

MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: Dec 14, 1978

TIME: 9:00 A.M.

INVOCATION: Rev. Evan Shea, Spiritual Science Mother Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. PAUL J. CHRISTENSEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. RON LURIE MAYOR PRO-TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. MYRON E. LEAVITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMM. ROY WOOFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> at approx. 1:50 P.M.

CITY ATTORNEY

MIKE SLOAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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APPROVED BY REFERENCE January 18, 19 78

ATTEST:

Edmund M. Case

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CITY CLERK

William H. Briare

MAYOR

MINUTES

December 14, 1977

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 14th day of December, 1977 was called to order by His Honor, Mayor William H. Briare, at the hour of 9:00 A.M.

AGENDA POSTED December 9th, 1977 (See Page 3 of these Minutes - Affidavit)

AGENDA MAILED December 8th, 1977 (See Page 4 of these Minutes - Affidavit)

		PRESENT	ABSENT	EXCUSED
STAFF ATTENDANCE	City Manager			
	LAURENCE HAMPTON, P.E. Acting	<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 Business Activity			
	ILA M. BRITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Community Planning & Development			
	DONALD J. SAYLOR, A.I.P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Financial Management			
	MARVIN A. LEAVITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Fire Services			
	SAM COOPER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Director, Dept. of Funds, Coordination & Projects			
	RONALD JACK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Municipal Services			
	J. C. CATHCART	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Director, Dept. of Recreation & Leisure			
RICHARD L. CAMPBELL	<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, Acting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

RECEIVED

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241) 55 AM '77

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

CITY CLERK

CARL D. PETERSON, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the

9th day of December, 1977, at the hour of 8:25 A.M.

there was posted a copy of the 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 14th day of December, 1977, at the following locations:

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

Carl D. Peterson
(name)

Subscribed and sworn to before

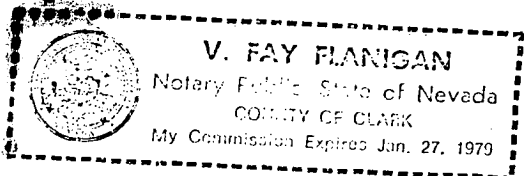
me this 7th day of Dec, 1977

V. Fay Flanigan
Notary Public in and for said County and State

PUBLIC SERVICES-Quality Control Division
(department or division)

CITY CLERK
9 3 57 AM '77

RECEIVED




AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

DORIS M. KARSNOK, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 8th day of December, 1977, 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 14th day of December, 1977, 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).


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

Subscribed and sworn to before me
this 8th day of December, 1977

Notary Public in and for said County and State

INVOCATION AND
PLEDGE OF
ALLEGIANCE

Mayor Briare: Welcome to the regular meeting of the Las Vegas City Commission. If you would all please stand we are very delighted this morning to have the Rev. Evan Shea of the Spiritual Science Mother Church, who is going to offer the invocation. Then please remain standing for the Pledge of Allegiance.

Rev. Shea: Our Father we ask Your guidance, and blessings during these difficult times. Help us to make the right decisions that all men may benefit. In our cities, and counties, and states. Bless our Mayor, and our City Commissioners, and all those who participate in this assembly this morning. That they may be filled with Your wisdom, and Your strength, and Your peace. We thank You for Your Son. Especially during these holiday seasons. In Your name we pray Lord, Amen.

Pledge of Allegiance.

Mayor Briare: The first item is a Public Hearing for the Valley Hospital.

VAC-7-77
VALLEY
HOSPITAL
ET AL
Approved
Subject to
Conditions

PUBLIC HEARINGS - 9:00 A.M.

See Page 9 of these minutes - Annotated Agenda

Mr. Saylor: This is for the Southerly portion of Rose Street, which at the present time dead-ends. It does not connect to any street on the South. We sent you a little map with our comments on this. Valley Hospital owns the two parcels on both sides of it, and is trying to acquire a parcel to the South. On the assumption that that will be done it does not appear that there is any need for Rose Street to be continued. Public Services however has a plan to extend Palomino some time in the future. Bringing it East to Rose, and then South, however there is no degree of certainty of that ever coming about. If you agree with the comments on Public Services then the Southerly 30 feet of Rose Street should not be vacated. Which would mean then that the piece of right of way would have to be maintained. It in itself is of no value unless an additional right of way is acquired for Palomino.

Commissioner Christensen: On this little map that you gave us. What happens to the Rose Street South? I noticed that you got that shaded. Is that street going to be open all the way in to where it would intercept with Palomino? Is that part of their proposal?

Mr. Saylor: That is part of their proposal yes.

Commissioner Christensen: If that proposed extension of Palomino was not part of it, then that area of Rose Street has that been vacated, or what is the status of that area?

Mr. Saylor: There is no Rose Street. It terminates where Palomino would come across.

Commissioner Woofter: In other words everyone is in agreement. Staff, the applicants, and the surrounding neighbors.

VAC-7-77
Continued

Mr. Saylor: We are not in agreement with the Public Services Department.

Mr. Hampton: Well some months ago the Commission requested the traffic engineers to layout a plan of streets that proposed improvements to service in that whole area. That plan was presented to the Commission, and it showed Palomino as an alternate collector going in to Rancho Road. The plan was never rejected, nor it was never approved. It was kind of held for further evaluation. Until that plan is rejected or approved, if it were approved then this would mean that we would have to go acquire that right of way. The overall plan should be considered before that is given up. Why give it up now however, when we might have to go back.

George Rudiak: I am the attorney for Valley Hospital. I discussed this with Mr. Hampton prior to the meeting. We have submitted a bid to the Veterans Administration for the VA Clinic. If successful we are hoping to locate that clinic on the land adjoining the parcel to be vacated. We probably would have no objection to the extension of Palomino if that should be the decision of the Commission provided an equivalent vacation takes place on Valerie Street to the North. We wouldn't want to give up both of them.

Mr. Hampton: Well I can't see where we would want both streets.

Mr. Rudiak: If we were successful in getting the clinic we would have to have a very early decision on that part of this Commission as to the extension of Palomino so we would know where to locate the VA Clinic building. We plan to build it on the piece that adjoins Rose Street, and the plans call for an "L" shaped building which would extend in to the property that we are acquiring to the South of Mr. Tate. I think the design could be changed if the decision were to go through that particular area. I am sure we could cooperate in some manner with the City. The original opposition to the vacation came from Mr. Tate, who owns the land to the South. Since we are acquiring the northern portion of his lands he has withdrawn his opposition. The only adjoining property owners are the Valley Hospital, and Mr. Tate at the present time.

Mr. Hampton: I would suggest that the vacation be approved on Rose with the proposing of the 27 feet on Valeria, and 30 feet on Palomino. With the condition that within a certain period of time the City makes a decision that one or the other streets should be in at the opposite street vacation would be included.

Commissioner Christensen: Well it would be very difficult to vacate Valerie, because you have already got three parcels with dwelling units already facing on Valerie.

Mr. Hampton: If Valerie was extended in to Rancho Road, and Palomino is from the other side then you are going to have a potential traffic problem on Rancho.

VAC-7-77
Continued

Mayor Briare: On the map the green portions which are shown as owned by Valley Hospital, includes all of the portions of Rose Street South of Palomino?

Mr. Saylor: Yes, however there is no Rose Street South of Palomino.

Mayor Briare: Does the City own right of way?

Mr. Saylor: The City owns no right of way South of Palomino.

Mayor Briare: So there is no use for the City to want to acquire that right of way, and build a street.

Mr. Saylor: Unless Palomino is completely put through.

Mayor Briare: So that being the case then the City has no need, nor would they want to fool around with that portion which is outlined in red.

Mr. Saylor: That is right. If we were going to put in Palomino extending it East to Rose, and then South, then we would need a portion.

Mayor Briare: Is there anyone else to be heard? (No response). We will now close the Public Hearing, and ask if there is any comments by the Commissioners?

Commissioner Christensen: Did we have any response from that area?

Mr. Saylor: None.

Commissioner Lurie: Well you had one letter from Pete Barbutti.

Mr. Saylor: Right. He is not objecting to the vacation, he is objecting to the rezoning around this parcel to the South. (Referring to the map).

Commissioner Woofter: I make the motion then to approve the petition to Vacate.

Mayor Briare: Any comments or questions on the motion? (No response). Cast your vote. Motion is approved.

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

VAC-18-77.
GOLDEN
HOTEL
Approved
Subject to
Conditions

Mr. Saylor: This involves the whole alley bounded by Bridger, Carson, Main, and First Streets. This is to allow the construction of a major hotel facility. A movement is underway to get all of the property under one ownership. We have no objection to the vacation. Commissioner Leavitt requested a report as to the feasibility of vacating all of the alleys in the downtown area. We do not have that report ready at this time. We are preparing it for you. As far as trying to vacate them all at once I understand the logic behind it. Perhaps that way all of the utilities location could be done on an overall plan. However, if we took an action to vacate all the alleys to affect the utility location at one time would be next to impossible, because that is not usually done until they are ready to develop.

Commissioner Leavitt: That particular alley however from Bridger to the Freeway could be vacated. That is what I was thinking of rather than all of the alleys. I know from Fremont to Ogden we vacated it already. I know that down the line we are going to get a petition to vacate it from Ogden to the Freeway. Maybe Mr. Ashworth can tell us whether they have any objections to vacating that alley between Fremont and Carson?

Mr. Don Ashworth: I am representing the Golden Hotel here this morning. Through that alley is all the utilities which is a maze of electric wires. That is the big concern of the vacation of any alley.

Commissioner Leavitt: That is the point I am making. You have got the same utilities between Carson, and Bridger. The same line runs all the way over to the freeway. We have already vacated the Alley between Fremont, and Ogden for the Las Vegas Club. What I am saying is, that maybe the utilities could be moved all at once from the freeway all the way to Bridger. It would cut down the cost for everybody.

Mr. Ashworth: I am sure that if that alley was vacated between Fremont, and Carson that as far as the ownership of the Golden Hotel we would be in favor of the vacation of the alley providing the ownership on the East side would be. But with regards to this particular....

Commissioner Leavitt: Well I have no objections to the vacation, but maybe staff ought to look at the possibility of this rather than doing this peice meal.

Mr. Ashworth: We would certainly agree to it.

Commissioner Leavitt: I move for approval.

Mayor Briare: Anyone in the audience who wishes to be heard? (No response). The Public Hearing is closed. Any comments by the Commission? (No response).

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

AGENDA

City of Las Vegas

December 14, 1977

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14, 1977

Commission Action

Department Action

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I. 9:00 A.M. - PUBLIC HEARINGS

A. VACATION - VAC-7-77 - VALLEY HOSPITAL,
ET AL

Petition to vacate that portion of Rose Street from Valerie Street, south 160 ft., subject to the following conditions:

1. The North 26 ft. be excluded and that the Vacation not be recorded until ownership of the parcel to the South is in the same ownership as the two (2) parcels on each side of Rose Street.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to Code requirements and Design Standards of all City departments.
4. Vacation shall not be recorded until all of the above conditions have been complied with.

B. VACATION - VAC-18-77 - GOLDEN HOTEL

Petition to vacate the alley bounded by Bridger, Carson, Main and 1st Streets, subject to the following conditions:

1. Satisfaction of the requirements of various utility companies.
2. Satisfaction of the requirements of the Department of Public Services.
3. Conformance to Code requirements and Design Standards of all City departments.
4. Vacation shall not be recorded until all of the above conditions have been complied with.

Approved
subject to
Conditions
Woofter - unanimous

C/A to prepare
Order

Approved
subject to
Conditions
Leavitt - unanimous

C/A to
prepare
Order

COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

DON J. SAYLOR, AIP, DIRECTOR

See Pages 12 thru 14 of these minutes - Annotated Agenda

Z-125-77
E.F. LIED
Approved
Subject
to
Conditions

Mr. Saylor: This is a request for C-1 Zoning. They had not submitted any development plans. They are not anywhere ready to develop, and are not indicating so. The request was to ask for C-1 Zoning before the area did get developed. There is development taking place in here, but this is all vacant. (Referring to the map). There were two protests from this County island who were protesting on the fact that they didn't want commercial in the area.

Commissioner Woofter: I had originally requested that it be held for staff to consider further evaluation. Mr. Saylor has satisfied me, and on that basis I would make a motion to approve.

Commissioner Leavitt: Well at the meeting that we had last time I believe I made the motion, and one of the conditions I made on the motion was that the land owner would dedicate the necessary right of way for Vegas Drive, and Torrey Pines. Would you accept that as an amendment to your motion?

Commissioner Woofter: Certainly.

Commissioner Lurie: How long has that R-3 along Washington and Jones, and Vegas Drive been approved?

Mr. Saylor: This was done around 62, or 63. This pattern was fairly common in the Northwest part of the City.

Commissioner Christensen: Weren't, or we were going to have a recommendation or something on those major streets where they are 100 foot streets. Something about the strip down the middle.

Mr. Saylor: Right, that is under evaluation. The policy has been that on a street larger than 80 feet the present policy is that the development only has to put in the first 40 feet of improvements.

Commissioner Christensen: In other words they don't expect to develop, or put in a full half width street on major 100 foot street. He only has to put in 40 feet, and we end up with the 20 down the middle at City expense because it is a major?

Mr. Saylor: Right, however there is a recommendation. I don't know if it is before you yet. It will be soon I think. Where the developer is going to be required to put in a full 50 feet.

Mayor Briare: The feeling on the Planning Commission as I see it here. Was that the feeling of staff also?

Mr. Saylor: In the absence of an overall development plan we felt that it was premature also. I am somewhat inclined to believe

Z-125-77
Continued

that the Planning Commission would have looked at it differently had the plan been submitted as part of the overall development.

Mayor Briare: This piece of property is for sale Mr. Skurski?

Mr. Skurski: No it is not for sale, Mr. Lied wants to develop it.

Mayor Briare: I ask that, because the applicant has had other things in front of the Commission, and he simply wanted the zoning, and then the property was up for sale.

Mr. Skurski: Well we have had offers on this property, and we have not sold it at this time.

Commissioner Lurie: Torrey Pines is an 80 foot street, and Jones is 100 foot, and Vegas Drive is a major also, is that 100?

Mr. Saylor: Either an interchange or a grade separation at Washington, and the Freeway, and Vegas Drive and the Freeway which are these two boundry streets.

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

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

Z-95-73
RICHARD NORRIS
Approved

Mr. Saylor: This involves a P-R Zone on Eastern Avenue. It had been restricted to one office use only because of the very limited amount of parking. He did submit a parking layout in connection with the adjoining lot to us at the last meeting, however the parking had not been specifically laid out on it. We could not evaluate it. Since that time we have. We find that there are 11 useable spaces, and we feel that that is adequate. We feel that in many cases along Eastern that the joint use of the parking really increases the availability. We would recommend approval.

Commissioner Lurie: Move for approval.

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

AGENDA

City of Las Vegas

December 14, 1977

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14, 77

Commission Action

Department Action

page 12 II COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
DON J. SAYLOR, AIP, DIRECTOR

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS INCLUDING SANITARY SEWER, STORM DRAINAGE, TRAFFIC ENGINEERING, PUBLIC SERVICES, FIRE AND BUILDING, AND THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS INCORPORATED INTO THE ACTION.

A. ABEYANCE ITEM - ZONE CHANGE - Z-125-77 - E. F. LIED (LIED MOTOR CAR COMPANY)

Property located at the southwest corner of Vegas Drive and Torrey Pines Drive.

From: R-1 (Single Family Residence)
To: C-1 (Limited Commercial)

Planning Commission unanimously recommends DENIAL because they did not feel the introduction of C-1 zoning into this residential area would be proper at this time.

PROTESTS: 2

B. ABEYANCE ITEM - REVIEW OF CONDITION - Z-95-73 RICHARD NORRIS

Review of condition to allow more than one business operation on property located at 1329 S. Eastern Avenue, P-R zone.

Planning Commission recommends denial.

C. VACATION - VAC-17-77 - RUTH COHEN, ET AL

Petition to vacate a portion of Meade Avenue between Sheridan Street and Rigel Avenue.

Planning Commission unanimously recommends APPROVAL.

SET DATE FOR PUBLIC HEARING.

Approved
subject to
conditions
Woofter
Mayor Briare
voted "no"

Clerk to notify
Director authorized
to proceed

Approved
Lurie - unanimous

Clerk to notify
Director authorized
to proceed

Items C, D and E
Set Public Hearing
for 1/4/78
(time certain to be
determined by
Resolution not yet
adopted)

C/A to prepare
Notices

AGENDA

City of Las Vegas

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14 77

Commission Action

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II COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT CONTINUED

D. VACATION - VAC-19-77 - SOUTHERN NEVADA MEMORIAL HOSPITAL

Petition to vacate that portion of Rose Street from the south right-of-way line of Alturas Avenue extending north 180 feet.

SET DATE FOR PUBLIC HEARING.

See Page 3

See Page 3

E. VACATION - VAC-20-77 - SOUTHERN NEVADA MEMORIAL HOSPITAL

Petition to vacate that portion of Alturas Avenue located between the east and west property lines of Lot 19, Block 2, and Lot 8, Block 1, Woodland Park.

SET DATE FOR PUBLIC HEARING.

See Page 3

See Page 3

F. TENTATIVE MAP - WESTWOOD VILLAGE ESTATES

Property generally located on the south side of Oakey Boulevard, east of Barnard Drive, R-1 zone.

Owner/Subdivider: M. M. Collins

No. of Acres: 2.5+ No. of Lots: 13

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

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

Approved
Lurie - unanimous

Clerk to notify

Director to proceed

AGENDA

City of Las Vegas

December 14, 1977

BOARD OF CITY COMMISSIONERS
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CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14, 77

PHONE 386-6011

Commission Action

Department Action

age 14 II COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
CONTINUED

Item "F" continued . . .

3. Street names to be provided in accord with the City's Street Name Policy.
4. Subject to all conditions of City departments and State Subdivision Statutes.

G. ZONE CHANGE - Z-129-77 - JOHN D. VINESSA AND ROSE V. BORLA

Property generally located at the southeast corner of W. Charleston Boulevard and Shadow Lane.

From: R-E (Residence Estates)
To: C-1 (Limited Commercial)
Proposed Use: Wendy's Hamburger Restaurant.

Planning Commission unanimously recommends APPROVAL subject to the following conditions:

1. Application be amended to P-R zoning.
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. Installation of concrete sidewalk on Shadow Lane frontage as required by the Department of Public Services.
4. Installation of one (1) 100-watt, high pressure sodium street light on Shadow Lane as required by the Department of Public Services.
5. Parking plan to be approved by the Traffic Engineer prior to issuance of a building permit.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.

See Page 4

See Page 4

Approved as recommended by Planning Commission EXCEPT that Condition No. 1 shall read:

Clerk to notify

Director authorized to proceed

"The South 145 ft. to be amended to P-R Zoning"
Lurie - unanimous

ANNEXATION
A-6-77
D.A.P. Inc.
Tabled

See Pages 18 and 19 of these minutes - Annotated Agenda
Mr. Saylor: This is to find out if you want to go further with it. It is over in this area (referring to the map). It is, and has been zoned for apartments. They are in the process of wanting to start development, but I believe they would like to wait until it is annexed.

Commissioner Lurie: Why, if it is already zoned apartments, then why do they want to come in to the City before they start construction?

Mr. Saylor: Well they want to hook on to the City sewer.

Commissioner Lurie: What I want to know if they had some problems with the County Planning, or County Commission, and if that is why they haven't started the project?

Mr. Saylor: I don't think so.

Mr. Sewel: I am representing the applicant. There are no problems. The City sewer is adjacent to this property, and the County sewer is also adjacent on Decatur. It would be much more convenient to go in to the City sewer than in to the County. That is the reason they want to annex in to the City.

Commissioner Christensen: Mr. Hampton how much less expensive is it to connect an apartment unit to a City sewer, than to a County sewer?

Mr. Hampton: It would just be the hook up fees which would be \$50.00 more. The service rate per month would be the same. That is for single family homes. For apartment buildings I can't tell you how much more it would be. There is not much difference in apartments than in single family homes.

Commissioner Lurie: Are these apartments the Federally Funded project that is being continued? The ones that are being built on Decatur?

Mr. Sewel: Yes.

Commissioner Lurie: Is this zoned R-4, or R-3?

Mr. Saylor: R-4.

Mayor Briare: We are talking about annexing. We are not talking about zoning. Zoning does not carry over in an annexation does it?

Mr. Saylor: Yes it does.

Mayor Briare: Well the City, and County residents would have to be put on notice in the normal course of an annexation proceedings. Well in one of our other meetings we had a similar thing, and the zoning was going to carry over, and it caused a great deal of consternation on the part of the people who live in the area.

A-6-77
Continued

Commissioner Christensen: Well why does anyone want to try to come in to the City? If there is no great cost difference to the sewer. There has got to be a reason.

Mr. Saylor: Well the reason that I know of is the connection to the City sewer.

Commissioner Christensen: Yes, but that costs only \$50.00 more.

Mr. Saylor: That is per unit.

Commissioner Christensen: So it is going to save him \$50.00 for each unit at 250 units. Now I can see why.

Commissioner Lurie: There is just something that just hasn't surfaced yet.

Mayor Briare: I am not keen about this zoning carrying over. I like to look at R-4 zoning in relationship to the community all around it. It would seem that the process for annexation is more or less tandem to approval of the use that you have described here. The fact it automatically carries over more or less makes it obvious, that if this were to be approved then also the zoning is approved. I am not keen on that.

Commissioner Christensen: Well it doesn't make any difference because if they don't annex they are still going to be there.

Mayor Briare: I kind of like to look at the zoning, and not have some other board, or commission make my decisions for me. I have no objections whatsoever to have these gentlemen come in to the City, but I am hesitant about that R-4 going with it.

Mr. Saylor: Well it is my understanding that the R-4 in the County permits less units than the R-4 in the City. That may be a reason, but it is our anticipation that if this were annexed that that be one of the conditions. Even though it is coming in as R-4, that it be adjudicated to the permissible density in the County. That is allowing a greater density under R-4. I would feel better if it were specifically clarified that way.

Mr. Sewel: I would like to call attention to the fact that the 10 acres immediately East of this belongs to the Clark County School District. We have asked them if they would like to annex also, and they seemed to indicate that they would. They haven't done anything about it yet.

Commissioner Lurie: Could you get a plan from the County, and get me the figure of the number of units going in that area. From Pennwood to the South to Desert Inn Road, and Arville, and Decatur. There is a tremendous amount of construction going on right in that area. With low income apartment buildings. They just started construction on the corner of Pennwood and Arville. Is that your operation also.

Mr. Sewel: No, we are not building that.

A-6-77
Continued

Commissioner Lurie: I would like the number of units that are going in at that square there. (Referring to the map).

Mayor Briare: If an annexation proceeding should commence and get to a point that this Commission would have authority to say, that it be reduced to an R-3 as opposed to whatever zoning carries with it?

Mr. Saylor: I would have to check the wording on it, and discuss it with Mr. Sloan. This is a first step, and you don't have to annex just because you take an action for us to proceed at this time.

Mayor Briare: I don't know which would be of more service to the applicant in this instance? I am hesitant to vote in getting this whole procedure started until some of these questions have been answered. I don't like to say yes now, with the thought in mind that I might say no later.

Commissioner Lurie: I move then that this item be tabled.

Mr. Sewel: I would like to apologize for my inability to answer some of these questions. Mr. Harris was here, and he was called away to go to Reno yesterday.

Mayor Briare: Maybe you and Mr. Harris might make arrangements to get together with him. When it comes up on the agenda again then all of these questions can be answered. The motion is to table. Cast your votes. Motion is approved.

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

AGENDA

City of Las Vegas

December 14, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - DEC. 14, 1977

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II COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT CONTINUED

Item "G" continued . . .

See Page 5

See Page 5

7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to the plot plan to reflect the above conditions.
9. Conformance to code requirements and design standards of all City departments.

PROTESTS: 0

H. NEW STREET ALIGNMENT (PM-28-77) - DAVID N. HADDOCK

Approved
Lurie - unanimous

Clerk to notify

New Street Alignment (short cul-de-sac) in connection with a Parcel Map on property generally located between Leon and Bradley, south of Dorrell Lane.

Director
to proceed

Planning Commission recommends APPROVAL.

I. ANNEXATION - A-6-77 - D.A.P. INC.

Tabled
Lurie - unanimous

12/21/77 Agenda
(by Addendum
No. 2)

Property located at the southeast corner of Decatur Boulevard and Pennwood Avenue containing approximately 4.7 acres.

- J. APPEAL FILED BY CHARLES GERLING to action of the Board of Zoning Adjustment in DENYING a Variance request (V-92-77) to allow two dwelling units where only one is permitted on property located at 2306 E. Walnut Avenue, R-1 zone.

PROTESTS: Approx. 20

SET DATE FOR PUBLIC HEARING.

Items J. K and L
set for Public
Hearing
January 18, 1977
(time certain to be
determined by
Resolution not yet
adopted)

Clerk to proceed

- K. APPEAL FILED BY SHARON RITTER for DR. GEORGE A. RITTER to action of the Board of Zoning Adjustment in DENYING a Use Permit request (U-75-77) to allow a professional office use for a chiropractor on property located at 1812 and 1814 Santa Paula Drive, R-4 zone.

PROTESTS: 0

SET DATE FOR PUBLIC HEARING.

AGENDA

City of Las Vegas

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II. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (continued)

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See Page 6

- L. APPEAL FILED BY SECRETARY, BOARD OF ZONING ADJUSTMENT to action of the Board of Zoning Adjustment in approving a Use Permit (U-79-77) for Security Fidelity No. 1, allowing an R-4 Apartment Development on property under a Resolution of Intent to C-1, generally located 430 ft. North of Sahara Ave. extending East from Richfield Blvd. 1,250 ft.

SET DATE FOR PUBLIC HEARING

ADMINISTRATIVE AGENDA

LAURENCE HAMPTON, P.E., ACTING CITY MANAGER

DISCUSSION OF
LIBRARY
CONTRACT
Approved
Contract

Mr. Hampton: I make reference to a memo that I forwarded to you in which I have recommended that we carry on as is for two years.

Mayor Briare: Comments or questions? (No response).

Commissioner Lurie: Move for approval.

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

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

MINUTES
REGULAR
MEETING
NOV 16, 77/
JULY 16, 75/
RECESSED
REGULAR
MEETING
FEB 10,
76 VAC-11
75

Commissioner Lurie: Move for approval of the minutes.

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

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

Mr. Hampton: On Item C, this item was put on at the request of Commissioner Lurie.

REQUEST
ACTION BE
TAKEN TO
ALLOCATE
CITY'S SHARE
OF HIRING
TWENTY FIVE
POLICE
OFFICERS AT
A COST OF
\$202,000.00
Abeyance for
Reports
as to where
Officers will
function, and
all
supporting
costs for
additional
personnel

Commissioner Lurie: I think it is time that the Metro Police Department be authorized to hire some additional personnel. The City, and the County is growing at a tremendous rate, and we haven't hired any additional police officers to patrol certain districts. I feel that this item should be placed before us to approve our 50% share in hiring these twenty five police officers. If this Commission does approve, then I am going to request that the County place this on their agenda to consider their 50%, and then it will go before the Police Commission for approval to allow the Sheriff to hire these people. The money is available in the budget by overpayment that the City has concerning its share of the Metro Police Department budget at the present time. I would like the Commission to consider setting aside the \$202,000.00 as our share.

Mayor Briare: Is this the money that was brought up five or six months ago? That the City was very anxious to have some more policemen, and the County turned it down, or they just didn't agree.

ALLOCATION
OF FUNDS
TO HIRE
TWENTY
FIVE POLICE
OFFICERS
(Continued)

Commissioner Lurie: The County hasn't taken action on it yet. There was some confusion about presenting it before the County Commission. In discussing that with Bart Jacka it was brought up at our Police Commission meeting in June, and then it was brought up before this board. Formal action however had never been taken to satisfy our 50% share.

Mayor Briare: Does this have anything to do with the Metro Police Commissions action just a short while back where they are going to hire a lot of additional....

Commissioner Christensen: We didn't take any action. We just heard a report from the Federal Prisons.

Commissioner Lurie: We will be hearing at the next Police Commission Meeting a presentation by the assistant sheriff on the hiring of additional correction officers. This will be done on a staggering basis. Maybe 15 in February, and 15 in May. It won't be all at one time. The report that we had from the Federal Bureau of Prisons says that we have to have these additional people in our jail facilities. This has nothing to do with this. This is just hiring twenty five additional police officers for patrol duty.

Mayor Briare: This money is already available? This is the money that was set aside by this Commission.
Commissioner Leavitt it seems to me like you brought the matter up.

Commissioner Christensen: Well this comes from the fact that the Police Department misfigured their expenditures. We really have a credit balance in the Police Budget account in the City because of their misfiguring some figures, and some budgetary matters.

Commissioner Lurie: Well it amounts to about \$268,000.00.

Mayor Briare: The thing that bothers me is that we are going to be asked to come up with a very sum of money substantially higher than this in order to pay for jail people.

Commissioner Christensen: Well any time you hire police officers there are a lot of extra things that have to go along to back them up. Any time you increase the number of police officers you increase the uniform cops, you increase the automobiles, you increase the secretarial help, and all kinds of things. Now in AB-17 it eliminated; well upon passage of that Bill the so called prophetering on the police was supposed to cease by the County. I would like to know from our staff whether it has or has not ceased, and whether the accounting is taken care of to make sure that it did cease as of the date that that bill was passed, and where our account stands as regards to that. I would also like to have them sit down, and figure out when the cost goes down. I would like to have a break down as to what the costs are for a policeman. How much is salary, and how much goes to back ups and so forth, and then how much of it ends up in the County's General Fund.

ALLOCATION
OF FUNDS
TO HIRE
TWENTY
FIVE POLICE
OFFICERS
(Continued)

Mr. Hampton: We have looked in to the accounting as per the State Statute starting in July 1.

Commissioner Christensen: Yes, but the State Statute said we would have to start before July 1.

Mr. Hampton: May 3rd I believe, but it wasn't signed until some time in June. It was just a matter of a few weeks before the County got set up. It was really very timely

Commissioner Christensen: Well the Bill was signed in May, and it took effect upon passage. Now there was an amendment to the Bill that wasn't signed until later.

Mr. Hampton: You are talking about the Governors signature?

Commissioner Christensen: Yes. We went on that Police Commission before June.

Mr. Hampton: We will double check that portion, and your second question was all the costs attributed to a police officer.

Commissioner Christensen: We are talking about 25 police officers. Now we also know that we will probably have to hire another 28 or 30 detention officers which are police officers. Which are going to be on the streets, and which are going to be in the detention facility, and are we actually going to get any police officers, or are we just going to hire more personnel that don't effect the Police Department as far as controlling the City's Streets, or reducing the crime other than secretarial help and so forth. What are we going to have, and also what does it cost? I want to know how many more police cars this is going to require, and how many more secretaries, and how many more file clerks, and dispatchers, and so forth. How many people does it take to support 25 police officers on the street? Are we going to end up with 25 police officers, or are we going to end up with 5 police officers, and 20 backup people to support those 5 police officers?

Commissioner Lurie: Those are all good questions. These questions before the Police Commission will authorize the Sheriff to hire these 25 additional personnel. These questions should be answered by his staff.

Commissioner Christensen: We haven't been able to get those answers though. You can only get those answers when it looks good. We have been trying for five years to get those kind of answers, and we haven't been successful.

Commissioner Leavitt: I don't anticipate any problems with our staff getting that information. Evidently what has happened is that we have some excess money that we budgeted for Metro, and that amounts to \$238,000.00. What I would like to see us do at this point rather than specifically state that that money is to be used for detention officers, or patrol, just simply state that this money be set aside for use by the Metro Police Department for the hiring of additional police officers. Without being specific.

ALLOCATION
OF FUNDS
TO HIRE
TWENTY
FIVE POLICE
OFFICERS

(Continued)

I think the Metro Police Commission would have to make that determination as to how that money is spent. I think we can appropriate it to the Metro Police Commission for the use for additional police officers, but whether they are patrolmen, or detention officers would be up to the Police Commission.

Commissioner Woofter: I have to agree with Commissioner Christensen. Before I would vote for this I want to know what these 25 officers are going to be doing once we hire them. We lose track of them, and I would like to know if we need 25 additional police officers. If we do I want to know exactly where they are at. My concern is these 24 hour operations. I am all in favor of hiring 25 if I know they are going to be in patrol units cruising, and making sure that these 24 hour operations are protected as far as armed robberies are concerned. I want to know before I vote for it today where those 25 are going to be utilized.

Commissioner Leavitt: The only problem is that if we do vote that way then the County Commission has to also agree to this on a 50-50 basis.

Commissioner Woofter: I don't see any problem there. I think there are some County Commissioners who have the same concerns as we do.

Commissioner Lurie: Well my understanding of the Assistant Sheriff was that these 25 officers were going to be placed in the field. Where we are low by not having enough officers on the streets to do the proper patrolling. The Sheriff one time mentioned that with the growth of the City, and the County that we are short right now of around 150 police officers. This is just a drop in the bucket to what we actually need to properly patrol the City, and the County. I just feel that it is important that money be set aside for hiring these additional police officers at this time.

Commissioner Leavitt: I agree with what you are saying. I want to have the police officers on the street myself, but I think this Board ought to be made aware to the fact that if we set aside the \$202,000.00 for hiring 25 police officers to be used as patrolmen. That before the fiscal year is over that we may have to come up with an additional \$220,000.00 for detention facility personnel, and what we are really talking about is \$422,000.00. The reason for that being is I think we can anticipate through federal action that we are going to have to hire additional personnel. The members of the Metro Police Commission have received a report from Mr. Jacka which indicates a requirement to hire additional detention facilities personnel, as recommended by the report from the Federal Prison Bureau. That that cost for those personnel will be \$220,000.00 which will be during this fiscal year 1977/78. I am in favor wholeheartedly of spending the \$202,000.00 for 25 police officers on the street, but you should be made aware that we are going to be hit again for \$220,000.00 for the detention facility personnel.

ALLOCATION OF
FUNDS TO HIRE
TWENTY
FIVE POLICE
OFFICERS
(Continued)

Commissioner Lurie: There is always a possibility that if the Fire Merger Bill is Unconstitutional that we might be able to take the other Bill to Court, and try to get our own Police Department back. We are the only City in Nevada that doesn't have a Police Department.

Commissioner Leavitt: Well that is anticipating judicial action.

Mayor Briare: Mr. Sloan I received a letter very recently. I was not aware that the equivilency of a tax rate was taken off the City when the new Metro Police Commission was formed. I have a note here from Dave Parks relative to financing of Las Vegas Metro Police. I was looking for an impact on the City the same way as you were looking for it. He called my attention to the fact that in 1977 the Legislature abandoned the tax rate equivilent when it imposed the 50-50 funding formula. Mr. Sloan what would happen if one of the political entities refused to come up with this 50 percent share of anything that the Metro Police Commission should say they should have? For example the difference of opinion of the City Commission members who serve on the Metro might cause a majority of this Commission to vote no on a request for funds. Are we mandated whether this Commission has the money or not?

Mr. Sloan: I don't think I can give you definitive answer on that question without a good deal of research. There are cases that I am aware of, and I think that was discussed at some length when it first started.

Mayor Briare: If the County Commissioners were to have an abundance of funds, and they were able to convince enough votes on the Metro Police Commission to appropriate say one million dollars. Then immediately that obligates the City to come up with \$500,000.00. However when it got before this Commission the hold out on the Metro Commission, and two other members here could say thumbs down.

Mr. Sloan: There are cases such as in Kentucky where they sued under a similar situation. Where both entities were supposed to match the cost of a facility. The one entity sued the other to compel them to pay, and the courts compelled them to pay. I am not saying this would necessarily apply here.

Mayor Briare: If the Federal Government were to tell the Metro Police Commission, and the City Commission, and the County Commission and everybody else that is involved to do something, then whether you have the money or not is immaterial.

Mr. Sloan: Well I think the Federal Court would tell you. Certainly the court has certain ways of gaining the attention of those who have the vote.

Mayor Briare: The motion now before us is to set aside the 50% share of hiring 25 additional uniformed police officers.

Commissioner Christensen: I move that we hold that until we get the results of the reports that we asked for.

ALLOCATION OF
FUNDS TO
HIRE
TWENTY
FIVE
POLICE
OFFICERS
(Continued)

Mayor Briare: The motion is to hold. Cast your vote.
Motion is approved, and the matter is held.

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

Mr. Leavitt: Could I review for a minute the funding situation we are talking about?

Mayor Briare: Yes.

Mr. Leavitt: We have a \$238,000.00 credit right now as the budget stands. This came in to being because at the time we filed our budget it was before enactment of the current Bill. By the time we consider the 50-50 split as opposed to the 52½-47½, and put the airport money in, and salary increase, and a number of other things, then the net result of that is \$238,000.00 credit to us.

Commissioner Leavitt: Is that a credit, or is that actual money somewhere? Where is the \$238,000.00?

Mr. Leavitt: We make monthly contributions to Metro based on our total allocation to them. Right now through December we will pay one half of the larger amount to Metro. Metro says right now that based on this new information that the total result over the year, is that they will need from us \$238,000.00 less than we are proposing to give them.

Commissioner Lurie: Well then you can just deduct that \$230,000.00 from that last payment.

Mr. Leavitt: Now the \$202,000.00 that Commissioner Lurie is speaking of will fund our share of the additional police officers that he has mentioned for the remainder of this year. \$220,000.00 will fund the entire jail personnel which they estimate to bring them on. Our share of that would be \$110,000.00. If you add that \$110,000.00 to the \$202,000.00, and subtract that \$238,000.00 from that, then that would require an additional \$74,000.00 from us to meet these two obligations. Now for next year the \$1,092,000.00 necessary to fund the jail would come to \$550,000.00 for us. The \$202,000.00 will now amount to \$404,000.00 for us, and now we are talking about....

Commissioner Christensen: Increasing the budget another Million and a half.

Mayor Briare: We have a whole year to go instead of six months.

Mr. Leavitt: For next year that is right. A million dollars next year sound much more severe than the \$74,000.00 was for this year.

Mr. Hampton: Well I pointed out in one of my memos that the advantage we had in going from 52% to 50% was reversed in the County. So instead of being \$238,000.00 credit, the County is over that in the black, or in the red. They are going to have a real difficulty

ALLOCATION OF FUNDS TO HIRE TWENTY FIVE POLICE OFFICERS
(Continued)

in coming up with any additional funds.

Commissioner Christensen: Well the County's budget is how many times bigger than ours. That lessens their difficulty by many many percentage points, because they work off of a much bigger pie. How many times bigger is the County's budget than the City's?

Mr. Leavitt: That is difficult to say because they include so many agencies, and such that are here, and there, and everywhere. Their general fund is substantially larger than ours.

Mayor Briare: Anything else on this matter? (No response).

DEPARTMENT OF FINANCIAL MANAGEMENT

MARVIN A. LEAVITT, CPA, DIRECTOR

See Page 27 of these minutes - Annotated Agenda

DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

See Pages 28 and 29 of these minutes - Annotated Agenda

DEPARTMENT OF FUNDS, COORDINATION AND PROJECTS

RONALD C. JACK, ACTING DIRECTOR

N O N E

AGENDA

City of Las Vegas

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I. (b) DEPARTMENT OF FINANCIAL MANAGEMENT
MARVIN A. LEAVITT, CPA, DIRECTOR

*CONSENT AGENDA

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

*A. SERVICE AND MATERIAL WARRANTS

Nos. K408917 to K408919, K408924 to K408939, K408941 to K408944, K408947, K408950 to K408961, K408965, L408968 to L408985, L408987 to L408988, K408991 to K409264, inclusive.

In the amount of \$ 3,012,652.04

*B. PAYROLL WARRANTS

Nos. 111044 to 112343, inclusive.

For Pay Period Ending 11-12-77

In the amount of \$ 476,803.25

Approved
as submitted
Lurie - unanimous

Director
authorized
to issue

Approved
as submitted
Lurie - unanimous

Director
authorized
to issue

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

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IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

AUTHORIZATION TO FILL POSITIONS

A. FEDERALLY FUNDED

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) MS/Facilities Support Custodian Until 9/30/78 (replace vacancy)	\$721	To perform custodial services in City Hall Complex.
(2) Funds, Coordination & Projects Stenographer (replace vacancy)	758	To handle the work flow in the Research & Analysis Division of the Department

B. CITY FUNDED - FULL TIME

(1) PS/Sanitation Maintenance Laborer (replace vacancy)	758	To provide labor necessary to the crew to maintain acceptable level of service.
(2) Business Activity Junior Office Assistant (replace vacancy)	622	To provide clerical support in the licensing and revenue division.
(3) Community Planning & Development Principal Planner (replace vacancy)	1337	To assist with increasing subdivision activity, annexations, vacations and general plan.

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

Director
authorized
to proceed

AGENDA

City of Las Vegas

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EMPLOYEE RELATIONS

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See Page 17

C. CITY FUNDED - TEMPORARY

(1)
Recreation & 758
Leisure Activities/
Parks & Cemetery
Services
Maintenance Laborer
Two positions
Unit 1 6/14/78
(replace
vacancy)

To assist with
mowing, trimming,
watering grass and
trees, interments
and trimming headstones.

DEPARTMENT OF RECREATION AND LEISURE ACTIVITIES

RICHARD CAMPBELL, DIRECTOR

PROPOSED
EXPANDED
RECREATION
CENTER
PROGRAM

Approved
as

Recommended

Mr. Hampton: It was requested that we present this to the Parks and Recreation Advisory Commission. This was done, and they unanimously approved the proposal. We would recommend approval of that Program.

Commissioner Lurie: Move that we follow the recommendation.

Mayor Briare: Comments or questions? (No response). Cast your vote. Motion is approved.

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

DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

See Pages 31 and 32 of these minutes - Annotated Agenda

DEPARTMENT OF PUBLIC SERVICES

WILLIAM J. PURVIS, P.E. ACTING DIRECTOR

See Pages 33 and 34 of these minutes - Annotated Agenda

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City of Las Vegas

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IV-e DEPARTMENT OF MUNICIPAL SERVICES

J. C. CATHCART, DIRECTOR

*CONSENT AGENDA

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

*A. PERMISSION TO RECEIVE BIDS

1. Freedom Park Phase III (Public Services - Design Division)
2. Freedom Park Phase IV (Public Services - Design Division)
3. Freedom Park Phase V (Public Services - Design Division)
4. Terminal Display System With Printer (Municipal Court)
5. Thirteen (13) Each Intermediate Sedans - Replacement (Municipal Services - Vehicle Services Staff)
6. 2,500 Gallons of Traffic Paint (Public Services - Traffic Division)
7. Sixteen (16) Monitors with Support Equipment (Fire Services)
8. Miscellaneous Equipment to Outfit New Aerial Ladder Truck (Fire Services)

Items 1 thru 8
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

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IV-e DEPARTMENT OF MUNICIPAL SERVICES, CONTD.

B. AWARD OF BIDS

1. Bid #76.93 - Valley View Blvd. S.I.D. 422 and Regional Streets and Highways Commission Project Between West Charleston Blvd. and West Fremont Expressway; And Alta Drive Regional Streets and Highways Project Between Valley View Blvd. and Campbell Drive (Public Services)
2. Bid #77.117 - Torrey Pines Between West Charleston and Casada (Public Services)
3. Bid #77.129 - Rental of Crane/Clamshell (Public Services - Wastewater Treatment Plant)
4. Bid #77.130 - 100 Each Loop Detectors (Public Services - Traffic Division)
5. Bid #77.131 - One (1) Each Microform Enlarger/Reader Printer - Table Mounted (City Clerk)
6. Bid #77.132 - Two Year Elevator Maintenance Contract - City Hall Complex, From January 1, 1978, Through December 31, 1979 (Public Services - Maintenance Division)
7. Bid #77.140 - Payroll Checks for the City of Las Vegas (Financial Management)

Items 1 thru 7
Approved as
recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

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IV (f). DEPARTMENT OF PUBLIC SERVICES

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

*CONSENT AGENDA

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

*A. APPROVAL OF SUBDIVISION PLATS

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

1. Charleston-Rainbow Unit No. 15-E. (Sproul Homes of Nevada, R. B. Cline, Pres.)
2. Charleston Heights No. 51-D. (Becker & Sons, E. A. Becker, Jr., Agent)
3. Woodland Hills Unit A. (Security Housing Corp., James R. Stuhmer, Secretary-Treasurer)

*B. RELEASE OF SUBDIVISION BONDS

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. Stewart Arms Unit No. 1. (Charleston-Continental Village, Inc., Ron Rudin, President)

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

P/S authorized
to proceed

Item withdrawn
at the request of
the Acting Dir.

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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

*C. TRAFFIC AND PARKING ITEMS

1. Request of Mr. Robert J. Asson for a curb cut variance at 1009 E. St. Louis. Traffic and Parking approved request providing adjacent property owner at 1013 E. St. Louis does not object.

Approved
as recommended
Lurie - unanimous

P/S authorized
to proceed

CITY ATTORNEY

MIKE SLOAN

See Page 36 of these minutes - Annotated Agenda

See Page 47 of these minutes - Annotated Agenda

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

BILL NO.
77-56
1st Reading
& Referred
Commissioner
Christensen
and
Commissioner
Woofter

A Bill entitled " AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK STATE OF NEVADA; AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH."(ANNEXATION A-3-77)
Read by City Attorney Mike Sloan.

Mayor Briare: This will be referred to a Recommending Committee consisting of Commissioner Christensen, and Commissioner Woofter.

Commissioner Lurie: Mr. Hampton could I ask that when these annexations come before us that a little description be placed on the boundaries. So we know exactly where these parcels are?

Mr. Hampton: Yes sir.

BILL No.
77-57
1st Reading
& Referred
Commissioner
Leavitt and
Mayor Briare

A Bill entitled "AN ORDINANCE TO AMEND TITLE I, CHAPTER 5, SECTION 6 TO CHANGE THE NUMBER OF REGULARLY SCHEDULED MEETINGS OF THE BOARD OF COMMISSIONERS FROM FOUR TO TWO; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by City Attorney Mike Sloan.

Mayor Briare: If there is no objections, then both the Resolutions and this Bill will be referred to a Recommending Committee consisting of Commissioner Leavitt, and Mayor Briare.

BILL No.
77-58
1st Reading
& Referred
Commissioner
Christensen
and
Commissioner
Woofter

A Bill entitled, "AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND TO PROVIDE

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V. MIKE SLOAN - CITY ATTORNEY

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- | | | |
|--|---|------------------------------------|
| A. Resolution proposing to annex approximately two and one-half acres of land generally located at O'Bannon and Edmond Streets. Annexation A-5-77 | Approved and Public Hearing set for 1/18/78
Woofter
Commissioner Lurie voted "no" | 1/18/78 Agenda
C/A to proceed |
| B. Resolution to change the time set for the Board of Commissioners' meeting. | Abeyance | 12/21/77
(by Addendum No. 2) |
| C. Extension of Offsite Improvement Agreements between Sproul Homes of Nevada and the City of Las Vegas. | Approved
Lurie - unanimous | Staff to proceed |
| D. Cooperative Agreement No. 72, Traffic Control Projects for Fiscal Year 1976 and Fiscal Year 1977.

(Regional Street & Highway Commission) | Items D and E
Approved
as submitted
Lurie - unanimous | Mayor and Clerk authorized to sign |
| E. Cooperative Agreement No. 73, Traffic Control Projects for Fiscal Year 1978.

(Regional Street & Highway Commission) | | |

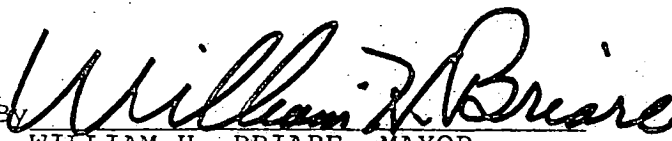
RESOLUTION

WHEREAS, Title I, Chapter 5, Section 6 of the Municipal Code, City of Las Vegas, 1960 Edition, provides that the Board of Commissioners of the City of Las Vegas shall meet in regular session four times monthly on the 1st, 2nd, 3rd, and 4th Wednesday of each month, and


WHEREAS a Resolution was adopted during a regular meeting of the Board of Commissioners held on September 7, 1977, setting the time for the regular meeting of the Board of Commissioners of the City of Las Vegas to be held at the hour of 9:00 A.M. on the 1st and 3rd Wednesday and at the hour of 7:00 P.M. on the 2nd and 4th Wednesday of each month, and

WHEREAS, the Board of Commissioners is of the opinion that it would be more convenient to the citizens of Las Vegas and the members of the Commission and the staff of the City of Las Vegas to change the time for the regular meeting scheduled for December 14, 1977, from 7:00 P.M. to 9:00 A.M., and

NOW, THEREFORE BE IT RESOLVED, that the regular meeting of the Board of Commissioners of the City of Las Vegas held on December 14, 1977, be held at the hour of 9:00 A.M.

BY 
WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada deems it appropriate and in the best interests of the public health, safety, welfare and convenience that certain territory hereinafter described that is contiguous to the City of Las Vegas, be annexed thereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 14th day of December, 1977:

1. That it is the intention of the said Board to annex to the City of Las Vegas the following described real property:

Being a portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, Township 21 South, Range 60 East, M.D.&M., being more particular described as follows:

BEGINNING at the Southwest (SW) corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 1; thence North 00°15'30" West along the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, a distance of 1331.28' feet to the TRUE POINT OF BEGINNING; thence North 00°16'20" West along the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, a distance of 332.805' feet to a point; thence North 89°39'06" East a distance of 317.75' feet to a point; thence South 00°13'04" East a distance of 331.857' feet to a point on the North line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 1; thence South 89°28'50" West and along aforementioned North line a distance of 317.44' feet to the TRUE POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, January 18, 1978, at the hour of 9:00 a.m., o'clock in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada to conduct a public hearing on the question of such annexation.

3. That the City Clerk be, and she hereby is, directed to give notice of such public hearing by publication thereof at least three (3) times in the LAS VEGAS SUN, a newspaper published in the City of Las Vegas, and of general circulation in the above-described territory, the first publication to be at least twenty (20) days prior to the said January 18, 1978 and not less than six (6) days shall intervene between the first publication and the last publication, and by mailing notice thereof by certified mail, return receipt requested, to each record owner of real property within said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the following form, to-wit:

"NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-5-77.

"NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, Annexation A-5-77, that:

"The Board of Commissioners of the City of Las Vegas, Nevada has by Resolution duly passed, adopted and approved on the 14th day of December, 1977, declared its intention to annex to said City the territory generally located at O'Bannon and Edmond Street .

"The Territory proposed to be annexed is more particularly described as follows:

Being a portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, Township 21 South, Range 60 East, M.D.&M., being more particular described as follows:

BEGINNING at the Southwest (SW) corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 1; thence North 00°15'30" West along the West line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, a distance of 1331.28' feet to the TRUE POINT OF BEGINNING; thence North 00°16'20" West along the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, a distance of 332.805' feet to a point; thence North 89°39'06" East a distance of 317.75' feet to a point; thence South 00°13'04" East a distance of 331.857' feet to a point on the North line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 1; thence South 89°28'50" West and along aforementioned North line a distance of 317.44' feet to the TRUE POINT OF BEGINNING.

"That said Board of Commissioners shall meet on Wednesday, January 18, 1978, at the hour of 9:00 a.m., in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada to conduct a public hearing on the question of such annexation.

"A report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its citizens and residents will be available for examination by the public in the office of the City Clerk, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, twenty (20) days prior to the date of the public hearing. Such report shall include:

(A) A metes and bounds description of the territory proposed to be annexed.

(B) An accurate map or plat of such territory prepared under the supervision of a competent surveyor or engineer.

(C) A map or maps of the City and the adjacent territory to show the following information:

- (1) The present and proposed boundaries of the City
- (2) The present streets and sewer interceptors and outfalls.
- (3) The proposed extension of the present streets and sewer interceptors and outfalls.
- (4) The present and proposed general land use pattern into the territory proposed to be annexed.

(D) A statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

"The following is a list of the names and addresses of all record owners of real property within the said described territory and proposed to be annexed hereunder:

James A. Spear
4220 Maryland Parkway
Las Vegas, Nevada 89109

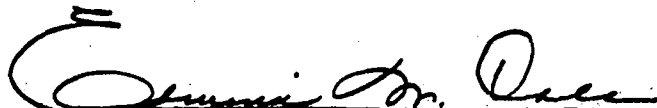
Donald H. Hatfield
4220 Maryland Parkway
Las Vegas, Nevada 89109

"Any record owner of real property within the said described territory may appear and be heard either in favor or in protest of the proposed annexation at such public hearing and/or may file with the City Clerk a written protest to such annexation at any time within fifteen (15) days after the conclusion of said public hearing.

"Unless a majority of the property owners in the territory proposed to be annexed protest such annexation, either verbally at the public hearing or in writing within fifteen (15) days after the conclusion of such public hearing, the Board of City Commissioners shall have authority to adopt an Ordinance extending the corporate limits of the City of Las Vegas to include all or any part of the territory described in this Notice.

"By Order of the Board of Commissioners of the City of Las Vegas, Nevada.

DATED this 14th day of December, 1977.


EDWINA M. COLE, CITY CLERK

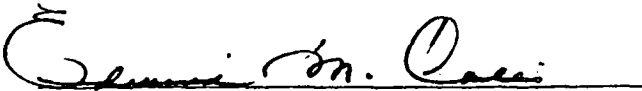
4. That the Director of Public Services, and the Page 42
Director of Community Planning and Development are hereby directed
to prepare and submit to said Board of Commissioners of the City
of Las Vegas, on Wednesday, December 28, 1977, a report setting
forth plans for the extension into said described territory all
major municipal services presently furnished by the City of Las
Vegas to its citizens and residents, which report shall include,
but not be limited to:

- (A) A metes and bounds description of the territory proposed to be annexed.
- (B) An accurate map or plat of such territory prepared under the supervision of a competent surveyor or engineer.
- (C) A map or maps of the City and the adjacent territory to show the following information:
 - (1) The present and proposed boundaries of the City;
 - (2) The present streets and sewer interceptors and outfalls;
 - (3) The proposed extensions of the present streets and sewer interceptors and outfalls.
 - (4) The present and proposed general land use pattern into the territory proposed to be annexed.
- (D) A statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

PASSED, ADOPTED AND APPROVED this 14th day of
December, 1977.


WILLIAM H. BRIARE, MAYOR

ATTEST:


Dennis J. Cassi
CITY CLERK

BILL No. 77-58 FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL
Continued ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH."
(ANNEXATION A-4-77). Read by City Attorney Mike Sloan.

Mayor Briare: That will be referred to the same Committee as Bill No. 77-56. Commissioner Christensen, and Commissioner Woofter.

BILL No. 77-59 Mayor Briare: Mr. Hampton will you give us an update on this one.
1st Reading

& Referred
Commissioners
Christensen
and Lurie

Mr. Hampton: The County passed their Ordinance on December 6th, and it was essentially the same as they had proposed. They had deleted some sections that we were concerned with. Although we are not happy with the Ordinance because it forces us to pay for a facility; we do have worked out a system to accomplish the building in time, and what we would do is work with the committee that was appointed to go over this Ordinance in detail, and supply the information to the other Commissioners as well. There is one question that should be resolved either by the Commission at this time, or at the Committee level. That is whether or not we should proceed with charging for swimming pools. The County Ordinance indicates that you should charge for swimming pools. We are not obligated to do so however. We can pay for that cost. For the City this would be approximately \$12,000.00 a year. You would be subsidizing the swimming pools, however the \$12,000.00 would be offset by the fact that it would cost us an amount which we are trying to determine now to actually do the collection. The County is going to reevaluate their charge for swimming pools. We indicated to them that the justification was not there for the charge. If this is determined at a later date, that we may have to refund money. We feel the cleanest thing at this time would be not to charge for the pools. In 1980 when we get the additional charge and maintenance for the AWT Plant we will not have that choice. Hopefully by that time they will agree with us that the charge is excessive.

Mayor Briare: No way.

Mr. Hampton: Well the County Commissioners did indicate that they would request the consultant to reevaluate it.

Mayor Briare: If the City were to stand fast where would that leave the whole matter? If we are not going to have any voice for the things to be charged to people who live inside the City limits of Las Vegas then I would like to see the County go ahead and bill the entire County.

Mr. Hampton: We have discussed that with them, and it is our understanding that by advice of both County Counsel, and City Counsel that the State Law gives them the option. If they would like to do it they have the authority to do it, but we cannot force them.

Mayor Briare: So if they were to bill the City taxpayers, or users of sewer facilities, then it would be on a County billing, and would indicate that it was for this Advanced Wastewater treatment. So people would be getting one bill from the City, and they would get another bill for the funding of the AWT Plant?

BILL No. 77-59 So then a citizen could actually distinguish between the two?
Continued

Mr. Hampton: That is what we are proposing. The bill we would send out would be once a year for the AWT Plant. We would have an explanation as to what this charge is. There is really two major decisions that have to be made. One for the swimming pools. The charge that we have to pay the County is \$5.00 per in an equivalent residential unit, or an average home. Now the cost of our billing, and the cost of our collection, and the cost of the postage which is about \$4,000.00, and the cost of bad debts amount to approximately \$100,000.00 to pay \$500,000.00. Now we do have the authority to charge \$6.00 instead of \$5.00, which would offset our administrative costs. If we pass that on to the consumers there will be a rate in the City, and a different rate in the County. We will be charging \$1.00 more for residential. The way the County is going to cover that administrative cost, is they are going to raise all their other users up for their existing operation.

Commissioner Leavitt: Well I see a parallel here to the Fire Merger Bill. In the sanitation situation the County provides a service for the City residents. The Legislature has mandated that the County should be responsible for the treatment of the waste water, and it should provide the residents of the City that service. The Legislature also mandated that the City of Las Vegas shall provide the Fire Services to the people in the County area, and that the County pays to the City the money necessary to run the Fire Department, and they too don't have any say on how the Fire Department is run, because the Fire Department will become the City Fire Department. Now in the event that the Supreme Court should find that Fire Merger act Unconstitutional that the County has challenged, it may be that at that point the City may want to look at the other services that the Legislature has mandated. Such as sanitation. To see if the judicial precedent if it is set, it would be that the City would then want to file suit to have their sewer services come back, and maybe the Metro Police Department. I think we have to wait on the decision by the State Supreme Court on that Fire Merger Bill. I think it could have quite far reaching consequences. If they should find that that Bill is Unconstitutional, then I think it would open up a can of worms, and allow possible looks at other services that are presently being performed by the County for the City.

Mr. Sloan: The one difference is that the voters in the County have no right to vote for a City Commissioner, whereas at least a City voter has the right to vote for a County Commissioner.

Commissioner Christensen: That was only for one term.

Commissioner Leavitt: I think it should be very clear that we don't really have any choice about whether to raise the sewer rates or not. We have been told under that law that we have to raise the sewer rates.

BILL No. 77-59
Continued

Mr. Hampton: We do have to start paying as per that Bill January 1, 1978, and our first quarterly bill is due on April 1st, 1978.

Commissioner Leavitt: Well this is the Fire Merger in reverse.

Mayor Briare: Is this something that we need to take action on at the next meeting?

Mr. Hampton: If it is referred to a Recommending Committee it is my understanding; well I would suggest that it be referred to a study committee.

Mr. Sloan: Well it is just before you. It hasn't been introduced.

Mayor Briare: Well it could be held in abeyance, and we could all study it.

Mr. Hampton: It has to be done in the relatively near future.

Commissioner Christensen: I am complaining publicly about having to pass an Ordinance like this. The fact still remains that we have to pass it.

Mayor Briare: What would be the pleasure of the Commission?

Commissioner Woofter: Let's just take action on it today. It has been thoroughly discussed. We have got to go along with it whether we like it or not.

Commissioner Lurie: Mr. Hampton would you get a copy of the operating, and maintenance costs of the Clark County Sanitation District now, and give us the information that I think Commissioner Christensen is looking for?

Commissioner Christensen: I have got that information. It is four times the City.

Commissioner Lurie: The County by raising the rates will be making a profit off the sanitation district?

Mr. Hampton: No.

Commissioner Christensen: I am guessing they will.

Commissioner Lurie: Well Mr. Hampton could you give me a figure as to how much money is left over from the operation of the plant?

Mr. Hampton: Well they are in the red now. I will give you those figures.

Commissioner Lurie: What happens if we don't pay this?

Commissioner Christensen: They send us a bill, and sue us, and collect it.

BILL No. 77-59 Mayor Briare: Well I don't think there is any question
Continued that it has to be done. No matter who is doing it, it is
being raised. Would you read the Bill then Mr. Sloan.

A Bill entitled "AN ORDINANCE TO ADOPT NEW CHAPTER 5(A) OF TITLE VIII OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ESTABLISHING A SCHEDULE OR RATES, TOLLS OR CHARGES FOR COLLECTION OF REVENUE TO PAY THE CHARGES DUE TO CLARK COUNTY FROM THE CITY OF LAS VEGAS FOR DEBT SERVICE ON SECURITIES ISSUED TO FINANCE THE CONSTRUCTION OF THE CLARK COUNTY AWT PLANT AND BY PROVIDING FOR THE COLLECTION OF SUCH CHARGES, AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO." Read by City Attorney Mike Sloan.

Mr. Hampton: At the Legislature last session I was told that the intent of that Bill was, that if the City didn't do the collections then the County had the right to go and collect from our customers. After the smoke had cleared the way that the Bill is being interpreted by the legal counsels, and I am not disagreeing with them, it was interpreted to mean that the City is a customer. Not the individual customers. As far as the County is concerned we are a customer. Make one collection. They can do that from us, and they don't have to go to our individual users.

Mayor Briare: This will be referred to a Recommending Committee consisting of Commissioner Christensen, and Commissioner Lurie.

VACANCIES - BOARDS & COMMISSIONS

See Page 48 of these minutes - Annotated Agenda

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS
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Page 47 VI. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE

A. Bill No. 77-56 Satisfies the requirements of the Nevada Revised Statutes for annexation. A-3-77

1st Reading & Referred - Christensen and Woofter

*Clerk to proceed with 1st publication

B. Bill No. 77-57 To change the number of regularly scheduled meetings of the Board of Commissioners from four to two.

1st Reading & Referred - Leavitt & Mayor Briare (with Resolution from Page 24)

*Same as above

C. Bill No. 77-58 Satisfies the requirements of the Nevada Revised Statutes for annexation. A-4-77

1st Reading & Referred - Christensen and Woofter

*Same as above

D. Bill No. 77-59 Ordinance to amend Title 8, to provide for a sewer service fee to pay obligations imposed by Clark County to construct an advance waste water treatment plant.

1st Reading & Referred - Christensen and Lurie

*Same as above

*Items A thru D will have 1st publication on 12/16/77

12/21/77 Agenda (By Addendum No. 1)

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City of Las Vegas

December 14, 1977

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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VII. VACANCIES - BOARDS & COMMISSIONS

A. PARKS & RECREATION ADVISORY COMMISSION (3-year term)

1. Sam Paternostro - Term expires 12/18/77

Abeyance

12/21/77 Agenda
(By Addendum
No. 1)

B. ELECTRICAL EXAMINING BOARD (2-year term)

Abeyance

Same as above

Terms of the following Members expire 2/2/78:

1. Harold P. Leary, PE
2. Doyen C. Smith
3. Melvin C. Sutton
4. Aubrey Goldberg
5. John O'Bryan

BILL NO. 77-55 Commissioner Lurie: The Committee met yesterday, and
2nd Reading we would move for the adoption of Bill No. 77-55.
and
Adopted Mayor Briare: Any comments? (No response). Mr. Sloan do
Ordinance you want to read it again.
No. 1902

A Bill entitled "AN ORDINANCE TO REPEAL ORDINANCE 1755 SETTING UP TITLE VI, CHAPTER 13 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, PERTAINING TO EMPLOYMENT OF ILLEGAL ALIENS, BY DELETING THAT CHAPTER IN ITS ENTIRETY, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH." Read by City Attorney Mike Sloan.

Mayor Briare: The question is on the adoption of the Ordinance. Cast your votes. Motion is approved, the Ordinance is adopted.

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

REPORTS FROM STUDY COMMITTEES

N O N E

(Commission Meeting was recessed at 12:00 P.M.)

(Commission Meeting was reconvened at 1:30 P.M.)

DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

See Pages 64 thru 70 of these minutes - Annotated Agenda

DISCOUNT T-SHIRT Mr. Bilbray: With your permission we have a court reporter
WORLD taking this.
Denied

Mayor Briare: No objections from the Commission? (No response).
Fine.

Mr. Bilbray: You requested Mr. Schiff to be present, and he is
here ready for your questions.

Mayor Briare: I would like to advise Mr. Schiff that several
meetings ago; incidentally where do you live Mr. Schiff?

Mr. Schiff: Ventnor City, New Jersey.

Mayor Briare: I asked the City Attorney a number of meetings
ago whether it would be in order to any member of this Commission
to ask questions of a proposed licensee on any matters. Even
if they were to reach far afield from the particular item that
was before us on the agenda. Because of the privileged nature
of the license this Commission was advised that it may do so.

Mr. Sloan: Well I believe we had the discussion as to whether
you could inquire in to a persons good moral character, which is
one of the requirements under the Code for retail tobacco dealers.
The Code goes into details. One is a person possessing a good
reputation, and presents a good moral character. There is a
person who has been convicted of a crime of fraud, or attempting
fraud, and a number of other things listed. I think you can
have a wide range interrogation to determine the suitability,
at least as contemplated by the present Ordinance.

Mayor Briare: I am trying to determine if Mr. Schiff is suitable
for any kind of a license on Fremont Street as a result of
some of his other businesses on Fremont Street. This is what
I want to inquire. For me to make a judgement as to how I might
vote on allowing you a retail tobacco license I want to ask you
some questions about your Jam Auction.

Mr. Bilbray: From his initial statement Mr. Sloan stated the
fact of whether there has been a fraud violations, or been
convicted of a fraud violation and so forth. Are we limiting it
to that area, or are we actually going in....

Mr. Sloan: Well the way I read this, it says that you can
inquire in to a persons good reputation, and determine whether
or not he has good moral character. You can also determine if
a person is suitable to receive a license having due consideration
for the protection of the public health, safety, morals, good
order or general welfare of the inhabitants of the City.
It would seem to me to be functionally related as to how Mr.
Schiff runs one business; it might reflect on how he is going to
run the second business. I think that also has a bearing on his
moral character, and his reputation. If he has a reputation for
being a good businessman in another business I would think that
that would carry over to the other. Conversely if he has a
reputation of being a bad businessman then that is part of his
reputation.

DISCOUNT
T-SHIRT
WORLD
Denied

Mr. Bilbray: In reference to this if you are referring to the fact that what we are talking about is one cigarette machine in which people drop a quarter in, or 50¢. His moral character and how he runs another business has a direct influence on whether he can have a cigarette machine in his business?

Mr. Sloan: He seeks a Retail Tobacco License, is that right?

Mr. Bilbray: That is correct.

Mr. Sloan: I am telling you what the Ordinance says is the duty of the Commission to inquire.

Mr. Bilbray: O.K. this is your personal interpretation?

Mr. Sloan: I am reading to you from the book Mr. Bilbray. It says, "To better define the policy of this chapter, the following persons are declared to be not qualified to hold the license under the provisions of this chapter. A. A person who does not possess, or who does not have a reputation for possessing a good moral character. B. A person who has been convicted within the past five years of any crime of which fraud, or attempt to defraud is an element. C. A person who has been convicted of unlawfully possessing narcotic drugs. D. A person who is under the age of 21 years. E. A person who has been convicted of selling, or giving tobacco in any form to a person under the age of 21 years. F. A person who has violated any provisions of this chapter. G. A person that the Board of Commissioner shall determine is not a suitable to receive a license, having a due consideration with the proper protection of public health, safety, morals, good order, and general welfare of the inhabitants of the City. That is not my personal interpretation of anything.

Mr. Bilbray: Well which one are you referring to. Are you talking about the last one, because he doesn't meet any other requirements. He has not violated any of the other provisions.

Mr. Sloan: How is the Mayor to determine whether or not he possesses a good moral character, or have the reputation for a good moral character without inquiring of it?

Mr. Bilbray: I see, but at this point you have nothing else to base this on except the inquiry you are going to make of Mr. Schiff, who at this time is going to say "yes", he has a good moral character.

Mayor Briare: Well is he also going to say "yes" to the question. Does he feel that this business, and other businesses that he operates on Fremont Street is in the best interest of the people of the City of Las Vegas? I believe Mr. Sloan indicated something about the welfare of the people of Las Vegas.

Mr. Bilbray: Well I could answer the same thing. If we have a bar is that in the best interest of the people of Las Vegas.

DISCOUNT
T-SHIRT
WORLD
Denied

Mayor Briare: Do you have a bar on Fremont Street?

Mr. Schiff: No.

Mayor Briare: Then forget the bar on Fremont Street Mr. Bilbray.

Mr. Bilbray: But Mr. Mayor that is an unfair question.

Mayor Briare: Did you come out here specifically for this purpose?

Mr. Schiff: No.

Mayor Briare: You just happened to casually be in Las Vegas? You are not here at the request of this Commission to appear before us on this particular license matter. We are of the opinion that you have stood up this Commission on a number of occasions because you didn't see it convenient for yourself to come here when this matter was on the agenda. Mr. Bilbray as a couple of times as your attorney, has said that you would be here. Now you are here, but you just casually here for some other reason, and no specifically for this matter.

Mr. Schiff: Basically specifically for this matter.

Mayor Briare: I want to know about your Jam Auction. I want to know if you are responsible for the operation of that Jam Auction?

Mr. Schiff: Yes.

Mayor Briare: Are you satisfied that your Jam Auction is operating in a manner in the best interest of the people of the City of Las Vegas?

Mr. Schiff: Yes I am.

Mayor Briare: I couldn't agree less of any statement that has been made since I have been here. That these Jam Auctions are being operated in the best interest of the City of Las Vegas. Would you say that it is proper to proceed now along these lines?

Mr. Sloan: The inquiry must focus on his good moral character, or whether or not he is a suitable person to receive the type of license that he is seeking. You can ask questions that reflect on his suitability in the fraud context, and on his good moral character. But it relates to his application to be in the retail tobacco business, and not as to whether or not he has an existing license as a retail sales person.

Mayor Briare: Absolutely. I realize that his Jam Auction is not the matter before us, but in order for me to judge on whether Mr. Schiff who is licensed by the City. Ila is this one of the licenses by court order?

Ila Britt: Yes.

DISCOUNT
T-SHIRT
WORLD
Denied

Mayor Briare: You have been issued a license by virtue of a court order, not by the willingness of this City to give you one, because of the conduct that has been taking place in a business that you operate on Fremont Street. Now you want to operate another business. Mainly a retail tobacco business in the Discount T-Shirt World.

Mr. Schiff: That is correct.

Mayor Briare: Are you aware of the number of complaints from tourists, and from others as the result of being cheated, and defrauded, and misrepresented in your store called the Jam Auction?

Mr. Schiff: I am aware of all the complaints.

Mayor Briare: Charges are against you for cheating, defrauding, misrepresenting, and numerous others that we have letters on file. You are aware of these?

Mr. Schiff: Yes sir.

Commissioner Christensen: Would it be proper to have this witness sworn in, since we have a court reporter sitting here taking the testimony? That way when we ask him questions they will be on the record as sworn testimony.

Mr. Sloan: The Commission always has the authority to put a witness under oath.

Mr. Bilbray: I have never seen this done before. Is this irregular?

Commissioner Christensen: It has been done more times here than we have had a court reporter brought in by the witness.

Mr. Bilbray: Well I don't know how many times a court reporter has been brought in.

Commissioner Christensen: This is the first. I have seen witnesses sworn in here no less than six or seven times myself.

Mr. Bilbray: In regards to a tobacco license?

Mayor Briare: Well in regards to a tobacco license, or any other kind of license. If our City Attorney rules that it would be a proper procedure to follow, then it is up to this Board to decide if we want to follow it. In this instance I couldn't agree more.

Mr. Sloan: Does Mr. Schiff have any objections to making statements under oath to the Commission Mr. Bilbray?

Mr. Bilbray: I don't know.

DISCOUNT
T-SHIRT
WORLD
Denied

Mr. Bilbray: Well I just don't like my client to be inflicted with some requirement, that other people aren't required to do.

Mayor Briare: This is not a usual client Mr. Bilbray. This is a man that runs a business on Fremont Street which has been a headache, and a disgrace in my personal opinion to the tourist industry that has to move up, and down on Fremont Street. This is the first time from Ventnor City, New Jersey has been before us so we could talk to him in any way, shape, or form.

Mr. Bilbray: Well he has been before the City Commission before, but not this particular Board.

Mayor Briare: Do you object to being sworn in?

Mr. Schiff: No I don't.

Mayor Briare: O.K. Edwina will you swear him in.

Edwina Cole: Would you raise your right hand please. Abraham Schiff do you solemnly swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. Schiff: Yes I do.

Commissioner Lurie: You were talking about just wanting to put a cigarette machine in to the T-Shirt World. Are you talking about a complete line of tobacco with paper, pipes, and all other items that go along with the tobacco license, or just the machine?

Mr. Schiff: Machine and papers.

Commissioner Lurie: Also the pipes, and the other merchandise that go along with that?

Mr. Schiff: Yes.

Mr. Bilbray: Well the cigarettes we are talking about will only be sold out of a machine. The other products won't, but I don't believe if you sell pipes you don't need a license.

Commissioner Lurie: Well there is papers, there is roach holders, there are little spoons, and a lot of different type of merchandise that falls under the category of tobacco license. You said machine, and I wanted to clarify it that you are going to put a whole smoke shop in there. I am going to have some questions concerning that.

Mayor Briare: Do you control this business Mr. Schiff?

Mr. Schiff: Yes I do.

DISCOUNT
T-SHIRT
WORLD
Denied

Mayor Briare: Why do you have a cigarette machine, and then have papers to go along with it? You just sell papers? What are the papers for?

Mr. Schiff: For people who roll their own cigarettes.

Mayor Briare: Do you sell Bull Durham, and tobacco products that go along with rolling?

Mr. Schiff: We will have tobacco products yes.

Mayor Briare: Have you taken any notice to the number of complaints that were brought against you in your Jam Auction business?

Mr. Schiff: I have taken notice of all the complaints.

Mayor Briare: What have you done about them?

Mr. Schiff: We have worked with them, and the complaints have almost vanished since last April. There has been things that was request from us to correct. I think everything that has been asked for to date has been done.

Mayor Briare: Well the number of complaints that we get from tourists who think that you are a rip-off don't indicate that that is so.

Mr. Schiff: There are numerous reasons why this comes out. We sell the Morse Sewing Machine, and Tabic We used to hand out this sewing machine, and be a distributor for it. One month ago we sold one or two sewing machines to a couple, and they called up raising havoc, and Tabic told them the company was bankrupt. They were listed in the yellow pages as being a Morse representative. Tabic then went along and told them that Morse was bankrupt, and within three hours the people came back screaming, and yelling that Morse was bankrupt. That they couldn't get parts for the sewing machine, and we refunded the money immediately. This complaint should never happen because the company was not bankrupt. These are logical complaints, but that should never happen. Tabic knew the company wasn't bankrupt, but he said it. I know what the merchandise cost, and I know what we sell it for. We sell in some instances a lot less than we could buy this merchandise in the City.

Mayor Briare: Mr. Crow would you come forward please. Would you give an estimate within the past; now you say Mr. Bilbray that Mr. Schiff has not been before this Commission since he has been license. I don't remember seeing Mr. Schiff on any kind of a matter before this Commission, and I am toward the end of my third year.

Mr. Bilbray: I think it was prior to your coming on.

DISCOUNT
T-SHIRT
WORLD
Continued

Mayor Briare: O.K. it was prior to that time, so it has been three years since he has appeared before this Board?
(No response). Mr. Crow would you estimate, and be conservative. Would you be able to estimate how many complaints the City has had, and have been levied against Schiff?

Mr. Crow: Oh we are averaging about one to two a week.

Mayor Briare: For the last three years?

Mr. Crow: Ever since the operation has been open. It is not as heavy as it used to be, but we are still getting complaints.

Mayor Briare: Well that would be not quite 500 complaints. I am not going to ask you to give us an explanation on each one of these, but I would like you to know that maybe you may or may not be aware of all these complaints.

Mr. Schiff: As Mr. Crow stated the complaints now are less than what they used to be. A lot less.

Mayor Briare: Well we are hearing maybe less than what they used to be.

Mr. Bilbray: I think it should be stated that working with the Consumer Affairs Division we now tape every recording. Most of our problems was not in the merchandise we were selling, or upon the method of selling it, but the fact that some of our salesmen tended to state facts as to the merchandise that was not true. In some cases the audience actually thought he said something different. We tape every one, and the Consumer Affairs Division has the right to come, and take those tapes at any time. When they get an allegation of a problem they come in, and pull the tape on that particular presentation. We had one recently when I talked to the Consumer Affairs Division in which the couple from out of State said that the Podium Man had stated that this was a solid gold watch they were buying. We pulled the tape, and they listened to it down at Consumer Affairs, and he didn't say that. He said it was gold filled or something less than that which it was, but I guess the people in the audience, or this particular couple thought it had been gold plated. We have this, but we are taping every presentation. It is available, and it is also available to this Board to come down and listen to. Any time they want to. It is for our own protection, as well as the States protection. People sometimes think things are said up there that aren't said.

Mayor Briare: We have letters Mr. Bilbray. I don't know whether they have been made available to you, or a former law partner of yours. These indicate the carnival type atmosphere that some of these people enter in to. It is such that even for you a prominent lawyer in this City to understand. Whether it is tape recorded that way or not you might go in, and think you hear something but you are not sure what it is you heard. Whether Schiff records it or not to me is not that important. Why do they have to record the things.

DISCOUNT
T-SHIRT
WORLD
Continued

Commissioner Lurie: One of my complaints to your type operation is the carnival type atmosphere that it creates. The way the magic show that the fellow puts on to attract the people. The way your operators go out on to the sidewalk to lure the people in to watch this show, and then bring them in to the business. That to me takes a way, and distracts from the beautiful downtown that we once had. I am always going to oppose any type of business that conducts themselves in that manner. I don't think it is right, that the tourist has to be lured in to a business, and I don't think it is right that we have to get as many complaints as we do about any business in Las Vegas. If it were my business, and I was getting 500 complaints a year I would be very concerned.

Mr. Schiff: It is not 500 complaints a year.

Mayor Briare: We figured better than 150 a year.

Commissioner Lurie: Even 15 a year is a lot of complaints. That is one of my major complaints. Now before me today is the cigarette license. I will reserve my comments on that when it comes time to vote on the application.

Commissioner Christensen: Do you recall Mr. Schiff if any of your employees has ever been cited for obstructing pedestrian traffic on the sidewalk?

Mr. Schiff: Yes, two.

Commissioner Christensen: Has there ever been any other warnings that they were not to obstruct traffic on the sidewalk?

Mr. Schiff: I believe there has been.

Commissioner Christensen: Are we enjoined by the court from enforcing the obstruction of the sidewalk ordinance as a result of these actions?

Mr. Sloan: I don't think that is part of it. I don't think part is under the injunction. I am not sure though. I thought it was only under the investigation, and labeling of merchandise portions of the ordinance that were under injunction.

Commissioner Christensen: Well I know that these incidents have taken place, and that they no longer bother to cite them because there is a reason for it. I don't know whether we are prohibited from doing it by the courts, or whether it is just a case that it is a lost cause for them to take the time to do any more or what. That is what I wondered. Do your people still solicit on the sidewalk outside of the property line of the building?

Mr. Schiff: They are mainly on the property. Our property is recessed back from Fremont Street about 5 feet.

Commissioner Christensen: You are saying that they do not come on the right of way, and solicit any more?

DISCOUNT
T-SHIRT
WORLD
Continued

Mr. Schiff: They are not supposed to, but at times they may.

Commissioner Christensen: Have you taken any hard precautions to prevent them from doing this?

Mr. Schiff: They are told not to do it.

Commissioner Christensen: Do you indicate any punitive action will be taken if they do? If they violate your orders?

Mr. Schiff: Yes.

Commissioner Christensen: What are those?

Mr. Schiff: That they are immediately fired.

Commissioner Christensen: Have you ever fired any one for it?

Mr. Schiff: Yes we have.

Commissioner Christensen: How many?

Mr. Schiff: Just one.

Commissioner Christensen: When was that?

Mr. Schiff: October.

Commissioner Christensen: This past October?

Mr. Schiff: Yes.

Commissioner Christensen: None before that?

Mr. Schiff: Not that I know of.

Mayor Briare: Is that the sole reason that that employee was terminated?

Mr. Schiff: No, that was not the sole reason.

Commissioner Christensen: Would you terminate him purely for that sole reason?

Mr. Schiff: I couldn't answer that.

Mayor Briare: Well there is many things I would like to get involved with, but I think it would be improper to go to far astray. I am totally convinced in my mind that the questioning that is taking place this afternoon is perfectly proper to judge whether in accordance that the outline that the City Attorney gave to us, whether you should be properly licensed for a privileged license as a retail Tobacco.

Mr. Sloan: The Ordinance contemplates the discussion of a persons good moral character, and suitability of having consideration for public, health, safety, morals, and good order, as it relates to the business to which he is applying for the license. It is up to the

DISCOUNT
T-SHIRT
WORLD
Continued

Commission to determine what does, or does not indicate good moral character. I would just like to indicate that practices that one, or more members of the Commission might themselves not like, may or may not reflect on good moral character. I think it is important to try and keep in context the information that you have illicited from the applicant toward review as to whether or not that reflects on his moral character, and not his ability to carry out the business which he has a license for. As opposed to any dislike that you may have for the other business that he has, and he has a license for.

Mr. Bilbray: One thing Mr. Schiff would like to point out is the fact that he owns approximately 25 businesses at the present time, including three liquor licenses that he holds in New Jersey. These business except for this particular one we have here, there has never been a complaint to speak of whatsoever. All these businesses are run properly. He has tobacco licenses, he has liquor licenses, and I think if you contacted the City authorities in New Jersey that you would find that he has never had any problems. He runs many stores on the Boardwalk. They are all doing very well. He has Peanut World which is a candy store. He has numerous businesses up and down the State of New Jersey. He has at least four businesses here in Las Vegas itself.

Mayor Briare: Name the businesses he has here will you?
Name the Fremont Street businesses?

Mr. Schiff: Discount Souvenir City; Discount Souvenir To Short; Discount Souvenir World; Discount Souvenir Town, and we just obtained leases for 309, 311, and 313 Fremont Street.

Mayor Briare: Do you have any Jam Auctions in New Jersey?

Mr. Schiff: No.

Mayor Briare: Do you have any places in New Jersey where you sell paraphenelia for dope, and marihuana, and things of that nature?

Mr. Schiff: We sell them in Peanut World.

Mayor Briare: Do you consider the Boardwalk right now as it stands today not perhaps what the gaming will do for Atlantic City, do you consider that a slum area?

Mr. Schiff: No I absolutely do not.

Mayor Briare: You think it is a first class neighborhood?

Mr. Schiff: I think it is a Boardwalk. It is not a first class neighborhood, it is a Boardwalk. It is a place for people.

Mayor Briare: Would it be unfair to say that the area right now prior to what the City of New Jersey wants to do, I mean the City of Atlantic City; would you say it was a honkey tonk area?

Mr. Schiff: Absolutely not.

DISCOUNT
T-SHIRT WORLD
Continued

Mayor Briare: How would you describe it? The area that you are in in Atlantic City.

Mr. Schiff: The area....

Mayor Briare: Are there any massage parlors down there?

Mr. Schiff: Yes sir, a couple.

Mayor Briare: Are there any dating....

Mr. Schiff: No we do not have any dating parlors.

Mayor Briare: How is the crime rate?

Mr. Schiff: Well they have an influx of people from out of town. I think Atlantic City was going down hill, but the people that owned the hotels never put the money back in to the hotels. Atlantic City is a place for amusements. It is going to turn to some extent to hotels, but it is still an amusement area.

Commissioner Lurie: What is your opinion or our downtown?

Mr. Schiff: Your downtown is in the process of building up. The people that were downtown moved off of Fremont Street to go to shopping malls.

Mayor Briare: Because of the deterioration you are moving in?

Mr. Schiff: That is not true. Why do you think it because of deterioration? I think the town is building up.

Mayor Briare: They are moving out with legitimate businesses, and you are moving in with Discount this, and Discount that, the bright lights, and the dope paraphenalia, the jam auctions, and everything to grab the tourist off the street.

Mr. Schiff: I think that is a total unfair statement. I would say that 70% of downtown is souvenir oriented, and I have that and you can say that I am doing something wrong. My stores sell souvenirs.

Mayor Briare: Would you allow a television camera to go down there and photograph all of your operation?

Mr. Schiff: Yes.

Mayor Briare: Somebody in your organization prohibited that some months ago. They slammed the door which is covered with material that you can't see through to see what you do with the people when you get them inside there.

Mr. Schiff: The City asked us to cover the windows up. That was a request from the City.

DISCOUNT I will allow a camera at any time.

T-SHIRT

WORLD: Mayor Briare: Ila do you know of anyone else who closes
Continued the doors, and closes them off so that noone else can see in?

Ila Britt: No your Honor I am not aware of that.

Mr. Schiff: I can uncover that right now.

Commissioner Christensen: We are not asking you to uncover it.
We are trying to find out who told you to cover it.

Mayor Briare: Well when you don't allow a public television
station to go in and photograph, and they act like there is
something wrong going on, and then all of a sudden you see
all the windows are of a material that you have to walk up
to, and peak in to see.

Commissioner Lurie: I want to know who your landlord is.
You acquired a lease on 305, 309, and 311?

Mr. Schiff: 409, 411, and 313, with Paradise Development.

Commissioner Lurie: That is the landlord?

Mr. Schiff: Yes.

Commissioner Lurie: What plans do you have for those buildings?

Mr. Schiff: One is going to be a clothing store, one is going to
be souvenirs, and one is going to be a T-Shirt store.
Basically what is in there now.

Commissioner Christensen: You said that you didn't have a Jam Auction
in New Jersey any more. Did you use to have?

Mr. Schiff: Yes I did.

Commissioner Christensen: Why don't you have it any more?

Mr. Schiff: Well they were never closed.

Commissioner Christensen: Well why don't you have one know, if you
had one before?

Mr. Schiff: Because the lease was over, and the lease was given up
by us. That is why it was closed.

Commissioner Christensen: Did you have any pressure from the local
authorities there on the jam auctions?

Mr. Schiff: No we did not.

DISCOUNT
T-SHIRT
WORLD
Continued

Mayor Briare: Mr. Sloan would you read those requirements again A, and G?

Mr. Sloan: The following persons are declared not to be qualified to hold a license under the provisions of this chapter. A. A person who does not possess, or who does not have a reputation for possessing a good moral character, and G. A person who the Board of Commissioners shall determine is not a suitable person to receive a license having due consideration for the proper protection of the public health, safety, morals, good order, and general welfare of the inhabitants of the City. That is A and G.

Mayor Briare: Do you want to make any other comments Mr. Bilbray?

Mr. Bilbray: Yes, I would like you to consider the fact again that Mr. Schiff, and his brother both have numerous businesses with licenses. They have been investigated in New Jersey, and in Las Vegas. As the City Attorney has stated this Boards feeling about a particular one of his businesses which is one out of 30 should not hold the Board against granting the license. I think the Board should be above this. I can understand your personal feelings. His Honor, and the rest of the members of the Board have made their feelings well known, both to the Legislature, and to the People of this City, and we understand your feeling on that. We ask that you consider Abe, and Bob Schiff who have never had any problems, have never had any violations against themselves personally, and has never had any criminal background. They are respected members of the community in New Jersey, and are running reputable businesses up, and down Fremont Street. If you object to one, then your Honor should not keep this Board from voting in favor of these applicants for this particular license. I think his Honor is also uptight about the rolled paper, and pipes and so forth. These are sold up and down on Fremont Street in every store practically that sells tobacco. The Sahara Hotel for instance, which is not in the City. But the fact is that even any of these stores have this, and we don't consider it dope paraphenalia. Maybe it is used for that, but that was not the primary purpose for cigarette paper. Years, and years ago that was the only method, and there are still people who roll their tobacco like that.

Commissioner Christensen: Are you honestly going to stand there and tell us that the primary purpose of cigarette papers now is for people who roll their own, and that is why they are sold on Fremont Street?

Mr. Bilbray: I don't know.

Commissioner Christensen: You are going to stand there, and tell me that you don't know any better than that?

Mr. Bilbray: Allright we will not sell cigarette papers. Is that O.K?

Commissioner Christensen: Why?

Mr. Bilbray: Because it seems to be an objection by this Board. We will not sell cigarette papers.

DISCOUNT
T-SHIRT
WORLD
Continued

Mayor Briare: What is the pleasure of the Board?

Commissioner Christensen: I have nothing against the tobacco license per se, but what we have here is an indication and it is on the record, and on tape, and duly recorded by their recording clerk there. I think a comment was made by this mans attorney of something to the effect that one cigarette machine. Now we found out that it is more than one cigarette machine, it is a full blown "Head Shop", that we are going in to here. There is nothing in this mans background, or character indicating arrests or anything. That might be true on paper, but we have a situation where there have been numerous complaints and violations lodged against a business that this man by his own volition has indicated that he is the responsible party to that business. They have been told many times not to block the street. This involves a public safety factor because the public is forced to walk out in the street when there is a lot of traffic there. I personally have been solicited no less than four times in front of that establishment. Based on the fact that I would have to question the suitability of this license based on the character of the owner, the license application because of the fact that numerous violations have taken place, and they still haven't been stopped. He is not sure he would stop it. The fact that there is a public safety factor involved in the past, and now. We don't know that there isn't somebody out in the street grabbing somebody by the arm next to the curb trying to sell them a T-Shirt. We don't know these things. If you have a cigarette machine you have to have a tobacco license. Based on that I would move to deny the license.

Mayor Briare: Comments?

Commissioner Lurie: I have instructed the City Attorney to draft a new Ordinance breaking out, or separating the paper, and the pipes, and the roach holders from the cigarettes. I don't mind voting for a cigarette machine, but I was thoroughly disgusted when I was downtown the other day, and walked in to a store and saw what went on with a tobacco license. That is why I have instructed the City Attorney to draft such an Ordinance. I am not opposed to cigarette machines, I am opposed to the material that goes along with the license.

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

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

AGENDA

City of Las Vegas

December 14, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14, 1977

Commission Action

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III. DEPARTMENT OF BUSINESS ACTIVITY

ILA M. BRITT, DIRECTOR

1:30 P.M.

*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. PATRICIA BARRETT
5616 Balzar

5 children, days only
2. RENEE BRANER
6452 Alta Drive

5 children days/3 nights
3. KATHRYN RACHELS
3305 San Juan

6 children days/2 nights
4. MELODY TAYLOR
1112 Palmer Street

6 children, days only

Items 1 thru 4
Approved
as recommended
Lurie - unanimous

Director
authorized
to proceed

AGENDA

City of Las Vegas

December 14, 1977

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

CITY COMMISSION - REGULAR MEETING - MINUTES - DEC 14, 77

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

*B. GAMING -- Additional

1. SEVENTY-SIX CORPORATION

Rendezvous Hotel & Casino
400 E. Ogden
1 slot

2. BALLY DISTRIBUTING CO.

Rendezvous Hotel & Casino
400 E. Ogden
1 slot

C. LIQUOR -- Change of Corporate Officers

1. PIZZA HUTS OF LAS VEGAS, INC.

Pizza Hut of Las Vegas # 1
825 Tonopah Highway
Restaurant Beverage

Pizza Hut of Las Vegas # 2
2536 East Fremont Street
Restaurant Beverage

Pizza Hut of Las Vegas # 6
260 South Decatur
Restaurant Beverage

Pizza Hut of Las Vegas # 12
3001 West Sahara Avenue
Restaurant Beverage

From: Robert Cressler, Pres/Dir
Max Sutton, VP/Treas/Dir
Gerald Aaron, Secy/Dir

To: Gerald Aaron, Pres/Dir
Max Sutton, VP/Treas/Dir
Ronald D. Watson, Secy/
Director

Items 1 and 2
Approved
Lurie - unanimous

Director
authorized
to proceed

Approved
Lurie - unanimous

Same as above

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City of Las Vegas

December 14, 1977

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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Page 66 III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

D. LIQUOR -- New

1. *PIZZA HUT OF LAS VEGAS # 14
7000 West Charleston Blvd
Restaurant Beverage

Pizza Huts of Las Vegas, Inc. --
Gerald Aaron, Pres/Dir
Max Sutton, VP/Treas/Dir
Ronald D. Watson, Secy/Dir

Perry M. Ridgway, District Mgr

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

2. *GOLDEN WEST PHARMACY
1056 West Owens
Beverage Off-Sale

Gary Wattenbarger, 100%

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

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

1. LUCKY DISCOUNT CENTER # 735
1200 South Decatur Blvd
Package Liquor License

Lucky Stores, Inc. --
W. H. Fisher, Pres
et al

Clarence Bruce Jones, Manager

Items 1 and 2
Approved subject
to conditions
Lurie - unanimous

Director
authorized
to proceed

Approved
Lurie - unanimous

Same as above

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Page 67 III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

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

1. From: Vega Liquor

TO: PLAY PEN
2216 East Fremont
General Liquor License

Arnold D. McIntosh, 100%

Approved
Lurie - unanimous

Director
authorized
to proceed

G. GAMING -- Change of Corporate Officers

1. LEASEHILLS CORPORATION
4725 West Charleston Blvd
Slot Operator License

From: Robert E. Lavery, Pres/
Director
Roger M. Lavery, Jr., VP/
Director
Carl Zimmer, Secy-Treas

To: Robert E. Lavery, Pres/
Director
Roger M. Lavery, Jr., VP/
Director
Robert A. Smith, Secy-Treas/
Director

Approved
Lurie - unanimous

Same as above

H. GAMING -- Change of Location

1. NEVCO DISTRIBUTING CORP.

From: 2575 South Highland
To: 2607 South Highland

Slot Operator License

Carl Cohen, 100%, sole ofcr/
stockholder

Approved
Lurie - unanimous

Same as above

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III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)

I. RETAIL TOBACCO -- New

1. THE ROARING TWENTY'S
530 South Highland

Half-Fast Cafe, Inc. --
Tenny James Gilligan, sole ofcr/
stockholder

2. DISCOUNT T-SHIRT WORLD
320 E. Fremont Street

Peanut World Corp --
Abraham Schiff
Robert Schiff

J. PRIVATE DETECTIVE LICENSE -- New

1. BURNS INTERNATIONAL SECURITY
SERVICES, INC.
5441 Paradise Road, Suite A-201

Frederic E. Crist, Chairman of
the Board

Edward W. Hyde, President
Donald L. Janis, 1st VP
George E. King, Senior VP
John D. O'Connor, VP
William E. Porter, VP
James J. Cronin, VP

Merritt Russell Quick,
Resident Manager

Item 1
Approved
Lurie - unanimous

Director
authorized
to proceed

Item 2
Denied
Christensen -
unanimous

Same as above

(Commissioner
Woofter did not
vote)

Approved
Lurie - unanimous

Same as above

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

K. LIQUOR -- Request for Extension of Inactive Status

- 1. CIRCLE K STORE # NA 1248
SE corner Lamb/Owens
Beverage Off-Sale

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

(Approved 4/20/77. Extension for
6/19/77 thru 8/17/77 approved
6/15/77; extension for 8/18/77 thru
10/16/77 approved 8/17/77; extension
for 10/17/77 thru 12/15/77 approved
10/5/77. Request for 60-day
extension of inactive status for
period: 12/16/77 thru 2/13/78.)

ABEYANCE ITEM -- Tabled 11/30/77

L. LIQUOR, GAMING & RETAIL TOBACCO --
Change of Ownership/Change of
Business Name

- 1. From: Duck In Liquor
Lorraine Zainea, 100%

*TO: DUCK IN
2839 West Sahara
General Liquor License
Gaming: 1 business-owned
slot
8 operator slots

Approved
as requested
Lurie - unanimous

Director
authorized
to proceed

Approved
Subject to
conditions
Lurie - unanimous

Same as above

cont'd ----

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Page 70 III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

L. LIQUOR, GAMING & RETAIL TOBACCO —
Change of Ownership/Change of
Business Name
(cont'd)

See Page 13

See Page 13

1. DUCK IN (cont'd)

Lee Edward Hargis, 50%
Barbara Ann Hargis, 50%

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

CITIZEN PARTICIPATION - PUBLIC APPEARANCES

N O N E

There being no further business to come before the Board,
at the hour of 2:40 P.M., Mayor William H. Briare declared
this Regular Meeting of the Board of City Commissioners
A D J O U R N E D.