

# MINUTES

## City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: December 6, 1978

TIME: 9:45 A.M.

INVOCATION: REV. MELVIN PEKRUL, FIRST BAPTIST CHURCH

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS      PRESENT      ABSENT      EXCUSED

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

CITY ATTORNEY

MIKE SLOAN                 

APPROVED BY REFERENCE August 1, 19 79

ATTEST:

*Emmie M. Coen*      *William N. Briare*  
 CITY CLERK      MAYOR

CITY COMMISSION - REGULAR MEETING - MINUTES - PAGE 2

MINUTES

DECEMBER 6, 1978

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

AGENDA POSTED November 30, 1978 (See Page 3 of these Minutes Affidavit)

AGENDA MAILED November 30, 1978 (See Page 4 of these Minutes Affidavit)

ADDENDUM No. 1 POSTED AND MAILED November 30, 1978 (See Pages 5 and 6 of these Minutes

PRESENT ABSENT EXCUSED

STAFF  
ATTENDANCE

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"/>
Director, Dept. of Intergovernmental Relations CHARLES ZOBEL	X		

AFFIDAVIT OF POSTING

(Posting required under the provisions of - NRS. 241)

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

RE:

REGULAR MEETING  
BOARD OF CITY COMMISSIONERS

TIME: 9:45 A.M. DATE: December 6, 1978

William Bradley and Gloria James,

an employee of the City of Las Vegas, being first duly sworn, deposes and says that on the 30 day of November, 1978, at the hour of 2:00 PM, there were posted copies of an AGENDA (NOTICE), the attached of which is a true and correct copy, at the following locations:

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

DEPARTMENT: Municipal Services

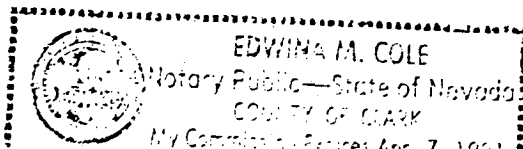
DIVISION: 112-04

Subscribed and sworn to before me

this 30<sup>th</sup> day of November, 1978

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

My Commission expires:





AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

William Bradley & Gloria James, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the

30th day of November, 1978, at the hour of 4:00 PM.

there was posted a copy of ADDENDUM No. 1, of which the attached is a true and correct copy, to the AGENDA (NOTICE) of the REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 6th day of December, 1978, at the following locations:

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

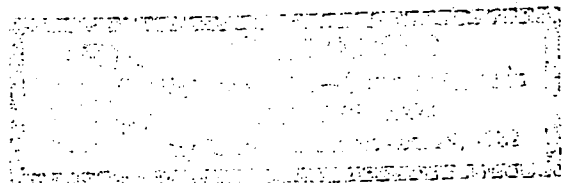
William Bradley  
Gloria James  
(name)

Subscribed and sworn to before

me this 1st day of December, 1978

Cynthia Cicero  
Notary Public in and for said County and State

MS-112-04  
(department or division)



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

GERRI RANDALL, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 30th day of NOVEMBER, 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 6th day of DECEMBER, 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).

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

Subscribed and sworn to before me  
this 30<sup>th</sup> day of November, 1978

*Edwina M. Cole*  
Notary Public in and for said County and State  
EDWINA M. COLE  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires Apr. 7, 1981



PROCLAMATION HONORING DR. CLAIR W. WOODBURY'S SILVER ANNIVERSARY AS A MEMBER OF THE CLARK COUNTY SCHOOL BOARD AND DESIGNATING DECEMBER 7, 1978 AS

DR. CLAIR W. WOODBURY DAY

PRESENTED BY MAYOR BRIARE AND COMMISSIONERS ON BEHALF OF THE PEOPLE OF THE CITY OF LAS VEGAS

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Mayor Briare: Ladies and Gentlemen, the Commission will now continue with its meeting. I'm sorry that I neglected to mention that Dr. Woodbury had some very lovely members of his family here with him this morning to share in our pride in presenting to him this award, and also Helen Cannon, the Chairman of the Board of Trustees of the Clark County School District was here. I inadvertently neglected to mention that, Dr. Woodbury, but you are blessed with a lot of very fine family and a lot of very fine friends that were here, and it should be noted for the record that they were in attendance..

The first item on the Agenda is the

DEPARTMENT OF BUSINESS ACTIVITY

Family Child Care Homes

Commissioner Lurie: Mayor, there was one protest on Item No. 4. Maybe we ought to check to see if they are in the audience.

Mayor Briare: Is there anyone in the audience that has any comments to make on any of these Licenses? There was one letter of protest on Joellen Hudson at 912 Vaughn. Is there anyone here that wishes to make any comment on that?

(No response)

Commissioner Lurie: I move for the approval of Items 1 thru 5.

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

See Pages 8 thru 22 of these Minutes - Annotated Agenda

Items "P" and "Q":

KITTY'S  
NURSERY -  
ISOBEL BARI

Mayor Briare: Item "P" is a Hearing Officer's recommendation, first, for Kitty's Nursery.

Mike Sloan, City Attorney: Your Honor, it is my understanding that Mr. Avila is here representing the applicants in this matter. We are going to request the Commission to continue these two matters for two weeks.

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

Page 1

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

I. 9:45 A.M.

A. COMMUNITY RELATIONS

Proclamation honoring Dr. Clair W. Woodbury's Silver Anniversary as a member of the Clark County School Board and designating December 7, 1978 as DR. CLAIR W. WOODBURY DAY.

Helen Cannon, Chairman of the School Board and members of Dr. Woodbury's family were present for this important community recognition.

B. SPECIAL EVENTS

II. 10:00 A.M.

A. ANNOUNCEMENT re COMPLIANCE WITH OPEN MEETING LAW

B. INVOCATION:

Rev. Melvin Pekrul  
First Baptist Church

C. PLEDGE OF ALLEGIANCE

APPROVED AGENDA ITEM

RCS 11/27/78

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

\*CONSENT AGENDA

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

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

Family Child Care Homes

1. LINDA WALDIE  
2500 West Oakey  
  
6 children days/5 nights  
3 before/after school
  
2. DEBBIE SERRA  
6636 Lowden Lane  
  
5 children days only
  
3. CANDACE RAINEY  
1704 Timber Lane  
  
5 children days/5 nights  
3 before/after school
  
4. JOELLEN HUDSON  
912 Vaughn  
  
4 children days/2 nights

Items 1 thru 5  
Approved  
as specified  
Lurie - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

Page 3

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

\*A. CHILD CARE FACILITY APPLICATIONS  
(Approved by the Child Welfare Board)  
(cont'd)

Family Child Care Homes  
(cont'd)

5. RONALYN WALSH  
4225 Keithann Circle  
  
5 children days only

\*B. GAMING -- Additional

1. MINI PRICE MOTOR INN CASINO, INC  
  
Bingo Palace Casino  
2540 So. Rancho Drive  
24 slots
2. SUNSET AMUSEMENT COMPANY  
  
7-Eleven Food Store  
2339 No. Jones Blvd.  
2 slots  
  
7-Eleven Food Store  
1510 No. Jones Blvd.  
2 slots
3. CASINO SERVICES  
  
Holiday International Casino  
300 North Main Street  
2 slots

See Page 2

See Page 2

Items 1 thru 4  
Approved  
EXCEPT that  
Commissioner  
Lurie abstained  
on  
Item 3 and  
Mayor Briare  
abstained on the  
Showboat under  
Item 3  
Lurie - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

Page 4

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

3. CASINO SERVICES  
(cont'd)

Golden Nugget  
129 East Fremont  
2 slots

Pioneer Club  
25 East Fremont  
2 slots

Showboat Hotel & Casino  
2800 East Fremont  
5 slots

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

4. UNITED COIN MACHINE COMPANY

Stop 'N Go Market  
2929 West Sahara  
1 slot

Stop 'N Go Market  
3939 Coran Lane  
1 slot

Stop 'N Go Market  
471 South Decatur  
1 slot

7-Eleven Food Store # 18565  
1740 Fremont Street  
1 slot

See Page 3

See Page 3

**AGENDA***City of Las Vegas*

December 6, 1978

BOARD OF CITY COMMISSIONERS

Page 5

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)\*B. GAMING -- Additional  
(cont'd)

See Page 3

See Page 3

## 4. UNITED COIN MACHINE CO -- cont'd

Circle K Store # 1302  
4333 East Bonanza  
3 slotsStop 'N Go Market  
1220 Atlantic  
1 slotJones Quick Stop Market  
4543 North Rancho Drive  
2 slotsC. LIQUOR -- Additional1. \*SHOWBOAT HOTEL & CASINO  
2800 Fremont Street  
Tavern LicenseItems 1 and 2  
approved  
subject to  
conditions  
Lurie - unanimousDirector  
authorized  
to proceedShowboat Operating Company --  
Joseph H. Kelley, Pres  
J. K. Houssels, Jr., V.P.  
et al2. \*PORT TACK  
3190 West Charleston  
Service BarStarboard Tack of Nevada, Inc.,  
parent corporation of wholly-  
owned subsidiary Port Tack, Inc. --  
Robert Kostelecky, Pres, Treas  
et al\*Subject to the provisions of the  
Planning, Building, and Fire codes  
and Health Department regulations

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

Page 6

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

1. From: Honest John's Liquor  
General Liquor License

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

To: \*SOUTH PACIFIC  
2327 South Eastern  
Tavern License

South Pacific, a general  
partnership --  
Douglas Arlan Rodenbaugh,  
50%  
Helen Louise Avila, 50%

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

Approved  
subject to  
conditions  
Lurie - unanimous

Director  
authorized  
to proceed

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

1. From: Billy Jo's

The Power Company, Inc. --  
Rainier G. W. Gund,  
Pres, Dir, 50%  
M. J. Schiff, Secy-  
Treas, Dir, 50%

To: BILLY JO'S CRAZY HORSE  
TOO  
2474 So Industrial Rd  
Tavern License

The Power Company, Inc. --  
Tony Albanese, Pres,  
Dir, 50%  
M. J. Schiff, Secy,  
Treas, Dir, 50%

Abeyance

1/3/79 Agenda

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

F. LIQUOR & RETAIL TOBACCO -- Change of Ownership/Change of Business Name

1. From: Erika's German Deli  
Erika Betzler, 100%

To: \*OLD HEIDELBERG  
602½-604 East Sahara  
Restaurant Beverage/  
Beverage Off-Sale

Harald Ludwig Horstmann  
Liselotte Anna Horstmann

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

Approved  
subject to  
provisions  
Lurie - unanimous

Director  
authorized  
to proceed

G. LIQUOR & RETAIL TOBACCO -- Change of Location/Change of Business Name

1. From: Clooney's  
113 South Casino Center

To: \*TUTTLE'S TAVERN  
132 Las Vegas Blvd. So.  
Tavern License

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

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

Approved  
subject to  
conditions  
Lurie - unanimous

Same as above.

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

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

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

HOAGY'S CORNER  
30 West Wyoming  
Beverage Off-Sale

National Fast Foods, Inc. --

Additional Officer:  
Richard Van Wagenen, Treasurer

2. STOP 'N GO MARKETS  
Beverage Off-Sale  
Locations: 3939 Coran Lane  
1201 Stewart St  
471 So. Decatur  
1220 Atlantic Ave  
1401 W. Lake Mead Blvd  
2520 Arville  
2929 West Sahara  
732 North Eastern  
3001 Valley View

National Convenience Stores,  
Inc., parent company of Stop  
'N Go Markets of Nevada, Inc. --

Additional Officer:  
Fred James Kurtz, Vice President,  
Human Resource Systems

Items 1 and 2  
Approved  
Lurie - unanimous

Director  
authorized  
to proceed

# AGENDA

## City of Las Vegas

December 6, 1978

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  
(cont'd)

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

1. 7-ELEVEN FOOD STORE # 20826  
1600 North Decatur  
Beverage Off-Sale

Southland Corporation --

Franchise Manager:  
Terry Lewis Holtz

2. 7-ELEVEN FOOD STORE # 20687  
1600 North Rancho Drive  
Beverage Off-Sale

Southland Corporation --

Franchise Managers:  
Donald Glen Lee  
Josephine Lee

J. LIQUOR, GAMING & RETAIL TOBACCO-- Approval of Additional Corporate Officers

1. FOUR QUEENS HOTEL & CASINO  
202 East Fremont Street

Elsinore Corporation --

Additional Officers:  
Jeanne H. Hood, President  
Charles W. Stump, Vice-Pres,  
Casino Manager  
Leonard Marxen, Vice-Pres,  
Regional Controller

Items 1 and 2  
Approved  
Lurie - unanimous

Director  
authorized  
to proceed

Items 1 and 2  
Approved  
EXCEPT that  
Mayor Briare  
abstained on  
Item 2  
Lurie - unanimous

Same as above

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

J. LIQUOR, GAMING & RETAIL TOBACCO --  
Approval of Additional Corporate  
Officers  
(cont'd)

See Page 9

See Page 9

2. SHOWBOAT HOTEL & CASINO  
2800 East Fremont

Showboat, Inc. --

Additional Officer:  
Dale Raymond Eberly, Treas,  
Controller

K. LIQUOR, GAMING & RETAIL TOBACCO --  
Deletion of Corporate Officer

Approved  
Lurie - unanimous

Director  
authorized  
to proceed

1. ODYSSEY 2001  
1930 East Fremont  
General Liquor License  
Gaming: 13 slots

From: Whiskey A Go Go, Inc. --  
Peter Eliades, 51%  
Terry Petros, 49%

To: Whiskey A Go Go, Inc. --  
Terry Petros, 100%

L. RETAIL TOBACCO -- New

1. RAINBOW GIFT SHOP  
401 South Casino Center

Sophie Venti, 100%

Items 1, 2 and 3  
Approved  
Lurie - unanimous

Same as above

# AGENDA

*City of Las Vegas*

December 6, 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)

I. RETAIL TOBACCO -- New  
(cont'd)

2. ASIA MARKET  
1101 East Charleston

Vivat Eakarkkarat, 100%

3. MARY JANE VANSSEN'S SNACK BAR  
2601 East Sahara

Mary Jane Vanssen, 100%

M. PRIVATE DETECTIVE LICENSE -- Change of Location

1. \*WESTERN SECURITY CONSULTANTS  
From: 401 South 3rd Street,  
# 417  
To: 1920 South Maryland Pkwy.

Western Security Consultants,  
Inc. --

Ronald Slay, Pres  
Russell Jones, V. P.  
Janet Slay, Secy-Treas

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

N. AUCTION SALE PERMIT

1. G. ROBERT DEIRO, LICENSED  
AUCTIONEER

Location: 601 North Main St.

Date: December 16th, 1978

See Page 10

See Page 10

Approved  
subject to  
provisions  
Lurie - unanimous

Director  
authorized  
to proceed

Approved  
Lurie - unanimous

Same as above

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

O. LIQUOR -- Request for Extension of Inactive Status

1. BERNIE'S PLACE  
2327 South Eastern  
Tavern License

C. L. M., Inc. --  
Bernard Mannion  
Richard Lake

(Closed 8/9/78. Extension for 10/9/78 thru 12/7/78 approved 10/4/78. Request for extension of inactive status for 60-day period: 12/8/78 thru 2/5/79.)

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

CIRCLE K STORE # 1246  
NE corner Michael Way/Vegas Dr  
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. Extension for 10/15/78 thru 12/13/78 approved 10/4/78. Request for extension of inactive status for 60-day period: 12/14/78 thru 2/11/79.)

Items 1 thru 4  
Approved  
as requested  
Lurie - unanimous

Director  
authorized  
to proceed

ITEM Commission Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

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

See Page 12

See Page 12

3. YANKE DISTRIBUTING  
1311 South Commerce  
Wholesale Beverage License

Hyman Yanke, 50%  
Marcella Yanke, 50%

(Approved 8/16/78. Extension for 10/15/78 thru 12/13/78 approved 10/4/78. Request for extension of inactive status for 60-day period: 12/14/78 thru 2/11/79.)

4. 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. Extension for 10/15/78 thru 12/13/78 approved 10/4/78. Request for extension of inactive status for 60-day period: 12/14/78 thru 2/11/79.)

P. HEARING OFFICER'S RECOMMENDATIONS ON SHOW CAUSE HEARINGS

Abeyance

12/20/78 Agenda

1. KITTY'S NURSERY  
808 Monticello

Lurie - unanimous  
(Richard K. Avila, Counsel  
for Nora Clark and Isobel Bari)

Licensee: Nora Clark

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
(cont'd)

P. HEARING OFFICER'S RECOMMENDATIONS  
ON SHOW CAUSE HEARINGS  
(cont'd)

2. ISOBEL BARI  
1801 Atlantic

Abeyance Item --- Tabled 11/15/78

Q. APPEAL ON DENIAL OF RENEWAL OF  
CHILD CARE FACILITY LICENSE  
(Denied by the Child Welfare  
Board)

1. KITTY'S NURSERY  
808 Monticello  
  
Licensee: Nora Clark
2. ISOBEL BARI  
1801 Atlantic

See Page 13

See Page 13

Abeyance  
Lurie - unanimous

12/20/78 Agenda

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS  
 COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY  
 (cont'd)

R. SPECIAL EVENT LIQUOR LICENSE

1. THE LAS VEGAS ART MUSEUM

Location: Lorenzi Park  
 3333 W. Washington

Date: December 12, 1978

Responsible Licensee:  
 Bill Pappas

Approved  
 Lurie - unanimous

Director  
 authorized  
 to proceed

KITTY'S  
NURSERY &  
ISOBEL BARI  
(cont'd)

See Page 7 of these Minutes

Is that correct Mr. Avila?

Attorney Avila: Mr. Sloan, I think the Kitty's matter - Nora Clark - the Commission could act on that at this time unless the Commission wishes to have a formal Findings of Fact and Conclusions of Law.

Mr. Sloan: Our difficulty has been, Your Honor, these matters are reasonably old but the Hearing Officer has not complied with the requirements of the Ordinance. There has been a delay in submitting written Findings of Facts and Conclusions. The only thing we have is a letter which is included in your books as to his Conclusions, but it really does not meet the requirements of the Ordinance as a proper document coming from the Hearing Officer.

The Commission could, if it wanted to, accept the recommendations that are set forth in there, but in the one case involving Isabel Bari, Mr. Avila's client in this one case wants to wait until the formal document is presented by the Hearing Officer. Therefore, in the case of Kitty's Nursery you may want to wait, or you may want to hear Mrs. Britt's position on this - what her Department's position is on this - whether they concur with the Hearing Officer as it relates to Kitty's Nursery, or not.

Mr. Avila: It was my understanding, with respect to Kitty's Nursery, that we would have no objection if the Board would hear that matter now. We would urge the Commission to concur with the Findings of the Hearing Officer -

Mayor Briare: Counselor, you neglected to indicate to the City Clerk your name and your representation.

Response: Richard Avila and I am the Attorney for both Nora Clark and Isobel Bari.

Mr. Sloan: Your Honor, I think the only difficulty would be, if we don't have the document which the Ordinance contemplates you will receive from the Hearing Officer, I don't believe that the Hearing Officer has transmitted to the Commission, even the transcript, for this Commission to be in a position to make a determination of the Hearing Officer's advice without having a formal document or without having a transcript - it puts you in a very awkward position and while it may not be unfair to his client, it may be unfair to the Child Welfare Board and the Business License Department.

Commissioner Leavitt: What you are saying is that we need the formal Findings of Fact.

Mr. Sloan: That would be my feelings - we are insisting on that other case so I think to be consistent we ought to continue it over for two weeks.

Commissioner Leavitt: Then there is no reason to do anything further - we will just have to continue it until we do get the formal Findings - right?

Mr. Sloan: Yes.

Commissioner Leavitt: I move that Items "P" and "Q" be continued for two weeks.

Motion

KITTY'S  
NURSERY &  
ISOBEL BARI  
(cont'd)

Mayor Briare: Are there any objection by any of the Commissioners?

Commissioner Lurie: I have just one question - are these - Licenses have not been reissued to these two and they are not at the present time have any child care going on at the residence?

Mr. Avila: That is my understanding, Mr. Lurie. The renewal Licenses were due on October 31st and those were denied on the basis that the Board (it is my understanding) without the formal Findings of Fact had nothing to go on. So those Licenses were denied.

Commissioner Lurie: So what you are telling me is that there are no children at these two residences that are being cared for at the present time -

Mr. Avila: That is my understanding. They have both been out of business for some time.

Commissioner Leavitt: So there is nothing that would be detrimental if we continued it for two weeks. I would move that we hold Items "P" and "O".

Mayor Briare: Are there any comments on the motion?

(No response)

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

ADMINISTRATIVE AGENDA - RUSSELL W. DORN, CITY MANAGER

PROPOSED  
LEGISLATION  
BY THE CITY  
Resolution  
Adopted

City Manager, Russell W. Dorn: Your Honor, that is a request by Commissioner Christensen, so he will handle that item.

Commissioner Christensen: This Resolution is because in the past sessions of the Legislature we've had some confusion at the Legislature that has hurt our position, where we've had various departments requesting various things, some of them in conflict with one another, so I proposed this Resolution to clarify the role of the City in Legislative matters so it will clearly delineate anything that goes to the Legislature with the City's name on it is, in fact, from the City and not from some person within that City, or within City Government, which confuses the Legislature, the public and the issue, and costs us a loss of valuable consideration at the Legislature.

It merely sets forth that anything that goes forth as Legislative proposals for the City be cleared by the Legislative Committee of the City first so that everybody knows what the other guy is doing - so we don't have the left hand doing something different from the right hand in Carson City.

Mayor Briare: To whom would this Resolution be directed, Commissioner? Would it be directed to members of the Legislature?

Commissioner Christensen: Primarily to all the members of the City -

Commissioner Leavitt: So the Legislature would know what the official Legislative package of the City encompasses - from the Mayor's office and

LEGISLATIVE  
RESOLUTION  
(cont'd)

City Commissioners - not from somebody else that might be up there.

Mayor Briare: Are there any other comments?

(No response)

Motion

Commissioner Christensen: I will move for adoption of this Resolution.

Mayor Briare: Are there any comments on the motion?

(No response)

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

See Pages 26 and 27 of these Minutes - Resolution

SOUTHERN  
NEVADA  
SIGHTLESS  
Abeyance

REQUEST OF SOUTHERN NEVADA SIGHTLESS, INC. FOR TITLE TO PROPERTY ON WHICH THE BLIND CENTER IS LOCATED

Mr. Dorn: Item B, Your Honor, is a request of Southern Nevada Sightless, Inc., for title to property on which the Blind Center is located. The present lease on the property extends to the year 2027. There is an existing building there and it is a very beneficial program. The purpose for this request is that the Blind Center would like to expand. In order to get financing to build the new buildings, they have to have title to the property residing with them.

It is my recommendation that The Blind Center be given title to the property with a reversionary clause when, as and if the use of the present property ceases, the property and all of the improvements on it would automatically reconvene to the City.

Mayor Briare: You've heard the comments of the City Manager, Are there any by the Commissioners?

Commissioner Christensen: Your Honor, I've got one comment on this. You know, I get accused of picking on the County a lot, and this brings up a question that arose yesterday at the County Commission meeting that bothers me. We in the City have always maintained there are no real boundaries with hardships - with animal control - with jail services - etc. - etc. Here's another case, I think, where the City recognizes its responsibility and I'm going to vote for this measure. However, if this had appeared on the County's agenda yesterday, they would undoubtedly have charged the City for more than half of the cost of that Blind property to satisfy that because they feel it is their obligation to tax the City residents.

I think it is unfortunate that we have that kind of a situation on the County Commission - that they feel that the City residents ought to pay twice - once as a County resident and once as a City resident, for these things, and I would just like to point out for the Commission and the public, that here is a case where the City recognizes its responsibility and are willing to donate, free, that property - just like we did for all the Juvenile Court facilities - for the beneficial use of all of the residents of this Valley. It is unfortunate that the citizens of the City of Las Vegas have to be taxed twice for it.

1 RESOLUTION OF THE BOARD OF CITY COMMISSIONERS  
2 OF THE CITY OF LAS VEGAS, NEVADA, CONCERNING  
3 PROPOSED LEGISLATION BY THE CITY OF LAS VEGAS

4 WHEREAS, the City of Las Vegas is completing its  
5 proposed Legislative Program for submission to the Nevada State  
6 Legislature; and

7 WHEREAS, the City of Las Vegas has established a  
8 procedure and mechanism for the review, analysis and development  
9 of legislation for the best interests of the citizens of the City  
10 of Las Vegas; and

11 WHEREAS, the City of Las Vegas has established a  
12 Legislative Committee consisting of representatives of its  
13 elected body and staff representatives; and

14 WHEREAS, the function of said Committee is to review,  
15 finalize and formally endorse all legislation introduced for or  
16 on behalf of the City of Las Vegas; and

17 WHEREAS, it is the desire of the Board of City  
18 Commissioners that said Committee shall serve as the official  
19 "spokesperson" for legislative purposes for the City of Las Vegas;  
20 and

21 WHEREAS, it is the desire of the City to avoid duplica-  
22 tion and conflict in regard to legislative proposals submitted  
23 for and on behalf of the City of Las Vegas.

24 NOW, THEREFORE BE IT RESOLVED by the Board of City  
25 Commissioners:

26 1. That all revisions to the existing Nevada Revised  
27 Statutes affecting municipal government, new legislative proposals  
28 for enactment and information relating thereto shall be coordi-  
29 nated through said Committee.

30 2. That all suggestions for proposed legislative  
31 amendments or modifications to existing statutes shall be tendered  
32 to said Committee through the City Manager's Office for review,

1 finalization and approval prior to submission to any legislative  
2 committee, legislator or other person who may assist the City  
3 with its Legislative Program.

4 3. That all appointive staff, employees and elected  
5 representatives shall be bound by the provisions of this  
6 Resolution.

7 4. That the provisions of this Resolution will pertain  
8 to all legislative proposals submitted in the name of or on behalf  
9 of the City of Las Vegas.

10 5. That this Resolution is to take effect immediately.

11 PASSED, APPROVED AND ADOPTED this 6th day of December,  
12 1978.

13  
14   
15 WILLIAM H. BRIARE  
16 MAYOR OF LAS VEGAS

17 ATTEST:

18   
19 EDWINA COLE, CITY CLERK  
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SOUTHERN  
NEVADA  
SIGHTLESS  
(cont'd)

Commissioner Leavitt: I have a legal question on this: Mr. Sloan, has your office investigated the manner in which the City acquired title to this property? I am concerned. Is this a piece of property that came to the City from the Union Pacific Railroad?

Mr. Sloan: Commissioner, I'm not certain. I don't know whether or not this specific item was researched by my staff or not. I know that we had previously given the Manager's office a detailed legal opinion related to a similar request for the Easter Seals but, specifically, on the legal title to this property, I don't know whether they did or not.

Commissioner Leavitt: I'm concerned because if this is property that was given to the City by the Union Pacific Railroad, I believe there is a reversionary clause in that deed that says that it is to be used for government purposes and when it isn't used for government purposes, it reverts back to the Union Pacific Railroad, and I just wonder if that's been checked out to make sure that this parcel is not subject to that reversionary clause so that it would go back to the Union Pacific Railroad if we did contemplate selling it to someone other than government.

Motion  
Amended

Commissioner Christensen: I would amend the motion to include that - that it meet the legal requirements that that research.

Commissioner Leavitt: I know that's the situation with Cashman Field and I believe this property was a part of that parcel that the Union Pacific Railroad gave to the City with a reversionary clause so long as it is used for government purposes and if we don't keep the title, we're going to lose it by . . .

Mr. Sloan: I'm not aware of this having come to my office in any event.

Commissioner Leavitt: Would you check that out, because I know that's the same situation where Las Vegas High School is - it's the same situation where the Federal Building is - they have reversionary clauses - the Union Pacific has deeded that property with a reversionary clause, and I'm wondering if that would affect this at all.

Mayor Briare: Do you want this held, Commissioner, until that has been accomplished?

Commissioner Leavitt: If it would create no problem with anybody, I would like it held until it is checked out, because it's not going to do them any good if they get a deed and then it ends up with the Union Pacific Railroad.

Mayor Briare: Are there any objections by the Commission to holding this until the City Attorney's office has had an opportunity to give us a clear answer?

Commissioner Christensen: Can't we just approve it, subject to that?

Commissioner Leavitt: I just want to make sure that is not part of that property affected by that reversionary clause.

Mayor Briare: What is the pleasure of the Commission?

Mr. Dorn: I believe to hold this item for two weeks will not in any way

SOUTHERN  
NEVADA  
SIGHTLESS  
(cont')

2nd  
Motion

impede the plans -

Commissioner Leavitt: If the City acquired the property from the Union Pacific Railroad, I'm almost certain it has a reversionary clause in it.

Commissioner Lurie: I move that this item be held for two weeks.

Mayor Briare: If there are no objections, we'll hold it for two weeks.

Mayor Briare: Item "C" is a proposed Agreement to the Contractual Agreement for Library Services.

LIBRARY  
SERVICES  
Abeyance

Mr. Dorn: Your Honor, I respectfully request that you hold this item in abeyance until your December 20th meeting so the City Staff will have more time to analyze the impact of this proposal. With the strong affirmative vote on Question 6 and the many tax proposals being advanced by several State Legislators and Elected Officials, I believe that any proposal that would change the City's tax revenue should be studied in great depth.

Mayor Briare: Is there any comment by the Commissioners?

(No response)

Mayor Briare: If there are no objections, we will hold this until you resolve those matters

REQUEST FOR  
CITY PROPERTY  
Referred to  
Real Estate  
Committee

Mayor Briare: The next is a request of the HELP THEM WALK AGAIN FOUNDATION for City property.

Mr. Dorn: This is a request from Joanne Toadvine for the donation of land from the City to construct a research center and clinic for spinal injury victims, similar to the City of Hope Center in California.

The request is for approximately 50/60 acres of City property located between the areas Charleston/Stewart/Mojave. At this point the fiscal impact cannot be concluded except that the donation of land would represent at least a 1.5 Million Dollar value to the City.

This item, as you will recall, was asked to be held in abeyance until the 20th meeting and it was referred to the Real Estate Committee so that a substantial amount of information can be developed concerning the availability of funding on the part of the applicant and the possibility of another location.

Mayor Briare: The Real Estate Committee consists of whom? At one time it was the entire Board.

Commissioner Lurie: It now consists of Commissioners Christensen and Lurie.

Mayor Briare: Very well - Joanne, would you like to make any comments? The City Manager's recommendation is that this be referred to the Real Estate Committee because we are talking about a substantial piece of property.

Ms. Toadvine: In our plans, we were going by the City of Hope and the Burn Center - we really don't need that much land because we can build up where they are spread out, so we can get by with half that land by going upward. There is another parcel (No. 42) that may not be that expensive for the

REQUEST FOR  
CITY PROPERTY  
(cont'd)

City, because we don't really care where it's at, it is just that it is urgently needed because the people of Nevada have to go out of State to get the proper care. We do not have any facilities here and we could bring in scientists from all over the world, including Russia, to help us. Right now more of our people in the United States are trying to get to Russia to get some care and they have agreed they would come over and give us information and help us. We have confirmations from several other doctors in foreign countries - there is a leading researcher in the country that is going to help us in this Research Center. We have 600 spinal injury victims in the State of Nevada and when this break-through comes they will be able to come here for treatment - they are lining up like two years in Russia - something like that - how many of us can afford to send our kids there?

Commissioner Woofter: Mr. Mayor, I believe it's like many of our other worthy charity projects in the community - this certainly deserves merit. I agree with the recommendation of Staff however. I think the Real Estate Committee should look into the possibility as far as locating on City land as well as - as Commissioner Lurie brought out - there are other governmental agencies too - such as the BLM - that this Committee could look into to see where it might be feasible to locate such a noteworthy project.

Mayor Briare: Joanne (Toadvine) you've heard Mr. Dorn's recommendation that it be referred to the Real Estate Committee, which consists of Commissioners Christensen and Lurie. Perhaps if we were to refer this request to them, they could call upon the Staff and meet with you and any members of your organization, and come up with more or less of a positive recommendation, and perhaps more specific than we have now so that we have something we can actually act on knowing what it is that we're going to be required to do.

Ms. Roadvine: OK - I'd like to make one point - that this is a National organization and this was started by the people in Las Vegas and even in foreign countries they are aware of this proposal.

Mayor Briare: You have done an extremely good job -

Ms. Toadvine: It's been a lot of work and I think it is something that Las Vegas should be proud of.

Mayor Briare: If there is any credit to be given, it is to be given to you. I know that Commissioner Woofter has been very, very active in your organization. Thank you Joanne. If it meets with the approval of the Commission, this will be referred to the Real Estate Committee consisting of Commissioner Christensen and Commissioner Lurie.

Referred

FEE - SWAP  
MEETS  
Resolution  
Adopted

Mayor Briare: The next item involves a Resolution approving adoption of Fee Schedule by the Clark County District Board of Health for issuance of Health Permits to operators of Swap Meets.

Mr. Dorn: Your Honor, this action was approved by the Clark County District Board of Health on September 25, 1978. Under the requirements, the operators of Swap Meets are required to pay semi annual fees of \$75.00 to defray the cost and expense of Health Permits for Swap Meets. Under the provision of NRS 439.470, review and approval before the City Commission of the City of Las Vegas is required for adoption.

I recommend approving this attached Resolution.

See Page 31 of these Minutes - Resolution

RESOLUTION APPROVING ADOPTION OF FEE SCHEDULE  
BY THE CLARK COUNTY DISTRICT BOARD  
OF HEALTH FOR ISSUANCE OF HEALTH PERMITS  
TO OPERATORS OF SWAP MEETS

WHEREAS, at their regular meeting of September 25, 1978 the Clark County District Board of Health passed a Resolution No. 29-78, attached hereto and incorporated herein, which manifests the District's intention to adopt an amendment to the Clark County District Board of Health's permit fee schedule pertaining to operators of swap meets; and

WHEREAS, this amendment would provide that a semi-annual fee of Seventy-Five Dollars (\$75.00) be charged by the Clark County Health District to the operators of any swap meets within the incorporated and unincorporated areas of Clark County, Nevada for each swap meet location of such operators in order to defray the cost and expense of issuing a health permit therefor; and


WHEREAS, N.R.S. 439.470 requires the review and approval of this amendment by the Board of City Commissioners of the City of Las Vegas, Nevada prior to its adoption;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners of the City of Las Vegas, Nevada approves the permit fee schedule amendment pertaining to swap meets, found in Resolution 29-78 of the Clark County District Board of Health.

PASSED, ADOPTED and APPROVED this 6th day of

December, 1978.

APPROVED:

  
WILLIAM H. BRIARE, MAYOR

ATTEST:

  
EDWINA M. COLE, CITY CLERK

FEE -  
SWAP MEETS  
(cont'd)

Gil Blonsley: I am appearing on behalf of the District Board of Health. If there are any questions I would be happy to answer them.

Commissioner Lurie: I wasn't aware that the City had any Swap Meets - or allowed any Swap Meets. I thought all Swap Meets were held outside the boundaries of the City, either in North Las Vegas or the County.

Mr. Blonsley: You are correct, Commissioner. In order to make our fee schedule consistent and appropriate, it requires that each entity who is a partner and participant in the Health District, ratify any fees, or changes in fee schedules, that the Board of Health adopts so all of the cities and the County are called upon to ratify whatever schedule we adopt.

Commissioner Lurie: My concern is that once we set up a fee schedule, it might open the door for somebody to apply for a Permit to hold a Swap Meet. Now that we don't have a fee schedule we don't have to worry about anybody asking for a Permit.

Mr. Blonsley: This is not your Fee Schedule, Commissioner. What it does - it approves the District Board of Health charging these fees for environmental control and at any such time as you would change your ordinances, we would be prepared to inspect, or license.

Commissioner Leavitt: This is not an endorsement for Swap Meets -

Mr. Blonsley: Not at all.

Commissioner Lurie: It puts it on there - now somebody could say - now that the City has a fee schedule for Swap Meets, let's apply for a Permit. We've kept all of the Swap Meets out of the City of Las Vegas. I have my own reservations about Swap Meets and what they do to a community, and how they are handled, and I'm not supporting any type of thing that could allow Swap Meets within the boundaries of the City. I know we don't have any control in the County or North Las Vegas, but I have reservations about Swap Meets.

Mr. Blonsley: I appreciate that, Mr. Commissioner and, in fact, it was the District Board of Health's concern with respect to the cleanliness - the environmental aspects of these events, since they are principally on an itinerant basis, we do have the opportunity to inspect and to regulate them, insuring that the products sold are properly prepared and are cared for - that there are adequate toilet facilities and that, in general, sanitation standards are met for the community. That is the reason for the Fee Schedule and the licensing process was proposed. It is only being asked at this time that you ratify this so that the Board can do its job in the community as a whole, irrespective of the operation within this municipality.

Commissioner Leavitt: The City of Las Vegas is a member of the Health District and that is the reason we have to ratify it. It is not an endorsement of Swap Meets in any way. What we're saying is that because we are a member of the Health District, we approve this fee schedule for any Swap Meets that may be held.

Commissioner Lurie: That's fine - you can charge the fees in North Las Vegas, or Henderson, or the County, but we don't have Swap Meets in the City, so why should we be a part of the Fee Schedule?

FEES -  
SWAP MEETS  
(cont'd)

Commissioner Leavitt: Because you are part of the Health District.

Commissioner Lurie: We pay our fees to the Health District.

Commissioner Leavitt: The City of Las Vegas is part of the Health District - I sit on the Board - I'm the Chairman of the Health District as well as a Commissioner for this City -

Commissioner Lurie: I sat on that Board -

Commissioner Leavitt: OK - that's why we have to approve it . . . before they can charge the fees to those in the County and the other cities, we have to approve it as a member of the Board of Health. It is not an endorsement of Swap Meets - it is just an indication that we approve of this Fee Schedule.

Motion

Commissioner Christensen: I move for approval of the Resolution.

Mayor Briare: Lt. Governor Leavitt, and myself, were at a meeting in another area of the Convention Center Sunday, and if what was taking place next door is any indication of the success of Swap Meets, you ought to put it on a sliding scale and you will make enough money to support the Health Department - there were an awful lot of people out there.

Commissioner Lurie: But they don't even participate - I don't know why the County even allows people to set up on street corners or on the parking lot of the Convention Center to get these people to come in here and take the money out of our community - they don't put anything into our community - and there is no way to get a refund. I oppose Swap Meets and I oppose what's going on out there on the parking lot of the Convention Center and on street corners in the County.

Mr. Blonsley: The environmental sanitation and food service side of it are growing problems for the Health District and this addendum to our already-adopted Fee Schedule is our basic response to that concern.

Commissioner Lurie: Your concern is for the health of the people who are going out there. I'm trying to protect the local businessman here so that he can survive in times when things are a little slow, and we allow someone to set up on a street corner passing through town. That's my reservation about Swap Meets and what goes on out there in the County.

Mayor Briare: Are there any other comments?

(No response)

Mayor Briare: The motion is to adopt the Resolution.

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

MEADOWS  
PLAYHOUSE  
Referred

Mayor Briare: Is there anyone present to discuss the Meadows Playhouse?

(No response)

Mayor Briare: OK - the City Manager has requested that this be referred back to his office, so if there are no objections by the Commission, it will be referred back to his office.

REPLACEMENT -  
CITY COMMISSIONER  
WARD 1

Mayor Briare: The next items is discussion and/or action to appoint a replacement to fill the unexpired term of City Commissioner, Ward 1, currently held by Lt. Governor Elect Myron E. Leavitt. As we know, with the method that we conduct meetings in the City of Las Vegas being governed by the Open Meeting Law, before discussing any of these matters we place it on an agenda. It doesn't necessarily insist that action be taken. However, I'm going to ask Commissioner Leavitt - I guess it would be appropriate to ask you if you have anything in mind relative to a resignation.

Commissioner Leavitt: I didn't want to be unemployed at Christmas time. I am Chairman of the Board of Health. I am also a member of the Metropolitan Police Commission and in view of the fact that we have - the Board of Health has an election at their meeting coming up this month and they are also going to act on some air pollution control regulations which I conducted a public hearing on, and also the Metropolitan Police Commission has another meeting this month - I don't intent to resign until the end of the year; but I will submit my resignation effective as of December 31st of this year. I understand from the Attorney you can't pick a replacement until there is actually a vacancy, so there will not be a vacancy actually until December 31st. That would allow the City Commission at its first meeting in January to name my successor.

Mayor Briare: Are there any comments by the Commissioners?

(No response)

Mayor Briare: I know that later on in the afternoon we will be discussing another item on the agenda relative to the prospective vacancy in the City Attorney's position. Mr. Sloan, would you like to make any comment here on that?

Mr. Sloan: Your Honor, it would be my intention to give my resignation effective December 31st, which would coincide with the date that Senator Richard Bryan's resignation takes place and thereafter it would be incumbent upon the Commission to fill my vacancy within 30 days after the occurrence of the vacancy. Commissioner Leavitt is correct - at least Mr. Stewart and I have reviewed the Charter and are of the opinion that the language of the Charter of the City of Las Vegas reads that the Commissioners are required to fill the vacancy after its occurrence, and not at the time the resignation is submitted. That is the way that both Mr. Stewart and I read the Charter provision, but I will tender a letter of resignation to take effect on December 31st.

Commissioner Christensen: It is unfortunate that it puts us in that kind of a position because what we have now - we have a situation where we're going to be short a City Attorney and a Number One Deputy for a minimum of two weeks before we can even reappoint somebody. That means we will not have a City Attorney for two weeks and that we will never have a City Attorney on board that the new City Attorney can find out from what's happening. He is going to have to work with the Secretary, so it's kind of like starting a new government down there - it's going to be a whole new ballgame.

Mr. Sloan: Commissioner, I don't think that is 100% accurate. First, it is my understanding that Assemblyman Stewart will not take office until January 15th and so if you were to appoint someone at the first meeting in

REPLACEMENTS  
(cont'd)

January, he would have the benefit of Mr. Stewart, who has been with the City longer than I have. In addition, it would be my intention that prior to going to Carson City - my term up there would commence on January 15th - that I would spend as much time as possible with whoever is selected by the Commission. At least two of the people who have been mentioned as being interested in it, have previously served in the City Attorney's office. One of the people who has expressed an interest in it presently is in the City Attorney's office, so while we realize there is a degree of hardship which is caused by the language of the Charter, I don't think it is quite as bleak a picture as you make it out to be.

Commissioner Christensen: Let me ask you a question: Is there anything that would prevent the City Commission from saying to the City Attorney - let's discuss this - we will find a replacement - when we decide on the replacement saying to the City Attorney - we think this would be the best person - would you put him on in your office as a Deputy City Attorney until such time as you leave, and then after you leave we can go ahead and appoint him?

Mr. Sloan: The appointment would have to be after the vacancy - if it was the consensus that they wanted a particular individual and do that consistent with the requirements of the Open Meeting Law and other legal restrictions, I would be happy to employ that person in any capacity the Commissioners, or the Manager, would want. I think that would be an excellent suggestion.

Commissioner Christensen: Then I would recommend that we prepare to do that by our next meeting - have that person be decided upon by our next meeting - and ask the City Attorney to put him on as a Deputy. It would give us a little more continuity in the City Attorney's office.

Mayor Briare: Let's not be naive either - it's just that there is no consensus of opinion that we are going to wait for a consensus of opinion - with the approval of the Commission, this will stay on the agenda, Mr. Dorn - this item will stay on the agenda to make sure it is included in all of the necessary posting, etc. It is not being disposed of - it is being held in continuance.

Commissioner Christensen: Let me ask you one more question: Do we do that same thing with the City Commission slot?

Mayor Briare: This afternoon, I think, we'll have to work on the City Attorney's thing -

Commissioner Christensen: I asked a question concerning the City Commission slot - could we designate who we're going to replace Myron Leavitt with, even though we don't make the appointment - make it public - who the appointment is going to be and have him sitting up here until he find out what's going on?

Commissioner Lurie: I was going to ask that question - as far as to stop all the speculation of who is going to get the position, couldn't we appoint somebody subject to receiving Commissioner Leavitt's letter of resignation? So that the person would know that he is going to be taking that slot over as of our receiving Commissioner Leavitt's resignation so that we could start working with that person. We could either do it at this meeting or we can do it at our next meeting, but I think we have to make a decision

REPLACEMENTS  
(cont'd)

soon because we have a lot of pressing things we have to get working on before January.

Mayor Briare: I would think, Commissioner, as far as the Chairman of this Board is concerned, that if you want to discuss it right now, and propose names right now, it might not be a totally fair thing to do to the candidates for this position, but if you want to do it right now, unless Mr. Sloan has a legal opinion to the contrary, if you want to bring it up, you certainly could. Mr. Sloan, is there anything to prohibit discussing this?

Mr. Sloan: The only point I would make, Your Honor, is that to legally fill the vacancy it has to be after the vacancy occurs because of the language in the Charter, but if the Commission wanted to, today, indicate who they would subsequently appoint, I suppose the Commission could do that. I'm not aware of anything that would preclude it because it is in compliance with the Open Meeting Law that you are going to discuss and possibly take action. But the legal point that would have to be taken is that the vacancy be filled after the vacancy occurs. The Commission would not necessarily be bound except by their own commitments to honor it in January when the actual legal vote would be required to be taken. There is nothing to preclude you from doing that.

Mayor Briare: It might be interesting if we wanted to proceed along that line, to ask each member of the Commission - I guess, except for Commissioner Leavitt - who may or may not want to join in the conversation - I don't know of any legal way to keep you out of it, Myron - if we were to ask each person if they had anybody in mind that they are going to propose at a later date. Commissioner Woofter, do you have any comment?

Commissioner Woofter: Mayor, the only thing I have to comment on is more or less in light of Mr. Sloan's remarks - that we would just be spinning our wheels at this particular time - as far as any discussion on any particular candidates, as you brought out, or someone brought out, this would also be unfair to any potential candidate that was unaware of the fact at this late date of any discussion whatsoever. Because, as Mr. Sloan brought out, I think the general consensus of the feeling of the community is that there is not going to be any consideration until Commissioner Leavitt resigns. Interpreting the way the action was taken in State Senator Bryan's vacancy, the action was taken after his resignation was submitted.

Mayor Briare: It is amazing how you can read things without having anybody say anything. I had a feeling it could conceivably end up as a 2-2 vote if we were to take a vote on Commissioner Lurie's recommendation - that would kind of give an indication of how difficult it is going to be to choose a successor to Myron Leavitt, and even though Myron is out of the room, I think many of you know there is a speaker that goes from here into the back room, so Myron is listening in, and I think it is kind of a compliment to Myron Leavitt that it is very difficult to fill his shoes. There are some very highly qualified candidates to fill his shoes, - it is just one of those things where I think we are in a dilemma and unless any Commissioner wants to make a positive statement to the contrary, this will be on the agenda and perhaps by our meeting of December 20th, we will have it on the agenda in the event the Commissioners are prepared to take action on it. That is the way it will be and I will invite Commissioner Leavitt to come back in.

REPLACEMENT  
(cont'd)

Mayor Briare: The minutes of the regular meeting of September 20, 1978 are up for approval.

Motion

Commissioner Lurie: I move they be approved by reference and the Mayor and Clerk authorized to sign.

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

See Page 38 of these Minutes - Annotated Agenda

Mayor Briare: You have an addendum item?

Mr. Dorn: Yes, Mr. Mayor, I have an addendum item which is discussion and possible action to appoint a replacement to fill the vacancy of City Attorney.

Mayor Briare: I'm sorry - I thought that was coming up this afternoon.

Mr. Dorn: If you choose to hold that until this afternoon, that would be alright -

Mayor Briare: I'm sorry - is it agreed with the Commissioners to take the same action on this, since Mike Sloan has already given us his opinion.

(No response)

Mayor Briare: It will be held - leave it on the agenda for whatever need we may have for it at the next meeting.

See Page 39 of these Minutes - Annotated Agenda

DEPARTMENT OF FINANCIAL MANAGEMENT

See Page 40 of these Minutes - Annotated Agenda

DEPARTMENT OF PERSONNEL AND EMPLOYEE RELATIONS

See Page 41 of these Minutes - Annotated Agenda

DEPARTMENT OF FUNDS COORDINATION  
DEPARTMENT OF RECREATION AND LEISURE ACTIVITIES

See Page 42 of these Minutes - Annotated Agenda

DEPARTMENT OF MUNICIPAL SERVICES

See Pages 43 thru 46 of these Minutes - Annotated Agenda

# AGENDA

## City of Las Vegas

December 6, 1978

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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
IV(a) ADMINISTRATIVE AGENDA RUSSELL W. DORN, CITY MANAGER		
A. RESOLUTION CONCERNING PROPOSED LEGISLATION BY THE CITY	Adopted Resolution Christensen - unanimous	Staff to proceed (ACTION item)
B. REQUEST OF SOUTHERN NEVADA SIGHTLESS INC. FOR TITLE TO PROPERTY ON WHICH THE BLIND CENTER IS LOCATED	Abeyance (to check title to City)	12/20/78 Agenda (ACTION item)
C. PROPOSED AMENDMENT TO THE CONTRACTURAL AGREEMENT FOR LIBRARY SERVICES	Abeyance	12/20/78 Agenda (ACTION item)
D. REQUEST OF "HELP THEM WALK AGAIN FOUNDATION" FOR CITY PROPERTY Abeyance from 11/15/78 meeting	Referred to Real Estate Committee - Commissioners Christensen and Lurie	
E. RESOLUTION APPROVING ADOPTION OF FEE SCHEDULE BY THE CLARK COUNTY DISTRICT BOARD OF HEALTH FOR ISSUANCE OF HEALTH PERMITS TO OPERATORS OF SWAP MEETS	Adopted Resolution Christensen Commissioner Lurie voted "no"	Staff to proceed (ACTION item)
F. REQUEST BY MEADOWS PLAYHOUSE FOR COMMUNITY SUPPORT FUNDS IN THE AMOUNT OF \$3500.	Referred back to City Manager	(ACTION item)
G. DISCUSSION AND/OR ACTION TO APPOINT A REPLACEMENT TO FILL THE UNEXPIRED TERM OF CITY COMMISSIONER IN WARD 1 CURRENTLY HELD BY COMMISSIONER MYRON LEAVITT.	Abeyance	12/20/78 Agenda
H. MINUTES Regular meeting of September 20, 1978.	Approved by reference Lurie - unanimous	Mayor and Clerk to sign

# AGENDA

*City of Las Vegas*

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ITEM

Commission Action

Department Action

XI. ADDENDUM ITEMS

1. ITEM IV (a) - I - ADMINISTRATIVE AGENDA

Discussion and/or action to appoint a replacement to fill the vacancy of City Attorney, currently held by Mike Sloan

Abeyance

12/20/78 Agenda

APPROVED AGENDA ITEM  
RCJ 11/27/78

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS  
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Department Action

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. K1324 to K1332, K114540 to K114541,  
K710405 to K710407, K710413 to  
K710462, K710464 to K710471, K710477  
to K710496, K710498 to K710499,  
K710518 to K710539, L710541 to  
L710543, K710840 to K711144,  
Inclusive.

In the amount of \$ 7,854,635.14

\*B. PAYROLL WARRANTS

Nos. 132385 to 133861, Inclusive

For Pay Period Ending Nov. 11, 1978

In the amount of \$ 579,834.35

Items A and B  
Approved  
as submitted  
Lurie - unanimous

Commissioner  
Christensen  
did not vote -  
temporarily absent

Director  
authorized  
to issue

# AGENDA

## City of Las Vegas

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12/6/78

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ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL  
& EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS -  
CITY FUNDED - FULL TIME

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) Fire Services Office Assistant (replace budgeted vacancy)	791	Responsible for pro- cessing paperwork in supply area and providing other clerical support.
(2) PS/Animal Control Kennel Attendant (replace budgeted vacancy)	791	To clean, feed and care for the animals and maintain buildings at the Animal Care & Control Center.
(3) R&LA/Cultural & Community Affairs Cultural Program Assistant Two positions (replace budgeted vacancy)	917	To organize, coordi- nate, conduct and/or supervise a variety of cultural activities at the Whipple Cul- tural Center and the Charleston Heights Library and Arts Center.
(4) R&LA/Recreation Stenographer (replace budgeted vacancy)	831	To answer phones and questions regarding department activities; prepare cash reports; write general receipts and account for mon- ies collected and perform other clerical functions.

Items 1 thru 4  
Approved  
Lurie - unanimous

Director  
authorized  
to proceed

APPROVED AGENDA ITEM  
RCJ 11/27/78

# AGENDA

## City of Las Vegas

December 6, 1978

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

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

N  
o  
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e

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

N  
o  
n  
e

APPROVED AGENDA ITEM

RCT 11/27/78



# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

\*B. AWARD OF BIDS, CONTD.

8. Bid #78.119.1 - Printing of Historic Preservation Inventory Publication (Budget and Management)
9. Bid #78.316.1 - Total Cost Purchase of Eight (8) 5 C.Y. Dump Trucks (Municipal Services - Vehicle Services)
10. Bid #78.117.3 - Hardware Equipment - West Charleston Library and Arts Center (Recreation and Leisure Activities)
11. Bid #78.117.4 - Office Equipment - West Charleston Heights Library and Arts Center (Recreation and Leisure Activities)
12. Bid #78.117.5 - Audio Visual Equipment - Charleston Heights Library and Arts Center (Recreation and Leisure Activities)
13. Bid #78.117.6 - Folding Tables, Chairs and Directory - West Charleston Heights Library and Arts Center.

See Page 20

See Page 20

C. REJECTION OF BIDS

1. Bid #R78.145 - Traffic Signal Left Turn Protection Five (5) Intersections (Public Services - Traffic Engineering)
2. Bid #78.147 - Annual Insecticide and Herbicide Requirements (Recreation and Leisure Activities - Parks and Cemetery; Golf Course)

Items 1 and 2  
Approved  
as recommended  
Lurie - unanimous

Director  
authorized  
to proceed

APPROVED AGENDA ITEM

RCS 11/27/78

# AGENDA

*City of Las Vegas*

December 6, 1978

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.

D. CONTRACT MODIFICATIONS

1. Bid #BOR77.73 - Freedom Park, Phases III, IV and V - Bid Group I (Public Services)

Recommend approval of Contract Modification No. 1 to Empire Construction, Las Vegas, NV, in the amount of \$2,867.53. This modification is necessary to correct a quick-coupler main connection at the park site.

2. Bid #78.60 - Cultural Services Complex - Phase II (Public Services)

Recommend approval of Contract Modification No. 2, to Empire Construction, Las Vegas, NV, with the written approval of the project architect, in the amount of \$15,771.80, and a forty-two (42) day no-cost time extension. This modification is necessary due to hidden conditions not found until construction commenced and protracted delivery dates for necessary hardware.

3. Bid #F78.64 - Lake Mead Boulevard Storm Drain (Public Services)

Recommend approval of Contract Modification No. 1, to Tab Construction, Las Vegas, NV, in the amount of \$13,022.92. This modification is necessary to comply with State of Nevada construction requirements for that portion of the project within the State of Nevada Right-of-Way.

4. Bid #78.83 - Fremont Reconstruction - Main to 7th Street (Public Services)

Recommend approval of Contract Modification No. 1, to Stewart Construction, Inc. Las Vegas, NV, in the amount of \$5,618.00 and a sixty-two (62) day no-cost time extension. This modification is necessary due to adjustment of construction schedule phasing and revising a manhole cone.

Items 1 thru 5  
Approved  
as recommended  
Lurie - unanimous

Director  
authorized  
to proceed

APPROVED AGENDA ITEM

RCT u/27/76

# AGENDA

## City of Las Vegas

December 6, 1978

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

D. CONTRACT MODIFICATIONS CONTD.

See Page 22

See Page 22

5. Bid #78.143 - Sixty (60) Months Lease/  
 Purchase Option of Word Processing Equipment

Recommend Contract Modification No. 1 to Quality Business Equipment, Las Vegas, NV, for the addition of a CRT, keyboard and printer, at \$442.00 per month. Based on a fiscal year renewal contingency requirements. System required to support Department of Funds Coordination, Engineering Design and Senior Citizens Law project. Federally Funded.

E. PURCHASE ORDER APPROVAL

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

Director authorized to proceed

1. Request Purchase Order approval to TAB Construction, Las Vegas, NV, in the amount of \$5,674.50. This Purchase Order was necessary to repair an 18" sewer main broken by a Las Vegas Valley Water District water main at Charleston and Main. All costs reimbursable by the Water District. The work was performed to protect the health, safety and welfare of the general public.

2. Request Purchase Order approval to Nevada Power Co., Las Vegas, NV, in the amount of \$32,729.00. This Purchase Order is necessary to remove and relocate power poles on Casino Center Blvd. North, in conjunction with renovation of Cultural Services Project. Federally funded.

3. Request Purchase Order approval to Infortext, Newport Beach, CA, in the amount of \$7,588.57 plus freight, for a seven (7) month lease/purchase of a Centralized Copier Data Management System.

APPROVED AGENDA ITEM

RCS 11/28/78

FREEDOM  
PARK

CONTRACT MODIFICATION -

See Page 45 of these Minutes - Annotated Agenda

Mayor Briare: The next item is IV(f) - D. Do any of the Commissioners have any questions on Items 1, 2, 3, 4 or 5?

Commissioner Lurie: I do, Mayor.

Mayor Briare: Yes - Commissioner, would you like to present your questions? I have a number, too, but you might cover them -

Commissioner Lurie: My question is why we are having so many Modifications on the Contracts. I see one here on (2) Empire Construction - a 42-day, no cost time extension, and also on the Stewart construction of Fremont Street - we are only 30 days into the project and already we're getting modifications and there is no backup material on why we are getting all these modifications. Possibly someone can fill me in on why.

Mr. Dorn: On Item 2 and 4, I would like Mr. Purvis (Director, Department of Public Services) to brief the Commission on these items, please.

Mr. Purvis: On Item 2, that Change Order includes six (6) different items - one on repair and replace ceilings in Rooms 205 and 206. We got into these and found out that there were rotten beams behind them and one thing and another and we had to do it. Any time you get into existing structures and start repairing, you always find latent problems that are not obvious on the surface. There were lighting revisions and I'm not exactly sure for just what, in the amount of \$1,800.00; there is roof repair on the south side for \$3,200.00. We had looked at the roof - we were not sure it had to be replaced until we actually dug into it and found out the one on the south had to be replaced - it looks like we may be faced in the main portion too. We are having latent problems and it looks like we may have another change coming there.

Commissioner Lurie: Is that our staff that did the design, or the Architect who did the drawing - why shouldn't he be responsible for some of these modifications instead of having them come back on us and we have to pay for them?

Mr. Purvis: Most of them were based on - we didn't know just exactly how much work we had to do and we did set prices - then went in and investigated just how much had to be done. Possibly we should have - there is \$100,000.00 in this particular contract for contingencies. It was put in for this reason - we knew we could have these problems coming up. We had to relocate some electrical conduits in the elevator shaft we didn't know were there until we dug into them. Termite protection, which we didn't know we had to do until we dug up the floor and looked under it.

On the Fremont Street construction, the original design was to close First Street, then to close Fourth Street completely. At a meeting with the Downtown Progress Association, they asked that First Street be done half at a time. Also you get into the problem with the construction of the Las Vegas Club. I know it was under construction when we started, but we didn't know exactly what stage they were going to be in. They were also supposed to be out in November. Now they are not going to be out until February. They had to change schedules - this is where the extra 62 days come from - the change in scheduling. This has been discussed with the

CONTRACT  
MODIFICATIONS  
(cont'd)

Downtown Progress Association and the \$5,000.00 that we are paying in the Change Order is for re-doing the intersection - the Downtown Progress Assn. is, I believe, picking up about \$25,000.00.

Commissioner Lurie: But they were notified there is now a 62-day extension on the project - that means they are not going to be out of there at the dead-line we set in April - so now we move it up to June and we're right into the tourist season when we said we wouldn't be in to -

Mr. Purvis: They are well aware of it - the Downtown Progress Assn. has agreed with this.

Commissioner Christensen: How much are we going to be into the tourist season - I don't mean in time, I mean in construction. Are we going to have the streets torn up during that season, or is it going to be close enough - putting the wiring down the sides or putting up the street lights, or what?

Mr. Purvis: I would guess, Commissioner, that we will probably be cleaning up after the 1st of June . . .

Commissioner Christensen: The thing I am interested in - we know we're going to have some bad weather - what I want to know is if they are still going to have the streets torn up and the intersections closed into May and June, because if they are, we are too long into the season - we've got to have traffic back through those intersections long before June.

Mr. Purvis: I would say that we will have traffic back in May - to hit the Memorial Day weekend.

Commissioner Lurie: Maybe now is a good time to bring up the Mall - as long as we're going to give an extension -

Mr. Purvis: They are going to open that portion as soon as we get the sealing and the cracks between the Fremont and the Four Queens - we are going to open up and let those people roam back and forth across the street there, so there will be two or three weeks where it will be tested on a small basis there.

Mayor Briare: There are several others here, but while we are talking about this particular one, the \$5,000.00 additional cost, as I understand it from what you said, is only a portion of the total cost -

Mr. Purvis: Yes -

Mayor Briare: The other portion is being paid for by the merchants Downtown. Why don't the merchants pay the whole thing?

Mr. Purvis: We felt it was our responsibility - that this \$5,600.00 was our responsibility -

Commissioner Christensen: There were other conditions too, Mayor, that they did not anticipate.

Mayor Briare: There are two important things here. One is dollars and the other is time and the 62 days, to me, doesn't seem commensurate with the amount of money that is being spent. How do you relate 62 days of delay with a relatively small amount of money?

CONTRACT  
MODIFICATIONS  
(cont'd)

Mr. Purvis: The delay comes from the fact of the rescheduling of that portion of Fremont from First to Main Street, where the Las Vegas Club is building. There is no way we can get in there now before the first of April - he is installing steel on that structure. That's the reason for that - he has to take 60 days to go ahead and finish up that particular portion of the job.

Mayor Briare: Item No. 3 - is that paid for by the State of Nevada? Or reimbursable by the State?

Mr. Purvis: No - that \$30,000.00?

Mayor Briare: Yes -

Mr. Purvis: No, this is our responsibility -

Mayor Briare: Did we not know about these?

Mr. Purvis: When they made up the specifications nobody took into consideration the extra compaction we had to put . . .

Mayor Briare: You know, Commissioners, the reason I am a little bit concerned about this thing is because we know, having sat here for the last several months, it is very difficult to get people to even bid on things these days -

Mr. Purvis: That's right -

Mayor Briare: And so we are out searching for people to do construction work and then as soon as a low bidder comes in, these modifications, of course, drive the contract up. Somebody should know going in with these contracts - when the bids are made - that these possibilities exist - that they come back later and raise - and I think we're setting a very bad - it's not a precedent since it has been going on for years and years - but it is very difficult to come back after a competitive bid has come in and begin raising and finding things that weren't discovered when the original specifications were drawn and I think we are just getting our necks way out in this practice.

Mr. Purvis: This is possibly true but in the construction industry it is real hard to call everything that is going to happen during a job - such as bad weather - and some of the things you can only discover after you open up a job - what exists in subsurface conditions -

Mayor Briare: Well, I'm aware of those - the last thing I will ask - is the 42-day extension for the Cultural Service Complex job - is that commensurate with amount of work that has to be done, or is it just a good excuse to extend the contract out so that contractors can go out and do other work. 42 days doesn't seem to relate to the amount of work that has to be done as the result of this unknown element that cropped up.

Mr. Purvis: We've had two problems down there. One of them was the re-location of a power line - this is part of those 42 days -

Mayor Briare: Sometime consider the possibility of not allowing any extensions of time, and then after the job as it nears completion, then evaluate the whole thing, because this idea of giving extensions of time

CONTRACT  
MODIFICATIONS  
(cont'd)

at several different period during a contract, is just inviting the contractors to take their time.

Mr. Purvis: I think we have a problem there, Mayor - the cost will go up in direct comparison - as you say, there is absolutely no extension or no extension of time - they are going to put it in the contract that if I have to run over 30 days and have to pay \$4,500.00, I'll add it to my contract to cover myself.

Mayor Briare: You're going to get it one way or another, aren't you?

Mr. Purvis: Yes -

Commissioner Lurie: I agree with the Mayor, because I'm not in favor of these extensions. We gave a commitment to the Downtown that we would have that project completed by April -

Mr. Purvis: April 15th -

Commissioner Lurie: That's right - and now we're looking at - I'm reading through my minutes here and notes, and now it's 62 days crops up. That's another two months that we're allowing. If we knew this going in - I'm sure somebody must have known that we weren't going to meet that commitment. It puts us in a bad position, now - making a commitment and now we've got to go back and say - well, we're not going to be finished until sometime in the middle of the busiest season we have - we have to weed out the traffic and keep that torn up and I don't like to do that - even if we have to pay a little bit more. We're paying more now, anyway.

Mr. Saylor: These requests on Fremont Street, Commissioner Lurie, are at the request of the Downtown Progress Association. This is not the City's doing on this. Ever since the contract was let, we have met with that group several times and discussions have come up on re-shuffling the scheduling - it has all been done at their request and they are paying for the difference in cost, except for the \$5,600.00. They are all aware of the extensions. As I say, it was brought about because they wanted to change the schedule.

Commissioner Lurie: I'm glad they all know about it because my first recollection of having an extension of time was Friday when I got my agenda. That's when I knew about it. So there are communication problems on the 10th floor down through Planning and with the Downtown Progress Assn. to the Mayor and City Commissioners then. That's what I'm getting at - if I walked downtown and someone asked me about an extension of time - I'd say, I'm sorry, we're on a tight schedule - we're going to be finished April 15th - and they say - I read in the paper where your staff tells us there has been a 62-day extension. Your communications are not very good.

Mayor Briare: Are there any other comments or questions?

(No response)

Mayor Briare: Mr. Dorn, I'm looking for something in here that I thought I made a note on last night, where one of these contract modifications, or something, is going to be charged to the Recreation Department. Which one was that?

CONTRACT  
MODIFICATIONS  
(cont'd)

Mr. Dorn: That was an item under Public Services - Cashman Field - the geological survey.

Mayor Briare: I don't recall if we have had a motion of any sort on this particular item.

Motion

Commissioner Lurie: I move for approval of Items 1 thru 5.

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

DEPARTMENT OF PUBLIC SERVICES

See Pages 52 thru 57 - Annotated Agenda

CASHMAN  
FIELD

E.4 REQUEST TO SEEK PROPOSALS FROM GEOLOGICAL CONSULTANTS FOR A REPORT ON CASHMAN FIELD

Mr. Purvis: This is a request to have proposals submitted for a Consulting Engineer to investigate the foundation conditions at Cashman Field under the existing stadium - whether it is usable, or what we can do with it and this, I think, is the \$20,000.00 you were talking about -

Mayor Briare: Yes, it was -

Mr. Purvis: It is, as I understand it, to be funded out of Convention Center funds.

Mayor Briare: That's a horse of another color - you didn't say that, Mr. Dorn.

Mr. Dorn: I asked the same question at Staff Meeting yesterday -

Mayor Briare: I should have read \$20,000.00 to be funds by the Convention Authority - it is six of one and a half dozen of the other - they are still recreation funds - is that correct?

Commissioner Christensen: Commissioner Leavitt and I can save you a lot of money - we can tell you what's under there - it used to be the old City dump -

Commissioner Leavitt: There used to be a spring there called Cub Springs.

Commissioner Woofter: Mr. Mayor, mainly this request came about through certain requests of mine to individual staff members in regards to try to get the ball rolling again on Cashman Field, in light of all the studies that have been conducted and in regards to a Downtown Sports Complex.

As the Mayor and fellow Commissioners are aware, we did have a special committee appointed to promote Cashman Field, and it was held in abeyance until this Downtown Sports Complex was resolved. We are still very much aware of the fact that it is hard telling in the future when it should be resolved, so my feeling is, since this is a very valuable piece of property of the City, located in my particular district, I feel it is beyond the time that we should have got the ball rolling in regards to improving Cashman Field and making it a sight to be admired, rather than an eyesore for the City.

## City of Las Vegas

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BOARD OF CITY COMMISSIONERS  
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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 and plans within thirty days. All engineering designs are being processed.

1. Prestige Estates. (George B. Kline, an Individual. Location: Southwest Madison Ave. and "N" Street)
2. Charleston Heights No. 55-B. (Becker & Sons. Location: Southwest corner - Cheyenne Ave. and Michael Way)
3. The Plaza. (John H. Midley and Associates Location: Northeast corner W. Sahara & Richfield Drive)

\*B. RELEASE OF SUBDIVISION BOND

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

1. Wildwood Manor. (M.L. Enterprises, Carlos Deal, President. Location: Vegas Drive and Cordoba Street)

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

Director  
authorized  
to proceed

Approved  
as recommended  
Lurie - unanimous

Clerk to proceed

# AGENDA

## City of Las Vegas

Dec. 6, 1978  
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BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

ITEM

Commission Action

Department Action

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

\*C. RELEASE OF CONSTRUCTION CONTRACTS

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

1. Bid No.: R76.132  
Contractor: Frehner Construction Co.  
For: Construction of Owens Ave. Bridge and Channel Improvements

Notice of Completion: Oct. 20, 1978  
Release Date: Nov. 23, 1978

2. Bid No.: F77.99  
Contractor: Rico Paving & Grading Co.  
For: Washington Ave. Channel Improvements - L.V. Blvd. to Bruce St. Bid Group I

Notice of Completion: Sept. 15, 1978  
Release Date: Oct. 19, 1978

Items 1 and 2  
Approved  
as recommended  
Lurie - unanimous

Clerk and  
Purchasing  
to proceed

\*D. RIGHT OF WAY ITEMS

1. Grant, Bargain Sale Deed  
From: Becker & Sons, a Nevada partnership  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 24, T20S, R60E Jones Blvd. R.S.H.C. (9/12/78) Recorded as Instrument No. 908994 in Official Record Book 949 on Sept. 28, 1978 in the office of the Clark County Recorder.

Items 1 thru 10  
Approved  
as requested  
Lurie - unanimous

Public Services  
(R-O-W) to  
proceed

# AGENDA

## City of Las Vegas

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BOARD OF CITY COMMISSIONERS  
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ITEM

Commission Action

Department Action

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

\*D. RIGHT OF WAY ITEMS (Continued)

See Page 25

See Page 25

2. Grant, Bargain Sale Deed  
From: Becker Investment Company, a partnership  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 23, T20S, R60E Jones Blvd., R.S.H.C. (9/12/78)  
Recorded as Instrument No. 909165 in Official Record Book 950 on Sept. 28, 1978 in the office of the Clark County Recorder
3. Grant, Bargain Sale Deed  
From: Ernest A. Becker and Betty W. Becker, husband and wife  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 23, T20S, R60E Jones Blvd. R.S.H.C. (9/12/78)  
Recorded as Instrument No. 908993 in Official Record Book 949 on Sept. 28, 1978 in the office of the Clark County Recorder
4. Grant, Bargain Sale Deed  
From: Becker Investment Company, a Nevada Partnership  
To: City of Las Vegas  
For: Portion NW-1/4, Sec. 25, T20S, R60E Jones Blvd., R.S.H.C. (9/7/78)  
Recorded as Instrument No. 908995 in Official Record Book 949 on Sept. 28, 1978 in the office of the Clark County Recorder

ITEM

Commission Action

Department Action

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

\*D. RIGHT OF WAY ITEMS (Continued)

See Page 25

See Page 25

5. Grant, Bargain Sale Deed
  - From: Becker Investment Company, a Nevada Partnership
  - To: City of Las Vegas
  - For: Portion NW-1/4, Sec. 24, T20S, R60E Jones Blvd., R.S.H.C. (9/7/78)

Recorded as Instrument No. 908996 in Official Record Book 949 on Sept. 28, 1978 in the office of the Clark County Recorder
  
6. Grant Deed
  - From: Sal Dietrich and Carolbeth Dietrich, husband and wife
  - To: City of Las Vegas
  - For: Portion SE-1/4, Sec. 1, T20S, R60E Dedication. Bldg. Permit Decatur and Georgianne (11/16/78)
  
7. Clark County Treasurer Trustee Deed
  - From: W. W. Galloway, Clark County Treasurer
  - To: City of Las Vegas
  - For: Portion Sec. 8, T21S, R61E Meade Ave. (Payment unpaid taxes, penalties, interest)

Recorded as Instrument No. 925524 in Official Record Book 966 on Nov. 6, 1978 in the office of the Clark County Recorder

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS

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ITEM

Commission Action

Department Action

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

\*D. RIGHT OF WAY ITEMS (Continued)

See Page 25

See Page 25

8. Grant Deed

From: Richard P. Williamson  
and Edith L. Williamson,  
husband and wife as  
joint tenants  
To: City of Las Vegas  
For: Portion SW-1/4, Sec. 33,  
T20S, R61E  
Radius corner Alta &  
Shadow  
Dedication. Zoning  
(11/9/78)

9. Grant Deed

From: Larry Katz, an unmarried  
man  
To: City of Las Vegas  
For: Portion NE-1/4, Sec. 35,  
T19S, R60E  
Land Division.  
Fisher St. (11/8/78)

10. Quitclaim Deed

From: Keltner, Milam & Co.,  
Trustees and John  
Robarts and Ann Robarts,  
husband and wife  
To: City of Las Vegas  
For: Portion SE-1/4, Sec. 29,  
T20S, R62E  
Lillian St. Dedication  
Bldg. Permit (11/2/78)  
Recorded as Instrument  
No. 924370 in Official  
Record Book 965 on Nov.  
3, 1978 in the office  
of the Clark County  
Recorder

# AGENDA

## City of Las Vegas

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

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ITEM

Commission Action

Department Action

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

E. REPORTS/ACTION

1. Cooperative Agreement between City of Las Vegas and Regional Street and Highway Commission for Traffic Control Projects for Fiscal Year 1978-79.

Approved  
 Lurie - unanimous

Mayor and Clerk to sign

2. Joint Use Agreement between City of Las Vegas and Nevada Power Company.

Approved  
 Lurie - unanimous

Same as above

3. Approval of proposal by John Carollo Engineers - sewage wastewater plant expansion.

Abeyance

12/20/78 Agenda

4. Request to seek proposals from geological consultants for a report on Cashman Field.

Approved  
 Woofter - unanimous

P/S authorized to proceed

CASHMAN  
FIELD  
(cont'd)

As a result, I've had several meetings with staff people, as well as Convention Authority members, as well as private citizens with the hope we can get it going in regards to a Master Plan as far as the use of Cashman Field recreation is concerned. I have been advised by Mr. Purvis and Mr. Campbell, as well as Mr. Saylor, that the first step is to have this Study made so it would prevent us from spending large sums of money as far as Architectural Plans down the line, and find out that such a structure could be built. I think you are aware, and I won't bring this up too much, but we have had certain problems like this with the Las Vegas Silver Bowl Stadium which, hopefully, we can prevent in regards to Cashman Field.

Commissioner Christensen: It would be a very expensive piece of property too, if we had to sell it to the County for a Jail -

Commissioner Woofter: No way!

Commissioner Woofter: I have one question of Mr. Purvis prior to making a motion. In regards to this Study, what is the time element involved in it?

Mr. Purvis: 60 days from the time we give the Consultant notice to proceed.

Lurie: I have a comment to make before any motion. Mr. Saylor has, in the past years, per my request, and I support Commission Woofter wanting to see that piece of property developed, but we have a lot of information that was compiled by Mr. Saylor and his department concerning Cashman Field and we have, I believe, renderings of what could be put on Cashman Field as a multi-purpose recreational facility, utilizing the elevations of Cashman Field - we were talking about an indoor swimming pool - basketball - seating capacity for - well, the whole project was about 750,000 sq. ft. of usable space, including the indoor swimming pool that I'm strongly supporting for the residents of the City of Las Vegas whether it is in Commissioner Woofter's district or my district. I think it is important that we utilize that information - maybe update it - than go out and spend an estimated \$20,000.00 to restudy information that we've already compiled.

Commissioner Woofter: My understanding, Commissioner Lurie, is that the Study that Mr. Saylor's department compiled, more or less was on the surface in regards to using the footages upon the surface, and Mr. Purvis' suggestion is to go below the surface.

Mr. Purvis: The subsurface is primarily what we are concerned with - we're going to put a couple of holes down a hundred feet to make sure . . .

Mayor Briare: Commissioner Woofter, would it safe to call this then, as Mr. Purvis said, it would be a subsurface test, and then would the bottom line of a report from geological consultant say - that the following are things that could be done and the following, if any, are things that could not be done with that Field? Would that be the general conclusion that you draw? In other words, you might not be able to put a 75-story building on there, but you might be able to build stands, or you might be able to build some kind of structures. Is that what comes as the result of a geological survey?

Mr. Purvis: Yes, this is what comes of it. The number one thing is going to be a determination of whether that stand that is there can be salvaged. That is quite important. I don't know why it was abandoned - apparently it was abandoned - everything was taken out of it and it was

CASHMAN  
FIELD  
(cont'd)

considered to be dangerous.

Commissioner Christensen: Doesn't that Study also bring out the soil conditions so it would give us an idea of the increased costs in contract modifications that might be required for extra compaction - for hauling in fill - plus the extensions of time.

Mr. Purvis: That is really what it is supposed to accomplish - we will also receive some recommendations - there are some proposed layouts -

Mayor Briare: Commissioner Woofter, are you ready to make a motion?

Commissioner Lurie: I was trying to get a commitment out of Commissioner Woofter that the Convention Authority would give the money to make this study . . .

Commissioner Woofter: I have explained to him that directly, or indirectly, the money is coming from the Convention Authority.

Motion

Mr. Mayor, I make the motion to approve the request for the \$20,000.00.

Mayor Briare: Are there any further comments by any of the Commissioners?

(No response)

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

OFFICE OF THE CITY ATTORNEY

See Pages 60 and 61 of these Minutes - Annotated Agenda

NEW BILLS

See Page 62 of these Minutes - Annotated Agenda

VACANCIES - BOARDS & COMMISSIONS

See Page 63 of these Minutes - Annotated Agenda

REPORTS FROM RECOMMENDING COMMITTEES

See Page 64 of these Minutes - Annotated Agenda

PUBLIC  
HEARING  
V-64-78

2:00 P.M.

See Page 65 of these Minutes - Annotated Agenda

Mayor Briare: Good afternoon, Ladies and Gentlemen. The first item on the agenda this afternoon is a Public Hearing. It is an appeal filed by Kermit Watters and E. T. Legg & Company to action by the Board of Zoning Adjustment in denying Kermit Watters a Variance to allow an off-premise sign 61 ft. in height where 40 ft. is allowed, on property located at 1511 S. Main Street, between Wyoming St. and Utah St in Zoning District C-2 of the City of Las Vegas..

ITEM

Commission Action

Department Action

V. MIKE SLOAN - CITY ATTORNEY

A. Resolution to annex certain property to the City by setting a public hearing date. The property to be annexed is generally located at the Northwest corner of Auburn Ave. and Decatur Blvd. (A-8-78)

Items A thru D  
Approved as  
presented  
Lurie - unanimous

Staff to proceed  
C/A to prepare  
Notice

B. Resolution to annex certain property to the City by setting a public hearing date. The property to be annexed is generally located at the Southeast corner of Vegas Drive and Tenaya Way. (A-10-78)

Commissioner  
Christensen  
did not vote -  
temporarily absent

Same as above  
C/A to prepare  
Notice

C. Special Improvement District No. 421 Stewart Ave. on the north, Bridger Ave. on the south, Main Street on the west and 8th to 10th Streets on the east.

Items A thru D -  
See Official Files  
for Resolutions

Staff to proceed  
Clerk to mail  
Notices,  
Post and  
Publish

1. Resolution tentatively approving the assessment roll for Las Vegas, Nevada, Special Improvement District No. 421; ordering such roll to be filed in the Office of the City Clerk; and fixing the time when objections to such roll will be heard.

D. Special Improvement District No. 428 Smoke Ranch Road between Rancho Dr. and Jones Blvd.

1. Resolution directing the City Engineer of the City of Las Vegas to prepare, submit and file with the City Clerk certain preliminary plans, estimates of cost, and assessment plats showing the areas to be assessed and the estimated amount of benefits to each lot or parcel of property to be assessed with regard to SID No. 428.

Staff to proceed

APPROVED AGENDA ITEM  
RCG 11/27/78

# AGENDA

*City of Las Vegas*

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE December 6, 1978

PHONE 386-6011

ITEM

Commission Action

Department Action

V. MIKE SLOAN - CITY ATTORNEY (Cont.)

E. Contract between the City of Las Vegas and the Department of Motor Vehicles concerning the placement of a computer terminal in the Municipal Court which would provide vehicle registration and licensing information

Abeyance at request of Dept. of Motor Vehicles

12/20/78 Agenda

APPROVED AGENDA ITEM

RCS 11/27/78

# AGENDA

## City of Las Vegas

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

December 6, 1978

ITEM

Commission Action

Department Action

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

A. Bill No. 78-75 To amend Title V, Chapter 17, Section 20 to permit charitable organizations to conduct pan tournaments in the City of Las Vegas without obtaining a gaming license.

1st Reading and Referred - Commissioner Lurie and Mayor Briare

Clerk to proceed with 1st Publication

APPROVED AGENDA ITEM  
RCJ 11/27/78

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VII - VACANCIES - BOARDS & COMMISSIONS

N  
o  
n  
e

APPROVED AGENDA ITEM

11/27/78

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

### VIII. REPORTS FROM RECOMMENDING COMMITTEES

A. BILL No. 78-71 - to amend Title V, by repealing Chapter 31 in its entirety, adopting a new Chapter 31 which will license and regulate alarm businesses in the City of Las Vegas, provide user permits for property owners on whose property an alarm system is installed and maintained and to provide penalties for violations  
Committee: Commissioners Lurie and Christensen  
1st Publication L.V. SUN 11/18/78

Tabled

No further action

B. BILL No. 78-73 - SPECIAL IMPROVEMENT DISTRICT No. 426:

2nd Reading and Adopted  
Lurie

Clerk to proceed with 2nd Publication

1. Installation of street lighting consisting of high pressure sodium luminaires and steel lighting standards with concrete bases on the south side of E. Charleston Blvd., west of the centerline of 6th St. to west of the centerline of 10th St. and on the north side of E. Charleston Blvd. from L.V. Blvd. to the alley between 7th and 8th Streets;

Commissioner Leavitt abstained

2. Installation of concrete sidewalks along the south side of Charleston Blvd. from 3rd Place to 10th St. and on the north side of Charleston Blvd. from the alley between 4th St. and L.V. Blvd. to 6th Street  
Committee: Commissioners Woofter and Christensen  
1st Publication - L.V. SUN 11/18/78

APPROVED AGENDA ITEM  
RCJ 11/27/78

V-64-78  
(cont'd)

Mayor Briare: We have with our agendas a map of the location of all of the signs -

Kermit Watters: What happened the last time we were here - I was made a representation that it was my opinion that most of the signboards along the Main Street location were, in fact, above the zoning 40 ft. and E. T. Legg's employees went and measured ten (10) signboards, all the way down to Gass and all ten of them, except for three (3) were above the 40 ft. limit. Now, I'm not sure what the City has come with on theirs, but - I'm not sure what the Permits show, but we actually measured them.

Mayor Briare: We have reduced copies with our agendas -

Commissioner Lurie: You may have my copy so you will have one to refer to -

Mr. Watters: We went down and actually measured the structures all the way down and, as I have said, of the ten they measured all the way to Gass, every one except three was above the 40 ft..

Our reason for requesting permission to put this up is because there's a building just north of the proposed site that is so tall that unless we have a Variance we can't see the south-facing side of the signboard, and we need the signboard in addition to lighting the parking lot. We have spent a great deal of money remodeling the structure, and resurfacing - there are a whole bunch of apartments that just went in across the street which are brand new, and we felt it was a reasonable request in light of the fact so many of the other signboards are above the 40 ft. It would be a good structure. It won't be a cheap one. We expect to spend around \$25,000.00 in making it a firstclass structure - with lights on it and all, it would light the parking lot. Since these other signs are already above the 40 ft, it's not like we were trying to set a precedent.

Mayor Briare: Are there any questions?

(No response)

Mayor Briare: Is there anyone in the audience who wishes to speak on behalf of this appeal?

(No response)

Mayor Briare: Is there anyone in the audience who wishes to speak in opposition to this appeal?

(No response)

Mayor Briare: Mr. Foster, the action of the Board of Zoning Adjustment was -

Mr. Foster: To deny the request.

Mayor Briare: Was it a unanimous vote?

Mr. Foster: I believe so.

Mr. Watters: I believe it was routine - I don't believe there was any specific reason other than a standard procedure type denial.



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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

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

V-64-78 - APPEAL FILED BY KERMIT L. WATERS and E.T. LEGG & CO. to the action of the Board of Zoning Adjustment in DENYING Kermit L. Waters a Variance to allow an off-premise sign 61 ft. in height where 40 ft. is allowed, on property located at 1511 S. Main Street between Wyoming St. and Utah St. in Zoning District C-2

(Abeyance from 11/15/78)

Commissioner Woofter's motion to approve the Appeal defeated by a 4-1 vote.

(Appeal denied - BZA action upheld)

Clerk to notify Staff to proceed

APPROVED AGENDA ITEM  
RCJ 11/27/78

# AGENDA

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPT.  
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 (12) months of the approval of the tentative map, or an extension of time up to one year, is not granted for the tentative map, a new tentative map must be filed. If a final map is recorded within twelve (12) months of the original approval of the tentative map, or within the extension of time

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPT.  
(CONTINUED)

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 Sub-division 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.

# AGENDA

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

A. ABEYANCE ITEM - 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 Development) and  
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 rights-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.

Approved as recommended by Planning Commission  
SUBJECT TO THE FOLLOWING ADD'L CONDITIONS:

- 1) R-D to be amended to R-E along the west side of Lorenzi Blvd.
  - 2) The R-E lots facing on Lorenzi shall have circular drives, except for the 2 R-E lots on the SW corner of Lorenzi & Atwood
  - 3) Conformance to revised Plot Plan which amends the C-1 to provide for R-1, R-PD-20 and 2 R-E lots.
  - 4) No horses shall be allowed in the R-E Zone
- Lurie  
Commissioners Woofter and Leavitt voted "no"

Clerk to notify

Planning to proceed

PROTESTS: 17

ZONE CHANGE  
Z-71-78  
Approved  
subject to  
Conditions

ZONE CHANGE Z-71-78 - E. A. BECKER, JR (Abeyance Item)

Property generally located on the NW corner of Cheyenne Ave. 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-PD-20 ( Residential Planned Development, and

C-1 (Limited Commercial)

Mayor Briare: At least, and I would hope that we can proceed very quickly here while we have a full Board because, at last, we have here the abeyance item Z-71-78 for E. A. Becker, Jr. Mr. Foster, would you present the application?

Harold Foster, Director, Dept. of Community Planning & Development: On the screen it indicates the property as N-U - Cheyanne along the south side - the Rainbow Freeway to the west, and along the east side is Lorenzi Blvd. You can see there is County area immediately to the east - City area in the green to the northeast. You can see there is some R-D - further north from that is R-1 and north of that is the R-H Mobile Home Estate Zoning. Immediately to the north of this property it is in the County. To the west is a parcel also owned by Mr. Becker, zoned R-3 and R-1, C-1 and R-PD-18.

This is the Plot Plan in front of you (easel map) that indicates the various types of zones requested. Adjacent to the Freeway he is proposing an R-PD-20 - in the dark yellow, R-D, which is an 11,000 sq. ft. lot, along the west side of Lorenzi and the C-1 portion at the intersection of Cheyenne and Lorenzi.

Since the Planning Commission meeting the applicant has submitted a revised development plan which provides for a strip of residential along the north side of the commercial, actually reducing the size of the commercial and which is, in effect, extending the R-PD-20 south . . . This was done on the basis that some of the people in the R-E area to the east indicated they would be looking at the commercial development. This is an attempt to screen it somewhat with a residential development.

Mayor Briare: I am sure that many of the ladies and gentlemen in the audience today were here at the several previous meetings where this was discussed. I think, Mr. Foster, if you would, would you indicate to the Commission and to the ladies and gentlemen that are present on this application, which, now, on this plan, would be the R-E lots?

Mr. Foster: There are no R-E lots proposed. When the application was originally submitted, there were five that were R-E along the west side of Lorenzi. The applicant was not going to be in town to attend that meeting and asked that the application be held. In the meantime he came in and amended the application - and this was prior to notices being sent

Z-71-78  
(cont'd)

out - to R-D; changing these, actually, from R-D to R-E - he added, but he did not specifically exclude the R-E that was left on the notice - it may have been more as a clerical error - it should probably have been excluded and so because it was advertised that way, we left it on the agenda. There is no R-E proposed.

Mayor Briare: We are going to hear from the folks who are opposed to this - if my memory serves me - I think this is the fourth time that some of us have heard it, and the third time for others - there were expressions of concern by residents in the area here that they would not be so objecting to this if it were an R-E development and, if I'm not mistaken, even though it was perhaps verbally stated to this Commission, there would be a substantial amount of R-E along Lorenzi. Mr. Foster, before I ask the folks to come up and make their comments, I would like to ask if this Commission, then, has the authority - in the event they were to act favorably on this application - to say that it is R-E.

Mr. Foster: You can make a request from the R-D, or from any other portion, back to R-E.

Mayor Briare: Without the necessity of filing a whole new application?

Mr. Foster: That is correct. You can do that today.

Mayor Briare: OK - will those ladies and gentlemen in the audience that would like to be heard now - would you please come forward. Please, when you arrive at the podium, give us your name and address.

Gail McQuarry, 3386 N. Garehime and Joan Lucas, 4025 Roxanne Drive. We do live in that vicinity.

Ms. McQuarry: I don't know if you people can see this from here or not - this is an aerial view of four square miles - less than 100th of a section in Las Vegas. This is Cheyenne - right in here are the two areas Mr. Becker wants to rezone . . . once this is developed, he cannot go any further than this - you have individually owned parcels of land here (aerial map) he cannot go any further up here because of the way the land has been sold and plotted out. Up in here is Big Sky - it is a half acre residential estate development. He sold fifty (50) homes. He is now going to develop about thirty-three (33) more, ranging from one-half to three-quarter acre homes. He had already bought the land and is ready to build. He's got Breton Woods, which is going over here (aerial map) where he is building approximately forty (40) more ranch estate homes. Further down here we have Rancho Meadows - they are developing about 40 ranch estate homes. Security Housing has this parcel - 40 acres - they are going to be putting in ranch estate homes. Now, we don't need commercial. I am mainly against the commercial area. What is it going to serve? We already have a 7-Eleven down the street. We don't need any convenience stores - we don't need any beer bars - we certainly don't need a dry cleaners - on either side of this thing? Who are they going to serve? We are against, mainly, the apartment housing. He is already building apartments down there by Cheyenne and Michael Way. Why can't he leave these apartments closer to the highway and all the commercial area closer to the highway? He owns all that land along Michael Way to Rancho Road - why can't he develop that for commercial and leave it away from this area in here (aerial map). Four square miles - people have got to have a choice of where to live. If we keep bringing in R-1 and R-4 and everything we have no real nice section . . . we have to do this. The reason I brought this (aerial map) is because

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I don't think you understand just exactly what is developing. You see squares - and you say - that's County - that's City - etc. - but you can see - I live on an acre - on ten acres there are ten houses. This is what we want. We want the wide open space.

Mayor Briare: Thank you, Mrs. McQuarry. Mrs. Lucas, would you like to add anything to that?

Mrs. Lucas: I would like to have all those present to stand who are in opposition to this. (approx. 12)

Mayor Briare: Thank you, You may be seated. Is there anyone else who might like to speak on this application?

Commissioner Lurie: I have one question: Did you come in and protest when the Jade Mobile Home Park and the R-1 that was approved there?

Mrs. McQuarry: Jade Park was there before we were -

Commissioner Lurie: What about the R-1? You pointed out R-E - that's all R-1 now, and you are opposed to that too?

Mrs. McQuarry: And everything else. R-D I'm not so opposed to. That way you are not so congested and your homes are like from \$80,000 to \$100,000.

Richard E. Schroeder: I think I'm affected by this thing more than anybody else because my property abuts right up against it. When we talked the first time we had a meeting with Mr. Becker at the Bowling Alley down on Decatur, and he told me that he was going to have that whole section on Lorenzi clear up to Cheyenne as half-acre estates. Now that isn't going to bother me a bit, but R-D is 11,000 sq. ft. and that's a pretty small lot. That's a quarter-acre. That's not a half-acre. On a half-acre, the people can have a horse. I'm against this for the reason that I do have a horse ranch out there. I've been out there for fifteen years and I think it's a crying shame we can't have some place where we can have half-acre ranch estates where people can have a chicken, if they want to, or have a dog or two if they want to, or a horse, or whatever they want to have.

Mayor Briare: The reason I mentioned in the beginning - the map we have here - I don't believe you were at the last meeting -

Mr. Schroeder: No, I wasn't here -

Mayor Briare: During the course of conversation there were expressions that - by some people who were not totally opposed - they were partially opposed - we have to listen to all - those who are partially, totally and not at all - and there were people who were partially opposed that seemed to feel more comfortable with the idea of having R-E along there. That's the reason I asked the question . . . depending upon what disposition is finally made of this application, it is conceivable that one of the alternatives would be to require an R-E along the line that was previously stated as R-D -

Mr. Schroeder: Right here (easel map)

Mayor Briare: No, you went too far - just where the light yellow is (easel map). Yes, that's it - all the way up - would be R-E. I'm not saying that

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is what the application says, but that was brought out at our last public hearing and I'm bringing you up to date as to what some of the conversation was.

Mr. Schroeder: If they are to be R-E estates, or lots, or whatever you want to call them, then I would not object to that at all.

Mayor Briare: That remains to be seen, of course, but that is a comment we appreciate your making -

Mr. Schroeder: I just hate to think we can just cut this place up because when that was zoned - when that piece of ground was zoned for development by the City - I don't know how it was done because I don't know anything about that, but I do know that we were not notified that right across the street from us was going to be in the City when we were in the County. We never had any notification of it. I know I didn't - the Kents didn't - the Browns didn't - I can name you a half a dozen people who didn't even get a notice that they were going to make that City property. That's all well and good - I think everything should progress, and I think everybody should make a dollar if they can, but not at our expense. That's all.

Mayor Briare: Thank you very much. Is there anyone else?

Debra McQuarry: I live at 3386 North Garehime. You are probably wondering why a sixteen year old student like me would want to protest Mr. Becker's zoning proposal. I have attended the previous meetings and each time I get more and more motivated and I just decided that I wanted to speak before the Commission.

I remember my mother going from home to home getting petitions signed and there was really nothing I felt I could do about it - you know - the child - so then after I attended the meeting and everybody came up and spoke and I felt - well, why don't I? So, if the zone change is approved, I figure there will be approximately 200 (plus) homes and an unknown number of apartments. If Mr. Becker has the same luck as with his Rancho Vegas Homes and sells all of these homes and apartments, you must plan on many children of school age. I called the School District and discovered, percentage-wise, there are more students in Juniot Highs in 1979 than any other grade level. Brinley Juniot High would be the School Zone for this area. I know from personal experience Brinley is at over-capacity. The School District has confirmed this. I am sure Mr. Becker has no concern about the schools but I think the Commission should think about the following things:

The more students, the more teachers are needed and more money. Also busing. I also know from experience that the school bus for our area was almost all the time packed full - I mean, three to a seat. We didn't even have a school bus in our area when I started to Brinley in the 7th Grade. The students to Brinley would ride a Western Bus, be let off across the street from Brinley and after school they would have to wait for the Western Bus to take them home.

After many phone calls from parents we finally got a bus for our area. This is the same bus I have said is now packed full. We asked for another bus to reduce the load, but with no success. To my knowledge, there is still only one bus.

If this area was rezoned and the houses and apartments were built, new

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buses will definitely be needed, which means more money also.

Another thing that comes to mind is flooding. We all know the great problem the City of Las Vegas has - our area usually has some flooding when it rains, but with the last rain - the last major rain we had a few weeks ago, Cheyenne had the worse flooding it has ever had due to the construction of the Rainbow Expressway. All that land was stripped of land cover, leaving only bare earth which the water washed over, bringing rocks and mud. Now I understand there is nothing we can do until the Expressway is completed, and I am confident that the City will provide adequate drainage. Anyway, I phoned the Flood Control and asked how the zoning such as Mr. Becker proposes would affect our area. My answer was that it would make it worse. The water would be unable to soak into the ground, thus running off into our area.

Now, another thing I would like to say - on December 1st I attended the Sun Youth Forum and Mauor Briare was there, and I really think it would have been of benefit to you if you had been in our group, which is NEVADA TODAY - I know you would have your own say over that - but the youth really are very involved in the planning and things - more than I thought - and concerned about the problems in the Las Vegas area. We talked about the drainage and the sewerage and the transportation and the growth of Las Vegas and all the problems that come from the beginning, and it all goes back to the planning and zoning - all these problems could be solved - or could have been avoided if these different steps had been taken in planning, and I really think Las Vegas should think about making one Master Plan - even though I know they have a Master Plan now - but you keep making exceptions to. If you keep doing that, it is going to defeat the purpose. If you make one Master Plan and stick to it, then maybe a lot of these problems could be avoided that we have now.

In closing, I would like to make a suggestion to Mr. Becker - that you own a lot of land in the Las Vegas area and everyone knows that the price of land is skyrocketing with the growth. Instead of rezoning this land, couldn't you subdivide it into half-acre, or acre, lots and bring out water and power. At the same time you can more than likely build very nice custom homes for your buyers, and still profit. This would be much nicer than the carbon-copy tract homes.

I am urging the Commission to see why they can't do some of these things.

Mayor Briare: Thank you very much, Debra. You did a beautiful job.

Commissioner Woofter: I would like to correct Debra on one aspect that was actually irrelevant to the issue at hand. She did make mention, and I've voted for Mr. Becker on certain projects, and I've voted against him on certain projects, but I think it should be clarified that Mr. Becker does care about the schools in this area - that he has donated millions of dollars and a lot of hard work, etc., starting, I would say, with the University of Nevada, Las Vegas, on down the line. I don't know if Debra is aware of that, but he has become very much involved in our school system.

Mauor Briare: Debra, I think also you are probably a pretty good example of the youth of the community that have a good grasp of what is going on - I'm sorry that I couldn't be in your group at the Sun Youth Forum - wish that you were in mine. You do a very good job. I bet you are an "A" student. Your mother is saying "yes" - your mother is very proud of you -

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Mayor Briare: Thank you very much, Debra. Is there anyone else who would like to comment on this application?

Mr. Brown: Ladies and gentlemen, my name is Brown and for the last time, I hope, I'll take up a little bit of your time. One point I would like to make is the fact that these apartments that Mr. Becker is proposing . . . on my property I had forty (40) mature trees and we all know that trees generate oxygen - a lot more than those apartments over there are going to generate. Without taking up too much time, again, the commercial area proposed at the corner of Cheyenne . . . why can't it be R-E all the way down to Cheyenne . . .

Mayor Briare: Thank you, Mr. Brown. Folks, since today may be the last day we have to hear this, and I'm sure that you are probably as anxious as the applicants are, and as we would be, to conclude this matter, I'm to ask again - I want everybody who has something to offer that has not been offered before, to by all means have their say because the procedure we usually follow in this - and this is certainly not a usual procedure when this goes on and on - is to make sure that everybody has a chance to appear and then give the applicants a chance to make any comments they wish based on what you've said. The application has already been presented several times. There is no need to present the application again. It is just the idea of making comments they would wish to, according to your testimony before us, and then, hopefully, we can take action one way or another. Sir, did you wish to be heard?

Tom Wilson: I reside at 3130 Garehime and I will try to make this as brief as possible. I want to elaborate on some points that have already been raised. The police response time - I believe it was stated before - was about 45 minutes. The actual, official response time to the area is 9 minutes, City-wide, and that only represents the time from the radio call going to the caller to the car reaching the scene where the action is. The actual time that that 9 minutes represents does not include the time from when the call is received from the citizen until that car is dispatched. I talked to four members of the Metropolitan Police Department - two in patrol - one in communications and one in public relations, or community relations, or whatever it is, and the actual time of the average is between 35 and 45 minutes, and there was one reported burglary in this area that took up to an hour and a half to get to. If the Commission requests, I can give the names of those people I have talked to in Metro to get this information.

The area that we're in and that this proposed development is in, is called Metro Patrol Area Easy and this area encompasses, roughly, north of Alta and west of Highland and Tonopah. That entire area is normally assigned to patrol units and due to vacations, illness and other patrol requirements, it is not at all uncommon to have only one patrol unit in this entire northwest part of town. I'm not saying this to indite the Metropolitan Police Department - I'm just saying that I don't feel that we are ready for additional high density zoning in this area.

The second point I would like to make is the Fire Department. The actual response time, in minutes, is not important - it is if they can reach there in time to prevent property damage and loss of life. That's the main thing. I do know of two specific fires within the past seven months where homes were completely destroyed. Fortunately there were no personal injuries involved but, again, I don't think this area is ready for a lot of

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high density zoning.

The third area I'd like to bring out - and Debra has already mentioned part of it - is busing for schools. The area does require busing to current schools. I believe Mr. Bekcer's development proposes some 500 living units. If the same area were to be developed as R-E, we would be talking in the neighborhood of 140 living units. Now, that is a difference of 360 potential families. If there was only one student to be bused, per family - Now I talked to a Mr. Greer of the Clark County School System, the Administration Department, and he has to budget \$140.00 per student, per year, to get them bused to school. If you multiply that out, by granting this zoning request, we are asking the taxpayers to pay over \$50,000.00 additional just for busing and this money would not need to be spent if the zoning - if the High density zoning - was kept closer in to the schools.

One final point: The idea of a buffer zone has been discussed, and I support the idea of a buffer zone, but I think the buffer zone should be called the Las Vegas Expressway, and have the entire area under consideration here zoned R-E. Growth is inevitable and is healthy for a community. However, high density zoning in an area that I consider the "boondocks" - and I moved there about a year ago, I think is not practical and not in the best interest of the people of the City of Las Vegas.

Mayor Briare: Thank you, Mr. Wilson. Is there anyone else?

Florence Bolling, 3190 N. Garhime: I spoke to you the last time about the ecology. I'd like to point out that in addition to the ecology, that if you bring this high density zoning into this area, that you are going to bring problems into your City, and into your offices, although you will have probably vacated them a long time before it happens. When you bring apartment dwellers in and the horses are there, there are smells - there are flies. I do not have horses, but when I moved there I was fully aware that I was going to smell horses and that I was going to have flies from horses, and I thank God that people welcomed me without the horses. I know that apartment dwellers are not going to do that.

Another point - I have two boys sitting with me here today that I added to Brinley a year ago. I moved into tract housing - a half acre - and I was very, very happy to be out there, and I'm sure there are many, many residents in this area and will be in this area in the future, that will be interested in half acre homes out there. It is not necessary for Mr. Becker to build the high density. We do not have one approach to to the City of Las Vegas that shows us anything but either high density or junk yards for people who are viewing their first view of the City of Las Vegas. Just one time can't we give the arriver here a view of something beautiful? Thank you.

Mayor Briare: Thank you very much. Is there anyone else?

(No response)

Mayor Briare: OK then, folks, I'm sure that we've heard just about everything there is to hear in opposition, and we're going to give the applicants an opportunity to make comments on your opposition, so that we then have a fair and equitable hearing on the entire matter. Now we will ask if the applicants wish to make any comments relative to those which you've heard this afternoon.

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Ernie Becker, 4401 W. Washington, Las Vegas: I have here a petition with 274 names in favor of it. Those in red ink live in the City and those in black ink live in the County.

(Mr. Becker presented petition to Mayor Briare)

Mr. Becker: I want to say, basically, that Ernie Becker doesn't generate any more people in the family - they are all growing - and the houses we build and the density we build them in are evidently what they want to buy, because they are available for them on half acre lots, as well as apartments, high density and R-1 zoning.

While we have built a tract and designed one close to the area, we do not have any lots of over a half acre, or even reach a half acre, unless it happens to be an R-1, because all of our lots are PD's and all are served by sewers. One of the ladies said we had them up to three quarters of an acre. I'm not sure where that is because in any of our subdivisions in that area, we don't have any. While we developed the tract three years ago for Las Vegas Ranchos - Ranchos Las Vegas - we have been able to build 23 houses and it took some time to build them. At the same time a half a mile south in a density that would probably be in the 160 acres that we have - probably somewhere in the neighborhood of 6 or 7 to the acre - we have completed over 200 houses. There is another 100 under construction. At this date, all but one of them, to my knowledge, and I think that is sold - at least all but one is sold. Evidently the people that want to live in Las Vegas are buying this type of housing in this particular area. We have sold lots within three quarters of a mile of the area and will be starting construction in a short period of time in building the apartments - those houses that we built there are 40% sold in that tract. So, basically, we have a product that the people who are living in Las Vegas are buying, as well as as people buying half acre lots. But, somewhere along the line there's about four houses - or about four units being used - being your apartments to around eight to every half acre lot. There has to be some of these available for people in Las Vegas. Consequently, Tonopah Highway has other than half acre houses facing it and I think when Rainbow was designed, it goes through the area which we border it also contained the fact that you couldn't raise horses along Freeways. And that's why we have asked for this zoning.

Schools will follow development. The schools their children go to , with the exception of Brinley, we have not furnished, but with the School Board we have participated with them in bringing the sewer and water to those sites so they can develop those schools faster. There will be schools in here and there will be fire stations that will come along this line - this is something that happens with development. We started with houses with the density in the town back in the 50's when there were only 30,000 people in Las Vegas.

As far as flooding is concerned, unfortunately the Federal Government has said that all of Las Vegas is in the flood plain and should have flood insurance. Our subdivision, when completed, will not have a sheet-flow, but will put the water on the streets. The Engineering Department of the City of Las Vegas has decided that's the way to carry water here until something comes along to build a bigger storm drain, and our subdivisions in Charleston Heights have carried the water from the storms we've had and I don't think we've really had a real good storm since 1950. I think

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it is designed to handle the flood and the water that is generated. Our property will all be sewerred and will not contaminate anybody who would happen to have a well out in that area. We are bringing in the sewer - the water is going in and we are going to continue to bring the water.

I like the fact they took time to come down - they were concerned - but I wanted to let you know that I do have some support of some people who are in support of this application. Thank you.

I have no objection to bringing in the P-D to solve this, into an R-E zone. We will restrict it to where we can't have horses because I don't think that horses should be on the west side of Lorenzi. In that particular area I'm not sure - one lady said she liked to have a house without horses, so maybe that's alright.

To try to get this off deadcenter, I would have no objection to having R-E on Lorenzi. We do feel that the shopping center at the off and on ramp of the Freeway in years to come will be required. I think now is the time to zone it. With all of the work we've done in Charleston Heights we've done the planning way in advance of the actual development because as this city grows, it is much easier for us if we don't need it to go back to a residential zone than it is to go from a residential zone to a business zone.

I hope you will vote in favor of this. And, as I've said, I would not object to having R-E on Lorenzi . . . to make that an R-E Zone we would work with the Planning Department to be sure that our subdivision doesn't have to be changed - that we could work that in with our subdivision plan.

Mayor Briare: Thank you, Mr. Becker. Is there anyone else that wishes to speak in favor of the application, but in rebuttal to the comments that were made by the folks that spoke against it. Are you going to speak in favor of it?

Response: No -

Mayor Briare: Florence, you've had your chance now. We have to conclude this thing. The procedures we follow, as I tried to carefully explain - that Mr. Becker's comments had to be restricted to comments that you folks made. You had all the opportunity in the world to do it. Now, if we're going to start going back and forth, and nack and forth, we're never going to draw this to a conclusion.

Ms. McQuarry: Your Honor, I do have a question though - how many of the people on that petition against us have lived in Zip Code 89108?

Mayor Briare: Florence, you are welcome to come and take a look, but we're not going to be checking Zip Codes on everybody, and every petition that comes before us, everybody in Clark County, Nevada, whether they live in the City or outside the City, or whether they live in Henderson, is entitled to let witie wishes be known.

Ms. McQuarry: Yes Sir, but the thing is, we've restricted our thing to the people in the area.

Mayor Briare: I'm sure we've had an opportunity to consider that very carefully. Also, then, if there is no one else to speak in rebuttal and with the concurrence of the Commission, we will declare this Public Hearing

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closed and ask if the Commissioners have any questions or any comments they would like to make on this application.

Commissioner Lurie: I just have a couple of comments to make, because I had suggested that property along Lorenzi, since it was my information that I received that it was going to be R-E, that if we approve that it should be changed to R-E. I question some of the comments made by Mr. Wilson concerning Police response and Fire Department response out in the northwest section. Since I am a member of the Police Commission and do spend some time with units riding, I will take you to task on the number of units that are in that area and the response time in the West Charleston and northwest section of the City, based on the substation we have at Jones and the Expressway.

I will also have to challenge you on the Fire Department that the City just put in at Lone Mountain and Rancho Road, providing fire service to residents who live in an area who don't pay for fire services. So I think that some of the comments that were made about Police and Fire services - I wanted to clear the record a little bit on that.

Also, Debra's comments were good - I believe she did her homework - as far as making some comments concerning flooding in that particular area - flooding comes under a County department - it is the County's responsibility to maintain flooding in the County. So maybe we can go to task on that - on the flooding. Also, the City has tried to do everything in its power to get the public to recognize the problems and support programs that would help eliminate some of the flooding problems that we have, and are going to have, with new construction. In 1967 the voters turned down a Bond Issue for Flood Control Channels through the City and the County that would eliminate a lot of the problems that we're having to face every time it rains now. So we recognize a lot of those problems.

The main concern I have here is - you mention apartments: To me, if this was on the agenda as R-3, I would oppose it, but R-PD-20, where it is a residential planned development - those are nice developments. Those are the type of developments where it is the responsibility of the developer to maintain, or for an association to be formed, to have these areas maintained so that they don't bring in the bad element, I think, that most everybody associates with people who live in apartments creates. I lived in an apartment for many years and I don't consider myself a bad citizen, or detrimental to a particular area. So, some of the comments that are made concerning apartments - I don't really buy those. I support the project as long as we amend the application to the R-E along Lorenzi Blvd. I said that at the last meeting. The City has spent many hours of Staff time, and dollars, in creating a Master Plan that the City is following, seeing that we have complete developments with buffer zones - say R-E, R-1, R-PD, Commercial - we take consideration in the area of parks and schools and Police and Fire protection. So I believe that all these things the City has addressed. I can't speak for the County, but I know what the City has done concerning its overall development, and I support the plan, and I will make a motion to approve the plan, with the change that the R-D be changed to R-E along Lorenzi Blvd.

Motion

Mayor Briare: Are there any comments by the Commissioners on the motion?

Commissioner Leavitt: I would just like to make one comment on the petition that has been circulated: I happened to take time to review the petition and I notice that a lot of the people who signed it don't live anywhere near the

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area. In fact, I see that a couple of them live down by me, which is in the southeast section of the City. As the Mayor has indicated, anyone can sign a petition, which is certainly their right, but I do think the weight that you give that petition has to be in its proper weight. In other words, I don't think that the fact that somebody in the southeast section has no objection to something being built out in the western part of the City carries much weight. I think the petition of the people who live in the area is what really counts, because they are the ones to be mostly affected by it. I don't believe that petition carries any weight at all.

Mayor Briare: Are there any other comments?

Harold Foster: I would like to make a comment that may have some bearing if the application is approved. Presently the R-D lots are backing up to Lorenzi. I believe if R-E is allowed along there that possibly they should be reversed and front on Lorenzi Blvd, which means they would then be backing up to R-1, and Staff did feel that no horses be allowed on this R-E strip because of its proximity to the R-1 area.

Commissioner Christensen: Why would they have to front on Lorenzi?

Mr. Foster: Well, they would just have the back to the side of the R-1 . . .

Commissioner Christensen: The reason I asked that question is that we have a problem all over this community where we have R-E - a classic example is Charleston Blvd - where people talk about having moved into an area and then it changed - West Charleston changed dramatically over the years, and even if you prevented any other development from occurring on Charleston Blvd. . . . even if you didn't allow business or anything else, it becomes dangerous to front a home on a street that is 100 ft. wide major street, because you can't get out of the driveway. I think there's a safety factor there. That's why I wonder why they would have to front on Lorenzi. I'd rather see them, even if they are R-E lots, facing on an interior so that you can at least put light so they can get on to that street. I live north of West Charleston and I can't come on to West Charleston - I go down to Campbell where there's a stop light because I won't take my life in my hands trying to make a left turn on to Charleston Blvd. It's not worth it to me.

Mayor Briare: Is this something that normally we talk about on a Plot Plan Review? We're talking about the zoning of the land - I don't think we are talking about the . . .

Mr. Foster: Well, I think mostly in terms - on the next Planning Commission Meeting there is a request to reduce Lorenzi from a 100 ft. street to an 80 ft. street -

Commissioner Christensen: I think we have a problem on Oakey Blvd with those homes that front on Oakey that have driveways from which you have to back out on Oakey to get out of. I think you are creating a real safety problem. What is your feeling on that, Mr. Becker?

Mr. Becker: I thought it was going down to a 60 ft. street -

Mr. Foster: You requested that it be reduced to a 60 ft. street. We have had that request reviewed by the Dept. of Public Services and they have recommended that it be reduced to an 80 ft. street.

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Mr. Becker: I would have preferred to have it go to a 60 ft. but with 60 ft. they should face here (easel map) - we're going to add another couple of lots to go this way -

Commissioner Christensen: With 60 ft. I can understand them facing on the street, but when we're talking about 80 ft. and 100 ft., don't you think there's a problem with that?

Mr. Becker: To me, we shouldn't go down to an 80 ft. street - I think it should be 60 ft. - it's going nowhere - with R-E here we should back up these lots (easel map) - the lots that back up to this street will have to be changed there . . .

Commissioner Christensen: Let me ask you another question: Could we have a stipulation . . .

Mr. Becker: A stipulation "no horses" because we're going to put it in that way and I would like that if anybody ever argues with me that they should have horses - that we have it in the minutes that there won't be horses on that side.

Commissioner Christensen: OK, we have the stipulation that if those lots do front on Lorenzi that they will have circular drives so that they won't have to back out into Lorenzi to get out into the yard?

Mr. Becker: I think we have that now on any 80 ft. street we go out with a circular drive - I think that's what it is and we're doing that on Jones and Las Vegas Rancho -

Commissioner Christensen: To me, that's terribly important. To back out on a street like that you are looking for somebody to get killed.

Commissioner Lurie: Isn't Lorenzi a Section line - a half Section line?

Mr. Becker: It is -

Commissioner Christensen: With the Rainbow Expressway, it won't carry the load -

Commissioner Lurie: And you are asking that it be reduced to a 60 ft. street - is that coming before the Planning Commission this week?

Mr. Foster: Mr. Becker asked that it be reduced to a 60 ft. street. The Department of Public Services recommends it as an 80 ft. street.

Commissioner Christensen: A 60 ft. is 4 lanes with parking on both sides anyway, isn't it?

Mr. Foster: No - two (2) wide lanes -

Commissioner Lurie: It would be like the street in front of your house -

Commissioner Christensen: There is a whole lot of 60 ft. streets that have got 4 lanes of traffic and parking on either side, in this community -

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(cont'd)

Mr. Becker: The criteria for a subdivision is when you go from a major to a major, the minor has to be 60 ft, and Lorenzi is only going to like up to Craig to Cheyenne . . .

Commissioner Christensen: Well, my only concern is when I see a 100 ft. wide street here, or an 80 ft. wide street, people backing out of driveways on to it, and I am definitely against that. If you can eliminate that with a narrower street - which may or may not be approved - but, if it is approved for a narrower street, then you have circular driveways, that answers the question.

Mayor Briare: Are there any other comments?

(No response)

Mayor Briare: You've heard the motion (see motion on page 80 ).

Commissioners Christensen Christensen and Lurie and Mayor Briare voting aye; noes, Commissioners Leavitt and Woofter.

Mayor Briare: The motion is approved. We'll be in recess for about 5 minutes. (3:05 P.M.)

See Page 84 of these Minutes - Annotated Agenda

# AGENDA

## City of Las Vegas

December 6, 1978

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM Commission Action Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

B. ABEYANCE ITEM - SATELLITE PARKING -  
SP-1-78 - BIGELOW HOLDING COMPANY

Request to allow satellite parking on property located on the north side of Fremont Street between 15th Street and Bruce Street, C-2 zone.

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

Approved as recommended by Planning Commission Christensen - unanimous

Clerk to notify Planning to proceed

(Richard Koch, Counsel for applicant)

C. ZONE CHANGE - Z-101-78 - EVERETT AND  
DOROTHY MOORE

Property generally located on the west side of Lamb Boulevard, 330 feet north of Stewart Avenue.

From: R-E (Residence Estates)

To: C-1 (Limited Commercial) and R-PD16 (Residential Planned Development)

Proposed Use: Shopping Center and Residential Condominium Develop.

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

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The C-1 portion of the application be amended to R-PD16.
3. The plot plan must be redesigned to conform to the requirements of the Department of Community Planning and Development.
4. A six ft. block wall shall be constructed on the north and west property lines. A six ft. high locked gate shall be provided at Orion Avenue for secondary fire access.

Approved as recommended by Planning Commission PLUS a further condition that if a more workable street pattern cannot be worked out between Staff and applicant's Architect, the Plan be resubmitted to the City Commission Christensen - unanimous

Clerk to notify Planning to proceed

SP-1-78

SATELLITE PARKING - BIGELOW HOLDING COMPANY

Mayor Briare: Mr. Kock (Attorney for applicant) are you ready for the abeyance item for satellite parking where you didn't argue too much when we thought you were cutting down on parking but you're adding 136 spaces?

Richard Koch: Yes, I'm ready. I apologize for being late -

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

(No response)

Mayor Briare: What is the pleasure of the Commission?

Commissioner Christensen: I move for approval.

Mayor Briare: Are there any comments on the motion?

(No response)

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

Z-101-78

EVERETT AND DOROTHY MOORE

Mayor Briare: This property is located on the west side of Lamb Blvd., 330 ft. north of Stewart Ave, from R-E to C-1 and R-PD-16. The Planning Commission unanimously recommended approval and there was one (1) protest.

Mr. Foster: The property is relatively deep off of Lamb Blvd - you can see Lamb (screen) along the east side of it - the sigjebt property is being pointed to right now - it is relatively R-1 development to the west. To the south there is a small mobile home park and a parcel under a Resolution of Intent to R-3. To the north is about thirty (30) acres under a Resolution to C-1 and then the Carpenters' Union is in pink area.

The applicant has asked for C-1 along the easterly portion, from about this point (easel map) to Lamb, and the balance of it for the R-PD.

At the Planning Commission meeting the Planning Commission recommended that the C-1 be deleted and the entire development go for Planned Development. They have submitted this development which carries out the same type of Planned Development all the way out to Lamb Blvd. Staff would feel there should be some redesign of it because essentially you have one cul-de-sac there with one access to Lamb Blvd for the entire 160 units. So Staff would recommend some redesign if it is approved. The Planning Commission did recommend approval that the application be amended on the C-1 portion back to the R-PD-16 - also a block wall along the north side of the property.

Mayor Briare: Is there anyone in the audience who wishes to speak on this application?

Response: I'm \_\_\_\_\_ Stewart and I'm buying the property from the Moores to develop it. It was my desire to develop the less than two acres of commercial on Lamb Blvd. The Planning Commission felt that wouldn't be

Z-101-78  
(cont'd)

in the best interests of the area because of all the property held commercially by the Carpenters' Union. I don't quite agree with that, but I would agree to that R-PD-16 zoning over that whole parcel. There's still some question as to creating a road back in there. You can see that the street is quite wide. There is a fire gate to O'Ryan - you wouldn't have through traffic to the R-1 area on O'Ryan at the rear of the property - the traffic would be contained within the development itself.

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

Ralph Reynolds, 239 S. Paryland Parkway: I am speaking on behalf of the owner of the property and I also am a friend, and am knowledgeable, about building practices. They build very good homes. They do not always build to maximum density in order to get - Mr. Stewart wishes to, in every case, create an atmosphere with more landscaping - more spread out development - than the zoning would normally permit.

I am a real estate broker. I sold him one piece of property that was zoned for 84 apartments and he built only 73 on it. He does not always take the maximum because he goes for the aesthetic atmosphere to surround units that he develops.

Mayor Briare: Thank you very much. Is there anyone else who wants to be heard?

Commissioner Lurie: I have a question: Is that a swimming pool located in the middle of the project?

Mr. Stewart: Yes -

Commissioner Lurie: And some open area there?

Mr. Stewart: Yes -

Commissioner Lurie: How long has all that land to the north been zoned commercial, around the Carpenters' Hall?

Mr. Foster: Since the mid 1960's - something like that.

Commissioner Lurie: What do they have planned there so they would zone so much of that commercial in that area?

Mr. Foster: There was no plan submitted at that time, other than that for the Union Hall.

Mayor Briare: Are there any other comments?

Commissioner Christensen: Since there seems to be some question on the layout - whether or not we can live with the street pattern, could we legally, and could both parties live with - if this were to be approved - approved with the stipulation that they work out the street pattern with Planning, and if they couldn't work it out to a mutual satisfaction, that it come back before this Commission?

Mr. Foster: Commissioner, do you mean with Planning or with Staff?

Commissioner Christensen: Planning staff is what I meant. If you

Z-101-78  
(cont'd)

couldn't work it out with them, then we could always bring it back here, but I think probably to expedite things, you could probably work it out with Planning staff to a mutual agreement as far as the access and so forth in there is concerned. That's what you have indicated, isn't it, Mr. Foster?

Mr. Foster: That's correct -

Mr. Stewart: I talked with my Architect after this was drawn and suggested that perhaps even leave one building off in order to accommodate a different entrance on Lamb Blvd.

Motion

Commissioner Christensen: I move we approve it on that basis, then, subject to the conditions as recommended by the Planning Commission.

Mayor Briare: Are there any comments on the motion?

(No response)

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

Z-99-78

HARTLEY AND SHIRLEY ALEXANDER

See Page 88 of these Minutes - Annotated Agenda

Z-102-78

VICTOR AND IRMA MASTIN

See Page 88 of these Minutes - Annotated Agenda

Z-19-74  
Z-157-77  
Z-78-76  
Z-133-77

RESCIND ZONING RESOLUTIONS - CHARLESTON HEIGHTS DEVELOPMENT COMPANY  
AND BECKER AND SONS

See Page 89 of these Minutes - Annotated Agenda

# AGENDA

## City of Las Vegas

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

5. Dedication of 10 ft. of right-of-way on Lamb Boulevard as required by the Department of Public Services within sixty days after approval of the zoning.

PROTESTS: 1

See Page 39

See Page 39

D. ZONE CHANGE - Z-99-78 - HARTLEY AND  
SHIRLEY ALEXANDER

Property located at 3707 Vegas Drive.  
From: R-1 (Single Family Residence)  
To: P-R (Professional Offices  
and Parking)  
Proposed Use: Office

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

1. Resolution of Intent to be restricted to a twelve (12) month time limit.

PROTESTS: 0

Approved as recommended by Planning Commission  
Lurie - unanimous

Clerk to notify  
Planning to proceed

E. ZONE CHANGE - Z-102-78 - VICTOR AND  
IRMA MASTIN

Property located on the east side of Lamb Boulevard, 230 feet north of Harris Avenue.

From: R-T (Trailer Residence)  
To: C-1 (Limited Commercial)  
Proposed Use: Child Care Center,  
50 to 100 children

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

Approved as recommended by Planning Commission  
Lurie - unanimous

Clerk to notify  
Planning to proceed

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedication of 10 ft. of right-of-way on Lamb Boulevard as required by the Department of Public Services within sixty days after approval of the zoning.

PROTESTS: 0

See Page 40

See Page 40

F. RESCIND ZONING RESOLUTIONS - Z-19-74, Z-157-77, Z-78-76, AND Z-133-77 - CHARLESTON HEIGHTS DEVELOPMENT COMPANY AND BECKER & SONS

Request to rescind the resolution of intent condition and grant permanent zoning by Ordinance.

Planning Commission unanimously recommends that only the time limits be removed from these resolutions, subject to the following conditions:

1. Expunge the R-3 portion on Z-157-77.
2. Expunge the resolution of intent to R-D on the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 13, Township 20 South, Range 60 East, M.D.B.&M. on Z-78-76.
3. Conformance to original conditions previously imposed at the time of zoning approval of Z-19-74, Z-157-77, Z-78-76, and Z-133-77.

Approved as recommended by Planning Commission Lurie - unanimous

Commissioner Christensen did not vote - temporarily absent

Clerk to notify

Planning to proceed

Z-122-77

RESCIND ZONING RESOLUTION - MUSICIANS CLUB OF LAS VEGAS

Mayor Briare: The Planning Commission unanimously recommends that the Resolution be extended for two years.

Commissioner Lurie: That had planned that this development was going to take two years.

George E. Enomoto, Architect: What has happened - I am in the process of developing the plans for the Cocktail Lounge Supper Club. Mr. Peter Leftus who has bought this land from the Musicians Union is my client. However, when we went to staff to renew the Resolution of Intent, they told us to go ahead with the permanent so that's why we made the application. Then when it got down here I think the staff here said they would give us two years. It's OK, but I would rather have it permanent. I am in the process of developing the plans, so whichever way, is OK.

Motion

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

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

Commissioner Christensen did not vote - temporarily absent

See Page 91 of these Minutes - Annotated Agenda

Z-131-77

PLOT PLAN REVIEW - B. G. DICKSTEIN

See Page 91 of these Minutes - Annotated Agenda

Z-10-76

PLOT PLAN REVIEW - HON & ASSOCIATES REALTORS

Mayor Briare: The Planning Commission unanimously recommends the request for artificial landscaping be denied and recommends approval of the office addition.

Motion

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

Mayor Briare: Are there any comments or questions?

Commissioner Christensen: Yes - what was the basis for the live landscaping requirement?

Mr. Foster: That is the normal requirement - the area between the building and the right-of-way is relatively narrow - there is minimal landscaping in there now and it was felt that all the others are putting in live landscaping and there were no unusual circumstances on this property.

Commissioner Christensen: Has anybody ever looked into the unusual circumstance you get with the local soil conditions - when you put live landscaping in right against buildings - against sidewalks - and then somebody leaves the water on too long, or the automatic sprinkler system malfunctions

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

G. RESCIND ZONING RESOLUTION - Z-122-77 -  
MUSICIANS CLUB OF LAS VEGAS

Request to rescind the resolution of intent condition and grant the permanent zoning by Ordinance on property generally located on the south side of Bonanza Road, 800 feet west of Lamb Boulevard, under resolution of intent to C-1 (from R-E).

Planning Commission unanimously recommends that the ROI be extended for two years (until November 1, 1980), subject to the following condition:

1. Conformance to previous conditions originally imposed at the time of zoning approval of Z-122-77.

Approved as recommended by Planning Commission Lurie - unanimous

Commissioner Christensen did not vote - temporarily absent

(George E. Enomoto, Architect, present)

Clerk to notify

Planning to proceed

H. PLOT PLAN REVIEW - Z-131-77 - B. G.  
DICKSTEIN

Request for a Plot Plan Review to allow four four-plex units on property generally located on the north side of Stewart Avenue, between Lamb Boulevard and Century Drive, R-E zone (under resolution of intent to R-3).

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

1. Conformance to the plot plan and any ordinance requirements enacted subsequent to the original approval.
2. A perpetual easement of access be provided for the four lots as required by the Department of Community Planning and Development.

Approved as recommended by Planning Commission Lurie - unanimous

Clerk to notify

Planning to proceed

Z-10-76  
(cont'd)

and the water runs all night and the foundation sinks two inches and the sidewalk sinks two inches, and so forth. It's happened to me - that's how come I know about this.

Mr. Saylor: There have been occasions, Commissioner, wherein when the applicant has submitted evidence to the fact that has been the soil condition, we have waived that.

Commissioner Christensen: I wonder - are you aware also of the fact that one of the major soil testing laboratories here in town, as part of their recommendations and findings after they test the soil, has lately been reviewing that situation and has, in fact, in many cases recommended no landscaping within so many feet of the foundation and footings because of the soil conditions and I think those soil conditions exist somewhat all over the Valley. I think we should really look at this situation because we could create a real problem there and we have, in some instances, created problems.

Mayor Briare: Are there any further comments?

(No response)

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

See Page 93 of these Minutes - Annotated Agenda

Z-23-67

Mayor Briare: The next item is a Plot Plan Review for Donrey Outdoor Advertising Company. The Planning Commission's recommendation was for denial.

Jim Overhold: I am Property Manager and Lease Manager for Donrey Outdoor Advertising. I would like to take this opportunity, if I may, to highlight a few things that perhaps you are not familiar with regarding this particular Plot Plan Review. This area contains a Stop-'n-Go Market, it contains a bar and package liquor store. The area in which we would like to locate this 14' x 48' billboard is going to be set back 42 ft. from Sahara. It is in the C-1 Zone, which allows us to ask for an outdoor advertising permit.

I would also like to bring something to your mind - I just recently went through quite a long drawnout affair relative to a 14' x 48' unit on Flamingo between that new Casino they built on Paradise and Koval Lane - it's on Flamingo - do you gentlemen . . .

Mayor Briare: We know it well.

Mr. Overhold: We were told by the County, and I realize that has nothing to do with the City - but it is a comparable situation that exists where we were challenged with the fact we should not be in there because it was not compatible for that area. We did a lot of groundwork and did a lot of talking to a lot of people, and finally convinced the Commissioners that it was compatible in that area, even though there was an apartment just adjacent . . . and we had no protests from those apartment owners -

Mayor Briare: Now let's get back into the City on West Sahara -

# AGENDA

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ITEM	Commission Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT (CONTINUED)</u>		
I. <u>PLOT PLAN REVIEW - Z-10-76 - HON AND ASSOCIATES REALTORS</u>		
<p>Request for a Plot Plan Review to allow an addition onto an existing office building and to allow artificial landscaping in lieu of landscaping with a permanent underground sprinkler system on property located at 1805 South Eastern Avenue, P-R zone.</p>	<p>Approved as recommended by Planning Commission Lurie</p>	<p>Clerk to notify Planning to proceed</p>
<p>Planning Commission unanimously recommends the request for artificial landscaping be DENIED and recommends APPROVAL of the office addition, subject to the following conditions:</p>		
<ol style="list-style-type: none"><li>1. Live landscaping and a permanent underground sprinkler system be provided as required by the Department of Community Planning and Development.</li><li>2. Conformance to previous conditions originally imposed at the time of zoning approval of Z-10-76.</li></ol>		
J. <u>PLOT PLAN REVIEW - Z-23-67 - DONREY OUTDOOR ADVERTISING COMPANY</u>		
<p>Request for a Plot Plan Review to allow a 14' x 48' billboard where none was shown on the approved plot plan on property located at 2839 West Sahara Avenue, C-1 zone.</p>	<p>Denied as recommended by Planning Commission Lurie - unanimous</p>	<p>Clerk to notify Planning to proceed</p>
<p>Planning Commission unanimously recommends DENIAL.</p>		
<p>If approved, following is the recommended condition:</p>		
<ol style="list-style-type: none"><li>1. Conformance to previous conditions originally imposed at the time of zoning approval of Z-23-67.</li></ol>		

Z-23-67  
(cont'd)

Mr. Overhold: Yes - to me, Gentlemen, it is the same type of application I talked about then. We do have outdoor structures on Sahara - on the same side of the street as this and it is C-1 and we do feel it is most compatible. We need the space. We have had a request from one of the Casinos to give them something coming in on that artery and we honestly feel it is compatible with that area and with the setback that we intend to maintain, we feel it would be proper.

Motion

Commissioner Lurie: Mayor, I would like at this time to move that we follow the recommendation of the Planning Commission and deny the application.

Commissioner Christensen: I'd like to ask a question for clarification: I'm having a hard time understanding this - it says that this is a request for a Plot Plan Review to allow a 14' x 48' billboard where none was shown on the approved Plot Plan. Then the Planning Commission recommends denial. Then it says: "If approved, the following is a recommended condition. (1) Conformance to the previous conditions originally imposed at the time of zoning approval of Z-23-67." What are those conditions they are not conforming to?

Mr. Foster: Those are just the normal conditions. I believe they have conformed to all of them - like conformance to the Plot Plan and whatever landscaping and minor street dedication -

Commissioner Christensen: It was confusing to me because I thought maybe they weren't conforming . . .

Mayor Briare: Are there any other comments or questions?

(No response)

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

See Page 93 of these Minutes - Annotated Agenda

See Pages 95, 96 and 97 of these Minutes - Annotated Agenda

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*City of Las Vegas*

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

K. PLOT PLAN REVIEW WAIVER - Z-64-78 -  
GEORGE A. SMITH AND COMPANY

Request for a waiver of the required 25 ft. setback along the front of the proposed trailer park as set forth in the original plot plan on property generally located at the south side of Harris Avenue (projected), 660 ft. east of Lamb Boulevard, R-E zone (under ROI to R-T).

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

1. Conformance to previous conditions originally imposed at the time of zoning approval of Z-64-78.

L. ANNEXATION - A-16-78 - MICHAEL-VEGAS  
PLAZA, INC.

Petition to annex property generally located at the northeast corner of Vegas Drive and Michael Way.

Planning Commission unanimously recommends APPROVAL.

M. ANNEXATION REPORT - A-6-78 - CITY  
OF LAS VEGAS, A MUNICIPAL CORP.

Report for annexation of property generally located on the south side of Lone Mountain Road west of Rainbow Boulevard, (Fire Station #9).

Approved as recommended by Planning Commission  
Lurie - unanimous

Clerk to notify Planning to proceed

Approved  
Lurie - unanimous

C/A to prepare Notice

Accepted Report  
Lurie - unanimous

Staff to proceed

# AGENDA

## City of Las Vegas

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT  
(CONTINUED)

N. SET DATE FOR PUBLIC HEARING ON ANY  
ITEM REQUIRING A PUBLIC HEARING THAT  
WAS ACTED UPON BY THE PLANNING  
COMMISSION AT THEIR MEETING HELD  
NOVEMBER 28, 1978.

O. SET DATE ON ANY APPEALS FILED FROM  
THE BOARD OF ZONING ADJUSTMENT  
MEETING HELD NOVEMBER 30, 1978.

None

None

V-84-78 (Becker)

Clerk to proceed

Public Hearing  
set for 2:00 P.M.  
Jan. 3, 1979

# AGENDA

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ITEM

Commission Action

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### 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 have been complied with. Therefore, action on such items will have to be considered at a later meeting.

A D J O U R N M E N T      3:30 P.M.

APPROVED AGENDA ITEM  
RCS 11/27/78