi, a C-1 commercial in the corner of Lorenzi and Cheyenne.

Commissioner Christensen: Excuse me, can you point out Lorenzi on this one? I'm having a hard time relating to that.

Mr. Foster: Lorenzi is along the east side of the property. Cheyenne would be to the south. That street that bisects it on the north is Gowan.

Commissioner Christensen: How come on the west side it's curved on this map over here and straight over there?

Mr. Foster: We just don't show the interchange Freeway. We probably should have taken off that corner.

Commissioner Christensen: I see. Okay. It looked funny to me. It didn't look like the same piece of ground. I got you now.

Mr. Foster: Okay. And then there's an RPD 20 proposed in this area for 4-plex units. They will have a common area, swimming pool and tennis courts at that particular location. And of course through the center portion will be R-1 development in the cul de sac fashion.

Commissioner Leavitt: That's R-1. The yellow.

Mr. Foster: That's R-1. Previously it was R-4 and he proposed it on the westerly portion as well as in this particular area and it was in close proximity to the developed R-E area to the east. The applicant has met with the R-E owners to the east, and they felt that possibly the strip of R-D should be retained as R-E. They were concerned about looking into the commercial area, and since the Planning Commission acted on this the applicant has submitted a plan that proposed two R-D lots on the corner as well as a row of R-1 and an extension of this RPD-20, which in fact is reducing the commercial area, which would help to eliminate the site of the commercial site that was mentioned by the R-E area.

There still are some minor design changes that need to be worked out with staff. For that reason Planning Commission recommended that there be a condition that any minor changes can meet the Department of Community Planning and Development requirements. Also, one of the proposals suggestions by the R-E owners to the east was that there be a bridle path along the easterly side of the R-D lots.

Commissioner Christensen: Where's the R-D lots again?

Z-71-78
(CONT)

Mr. Foster: The light yellow.

Commissioner Christensen: And where's the bridle path, then?

Commissioner Leavitt: I'm confused here. What is that light yellow? What is that?

Mr. Foster: R-D. It's 11,000 square foot size lots.

Commissioner Leavitt: Not R-E. It's R-D.

Commissioner Christensen: Okay where are the bridle paths?

Mr. Foster: The bridle path was suggested along the, Mr. Becker's suggestion that it be along the east side of the R-D lots right next to Lorenzi Boulevard.

Commissioner Christensen: But it doesn't show it there.

Mr. Foster: No. This was...

Commissioner Leavitt: Explain to me what R-D is again. How many?

Mr. Foster: It's about quarter-acre residential lots.

Commissioner Leavitt: Quarter acre residential.

Mr. Foster: That's 11,000 square foot. And these would be 6500 square foot minimum. No horses.

Commissioner Christensen: In other words what you're doing is you're going from across the street on Lorenzi, which is R-E to a little more dense in that strip to the cul de sacs which is R-1 to even more dense in the blue so that you're trying a transition from R-E on down the multiple dwellings in steps so that you can create this whole package in one piece so that those people who move in the R-1 houses already know that they're going to be on one side R-D and on the other side RPD-20. So that everybody who moves in there can say well I know what it's going to be when I move in and that's what it'll be is what we're basically saying.

Mr. Foster: Correct. There was some discussion on the bridle path on the west side of Lorenzi next to the R-D lots. The Public Services Department reviewed this. They were very much opposed to the City accepting right of way for a bridle trail which would be adjacent to lots which did not allow horses. They anticipated a complaint situation and the constant maintenance situation. For that reason they did not require that a bridle path be constructed on the west side of Lorenzi and felt more in term that if there was to be a bridle path along Lorenzi it should be on the east side adjacent to the R-E developed area.

Z-71-78
BECKER (CONT)

The Planning Commission recommended approval of the proposed development with the conditions indicated on the agenda plus because of the revised plan that we had been working on with the developer since the Planning Commission meeting there needs to be a further condition that the north portion of the C-1 be amended to provide a row of residential lots that show on this plan which we'll work out specific dimensions.

Mayor Briare: I notice there were some protests at the Planning Commission meeting. Is there anyone present today to protest this application? Okay. Not yet. I just wanted to inquire first if there were people who were going to protest. The standard procedure we have is the applicant's allowed to present his application. Then we ask for the people who take an opposing view. Mr. Becker, would you like to make any comments?

Mr. Becker: From the first submission that we had was turned down almost not quite a year ago, we have cut all the R-3 out and R-4 and put a PDU-20 in and just a strip of it. It's cut down. You can see basically on the other side of the Las Vegas Freeway, you can see how big the R-3 and the R-4 was. We cut that out just to the PD and we made the R-1 come down to the shopping center. When we met with several of the people, we did not meet with all of them, more of them came to protest than we had met with, but Jim Brown that lives on the corner, right here, and there are Arabian horses here on the development, the only development that's on Lorenzi.

Mr. Brown is concerned about the fact that he wanted the street moved over, and we submitted a plan to the Planning Department with the open end of that street is to move over 130 feet, 125 feet and put in some RD lots on the south side of it so that his view of the shopping center would be shielded. Evidently the staff wants that street to match up and so we have made it straight as you see and put the RD lots in at this point where it becomes a cross street with access to both sides.

I suggested the bridle path figuring they might want to have that and then we found out after we suggested it although they did not favor it to any degree, that the Freeway on Gowan had allowed a fourteen-foot bridle path under the underpass at that point, which is already constructed although the bridle path itself isn't. It's in this area, right from here on the south side. They've made provisions for it, but it is not constructed. Neither is the street. That street at the present time is only graded. The utilities are underneath.

Z-71-78
BECKER (CONT)

the freeway so there won't have to be any construction at that point. Staff didn't care for it. I have no particular interest in the bridle path. I think sometime they're going to need one. No argument it's on the wrong side of the street, the people would have to cross it, but maintenance became a problem in that and everybody just seemed to feel that there shouldn't be a bridle path. But while it was brought up that seemed to be the history of the bridle path on that side.

The other thing that I would object to is one that we met in your office, a condition to. We met with you and the City Manager and Don Saylor. I thought that, come up on the fact that we do not have to donate property for zoning. It happened to be a condition of this, and the City Attorney and the Planning director representative said that they had determined that they still felt that they had the right to require it. So we have since then requested, since I found that out last week, we have requested another meeting to be held because we were under the impression when we left that meeting that it would not be a requirement anymore. So I still protest that particular part of it except that you've passed things before, and we're going to eventually get this thing worked out. We're going to meet next time with our attorney and your attorney and hope that we can solve that particular problem. Really it has no bearing on this except that it's one of the conditions and I didn't want you to think I'd gotten soft and all of a sudden agreed to some of these things.

Commissioner Leavitt: We know better.

Mayor Briare: So for today, Mr. Becker, you're not objecting to condition 2?

Mr. Becker: Yes, I'm objecting to it, and we would, if we give you a deed, it would be under protest of that item. But we have sixty days. We think we're going have meetings in that basis.

Commissioner Christensen: Could you show me, since this is your aerial, could you show me here, I know there's other development planned in this area that's already been zoned and so forth. It hasn't been done yet. Can you give me a rough outline of what else is in here? This looks blank now but there are areas that have been scheduled for development, and I'd kind of like to know where they are. (Mr. Becker approaches Board and points out areas scheduled for development.) This is the one where we had the discussion about the drainage off this street and so forth in here coming off Jade Park, is that correct? Okay.

Z-71-78
BECKER (CONT)

Mayor Briare: I was trying to make a determination here before we hear from these folks relative to condition number two. It would appear that depending on what the Commission wants to do, and this is just general information, it doesn't necessarily apply only to this application, that an action, if there should be favorable action, condition number two could be held in abeyance until it's resolved as to what the legal status is.

Mr. Becker: We have done that with our other ones, and I think in some we have given you the deed where we were developing right away.

Mayor Briare: The point being that I don't believe we have an absolute firm position on this, and until we have an absolute firm legal position on it, if consideration is to be given to the application in its entirety that entire condition could be held in abeyance until it's determined. Do you have anything else, Mr. Becker? Folks, would you like to come forward now and let us have the benefit of your comments?

Mr. Kent: Dave Kent. I'm at 6772 Atwood. I'm about a house and a half from the proposed property on Lorenzi. I'm in the County, and I've been out there about eight or nine years. I'm on $2\frac{1}{2}$ acres. I have other property $1\frac{1}{4}$ acres and an acre, and Jim Brown, I sold him my old house. He's on an acre. Mr. Schroeder is on four acres, and Mr. Becker is a very fine builder, a very fine man, but I think this shouldn't go down to $\frac{1}{4}$ acre. I think it should stay mostly R-E but it's just going to inundate us out there. I don't know where this gentleman here gets that all the people in the neighborhood agreed to some RD and this and that and the other. There is in excess of two dozen protestors at the planning meeting, including Jim Brown and Jim Brown feels that if there's going to be that thing across from him, you ought to have that little jog over there in the commercial area, but he doesn't feel that it should be $\frac{1}{4}$ acre either. He's a protestor.

I know that the valley is expanding and is going to be full in a few years. People got to go somewhere, but I thought perhaps it didn't have to be that full in that particular area. This area here to the left was approved. The first time we knew it was approved was a week ago because there's no one living out there and no one got a notice to show up to protest that but that's on the other side of the freeway and so perhaps that's a good place for it. Thank you.

Z-71-78
CONT

Ms. Hannaman: Terri Hannaman, 3360 N. Serene Drive. My first access to a meeting of this kind was at the Planning Commission meeting last week. Just sitting back there today, I am apparently understanding the situation more and I have the greatest admiration for Mr. Becker and his building. But frankly, gentlemen, I am really appalled that you have something like this to look at in that area. I don't know how that zoning got in. Evidently because it is desert now and there are no homes within the immediate area, but just beyond that property are parcels five acres and better that people are living on, and from Tonopah Highway to Jones there is now R-1's going in and four-plexes. West of Jones up to the Lone Mountain area is all developed R-E. These are homes that are built in that whole area. There is no R-1 or lesser. The density in that area for the three or four miles that it is from Jones to Lone Mountain is R-E and people have invested their life savings in having their horse property to get out of the City.

I am one of them. I have an acre of ground behind Mr. Kent and I can't imagine what a development of this type or this type is going to do that four square mile area. Even if you keep it R-E, which it is apparently now zoned as I understand it, that is going to be a minimum of two houses per acre and 80 acres, that's 160 homes that would go in if it stayed R-E, which is going to be a minimum of maybe two to four people a house, which is going to add another five or six hundred people out in that area. I believe your honor knows the importance of our horse area out there and the trail rides and the horse activities that we have there in that area, and the people that are involved and are living in that particular radius. I just can't believe that R-3 and R-1 are even, how it got approved in the first place because we certainly weren't notified of it in that area.

Commissioner Woofter: Speaking of that, excuse me, Mayor. You said you weren't notified. Do you and Mr. Kent live in the County or in the City?

Ms. Hannaman: We're right in that white area that you see on the map. We are directly across the street from the proposed development, and I don't know whether it entails County or City...

Mr. Foster: That's County.

Commissioner Woofter: That's County. That's probably why you didn't get the notice being in the County.

Mr. Foster: We notify everybody within a certain radius regardless. There's about 1,000 feet from that property on the west side of Rainbow to where

Z-71-78
CONT.

they live on Lorenzi. So we can only notify 400 feet and when we get into larger parcels, we extend it six to eight hundred. They live 1,000 feet. You live east of Lorenzi. Okay, that's another 1600 feet away from that proposal. We didn't notify that far.

Ms. Hannaman: Gentlemen, the only thing I'm concerned about is that we are a horse community out there. All of the neighbors that were here at the Planning Commission meeting, which this proposal got here today on a vote of 4-3, so evidently there was three members on the Planning Commission that thought we have a legitimate gripe. I'm just concerned..now there is Jade Park out there, which is to the north. There is the Lone Mountain Trailer Park. There is two R-1 developments between Jones and Tonopah Highway, and if it was closer to the highway maybe it wouldn't be so drastic, but you are putting this zoning directly in the middle of about a four square mile area of horse property that is already developed. R-E lots that are already developed and going anywhere from \$70,000 to \$150,000 to \$200,000 and to put apartments in there with no proposed school system going in or anything, you're just going to destroy the effectiveness of that area now as R-E.

Commissioner Christensen: Your honor.

Mayor Briare: Thank you. Commissioner Christensen.

Commissioner Christensen: Can I ask a couple of questions? I think I got from what you said that, I'm confused, I guess. Are you against this particular project or are you against any increase in density anywhere in the area? I got the impression that you don't even like because it's going to bring an influx of people if it's developed in half acres.

Ms. Hannaman: No. All I was trying to bring to your attention was that as R-E, which the area is, and I mean I wouldn't have my home if it wasn't R-E, we just would like it to stay R-E. We want the area to develop.

Commissioner Christensen: But you understand that everything in the valley is R-E prior to the time that it's developed.

Ms. Hannaman: Right. They told me this in the Planning Commission and I understand that. If you are familiar with the area out there and you see that now Brenton Woods apparently had to be approved to come through here. Brenton Woods is going out. It's a very nice development. Mr. Becker, the R-E's that he puts up.

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CONT.

they live on Lorenzi. So we can only notify 400 feet and when we get into larger parcels, we extend it six to eight hundred. They live 1,000 feet. You live east of Lorenzi. Okay, that's another 1600 feet away from that proposal. We didn't notify that far.

Ms. Hannaman: Gentlemen, the only thing I'm concerned about is that we are a horse community out there. All of the neighbors that were here at the Planning Commission meeting, which this proposal got here today on a vote of 4-3, so evidently there was three members on the Planning Commission that thought we have a legitimate gripe. I'm just concerned..now there is Jade Park out there, which is to the north. There is the Lone Mountain Trailer Park. There is two R-1 developments between Jones and Tonopah Highway, and if it was closer to the highway maybe it wouldn't be so drastic, but you are putting this zoning directly in the middle of about a four square mile area of horse property that is already developed. R-E lots that are already developed and going anywhere from \$70,000 to \$150,000 to \$200,000 and to put apartments in there with no proposed school system going in or anything, you're just going to destroy the effectiveness of that area now as R-E.

Commissioner Christensen: Your honor.

Mayor Briare: Thank you. Commissioner Christensen.

Commissioner Christensen: Can I ask a couple of questions? I think I got from what you said that, I'm confused, I guess. Are you against this particular project or are you against any increase in density anywhere in the area? I got the impression that you don't even like because it's going to bring an influx of people if it's developed in half acres.

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CONT.

Commissioner Christensen: How long have you lived here?

Ms. Hannaman: Four years. So I've seen it develop from...

Commissioner Christensen: I can appreciate what you're saying, but the thing that bothers me is that we're in a community that grows fast. I built a home twenty years ago in an R-E zone and had horses and had freedom to ride all over. But now the City's expanded beyond that. I could say that of the Huntridge edition, I could say that of..what's the one just below, the one that was before Huntridge...Mayfair, the Mayfair addition which was the first subdivision ever built in Las Vegas. Those were horse areas, and a lot of people lived there that lived in the rural areas rather than live on Fremont Street. And that's why I wonder, I'm a little confused whether it's the project you don't like or whether you just feel like it's encroaching on the people. You talked about all the developments out Lone Mountain and so forth. That's all large parcels of ground, but it's not necessarily large parcels of ground watching the development because that's the way they wanted it developed. It's large parcels of ground because somebody goes out there and buys an acre, punches a well, and they've got a mini-ranch out there.

Ms. Hannaman: I'm on City water. Everyone around us is on City water.

Commissioner Christensen: Well, there is no such thing as City water because we don't have any water. It comes from the Water District. But there are a lot of areas out there that do have wells because I've investigated the possibility of moving out into that area, and that's what's required.

Ms. Hannaman: All I'm saying, I'm not even...

Commissioner Christensen: That's what confuses me, see. I don't know whether you're against more people moving in that direction or whether it's this project or what.

Ms. Hannaman: No, no, that's not what I'm against at all. What I'm against is the apartment houses and the R-1 density.

Commissioner Christensen: I see.

Ms. Hannaman: We feel that the R-E density is more than ample for that area, and that it will keep all the homeowners happy. Even if he keeps his commercial and puts a 7-11 on the corner, that's not like having a Sears and Roebucks go up. And when this Commission denied this a year ago, the understanding was that he would come up with a more feasible plan for R-E property owners in the area.

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CONT.

Commissioner Christensen: I think he has hasn't he?

Ms. Hannaman: Well no, he's gone to R-D. That's not R-E. You're going down to 11,000 square feet if I understand it correctly.

Commissioner Christensen: Well then am I to understand that if that was a strip of R-E instead of R-D on there you would be happy with that?

Ms. Hannaman: It would be much better than what it is now. Yes. Because you're going to bring in apartment houses there.

Commissioner Christensen: Well not on R-D you don't.

Ms. Hannaman: No but you've got to understand this area is not that large. He said 80 acres, but it is 80 acres in length.

Commissioner Christensen: I understand that.

Ms. Hannaman: Between the freeway where you see this proposed running over here between where the freeway is going in and Lone Mountain...

Commissioner Christensen: You see what I'm getting at is if that's R-D along that street, then the difference is...

Ms. Hannaman: That is too dense for the area.

Commissioner Christensen: Okay, the difference between R-D and R-E is probably the depth of the lot. Because you can have R-E.

Ms. Hannaman: R-E is 22 thousand?

Commissioner Christensen: Yes, but hear me out. In practicality it would be the depth of the lot so that if you stand in front of any R-D and look at the house, that could conceivably be R-E if the back yard was deeper. But you don't see it from that side. That's why I wonder if it's the number of people then, it's not necessarily the size of the lots. It's the rural atmosphere.

Ms. Hannaman: All I can tell you, Commissioner Christensen, is the developments such as Brenton Woods that are going in there now are supposedly the 1/2 acre lots, and they are not that large.

Commissioner Christensen: Are you telling me that we've got 1/2 acre developments going up that are not half acre?

Ms. Hannaman: I mean they are half-acre but they are not as you would think of a half-acre. You would think of a half-acre as a piece of ground. It is not a big piece of ground.

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CONT.

Commissioner Christensen: I know. I live on one. That's what I'm getting at.

Ms. Hannaman: That is dense enough for that area. The half acre lots. And I understand it, a half acre lot is 20,000 square feet, and to me 11,000 square feet is a lot less than 20,000 square feet. Do you see what I'm saying?

Commissioner Christensen: I understand that, but if you have R-E on that strip instead of R-D, that's more palatable to you and if you're standing across the street looking at it, you wouldn't know the difference.

Ms. Hannaman: That's what you're telling me.

Commissioner Christensen: Unless you went around back and looked at the backyard you wouldn't know the difference because it'll have to be the same width. How wide are those lots? Those R-D's?

Mr. Foster: 90 by 123.

Commissioner Christensen: Okay. Most of the R-E zoning inside the City of Las Vegas, the lot widths are about 90 feet. Mine's 100. I paid extra. It should have been ninety. Mine's a little bigger than a half acre.

Ms. Hannaman: The only thing I can tell you gentlemen is this development will hurt the area that is already there. People who have their homes built already.

Mayor Briare: Thank you very much. Is there anyone else that wishes to be heard on this? All right, we'll close the public hearing portion of this application.

Commissioner Woofter: Mayor, I'm a little confused from that last comment there. Is there an attempt, Mr. Becker, to build some apartments on this?

Mayor Briare: Right next to the freeway.

Commissioner Woofter: Right next to the freeway. All right. I missed that.

Mr. Foster: They're under planned development. They will be four-plexes. The planned development allows this type of development within this district.

Mr. Becker: We're building a lot of them now, Commissioner Woofter, that are basically rented to start with and then are sold in two or three years to the people who rent them. They're all being designed and built so that that they'll be single family units allowed under the PD. That's why it's that zone instead of an R zone, R-3, R-2 for rental. It's done as a planned unit development.

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CONT

Some will be sold at the start and some will be rented, and in the course of four or five years there will be, theoretically, all of them sold. But a person can rent there like they can a single family house. Those are there just to protect the people from the freeway. We, unfortunately had the Las Vegas Freeway go all the way up our property on Charleston Heights where it used to be Fremont Street. There are all problems with people. There were twelve foot fences in that basis.

Commissioner Woofter: I have to agree with the protestors. It just didn't seem compatible building apartments out in that area. I go along with the rest of it, but that's what really concerns me is that apartment aspect.

Mr. Becker: They're designed to be a single family unit. They are attached.

Commissioner Christensen: You're thinking more like condominiums than apartments, is that what you're telling us?

Mr. Becker: Town houses. Because you give the deed to the property and each has two stud walls so that they're separated from each other. From that standpoint. We put a single family house there and then if we have to come up with a ten or twelve foot wall, there just isn't enough room for that type of person and that type of living, and I'm sure the same thing with an R-E development. You won't find many R-E developments along Tonopah. This road here is going to carry more cars than Tonopah carries according to its design and its projections by the Highway Department, and that's why it'll eventually be a freeway. Now that's what that protection zone is there for. It's just to protect the dwellers that are there. It's just the way it goes when you're along those well traveled roads in that case. That's why most of our apartments are on 100 foot streets and 80 foot streets.

Mayor Briare: Any other questions? Commissioner Leavitt.

Commissioner Leavitt: Would you consider, as one of the protestants indicated, consider making that strip R-E? That seems to be the big bone of contention.

Mr. Becker: We could put R-E there and then we'd have horses, theoretically, with the RPD that's there now. Because the way the street layout is and that we have 2.15 lots per acre. We aren't really getting much away from an R-E zone.

Commissioner Christensen: How many lots per acre can you get in R-E when you take out streets and so forth? You can't get two.

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CONT.

Mr. Becker: It would be less than two. Where our problem comes is then in our development we have somebody that can have horses. The majority of people don't have horses, but if a guy wants a horse, and he's got his half acre, that's what he wants. That's the problem that we have.

Commissioner Christensen: In other words what you're saying is even if they were R-E and half acre, that 80% of them would want to live without horses and flies, and the other 20% would have the right to push it on them even though he was next door.

Mr. Becker: That 20%, yes, with that type of living there.

Commissioner Christensen: Time eventually takes care of that but it wouldn't necessarily in this instance for a few years yet.

Mr. Becker: No but that's what happens to it.

Mayor Briare: Any other comments or questions? What's the pleasure of the Commission? Our motion maker is not here. Who's the assistant motion maker? Does anyone wish to make a motion.

Commissioner Christensen: Let's just think about this for just a minute.

Mayor Briare: In other words, you're working up to something?

Commissioner Leavitt: I can appreciate the people living across the street would want to have R-E and I remember when this came before us before that that was one of the big protests, and they seemed to withdraw their protests if they had R-E across the street. Now it's been redesigned. It's come back with a little less density but it still does not have that R-E across the street. It has something called R-D which is a quarter acre as opposed to a half acre. I understand the protestors last time indicated if this was R-E that they could live with it. Is that correct?

Mr. Kent: If he turned all the houses around and put a wall across it.

Commissioner Leavitt: But he's putting his multiple housing next to the expressway. There's going to be a solid wall around there?

Mr. Foster: Along Lorenzi he's proposing that these R-D units front to the interior.

Commissioner Christensen: I didn't understand that. That explains how you can tell it's not a half acre because you'd be looking at the backyard if you can see over the wall. I didn't understand that.

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CONT.

Mr. Becker: Theoretically, if I understand the new ordinance isn't R-E 100-foot lots?

Mr. Foster: They have 100-foot width.

Mr. Becker: So technically it's ten feet more on the width and forty some feet on the rear.

Commissioner Leavitt: So the people across the street will be looking at a wall, in effect, down Lorenzi. Six foot wall, is that what it would be?

Mr. Becker: Yes. That's a hundred foot street at the present time.

Commissioner Christensen: He's going to have to add a safety factor there also, Commissioner Leavitt, because you don't back onto a hundred foot street like that. You'd almost require circular driveways because that would be like building a house facing Sahara Avenue which you could not drive onto, you couldn't back a car out safely onto. You'd have to, if they fronted on the street...I can see the reason for turning them around so that you don't have to front on a hundred foot street because you'd have a hard time selling it.

Mr. Becker: We could go, I guess, R-E with a restriction against horses. To protect your R-1 interior. Look I built a lot of houses in the valley in the 30's when we had nothing but chicken coops all over the area, and pretty soon all the chicken coops were gone and the chicken farmers had to move up to Lancaster now because the people got the Health Department out and they started counting flies, and there was just no way they could keep it there.

Mayor Briare: What would be accomplished by changing it to RE and not allowing horses? What would you accomplish?

Commissioner Christensen: You'd have less density.

Mr. Becker: We would satisfy them from that standpoint.

Mayor Briare: How many people, pardon me, how many dwelling units are you talking about going along Lorenzi facing Rainbow with a block wall in the back? Actually, how many residences are you talking about?

Mr. Becker: Thirty. We have twenty-eight in this area.

Mayor Briare: Just tell how many residences would you have on Lorenzi from that odd corner.

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CONT.

Mr. Foster: Twenty-eight.

Mayor Briare: And how many could you get if those were half acres?

Mr. Becker: I was going to get the distance and divide it by 100 and that would give me how many lots you would have.

Mayor Briare: Well I was trying to determine is, actually, how many fewer homes could be built on half acres that you're planning right now?

Mr. Becker: Six.

Mayor Briare: The most homes you could build would be six?

Mr. Becker: The most less.

Mayor Briare: So you're talking about 22 as against 28.

Commissioner Christensen: You would have to make the lots deeper so you would be encroaching into the R-1 some, too, wouldn't you?

Mayor Briare: What I'm trying to determine, Mr. Becker, is what is the difference whether the frontage is RE or whether the frontage is RD.

Mr. Becker: It depends on how I come out with lots that back up to each other. I would lose 18 to 22 R-1 houses. I would lose approximately six PD houses, so there would be a number of families living within the area that would be as high as 28 or 29 or less, give or take one or two.

Commissioner Christensen: Reduce the number of families by approximately 30 families in the whole area.

Mayor Briare: But that doesn't coincide with your comment, Commissioner, because you asked these folks the question would they feel better about it if it was RE along Lorenzi, and they both nodded their head yes.

Mr. Kent: That was a qualified yes, your honor.

Mayor Briare: Because you didn't like the apartments in any event. But see in between the apartments you have single family homes. So between the RE and the single family homes, actually, I don't think you're accomplishing one blessed thing by asking that the RE be put in there on the frontage if you're only going to be talking about six residences. Now I'm not talking about the fact that you have to go and destroy the concept of the R-1,

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CONT

it's just that I don't see how you're going to really improve the situation by going to RE except by the number 6. So in a sense, what you're objecting to ma'am if I understood your dialogue with Commissioner Christensen, you're talking about density of people. The number of homes out there. So we're talking about six more homes according to the way Mr. Becker's doing it as opposed to six less homes.

Mr. Kent: Sixty homes less.

Ms. Hannaman: Thirty.

Mayor Briare: Well, never mind, I don't want to discuss it any further. I realize that it's thirty, and if you wanted a full acre instead of an acre, then it would be another 30 knocked off and then you might as well do away with the R-1 and then the whole concept is lost. Does the Commission want to take any action on this application?

Commissioner Christensen: Well, I'd like to ask the protestants one question, and I don't want to be argumentative but I'd like an honest answer. You've both indicated you're not wild about the apartments. Would you be happy with an RE lot against the expressway?

Mr. Kent: Would I live there? No. It would spook my horses.

Commissioner Christensen: In other words, if you've got an expressway you've got to stay back 200 feet from it and just leave it a desert, is that what you're telling me?

Mr. Kent: Well, Commissioner Christensen, if we could just sort of not put any out there in the whole area. We're just trying to hold it down in density. We represent those people who were here the other day. We don't quite know what to do, and we're not professionals. We'd just like to hold it down as much as we can. We'll take anything we can get.

Commissioner Christensen: I understand.

Mr. Becker: The RPD-20 allows some of these to be two stories because that Gowan freeway goes over Gowan instead of underneath it so consequently it begins to raise up in the air, and we felt that we would use those as two stories to be able to block off the freeway noise that we would have in that part for the rest of the housing in that area. We can restrict that number to a minimum and we would not reach, we were talking about that in the office

Z-71-78

Motion fails by the following vote:
Commissioners Leavitt and Woofter
voting aye.
Noes: Mayor Briare and Commissioner
Christensen
Excused: Commissioner Lurie

Z-108-63
JOHN MIDBY

Mayor Briare: The next is a plot plan review for
John Midby.

Mr. Foster: This involves a revised plot plan on a
site that was originally zoned for a regional
shopping center, which is on the north side of
Sahara between Richfield Village and Rancho. The
site has been reduced in size, the commercial area
over the years for...

Mayor Briare: Excuse me just one minute. Folks,
before you leave, could you come back just for a
second? It's conceivable that this Commission will
not have a quorum at the next meeting. Now you've
noticed that this just went by a tie vote. There
will not be a full Board at the next meeting, and
it's conceivable that there won't even be a quorum
which means that the next meeting would have to be
cancelled or postponed until a later date. I'm
only telling you this because I'd like you to be
notified if you would leave your addresses with the
City Clerk here, so that we can notify you if there
is to be no meeting. I'm trying to save you the
trouble of coming down here and going through it
again.

Commissioner Leavitt: Why don't we just continue
this matter until November 1?

Commissioner Christensen: Then there's no
question.

Mayor Briare: All right, then, if the Commission
has no objection, as a result of the tie vote
instead of following our normal procedure, we'll
just definitely put it off until..if we don't have
a meeting on the 18th, how would we go about
notifying? Public notice in the newspaper or
something? Because there'll be a number of things
that might normally be on the agenda for next
meeting.

Commissioner Christensen: What you're saying is
that if we don't have a meeting on the 18th, we
might have to have one on the 25th.

Mayor Briare: That's what I'm trying to get around
here to see what we'll do. Well maybe we just
better leave it be until after we can make a deter-
mination amongst ourselves as to how we're going to
conduct our business at our next meeting whatever
it might be, whether it be a special meeting. I

kind of doubt whether we should postpone the meeting entirely. We'll decide that later. I just wanted to see if we could make a determination on that right now, but I wanted to let you know that there will not be a full Commission, and it possibly might be no Commission meeting the next time. Okay.

Okay, let's proceed onto the next part. John Midby.

Mr. Becker: When would you know? I'm going to be in Washington, D.C.

Mayor Briare: When are you going to be in Washington?

Mr. Becker: On the 18th. I have to know. I have to leave very early in the morning.

Mayor Briare: You won't be here on the 18th. It would be nice.

Commissioner Leavitt: For the record, I won't be here on the 18th. I don't know who else is going to make it.

Mayor Briare: Would the first be...let's set this thing to be held at that meeting in any event so if there's a special meeting, this will not be heard. It'll be heard at the first regular meeting in November, November 1. Are we ready to proceed?

Mr. Foster: This was formerly a regional shopping center site at Rancho and Sahara. They have requested since then rezoning for residential in the area that was under resolution for commercial. It has reduced that area substantially, and now they're proposing a commercial site. It's being outlined on the screen right on the north side of Sahara just east of Richfield Boulevard.

One of the conditions on the original zoning was that there would be a Planning Commission review of this development plan prior to development and secondly that there be a major department store in the first phase of development. Because the area has been reduced substantially in size, the Planning Commission felt it was proper to rescind that condition, and they did approve the submitted plot plan which indicates the areas of retail and office buildings, the area indicated in white with plazas throughout, heavy landscaping and adequate parking. The First Western facility, which would be their main office was approved for a plot plan review previously and shall be part of the overall complex, and this development will extend west to Richfield Boulevard. So the Planning Commission has recommended approval and has recommended rescinding the condition that there be a major department store in this development.

Z-108-63
CONT

Mr. Crossley: I am Dick Crossley. I live at 3729 Fortune Avenue. I am Project Coordinator for John Midby and Associates. I don't have any particular comments, but I am here to answer any questions if it's within my capabilities of doing so. We have two other renderings here which may be of interest to you which have been prepared by our architect, Mr. Paul Thort, from San Diego who has been a gold medal winner of many designs over the past few years.

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

Mayor Briare: Comments. Cast your votes. Opposed. The motion is approved, Mr. Crossley. Very nice pictures.

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

Mayor Briare: Is there anyone here that wishes to make any comments before the Commission? Then, relative to the meeting of the 18th, Mr. Dorn I think that within the next 24 hours or so you better try to make a determination as to whether there's going to be a quorum for the meeting of the 18th. If you can make that kind of a determination...Mrs. Cole, when would be the, we'd have to post notices if we're going to have a meeting. I think we'd better cancel it. And if we cancel it, would we reset it? Do you have any idea what the Planning agenda is going to be like?

Mr. Foster: There's about six or eight Public Hearings on the zoning.

Mayor Briare: Gentlemen, would the 25th be...would you review the business that would normally be coming up and within the next 24 hours we'll notify the press if we could ask for their cooperation and notify everybody else if there's not to be a meeting. Otherwise we'll just proceed without a full Board.

Mr. Foster: The protestants and people who were for the various applications at the Planning Commission meeting in September were notified at that meeting that all those applications will come up on the 18th.

Mayor Briare: Do the best you can because by public notice in the newspaper a public of cancellation of this meeting, which is not unheard of. It wouldn't be historic. It's been done on numerous occasions.

Commissioner Christensen: It would be automatic if you don't have a quorum.

Mayor Briare: It would be automatic, that's true, but it would be very embarrassing also. Because we know there's a great livelihood. So let's, if the Commissioners have no objections, the meeting of the 18th will be cancelled. That means the next meeting of the City Commission will be on November 1, and we'll just work like the dickens to make up. Okay? We're adjourned.

Meeting Adjourned at 3:30 P.M.

AGENDA

City of Las Vegas

October 4, 1978

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

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ITEM	Commission Action	Department Action
<p>X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u></p>		
<p>Planning Commission unanimously recommends APPROVAL, subject to the following condition:</p>	See Page 41	See Page 41
<p>1. Condition #2 of the original approval of Z-108-63 requiring at least one major department store be rescinded.</p>		
<p>P. SET DATE ON ANY APPEALS FILED FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD SEPTEMBER 28, 1978.</p>	None	
<p>Q. SET DATE FOR PUBLIC HEARING ON ANY VACATIONS AND/OR STREET NAME CHANGES ACTED UPON BY THE PLANNING COMMISSION AT THEIR MEETING HELD SEPTEMBER 26, 1978.</p>	<p>Set date for Public Hearing for Amendment to the MASTER STREET PLAN - JONES BLVD. between VEGAS DRIVE and RANCHO DR.</p>	<p>Clerk to proceed 11/1/78 Agenda.</p>
	<p>2:00 P.M. 11/1/78</p>	

AGENDA

City of Las Vegas

October 4, 1978
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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XI. ADDENDUM ITEMS

No. 1

IV(f) DEPARTMENT OF MUNICIPAL SERVICES

*B. AWARD OF BIDS

- 9. Bid No. 78.12 - STREET LIGHTING -
CHARLESTON SQUARE - SPECIAL
IMPROVEMENT DISTRICT No. 423
(Public Services)

See Page 22

See Page 22

AGENDA

City of Las Vegas

October 4, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XII. CITIZEN PARTICIPATION

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

ADJOURNMENT

RCT 9/25/78