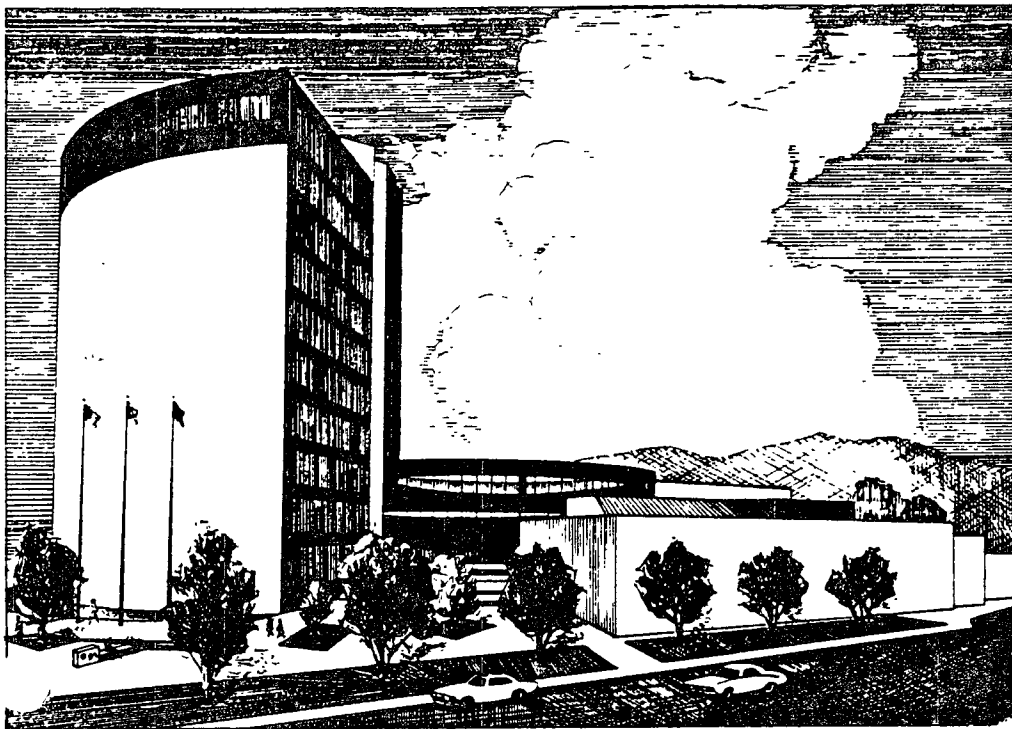




MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: March 7, 1979

TIME: 9:45 A.M.

INVOCATION: Rev. Kenneth J. Edwins, Reformation Lutheran Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	☐	☒	☒
COMM. PAUL J. CHRISTENSEN	☒	☐	☐
COMM. RON LURIE, Mayor Pro Tem	☒	☐	☐
MAYOR PRO-TEM			
COMM. AL LEVY	☒	☐	☐
COMM. ROY WOOFER	☒	☐	☐

CITY ATTORNEY

RICHARD C. MAURER
Audrey Daines, alternate

☒ ☐ ☐

APPROVED BY REFERENCE May 16, 1979

ATTEST:

Chunni M. Ossa *William H. Briare*

M I N U T E S

A Regular Meeting of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 7th day of March, 1979, was called to order by his Honor, William H. Briare, at the hour of 9:45 A.M.

AGENDA POSTED March 1, 1979

(See Page 3 of these Minutes - Affidavit)

AGENDA MAILED March 1, 1979

(See Page 4 of these Minutes - Affidavit)

ADDENDUMS POSTED

No. 1 March 2, 1979

No. 2 March 2, 1979

ADDENDUMS MAILED

No. 1 March 2, 1979

No. 2 March 2, 1979

STAFF
ATTENDANCE

City Manager	Russell W. Dorn
Deputy City Manager	Ronald C. Jack
Director, Office of	
Intergovernmental Relations	Charles Zobell
City Clerk	Edwina M. Cole, CMC
Director, Department of Business	
Activity	Ila M. Britt
Director, Department of Community	
Planning & Development	Harold P. Foster
Deputy Director, Department of	
Financial Management	Ben Martello
Director, Department of Municipal	
Services	Dan Pilkington
Director, Department of Personnel	
& Employee Relations	J. Robert McPherson
Director, Department of Public	
Services	William Purvis, P.E.

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

) ss.

COUNTY OF CLARK)

William BradleyGloria James, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the1st day of March, 1979, at the hour of 2:00 PMthere 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 onthe 7th day of March, 1979, at the following locations:

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

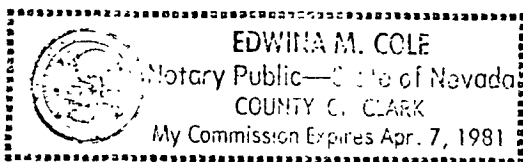
William Bradley
Gloria James
 (name)

Subscribed and sworn to before

me this 1st day of March, 1979

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

MS - 112 - 04
 (department or division)



AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

Monice P. Keller, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 1st day of March, 1979, 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 7th day of March, 1979, 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).

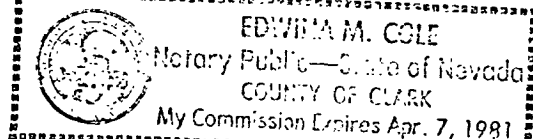
Monice P. Keller
 (name - an employee in the Office of the City Clerk)

Subscribed and sworn to before me

this 1st day of March, 1979

Edwina M. Cole

Notary Public in and for said County and State



AFFIDAVIT OF POSTING

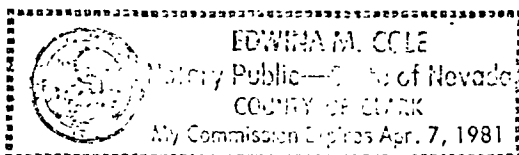
(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)William Bradley
Hazel Traylor, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the2nd day of March, 1979, at the hour of 10:45 AM,there was posted a copy of ADDENDUM No. 1, of which the attached is a true and correct copy, to the AGENDA (NOTICE) of the REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 7th day of March, 1979, at the following locations:

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

William Bradley
Hazel Traylor
(name)

Subscribed and sworn to before

me this 2nd day of March, 1979Edmund M. Cole
Notary Public in and for said County and StateMS-112-04
(department or division)

AFFIDAVIT OF MAILING

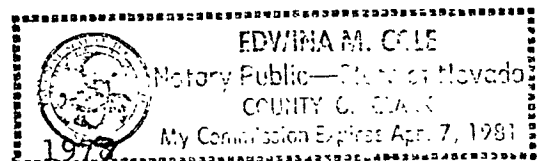
(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
)
 COUNTY OF CLARK) ss.

Dorothy Hyman, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says: That on the 2nd day of March, 1979 a copy of ADDENDUM No. 1 and 2 to the AGENDA (NOTICE) of a Regular Meeting of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 7th day of March, 1979 of which the attached is a true and correct copy, was deposited in the United States Mail, postage prepaid, first class mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said Agenda (NOTICE).

Dorothy Hyman
 (An employee in the Office of
 the City Clerk)

SUBSCRIBED AND SWORN TO before me

this 2nd day of March

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

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

) ss.

COUNTY OF CLARK)

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

2nd day of March, 1979, at the hour of 1:30 PM

there was posted a copy of ADDENDUM No. 2, of which the attached is a true and correct copy, to the AGENDA (NOTICE) of the REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 7th day of March, 1979, at the following locations:

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

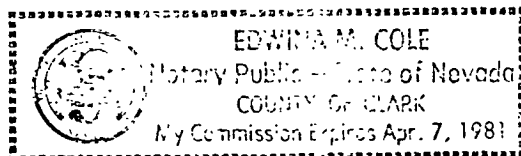
William Bradley
Baker Byrnes
 (name)

Subscribed and sworn to before

me this 2nd day of March, 1979

MS - 112-64
 (department or division)

Edwin M. Cole
 Rotary Public in and for said County and State



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 2

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITYILA M. BRITT, DIRECTOR*CONSENT AGENDA

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

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

Family Child Care Homes

1. GEORGIA AMOS
1409 Mezpah Drive

6 children days/3 nights
3 before/after school
2. JULIANNA GREEN
2013 Nasset

3 children days only
3. GRACE LORENZO
5801 North Rebecca Road

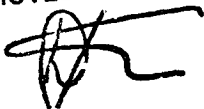
4 children days/1 nights
4. SUSAN BENNETT
221 Vallejo

6 children days/2 nights

Items 1 thru 8
Approved
as recommended
Woofter - unanimous

Director
authorized
to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 3

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*A. CHILD CARE FACILITY APPLICATIONS
(Approved by the Child Welfare Board)5. LINDA SCHWARZ
6617 Alta

See Page 2

See Page 2

5 children days only

6. BARBARA RAINBOLT
7228 Lakeland Ct.

3 children days/3 nights

7. MARJORIE MOORE
5809 Auburn

5 children days only

8. RITA FOWLER
2418 Walnut5 children days/4 nights
3 before/after schoolChild Care Center/Preschool1. APPLE SCHOOL PRESCHOOL
700 East CharlestonApproved
Woofter - unanimousDirector
authorized
to proceed*B. GAMING -- Additional

1. GEMINI, INC.

Lady Luck Casino
206 North 3rd Street
80 slotsItems 1, 2 and 3
Approved
as requested
Woofter - unanimous
except that
Mayor Pro Tem
Lurie abstained on
Item 2

Same as above

APPROVED AGENDA



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 4

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

See Page 3

See Page 3

2. CASINO SERVICES

Pioneer Club
25 East Fremont
4 slots

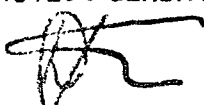
3. UNITED COIN MACHINE COMPANY

7-Eleven Food Store # 13676
320 North 25th Street
1 slot7-Eleven Food Store # 13689
1550 North 25th Street
1 slot7-Eleven Food Store # 16896
875 North Lamb
1 slot7-Eleven Food Store # 17256
2220 West Charleston
1 slot7-Eleven Food Store # 20084
225 North Lamb
1 slot*C. RETAIL TOBACCO -- Additional

1. SOUTHWEST ENTERPRISES, INC.

Villani's Italian Deli
240 North JonesItems 1 and 2
Approved
as presented
Woofter - unanimousDirector
authorized
to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 5

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*C. RETAIL TOBACCO -- Additional
(cont'd)

See Page 4

See Page 4

2. W W VENDING COMPANY

Pizza Chicago Style
4960 West CharlestonMid Towner Motel
211 North 7th StreetMona Lisa Apartments
301 East CharlestonMoulin Rouge
920 West BonanzaLas Vegas Manor
1700 North DecaturHoliday Vegas Motel
2233 Las Vegas Blvd. SouthHof Brau
1111 Las Vegas Blvd. SouthDeli Depot
1128 South DecaturDipseys Doodle Ice Cream
108 North 4th StreetArdans
320 South Decatur

APPROVED AGENDA



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 6

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)D. LIQUOR -- Reclassification

1. DAN'S & RAY'S TERMINAL BAR
18 Garces
From: Package Liquor/Beer Bar
To: General Liquor License

Dan Davis, 100%

Approved
Woofter- unanimousDirector
authorized
to proceedE. LIQUOR & RETAIL TOBACCO -- Approval
of Additioanl Corporate Officer

1. THE GREAT ESCAPE
5000 West Charleston
Tavern License

Duffy's American Graffiti, Inc. --

From: Jeffrey Kesar, 100%

To: Jeffrey Kesar, Pres,
Treas, Dir, 66 2/3%
James Allen Bell, V.P.,
Secy, Dir, 33 1/3%

Approved
Woofter - unanimous

Same as above

F. LIQUOR & RETAIL TOBACCO -- Change
of Corporate Officers

1. ROARING TWENTY'S
530 South Highland
General Liquor License

Half-Fast Cafe, Inc. --

From: Tenny James Gilligan,
sole officer and
stockholder

To: Bobby Ray Cotton, Pres, 25%
Candace Cotton, Treas, 25%
Elizabeth Marie Cotton,
Secy, 50%

Approved
Woofter - unanimous

Same as above

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 7

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)G. LIQUOR, GAMING & RETAIL TOBACCO --
Approval of Co-Special Administra-
tors

1. FRANKIE'S
1712 West Charleston
Tavern License
10 Business-owned slots
5 Operator slots

From: Kenneth J. Kelly, Executor
of the estate of Roy
Charles Easton

To: Sandra Gayle Conway, Co-
Special Administrator
Nelson Conway, Co-Special
Administrator

Approved
Woofter - unanimous

Director
authorized
to proceed

H. LIQUOR & GAMING -- Deletion of
Corporate Officer

1. "JAX" MARYANNE & INTERLUDE
LOUNGE
115 North 4th Street
Tavern License
10 Operator slots

Fourth Street Liquors, Inc. --

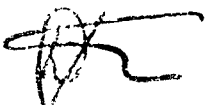
From: John L. White, Pres, 66 2/3%
Mary Ann White, Secy-Treas,
33 1/3%

To: John L. White, Pres, sole
officer and stockholder

Approved
Woofter - unanimous

Same as above

APPROVED AGENDA



AGENDA*City of Las Vegas*

March 7th, 1979

BOARD OF CITY COMMISSIONERS

Page 8

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)I. GAMING -- New

1. *M. ZEE COIN GAMING
5115 So. Industrial Road, #107
Slot Operator License

Martin Zwerling, 100%

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

Approved
subject to
conditions
Woofter - unanimous

Director
authorized
to proceed

J. SPECIAL EVENT GAMING LICENSE

1. REGINA HALL AUXILIARY

Location: #1 Main Street

Date: April 22nd, 1979

Responsible Licensee:
J. K. Houssels, Jr.

Approved
Woofter - unanimous

Same as above

K. ADDENDUM No. 1SPECIAL EVENT GAMING LICENSE - BISHOP
GORMAN HIGH SCHOOL/BOOSTERS PARENTS CLUB

Location: 1901 Maryland Parkway
Date: March 23, 1979
Responsible
Licensee: Al Sachs

Approved
Lurie - unanimous

Same as above

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 9

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

A. REQUEST OF RABBI APPLEBAUM FOR CITY
 PROPERTY

B. MINUTES - SPECIAL MEETING OF 2/13/79

C. REQUEST OF POLICE PROTECTIVE ASSN. FOR
 CITY PROPERTY

D. REQUEST OF B'NAI B'RITH FOR CITY PROPERTY

E. DISCUSSION/ACTION - Re CONSENT DECREE

Items A, C and D
 Referred to Real Estate Committee for
 recommendation - Commissioners Lurie
 and Christensen ACTION ITEMS

Approved by Reference Mayor and
 Woofter - unanimous Clerk to sign

Adopted
 Resolution
 authorizing
 Attorney
 Joseph V. Karaganis
 to sign Consent
 Decree for the
 Advanced Wastewater
 Treatment Plant on
 behalf of the City
 of Las Vegas
 Christensen -
 unanimous

C/M to
 proceed
 ACTION ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 6, 1979

TO: The Board of City Commissioners

FROM: *R. Dorn*
RUSSELL W. DORN, CITY MANAGER

SUBJECT: DISCUSSION/ACTION RE: CONSENT DECREE

PURPOSE/BACKGROUND

Attached is a copy of the consent decree, which has been approved by the U. S. Environmental Protection Agency and the State of Nevada. The Clark County Board of Commissioners will consider this item at their meeting on March 6. Also attached for your consideration is a resolution which authorizes Joseph V. Karaganis, outside counsel in environmental law retained by the City in this case, to sign the consent decree on behalf of the City of Las Vegas.

The resolution further provides for payment of the past-due bond indebtedness owed Clark County in the amount of \$659,406.25 as contained in paragraph 41(a) of the consent decree.

ACTION TAKEN

Resolution
Accepted by City
Commissioners
Date 3-7-79

FISCAL IMPACT

The initial payment of \$659,406.25 represents five quarters past-due at a rate of \$131,881.25 per quarter which includes no interest or penalty charges. Thereafter, the payment per quarter will be \$131,881.25. All payments will be made from the 731 Sanitation Fund account.

RECOMMENDATIONS

I recommend approval of the consent decree (after approval by all parties) and the attached resolution.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

ACTION TAKEN

Status Due: _____

ACTION TAKEN

Agenda Item

IV(a) E

RESOLUTION

WHEREAS, the Board of Commissioners of the City of Las Vegas approves the Consent Decree for the Advanced Wastewater Treatment Plant in its present form,

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners of the City of Las Vegas does hereby authorize Joseph V. Karaganis to sign the Consent Decree for the Advanced Wastewater Treatment Plant on behalf of the City of Las Vegas; and

BE IT FURTHER RESOLVED that the City of Las Vegas will pay to the County of Clark the overdue bond indebtedness owed without interest or penalty before March 15, 1979.

PASSED, APPROVED AND ADOPTED this 7th day of March, 1979.



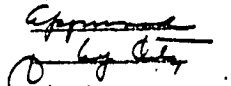
RON LURIE, MAYOR PRO-TEM

ATTEST:


Edwina M. Cole, City Clerk

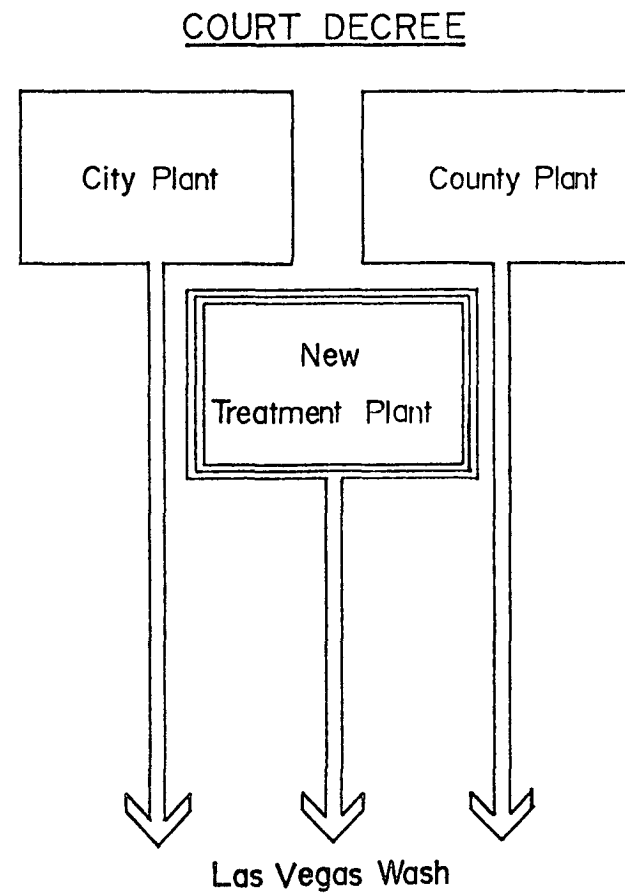
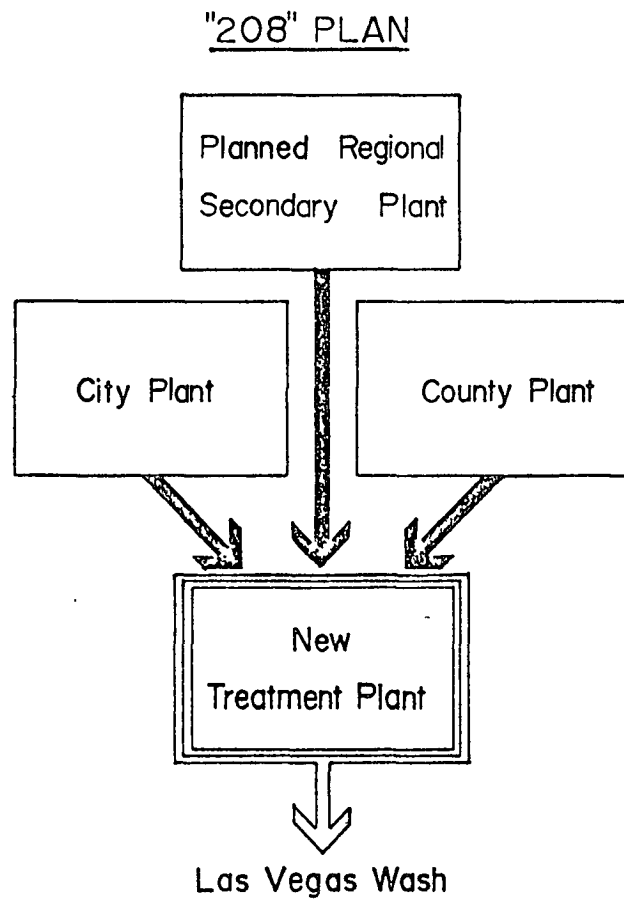
(SEAL)

ACTION TAKEN


Date 3-7-79

cc: City Manager 3/9/79

FLOW DIAGRAM



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CITY OF LAS VEGAS, NEVADA)
and CITY OF NORTH LAS VEGAS,)
NEVADA,)
Plaintiffs,)
v.) CV-LV-78-117, RDF
CLARK COUNTY, NEVADA; THE) CONSENT DECREE
STATE OF NEVADA; THE UNITED)
STATES ENVIRONMENTAL PROTECTION)
AGENCY; and DOUGLAS M. COSTLE,)
Administrator of the United)
States Environmental Protection)
Agency,)
Defendants.)

WHEREAS, Plaintiffs' Complaint in the above-captioned matter filed on July 6, 1978, alleged that Defendants had failed to fulfill the requirements of Section 303 of the Clean Water Act, 33 U.S.C. §1313, and the requirements of the laws of the State of Nevada in establishing water quality standards and water quality related effluent limits; and

WHEREAS, Plaintiffs' Complaint requested an order that Defendants take certain actions and make additional determinations pursuant to Section 303 of the Clean Water Act, 33 U.S.C. §1313 and pursuant to the laws of the State of Nevada; and

WHEREAS, this Court has jurisdiction over the parties and the subject matter of this action pursuant to 28 U.S.C. §1331; and

WHEREAS, without trial or adjudication of any issues of fact or law pertaining to the above-captioned matter, and without admission of liability between the parties, the parties to this action agree that the Consent Decree as hereinafter set forth is a fair, adequate and appropriate resolution of the

issues raised by the Complaint in this action;

NOW, THEREFORE, and upon the consent of the parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

Definitions

Whenever the following terms are used in this Consent Decree, the definitions specified herein shall apply:

- (a) "Cities" refers to the Cities of Las Vegas and North Las Vegas, Nevada.
- (b) "City" refers to the City of Las Vegas, Nevada.
- (c) "County" refers to Clark County, Nevada and includes Clark County Sanitation District No. 1.
- (d) "State" refers to the State of Nevada and all of its associated administrative agencies, boards and commissions.
- (e) "EPA" refers to the United States Environmental Protection Agency and the Administrator of the United States Environmental Protection Agency.
- (f) "Most Cost Effective Treatment" alternative is that waste treatment alternative which will result in the minimum total resource costs over time. The time period to be used for the cost-effective analysis shall be 20 years. The costs used in the cost-effective analysis shall include all capital construction costs and operation and maintenance costs. The procedures to be followed for cost-effective analysis are set forth in 40 C.F.R. Part 35, Subpart E, Appendix A-Cost Effective Analysis Guidelines.

(g) "The Clean Water Act" refers to the Federal Water Pollution Control Act, as amended in 1977, 33 U.S.C. §1251 et seq.

(h) "New Waste Treatment Facility" refers to the wastewater treatment facility currently under construction by Clark County on Hollywood Boulevard, Clark County.

1. The County currently owns and operates a wastewater treatment plant ("County Facility") which has been designed to treat 32 million gallons per day (32 MGD) of wastewater.

2. The City owns and operates a wastewater treatment plant ("City Facility") which has been designed to treat 30 MGD and which currently treats the municipal sewage of the Cities.

3. The County Facility and the City Facility shall continue to achieve the effluent limitations established in Addenda A and B until January 1, 1981.

4. No later than September 30, 1979, the Cities shall submit to the State and EPA a report showing their compliance with the limitations contained in Addendum B.

5. The current flow to both the County Facility and the City Facility is at or near design capacity. It is reasonably anticipated that the sewage treatment needs of the combined service areas served by the Cities and the County will require additional treatment capacity of 37 MGD, for a total of 99 MGD. The 99 MGD capacity, which amount represents the total projected flow from the City Facility, the County Facility and New Waste Treatment Facility, has been reviewed and approved under the planning requirements of the Clean Water Act and the National Environmental Policy Act. The Cities and the

County shall be permitted to expand their sewage service volume from the current total of 62 MGD to a total of 99 MGD. The Cities and the County shall implement the program for water conservation and waste flow reduction developed in accordance with the requirements of Addendum G.

6. The County is currently constructing the New Waste Treatment Facility which is scheduled to commence operation on or before January 1, 1981. After January 1, 1981, unless and until different effluent limitations are established pursuant to the Water Quality Standards Study and administrative determinations referred to in paragraphs 25, 26 and 27 below, the City Facility, the County Facility, and the New Waste Treatment Facility shall be operated to treat up to 99 MGD to meet an effluent limitation of 1 milligram per liter phosphorus (as P) on a 30-day average and the effluent limitations contained in Addenda A and B. The Cities and County shall also meet the requirements of paragraph 12 below.

7. The City shall plan, design, construct and operate a phosphorus removal system at the City Facility to meet the effluent limitations of paragraph 6 above. The City shall construct and operate the most cost-effective alternative for phosphorus removal at the City Facility. EPA shall provide 75% Federal funding for the planning and capital construction cost of the cost-effective alternative for phosphorus removal equipment including piping and associated solids handling equipment which shall be built at the City Facility subject to the requirements of the Clean Water Act and EPA grant regulations. The parties anticipate that the capital cost of the required phosphorus removal equipment at the City Facility will be in the range of two to three million dollars. The State shall adjust its priority list (as developed under 40 C.F.R. Part 35) to permit a timely

EPA grant for this equipment.

8. As soon as possible after the entry of this Consent Decree and subject to appropriate requirements of the Clean Water Act and procedural compliance with EPA grant regulations, EPA shall provide the City with Step I grant funds (as defined in 40 C.F.R. Part 35) for planning and evaluation of phosphorus removal at the City Facility. Within 90 days after receipt of the Step I Grant, the City shall provide EPA with a facility plan for a phosphorus removal operation at the City Facility.

9. The phosphorus removal operations at the City Facility and the County Facility shall commence on or before January 1, 1981.

Treatment Facilities Study - Phase I

10. The parties shall conduct a Treatment Facilities Study - Phase I. The Treatment Facilities Study - Phase I shall identify that combination of individual and/or combined operation or modification of the City Facility, the County Facility and the New Waste Treatment Facility which provides the most cost-effective treatment to achieve the effluent limitations of paragraph 6 above for the 99 MGD projected total flow as described in paragraph 5 above. The Treatment Facilities Study - Phase I shall be based on the following facilities which shall be in place by January 1, 1981:

- (a) A County Facility with the capability to meet the effluent limitations of paragraph 6 above.
- (b) A City Facility with the capability to meet the effluent limitations of paragraph 6 above.
- (c) A New Waste Treatment Facility with the capability to

meet the effluent limitations of paragraph 6 above which shall treat flows in excess of the capacity of the City Facility and the County Facility to meet the effluent limitations of paragraph 6 above.

11. Alternatives to be considered in the Treatment Facilities Study - Phase I shall be limited to the identification of the most cost-effective treatment alternative for achieving the effluent limitations of paragraph 6 above for 99 MGD and shall include:

- (a) Interim or permanent expansion or modification of the County Facility, the City Facility, or both;
- (b) Utilization of the New Waste Treatment Facility modified as necessary to provide additional treatment capacity to achieve a total capacity up to 99 MGD to meet the effluent limitations of paragraph 6 above;
- (c) Selected combinations of the above alternatives.

12. In the event the Treatment Facilities Study - Phase I identifies any potential low-cost treatment options which might provide additional suspended solids and BOD (Biochemical Oxygen Demand) removal, the parties shall implement such low-cost treatment options if such options meet the following cost requirements:

- (a) The low-cost treatment options shall not be implemented if such option(s) will result in an increase in any party's operation and maintenance costs beyond a 15% increase in the estimated operation and maintenance cost which the party would be required to pay to meet the requirements of paragraph 6 above at anticipated 1981 flows. For purposes of this 15% limitation, the Cities' operation and maintenance costs beyond that

required to meet the requirements of paragraph 6 shall in no event exceed \$262,500 per year. (The \$262,500 is calculated as 15% of the City's estimated 1981 operation and maintenance costs of \$1,750,000. The \$1,750,000 is estimated by the EPA and the City's engineering consultant on the basis of the experience at the County Facility and projected costs at the New Waste Treatment Facility.)

- (b) The low-cost treatment options shall not be implemented if such option(s) will increase any party's unit costs for operation and maintenance per pound of pollutant removed above the unit costs incurred to meet the effluent limitations of paragraph 6 above.

13. Any treatment option identified in the Treatment Facilities Study - Phase I, which results in an increase in treatment costs to either the Cities or the County beyond the total operation and maintenance cost limits and operation and maintenance unit cost limits in paragraph 12 above or in any capital cost changes beyond those necessary to meet the effluent limitations of paragraph 6 above must have the consent of all parties including the Cities.

14. The Treatment Facilities Study - Phase I shall begin in March, 1979, or earlier if possible, and shall be completed by September 30, 1979.

15. If after completion of the Treatment Facilities Study - Phase I to identify the most cost-effective treatment alternative to meet the effluent limitations of paragraph 6 above, the Cities and the County are unable to agree on which treatment alternative represents the most cost-effective treatment, the Cities and the County are free to select the in individual choice

of the most cost-effective treatment methods for the flows from their respective service areas, and the flow volumes from their respective service areas may be discharged by the Cities and the County to the Las Vegas Wash as long as the effluent flow discharge meets the effluent concentration limitations of paragraph 6 above. In the event that the Cities and the County select a treatment method other than that identified in the Treatment Facilities Study - Phase I as the most cost-effective treatment method, it is understood that EPA and the State need not provide financial assistance for such treatment method.

16. If the Cities and the County are unable to agree on the feasibility or efficiency of low-cost treatment options for additional treatment which are within the operation and maintenance cost limitations of paragraph 12 above, the Cities and the County shall expend funds equivalent to the amounts set forth in paragraph 12 above at their own facilities to reduce BOD and suspended solids below the level set forth in Addenda A and B.

17. The Treatment Facilities Study - Phase I shall include a review of rate charges to be charged to pay for capital and operating costs as set forth in paragraphs 39 to 43 below. The review shall be called a User Charge Study and shall be performed pursuant to the regulations and guidelines of 40 C.F.R. Part 35, including Subpart E, Appendix B, and shall be completed by March 31, 1980. The User Charge Study shall investigate and verify or amend existing assumptions regarding sewage flows from various domestic, commercial and industrial sources in the service areas of the Cities and the County.

Water Quality Standards Study

18. In recognition of the need and common desire to pro-

protect the environmental quality of Lake Mead and the Las Vegas Wash, a comprehensive study shall be performed to determine what different effluent limitations, if any, beyond those of paragraph 6 above, are necessary to protect desired beneficial uses of Lake Mead and the Las Vegas Wash. Such a study shall include all the elements for designation of desired beneficial uses, setting of numerical criteria, maximum pound load and waste load allocations required by Section 303 of the Clean Water Act and 40 C.F.R. Parts 130 and 131. This study shall be called the Water Quality Standards (WQS) Study and shall include, but shall not be limited to the following:

- (a) The WQS Study shall specify the desired beneficial uses to be achieved or maintained.
- (b) In specifying desired beneficial uses, the WQS Study shall investigate and determine whether such desired beneficial uses are "attainable" (as that term is used in 40 C.F.R. §130.17), given environmental, technological, social, economic, and institutional constraints.
- (c) The WQS Study shall identify water quality criteria necessary to achieve and maintain the selected desired beneficial uses.
- (d) The WQS Study shall identify all physical conditions and chemical or biological substances which are causing or will cause a violation of the water quality criteria necessary to support the uses.
- (e) The WQS Study shall develop maximum pound load limitations on those chemical or biological substances which do or will cause violations of the selected water quality criteria. The maximum pound load

limitation shall be set at that level which shall assure that the discharge of those substances will not cause a violation of the numerical water quality criteria with a margin of safety pursuant to Section 303(d) of the Clean Water Act.

- (f) The WQS Study shall then allocate the maximum daily pound load of the substances, if any, identified under paragraph (e) above among the various point and non-point sources. Such allocation shall insure that the maximum daily load for each of the substances identified under paragraph (e) above is not exceeded. Such allocation shall also be made to reflect the most economical method of achieving the maximum daily pound load. The pound load allocation shall be the basis for the establishment, if necessary, of effluent limitations different from those set forth in paragraph 6 above. The effluent limitations selected shall also include limits on physical conditions (e.g., temperature, pH) necessary to assure the achievement and maintenance of the selected water quality criteria.

19. To the extent a desired beneficial use is deemed related to algae, the WQS Study shall identify the type and quantity of algae which are related to the achievement and maintenance of the desired beneficial use and shall develop and produce an empirical data base to show such relationship. To the extent it is determined necessary to restrict the growth of certain types and quantities of algae, the study shall identify the empirical data base and state the reasons why it is necessary to control the amount and type of algae identified.

20. To the extent that such determination as to necessary

limits on the quantity and type of algae is made and an empirical relationship between such limits and a desired beneficial use is shown, the WQS Study shall identify those chemical elements (e.g., nutrients) and physical conditions (e.g., temperature, pH) which must be controlled in order to achieve and maintain such algal limits and shall develop and produce an empirical data base and a statement of reasons which establish:

- (a) A demonstrated relationship between the chemical elements and physical conditions selected for control and the necessary quantity or type of algae;
- (b) A demonstrated relationship between the per unit of volume concentration of the chemical element selected and the necessary limit on the quantity and type of algae and a demonstrated relationship between the numerical value of the physical condition selected and the necessary limit on the quantity or type of algae;
- (c) A demonstrated relationship between the per unit of volume concentration of the chemical element selected as an ambient concentration (i.e., in the receiving water) and the maximum daily load; and a demonstrated relationship between the ambient numerical value for the physical condition and the numerical physical condition effluent limitation selected;
- (d) An analysis of the "most cost-effective" waste load allocation available for each service area which contributes to maximum daily load, as well as for the entire service area.

21. As part of the WQS Study a Treatment Facilities Study - Phase II shall be performed. The Treatment Facilities Study

- Phase II shall investigate the technological, economic and environmental feasibility of a wide range of alternatives necessary to achieve the waste load allocation needed to achieve various proposed numerical criteria which are considered in the WQS Study as discussed in Addendum E.

22. The WQS Study will be performed under the direction of a Water Quality Study Board consisting of representatives from the County, Cities, State, and EPA. A Technical Advisory Board, consisting of several scientists and engineers, will provide advice during the conduct of the WQS Study and assist in the formulation of recommendations. The relationship and composition of the various groups participating in the WQS Study, as well as additional details, are shown in Addendum C.

23. The WQS Study shall begin no later than April, 1979 and be completed by June 1, 1981 (Addendum D). The monitoring program will cover a period of 24 months in order to establish seasonal variations in water quality. Periodic progress reports will be issued during the course of the WQS Study.

24. The WQS Study shall be funded by all parties to this Consent Decree according to a plan of study and budget (estimated to be \$1,000,000; excluding the cost of Treatment Facilities Study - Phase II) agreed upon by the parties. Subject to the requirements of the Clean Water Act and EPA Grant regulations, it is expected that EPA shall provide a grant or grants of funds pursuant to Section 208 of at least \$600,000 toward the cost of the WQS Study and that the Cities and the County will each pay one-half of the remaining study costs but not to exceed a total of \$400,000 (\$200,000 for the Cities and \$200,000 for the County). The Cities and the County will seek funds from the State or other sources to reduce the respective

commitment of each to fund such study. Any modification to the estimated \$1,000,000 budget shall be subject to the consent of all the parties.

25. The Nevada Division of Environmental Protection shall present the results of the WQS Study to the State. The State shall promptly make the following administrative determinations based on the WQS Study:

- (a) The State shall specify the desired beneficial uses to be achieved or maintained.
- (b) In specifying desired beneficial uses, the State shall investigate and determine whether such desired beneficial uses are "attainable" (as that term is used in 40 C.F.R. §130.17), given environmental, technological, social, economic, and institutional constraints.
- (c) The State shall identify and establish water quality criteria necessary to achieve and maintain the selected desired beneficial uses.
- (d) The State shall identify all chemical or biological substances and physical conditions (e.g., temperature, pH) which are causing or will cause a violation of the water quality criteria necessary to support the uses.
- (e) The State shall develop maximum pound load limitations on those chemical or biological substances which do or will cause violations of the selected water quality criteria. The maximum pound load limitation shall be set at that level which shall assure that the discharge of those substances will not cause a violation of the numerical water quality criteria

with a margin of safety pursuant to Section 303(d) of the Clean Water Act.

- (f) The State shall then allocate the maximum daily pound load of the substances, if any, identified under paragraph (e) above among the various point and non-point sources. Such allocation shall insure that the maximum daily load for each of the substances identified under paragraph (e) above is not exceeded. Such allocation shall also be made to reflect the most cost-effective method of achieving the maximum daily pound load. The pound load allocation shall be the basis for the establishment, if necessary, of effluent limitations different from those set forth in paragraph 6 above.

26. Upon completion of the WQS Study set forth in paragraphs 18, 19 and 20 above and compliance with the procedural requirements imposed on the State by paragraph 25 above, effluent limitations different from those set forth in paragraph 6 above shall be established by the State or EPA as necessary to meet the load allocations developed pursuant to Section 303 of the Clean Water Act on the planned 99 MGD of wastewater discharges. If the WQS Study and administrative determinations of paragraph 25 do not conclude that effluent limitations different from those required by paragraph 6 above are necessary, then the effluent discharged by the Cities and the County may continue at that level necessary to meet the requirements of paragraph 6 above.

27. All of the elements of paragraph 25(a) through (f) shall also be submitted by the State to EPA for review and approval, and EPA in approving or disapproving such elements

shall state the reasons with citation to the record identifying the empirical support for such reasons.

28. The rights of the Cities and the County are expressly reserved to seek administrative or judicial review, or both, of all of the determinations of paragraphs 25, 26, and 27 above.

Treatment Facilities Study - Phase III

29. If as a result of the WQS Study and the administrative determinations set forth in paragraphs 25, 26 and 27 above, effluent limitations more stringent than those required by paragraph 6 above are imposed, then a Treatment Facilities Study - Phase III shall be performed. Such study shall begin within 60 days after the completion of the WQS Study and administrative determinations set forth in paragraphs 25, 26 and 27 above.

30. The Treatment Facilities Study - Phase III shall identify:

- (a) the most cost-effective treatment alternative to treat 99 MGD to the effluent limitation established after the WQS Study and related procedures; and
- (b) if flows in excess of 99 MGD are determined, pursuant to applicable statutes and regulations, to be necessary and appropriate, the most cost-effective treatment alternative to treat such flows beyond 99 MGD to the effluent limitations established pursuant to the WQS Study and related procedures; and
- (c) any combination of (a) and (b) above.

31. The regional secondary plant designed by the County shall not be considered as an alternative in the Treatment Facilities Study - Phase I, but shall be considered as an

alternative in evaluating the most cost-effective alternative to meet the effluent limitations which are the basis of the Treatment Facilities Study - Phase III.

32. The Treatment Facilities Study - Phases I, II and III and the WQS Study will be conducted by consultants identified in Addendum C, providing agreement respecting compensation and services to be performed are approved by the Water Quality Study Board and EPA. The relationship and composition of the various groups involved in these studies are shown in Addendum C. Said studies will be performed under the direction and control of the Water Quality Study Board which will include representatives of the County, Cities, State, and EPA. The Water Quality Study Board, by unanimous consent of all the members, may select substitutes for any of those designated in Addendum C because of unavailability or failure to reach agreement respecting compensation or services. A Technical Advisory Board will advise the Treatment Facilities Study consultants and assist in formulating recommendations. The treatment facilities consultants and water quality consultants identified by Addendum C shall include a consultant selected by the County and one by the Cities.

33. If, after the completion of the Treatment Facilities Study - Phase III, the Cities and the County are unable to agree, after using their best efforts, on which alternative of treatment represents the most cost-effective treatment, the Cities and the County are free to select their individual choice of the most cost-effective treatment methods for their individual respective service areas, as long as the choice selected meets the effluent limitations of paragraph 6 above and any different effluent limitations, if any, established pursuant to the administrative determinations set forth in

paragraphs 25, 26 and 27 above. In the event that the Cities or the County select a treatment method other than that identified in the Treatment Facilities Study - Phase III as the most cost-effective treatment method, it is understood that EPA and the State need not provide financial assistance for such treatment method.

34. The investigation and analysis to be performed in the Treatment Facilities Studies and WQS Study shall be performed in accordance with accepted scientific methods within the existing limitations in the present state of the art. Where it is difficult to define exact empirical relationships among the physical, biological and chemical elements, the studies shall develop and discuss the relationships among such elements to the maximum possible precision given the limitations of the present state of the art. Statistical analysis, based on sound scientific methodology and comprehensive data collection in Las Vegas Bay and Lake Mead, as required in the WQS Study, may be an appropriate scientific method to demonstrate such empirical relationships.

On or before the dates specified in paragraph 36 below for completion of the Treatment Facilities Studies - Phases I, II and III and the WQS Study, the persons conducting these studies shall present the final report and the findings as required by this Consent Decree to the Water Quality Study Board for review and approval and the Water Quality Study Board shall thereupon issue a final report containing the findings required by this Consent Decree. To the extent any person conducting a study required under this Consent Decree does not agree with the conclusions and recommendations of the majority conducting the study, the views of that individual shall be included as an appendix to the relevant study reports.

In the event any party is unable to agree to scientific methodology employed in conducting the Treatment Facilities Studies or WQS Study or with the feasibility of achieving any elements of such studies, that party may present its objections to the Water Quality Study Board.

35. Unless and until different effluent limitations are established pursuant to the WQS Study and the administrative determinations set forth in paragraphs 25, 26 and 27 above, the City Facility, County Facility and New Waste Treatment Facility shall be operated to meet the effluent limitations of paragraph 6 above, and such effluent may be discharged to Las Vegas Wash. In any administrative or judicial proceeding brought to enforce any alleged legal obligation regarding effluent limitations or payments (except as herein provided) which are inconsistent with the rights and obligations set forth in this Consent Decree, it shall be a defense to such action that the Cities and County are in compliance with the effluent limitations and payment schedules set forth in this Consent Decree.

36. It is acknowledged that the implementation of this Consent Decree depends upon the timely completion of all studies described in this Consent Decree and upon prompt implementation of results and recommendations of those studies. In recognition of the critical importance of timely implementation of these studies, the following schedule is established for completion and implementation of these studies:

- (a) Completion of Treatment Facilities Study - Phase I by September 30, 1979, except the User Charge Study which shall be completed by March 31, 1980;
- (b) Submission of a plan to EPA and the State for implementing the recommendations of the Treatment Facilities Study - Phase I by December 31, 1979;

- (c) Submission of a joint plan of study for the WQS Study by April 30, 1979;
- (d) Completion of the WQS Study by June 1, 1981; including the Treatment Facilities Study - Phase II.
- (e) Commencement of operation of phosphorus removal facilities at the City Facility and County Facility by January 1, 1981;
- (f) Implementation of the most cost-effective treatment methods identified in the Treatment Facilities Study - Phase I by January 1, 1981;
- (g) Submission of recommendations for revision or retention of water quality standards based upon the WQS Study to the Nevada Environmental Commission by August 1, 1981;
- (h) Completion of consideration of the revision or retention of the water quality standards by the State by January 1, 1982;
- (i) Completion of the Treatment Facilities Study - Phase III by September 30, 1982; unless extended by EPA or the State;
- (j) Submission of a plan to EPA and the State for implementing the recommendations of the Treatment Facilities Study - Phase III by January 1, 1983; unless extended by EPA or the State.

37. In view of the importance of the above schedule, non-compliance with the above schedule, whether wilful or negligent, shall be a violation of this Consent Decree and shall subject that party to an appropriate order of the Court.

To the extent that a failure to comply with the above schedule is determined by the Court to be beyond the control of any party, such failure shall not be considered to be a violation of this Consent Decree.

38. EPA and the State expressly reserve the right to enforce any effluent limitations referred to in this Consent Decree.

39. The Cities and County respectively shall pay their fair share of the capital and operating costs of constructing and operating jointly-used treatment facilities other than the New Waste Treatment Facility. Each entity's fair share shall be determined by formulae developed in general conformance with EPA user charge regulations and guidelines found in 40 C.F.R. Part 35, including Subpart E, Appendix B. Operation and maintenance expenses for the New Waste Treatment Facility shall be paid by the Cities and County at rates determined in accordance with Section 204(b) of the Clean Water Act to the extent said facility is used by the Cities and the County.

40. To defray in part the costs of construction of the New Waste Treatment Facility, the State, by and through the County, pursuant to Clark County Ordinance Number 531 (Bond Ordinance) and Clark County Ordinance Number 526 (Debenture Ordinance), issued general obligation bonds and debentures, secured by irrevocable pledge of net revenues to be derived from operation of the New Waste Treatment Facility, and no provision of this Consent Decree shall be construed to alter, impair, or diminish the contractual rights of the bond and debenture holders to such payment, nor affect the duty and obligation imposed upon the Cities and County to pay the required debt service upon said bonds and debentures until the

last outstanding bond, note, debenture or loan which may have been issued pursuant thereto has been paid pursuant to the formula and at the times for payment thereof as specified in Sections 4 and 5 of Clark County Ordinance Number 562, which rate of payment shall continue until such time as the User Charge Study based on water flows conducted under §204(b) verifies or adjusts such numbers as provided in paragraph 17 and is approved by the State and EPA, and appropriate adjustment will be made in rate of payments thereafter. No such adjustment may impair the sufficiency of total debt service payments to bond and debenture holders. Nothing in Ordinance Number 562 or any other County ordinance shall be construed to restrict the Cities' rights to discharge to the Las Vegas Wash effluent flows which meet the effluent limitations of paragraph 6 above or the effluent limitations established pursuant to the administrative determinations of paragraphs 25, 26 and 27 above.

41. The County shall complete construction of the New Waste Treatment Facility on Hollywood Boulevard, and the Cities shall contribute to the payment of debt service on securities to finance the capital costs of that New Waste Treatment Facility's construction according to the formula and time schedule as follows:

- (a) Past debt service charges of \$662,564.02 for the City of Las Vegas and \$93,157.00 for the City of North Las Vegas, without interest or penalty, shall be due and payable on or before March 15, 1979;
- (b) Quarterly payment of debt service charges commencing April 1, 1979 in accordance with the provisions of Section 4 of Clark County Ordinance Number 562 until

revised as set forth in paragraph 39 above.

There shall be no limitation upon the Cities and County in utilizing the capacity of the New Waste Treatment Facility. The Cities and the County shall, on or about January 15, 1985, meet and agree as to an allocation of the future use of capacity as to said facility.

42. The State, EPA, the County, and the Cities shall take all necessary procedural steps within their administrative or governmental frameworks to effectuate the rights and obligations created by this Consent Decree.

43. In addition to the provisions of paragraph 24 and subject to availability of legislative appropriations and compliance with the Clean Water Act and applicable regulations, EPA and the State will take affirmative action to establish priority for and expedite approval of grants for the following:

- (a) Treatment Facilities Study - Phase I and interim improvements to the City, County and New Waste Treatment Facility that may be recommended in this study;
- (b) Treatment Facilities Study - Phase II (a part of the WQS Study) to the extent that other funds are not available and study work plan elements are needed to satisfy the requirements of 40 C.F.R. Part 35; and
- (c) Treatment Facilities Study - Phase III and facilities improvements determined to be necessary to meet any new standards established in accordance with paragraphs 25, 26 and 27.

The Cities and the County agree to pay the local share (25%) of

the costs of these studies and to share these costs on the basis of an annual accounting of the proportionate contribution of flows from each service area.

44. Whenever the performance of this Consent Decree falls within the scope of the National Environmental Policy Act, 42 U.S.C. §4321 et seq., such provisions are acknowledged to apply and will be properly implemented.

45. The rights and obligations created by this Consent Decree are considered to be wholly separate and independent from the rights and obligations of the parties under any other agreement and shall not abrogate any of the rights granted or obligations imposed on the parties pursuant to any other agreement.

46. The City Facility, County Facility and New Waste Treatment Facility shall be operated to assure that the flow regime in Las Vegas Wash will preserve, among other things, the wetlands character of Las Vegas Wash, provided such flow does not result in violations of the water quality standards established pursuant to paragraphs 25, 26 and 27 of this Consent Decree or for salinity developed by the Colorado River Basin Salinity Control Forum as adopted by the State.

47. All documents, notes, correspondence, test results, memoranda, computer tapes, cards, files, photographs, or material of any kind relating to any study herein -- whether located in any consultant's office or in any of the offices of any party hereto -- shall be available for inspection and copying by representatives of any of the parties or by the general public.

48. The parties further acknowledge that any Federal

funding which may be made available to the parties, after the appropriate grant and procurement procedures of the Clean Water Act have been followed, may also be limited by the requirements of Section 316 of the Clean Air Act, the State Priority List and other applicable Federal requirements.

49. The parties have represented to the Court that counsel of record have authority to signify the parties' approval by signing below. Each party shall bear its own fees and costs of this action.

50. This Court shall retain jurisdiction to enforce the terms and requirements of this Consent Decree.

Enter:

United States District Judge

Agreed as to form and content:

UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY and DOUGLAS M. COSTLE, Its
Administrator

By _____

ATTORNEYS FOR FEDERAL DEFENDANTS:

James W. Moorman
Assistant Attorney General
Land and Natural Resources Division
United States Department of Justice

Barry J. Trilling
Attorney
United States Department of Justice

B. Mahlon Brown
United States Attorney
District of Nevada

William C. Turner
Assistant United States Attorney

CLARK COUNTY, NEVADA

By _____

THE STATE OF NEVADA

By _____

THE CITY OF LAS VEGAS, NEVADA and
THE CITY OF NORTH LAS VEGAS, NEVADA

By _____

ADDENDUM A

CLARK COUNTY SANITATION DISTRICT NO. 1 EFFLUENT LIMITATIONS

Beginning on the date of entry of this Consent Decree, the discharge from outfall serial number 001 (treated domestic wastewater) shall be limited and monitored by the County as specified below:

	<u>Pollution Discharge Rate</u>		<u>Discharge Concentration Limits</u>		<u>Monitoring Requirement</u>	
	kg/day (lbs/day) 30-day Ave.	Daily Max.	30-day Ave.	Daily Max.	Measurement Frequency	Sample Type
Flow	---	---	1.76 m ³ /Sec 40 mgd	---	Continuous	Composite
Biochemical Oxygen Demand	4545(10020)	6817(15030)	30 mg/l	45 mg/l	Daily	Composite
Total Suspended Solids	4545(10020)	6817(15030)	30 mg/l	45 mg/l	Daily	Composite
Settleable Solids	---	---	0.1 ml/l	0.2 ml/l	Daily	Discrete
pH	Shall not be less than 6.0 Standard Units nor greater than 9.0 Standard Units.					
Fecal Coliform Bacteria	---	---	200/100 ml	2000/100 ml	Weekly	Discrete
Phosphorus (P)*	152(334)	303(668)	1.0 mg/l	2.0 mg/l	Daily	Composite
Total Dissolved Solids	---	---	---	---	Weekly	Composite
Chemical Oxygen Demand	---	---	---	---	Weekly	Composite
Nitrate (NO ₃)	---	---	---	---	Weekly	Composite
Ammonia Nitrogen	---	---	---	---	Weekly	Composite
Chlorine Residual	---	---	---	---	Weekly	Discrete

* To become effective not later than January 1, 1981.

ADDENDUM B

CITY OF LAS VEGAS EFFLUENT LIMITATIONS

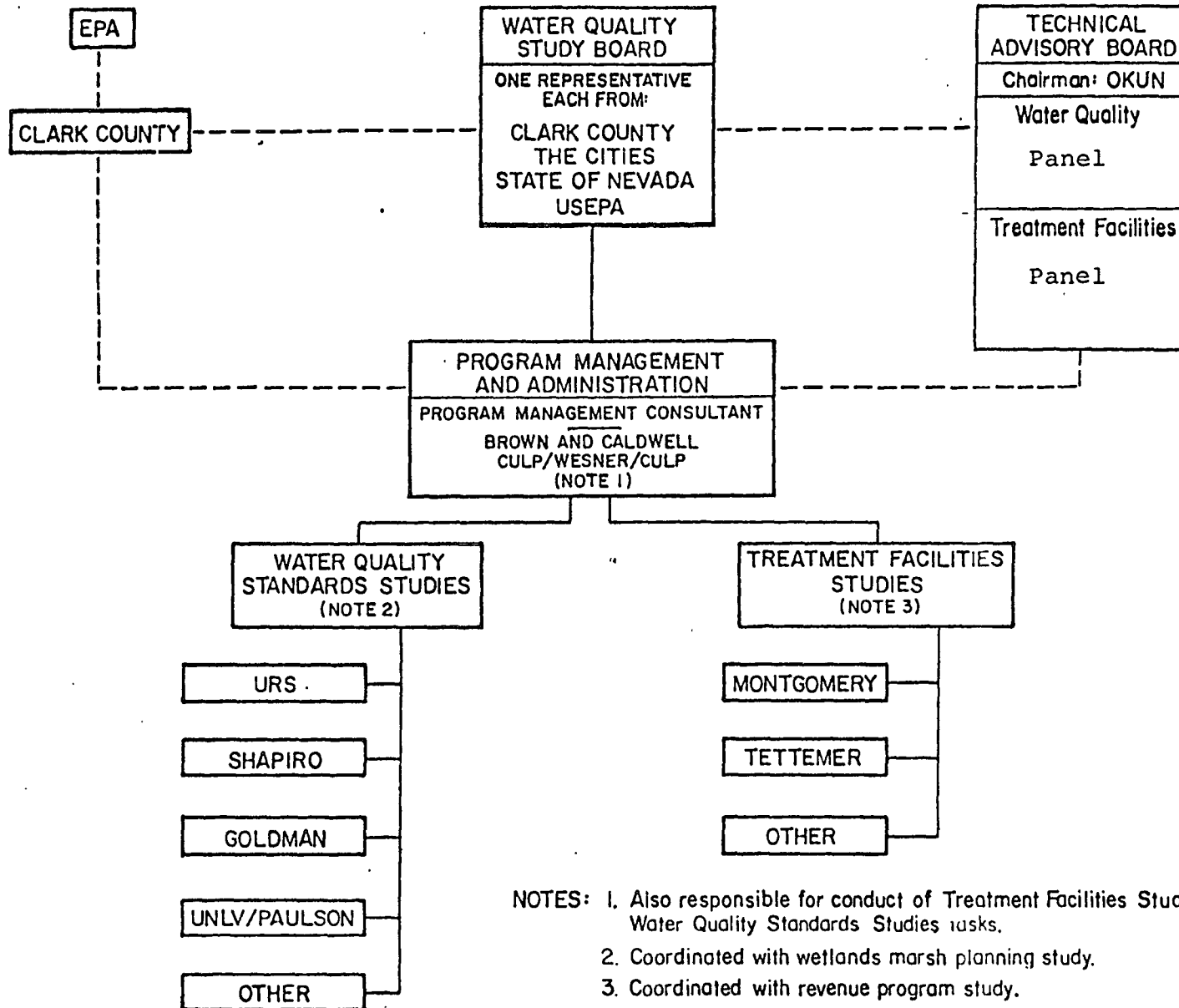
Beginning on the date of entry of this Consent Decree, the discharge from outfall serial number 001 (treated domestic wastewater) shall be limited and monitored by the City as specified below:

	<u>Pollution Discharge Rate</u>		<u>Discharge Concentration Limits</u>		<u>Monitoring Requirements</u>	
	kg/day (lbs/day) 30-day Ave.	Daily Max.	30-day Ave. 1.64 m ³ /Sec	Daily Max.	Measurement Frequency	Sample Type
Flow	---	---	37.5 mgd**	---	Continuous	Composite
Biochemical Oxygen Demand	4261(9394)	6392(14091)	30 mg/l	45 mg/l	Daily	Composite
Total Suspended Solids	4261(9394)	6392(14091)	30 mg/l	45 mg/l	Daily	Composite
Settleable Solids	---	---	0.1 ml/l	0.2 ml/l	Daily	Discrete
pH	Shall not be less than 6.0 Standard Units nor greater than 9.0 Standard Units.					
Fecal Coliform Bacteria	---	---	200/100 ml	2000/100 ml	Weekly	Discrete
Phosphorus (P)*	142(313)	284(626)	1.0 mg/l	2.0 mg/l	Daily	Composite
Total Dissolved Solids	---	---	---	---	Weekly	Composite
Chemical Oxygen Demand	---	---	---	---	Weekly	Composite
Nitrate (NO ₃)	---	---	---	---	Weekly	Composite
Ammonia Nitrogen	---	---	---	---	Weekly	Composite
Chlorine Residual	---	---	---	---	Weekly	Discrete

* To become effective not later than January 1, 1981.

** 37.5 MGD flow is contingent upon the installation of the phosphorus removal facilities set forth in paragraph 1 of this Consent Decree or alternative treatment facilities improvements which will allow flows greater than 30 MGD to be discharged in compliance with the effluent limitations set forth above.

ADDENDUM C
PAGE I
ORGANIZATION CHART



- NOTES: 1. Also responsible for conduct of Treatment Facilities Study and primary Water Quality Standards Studies tasks.
2. Coordinated with wetlands marsh planning study.
3. Coordinated with revenue program study.

2/15/79

ADDENDUM C

OUTLINE OF RESPONSIBILITIES FOR CONDUCT OF
WATER QUALITY AND TREATMENT FACILITY STUDIES1. Water Quality Study Board

The Water Quality Study Board shall be the governing board directing the conduct of both the Treatment Facilities Studies -- Phases I, II and III -- and the Water Quality Standards Study. The Water Quality Standards Board shall make and adopt procedures required for performance of duties imposed hereby. The Water Quality Study Board shall direct the activities of the Program Management Consultant and the various other consultants who perform any tasks in either the Treatment Facilities Studies or the Water Quality Standards Study. The Water Quality Study Board shall have authority over and be responsible for:

- a. Review and approval of study work plans, budgets and quarterly financial reports.
- b. Review and approval of selection and retention of all consultants not specifically identified in this addendum, and review and approval of all consultant contracts.
- c. Review and approval of work assignments to any consultants.
- d. Review and approval of progress reports at least quarterly.

- e. Review of all draft reports and approval of all final reports from various phases of work set forth in the Work Plan.

The Water Quality Study Board shall consist of one representative from the Cities, the County, the EPA, and the State.

2. Clark County

As the recipient of EPA grant assistance for the Water Quality Standards Study, the County shall enter into contracts and compensate consultants following approval of the consultants and the contract terms by the Water Quality Study Board.

3. Program Management Consultant

The Program Management Consultant (PMC) shall consist of the firms of Brown and Caldwell and Culp/Wesner/Culp. Brown and Caldwell, the County's consultant, and Culp/Wesner/Culp, the Cities' consultant, will jointly carry out the responsibilities as defined in this section and in the detailed work plans to be developed. Both consultants will participate in identification and resolution of technical issues, conduct of the studies, and in preparation and review of reports. Brown and Caldwell shall be the lead firm in the conduct of the program management effort. The PMC

shall manage and coordinate the conduct of the studies and the work done by study participants. The PMC shall provide staff services for the Water Quality Study Board and the Technical Advisory Board (TAB), and shall provide requested administrative information to the County. The PMC shall:

- a. prepare and recommend draft subconsultant contracts for consideration by the Water Quality Study Board.
- b. Manage the conduct of the Water Quality and the Treatment Facilities Studies including monitoring of work progress and subcontractor expenditures.
- c. Prepare and present to the Water Quality Study Board periodic progress reports and special reports as requested or desirable.
- d. Coordinate studies and resolve any conflicts that develop between subcontractors.
- e. Identify technical issues that require review by the TAB and arrange for and coordinate TAB participation.
- f. Conduct treatment facilities studies.
- g. Conduct designated water quality tasks.
- h. Prepare or review and submit all formal reports resulting from the work.

- i. Prepare and present final reports.

4. Technical Advisory Board

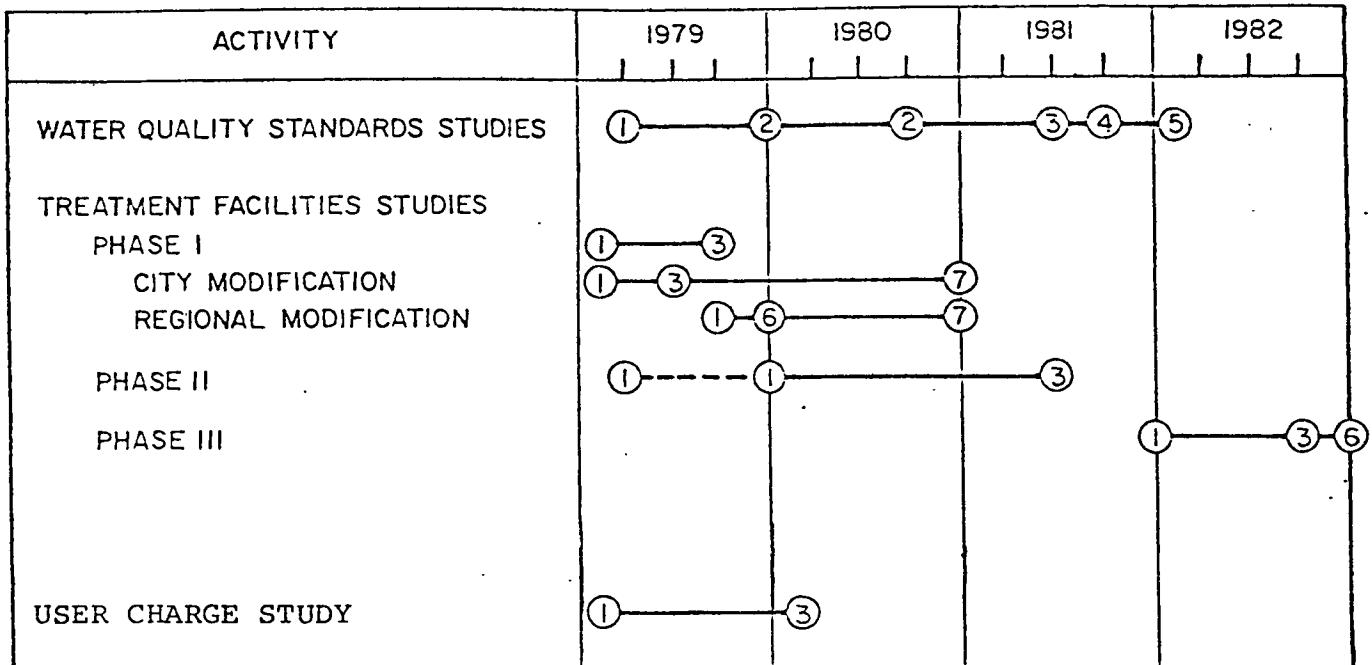
The Technical Advisory Board (TAB) shall consist of two panels: a water quality panel and a treatment facilities panel. Either panel may be convened at the request of the Water Quality Study Board or the PMC. The PMC shall provide needed information and meet the requirements of the TAB. When a panel is convened, each member of that panel shall make oral or written reports of his or her findings and recommendations to the Water Quality Study Board or PMC. Involvement of the TAB may include, as desired by the Water Quality Standard Board or PMC:

- a. Review of draft reports and assistance in formulation of study recommendations.
- b. Review and comment on final reports and technical issues.

No member of any TAB panel shall participate in such panel's review or comment on any study task conducted by him or her or others under his or her direction. The reviewing members may, however, discuss such matters with the excluded member for purposes of information. The members of the water quality panel of the TAB shall be: Joseph Shapiro, Charles Goldman, and Alex Horne. The members of the treat-

ment facilities panel shall be: Ross McKinney, Dennis Parker, Rudy TeKippe, and Gordon Culp. The Chairman of the overall TAB shall be Daniel Okun. The Water Quality Study Board, by unanimous consent of all of the members may select substitutes for any panel member or may add additional members to any panel.

ADDENDUM D
SCHEDULE FOR WATER QUALITY STANDARDS AND
TREATMENT FACILITIES STUDIES



- ① SUBMIT PLAN OF STUDY AND START WORK
- ② PROGRESS REPORTS
- ③ COMPLETE STUDY
- ④ SUBMIT STANDARDS RECOMMENDATIONS
- ⑤ STATE COMPLETES STANDARDS REVIEW
- ⑥ SUBMIT IMPROVEMENT PLAN TO STATE AND EPA
- ⑦ TREATMENT PLANT MODIFICATIONS IN OPERATION

ADDENDUM E

SUBJECTS TO BE ADDRESSED
IN TREATMENT FACILITIES STUDIES

The Treatment Facilities Studies to be conducted in accordance with the provisions of this Consent Decree will be undertaken in three phases. The details of work to be accomplished in each of these phases are outlined in the Consent Decree and will be further described in work plans consistent with the requirements of this Consent Decree to be submitted to the Water Quality Study Board, to the State and EPA for appropriate funding under Section 201 of the Clean Water Act; subject to the requirements of the Clean Water Act and EPA grant regulations.

Phase I

This phase will identify facilities needed to achieve the effluent limitations specified in paragraph 6 in this Consent Decree. This phase will consist of the following elements:

Treatment Capacity

The wastewater flows used as the basis for Phase I evaluations will be 99 mgd as specified in this Consent Decree. Hydraulic and organic loading capabilities of the existing City and County treatment plants will be reviewed. Critical limitations on the capacity of any particular liq-

uid or solids processing components will be identified. Capacity of the New Wastewater Treatment Plant must be evaluated in light of proposed operating modes. Consideration will also be given to the capacity requirements of the City of Henderson.

Area Wide Study and Design

The base condition for this study is that the City and County facilities as well as the New Waste Treatment Facility will have in place the equipment necessary to achieve the 30 mg/l BOD, 30 mg/l SS and 1 mg/l P effluent limitations required by paragraph 6 of this Consent Decree. Per paragraphs 7-9 of this Consent Decree, the City will have its phosphorus removal equipment in operation by January 1, 1981.

The Treatment Facilities Study Phase I shall investigate and identify low cost treatment options which meet the requirements of paragraphs 12 to 16 of this Consent Decree. The implementation (design and construction) of any treatment option beyond those necessary to meet the effluent limitations of paragraph 6 of this Consent Decree (30 mg/l BOD, 30 mg/l SS, 1 mg/l P) must meet the requirements of paragraphs 12 through 16 of this Consent Decree.

The study will also include a revenue rate study of alternative service charge bases including measured water con-

sumption for establishing the relative flow contributions of sewage from various sewage discharges.

Except for the user charge study which shall be completed in 365 days, the study will be completed by September 30, 1979.

Phase II

The water quality standards study referred to in Addendum F will develop recommended water quality standards for the protection of beneficial uses of Las Vegas Wash and Bay. To evaluate alternative water quality standards which in turn will result in load allocations and permit conditions on waste discharges, it is necessary to consider a range of wastewater management alternatives. This range of alternatives must include consideration of point and nonpoint sources, wastewater treatment alternatives, reclamation and reuse options, and related water management practices including water conservation.

Phase II of the facilities study will provide information on costs and attainability for use in assessing a range of water quality standards and will constitute the preliminary assessment of alternatives for facilities that will be studied in Phase III as part of the formal facilities planning effort to implement the water quality standards, if any, developed pursuant to paragraphs 25, 26, and 27 of this Consent Decree.

Consideration will be given to future capacity requirements including a plan to meet the needs of the region for 20 years and consideration of additional long-term requirements. Water quality management options will include consideration of alternative and innovative technology as well as the management of pollutants through land application in Las Vegas Wash or elsewhere. Specific alternatives to be considered include:

1. Wastewater treatment -- chemical, physical and biological treatment systems using existing or alternative facilities to achieve the most cost-effective pollutant removal -- at the source, in municipal treatment plants, or as part of pre-treatment for subsequent reuse.
2. Reclamation and reuse -- Systems to provide for additional uses of wastewater of varying qualities for industry, agriculture, or landscape irrigation.
3. Water supply -- Options including water conservation and resultant wastewater flow reduction, supply management to control salt concentrations for water quality to achieve desired water uses. Such other management alternatives as may be possible given current or projected technology.

4. Wash management -- The development of the Wash management system will be conducted in two parts. The present and potential biological performance of the Wash will be developed as part of the water quality studies associated with assessing the Bay and Wash conditions. The physical works to manage flows into and through the Wash will be developed as part of Phase II engineering studies. These two elements must be integrated in developing Wash management options to be considered in the final plan to achieve water quality standards and to implement desired wash management plan.

5. Alternative discharge locations and mechanisms.

Phase III

This phase will consist of the work necessary to implement the treatment system needed to achieve the effluent limitations developed pursuant to paragraphs 25 to 27 of the Consent Decree. It will consist of a Step I facility plan meeting EPA grant requirements for the needed facilities. Although Phase II will have identified a treatment system and its costs to meet the adopted effluent limitations, this phase will analyze the alternative treatment systems in the detail necessary in a Step I report. The environmental impacts of various treatment alternatives and those of any proposed capacity beyond 99 mgd will be evaluated.

An implementation schedule and plan will be developed, including the needed revenue program.

After State and EPA approval of the Step I report, the design of the needed facilities will be accomplished.

ADDENDUM F

SUBJECTS TO BE ADDRESSED IN
THE WATER QUALITY STANDARDS STUDY

A comprehensive water quality study will be undertaken to develop water quality standards that will assure the protection of the beneficial uses of Las Vegas Bay and Las Vegas Wash. The water quality study will meet the requirement of paragraphs 18 to 24 of this Consent Decree. To provide adequate information for developing the standards, a two-year program is proposed. This program will include an assessment of beneficial uses and limnological and physical surveys of Las Vegas Bay and Wash and other portions of Lake Mead to help establish baseline conditions. This will be followed by a rigorous scientific analysis of all available data. The Las Vegas Wash management plan will be developed including its capability to remove nutrients.

Recommended water quality standards will be used to determine a maximum daily load from Las Vegas Wash, which in turn will be allocated to the individual point and nonpoint sources discharging to Las Vegas Wash.

To evaluate practical methods of achieving beneficial uses, a treatment facilities study (Phase II of Addendum E) will be performed. A new plan of study will be developed for review and approval by all the parties to this Consent Decree. Key elements of the Water Quality Standards Study will be:

1. Planning for beneficial uses.
2. Water quality monitoring of Lake Mead and Las Vegas Bay and Wash.
3. Water quality analysis including: salinity and nutrient budgets, plume dynamics.
4. Wash Management Plan including biological and physical factors.
5. Management alternatives including wastewater treatment, reuse and water conservation and alternative discharge locations and mechanisms.
6. Effluent limitations.

Beneficial Uses

The Water Quality Standard Study should identify the desired beneficial uses of both the Lake and Las Vegas Bay. A relationship between the desired uses and existing and prospective conditions and the impact of these conditions on the desired beneficial uses of Las Vegas Bay and the Wash must be developed. This will aid in a determination of which criteria (e.g. chlorophyll a, algal numbers and species, phosphorus, etc.) are both necessary and appropriate to achieve desired beneficial uses. After evaluating the

costs and feasibility of achieving various beneficial uses, desired beneficial uses and necessary supporting numerical criteria shall be recommended.

Water Quality Monitoring

Adequate definition of water quality characteristics of Las Vegas Bay and Wash and related portions of Lake Mead, and successful interpretation of past, present, and future water quality conditions depend on adequate data.

Additional data are needed and a comprehensive data gathering program will be conducted.

The proposed monitoring work plan and budget will be prepared. Full consideration will be given to use of results of previous studies considering the need to establish a historic record and to limit study costs.

The monitoring program should begin as soon as possible and continue through March of 1981. This program will gather data on all physical, chemical, and biological parameters of importance to the Water Quality Standards Study. Work will be conducted in conformance with a quality assurance plan developed for the study.

Analysis of Lake Water Quality

The analytical work necessary to assure that water quality conditions are achieved through pollutant load limi-

tations is the key component of the Water Quality Standards Study. This work includes analysis of past and present conditions, development of nutrient and salinity budgets, analysis of plume dynamics in Las Vegas Bay and an investigation and analysis of the eutrophication process in Lake Mead and Las Vegas Bay.

Water Quality Conditions and Trends

This work will give consideration to all previous technical data. Trends of selected water quality parameters will be defined and related to changes in weather, lake level, and pollutant loads. Particular attention will be given to algal production rates and species distribution recognizing the requirements of this Consent Decree.

Salinity and Nutrient Budgets

Inputs and outputs of nutrients and other selected substances and physical conditions to Las Vegas Bay must be as well-defined as the data base will permit. Attention will be given to nutrient and salt inputs from Las Vegas Wash surface water, groundwater, sediments, the atmosphere, exchange at the Boulder Basin boundary, and chemical/biological sources and sinks within the system. Probable future variations in these inputs will be identified.

Plume Dynamics

Density stratification of inner Las Vegas Bay is known to be an important factor in determining nutrient concentrations and productivity in the near surface water. The mechanics of this hydraulic phenomenon need to be better defined to permit successful eutrophication modeling and to estimate the effect of future changes on the hydraulics of the inner Bay.

Algal Production

Any analysis of algae in Lake Mead or Las Vegas Bay must meet the requirements of paragraphs 19 and 20 of this Consent Decree.

Las Vegas Wash System

Further study of the Las Vegas Wash is necessary to define the chemical and biological performance of the existing Wash as a treatment system and the probable performance of the Wash under various proposed management plans. An input-output model will be used to define pollutant removals including seasonal variations of nutrient uptake and returns, evapotranspiration, and salt transfers.

Alternative Wash improvement schemes will consider variables of land use plans for areal extent, types of vegetation, flow distribution, flood control, and other opera-

tional aspects. Performance of the improved marsh will be related to variations of hydraulic and pollutant loads that may result from various levels of pretreatment, a salinity control project, and possible effluent reuse projects.

Results of this portion of the Water Quality Standards Study will be used with Phase II of the Treatment Facilities Study to define the contribution of the marsh to pollutant removal. This information is needed to determine what removals must be provided at the treatment plants to assure maintenance of water quality criteria in Las Vegas Bay.

Effluent Limitations

The primary objective of this study is to provide recommended water quality standards based on fully supportable scientific procedures. Through the elements of the study already described, several key steps will be completed: beneficial uses will be reviewed and predicted, and water quality standards to protect these beneficial uses will be developed.

Maximum daily loads from Las Vegas Wash and from upstream discharges must be calculated to select the appropriate management options, to evaluate the costs of standards to be approved, and to comply with regulatory procedures.

ADDENDUM G

1. The Cities and the County shall submit a proposed "Water Conservation/Waste Flow Reduction Program" (Program) to EPA and the State for review and approval by September 30, 1979.
2. The program shall, as a minimum:
 - a. identify the flows contributed by each sector (e.g. commercial, visitor, residential, industrial, infiltration/inflow) within each political entity in the service area;
 - b. quantify possible flow reduction in each sector within each political entity;
 - c. identify specific changes in local ordinances, building codes, and plumbing codes necessary to realize the reduction quantified in 2, b herein;
 - d. identify flow reduction technology necessary to realize the reduction quantified in subparagraph 2, b herein;
 - e. analyze the local relationship between alternative water pricing schedules and overall flow reduction including installation of water meters in areas not presently metered;

- f. formulate alternatives necessary to realize the reduction quantified in subparagraph 2, b herein and evaluate, on a cost effective basis, each alternative considering, as a minimum, the costs, benefits, and impacts of each alternative; and,
 - g. devise an implementation schedule and assign management and enforcement responsibilities to the appropriate governments, agencies, and institutions in the service area.
- 3. By September 30, 1979, the Cities and the County shall obtain from Clark County and any affected incorporated municipalities, resolutions committing these entities to implementation and enforcement, to the maximum extent permissible by law, of the "Water Conservation/Waste Flow Reduction Program" developed pursuant to paragraph 2 herein and approved by EPA and the State pursuant to paragraph 1 herein.
- 4. The Cities and the County shall provide for a public participation and involvement process during the planning and implementation phases of the Program.
- 5. The Cities and the County shall ensure that the Program, including the public participation and involvement process, will be developed in conjunction with, and reinforce to the maximum extent possible, the Clark County "208" Area-Wide Waste Management Plan.

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 10

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

*CONSENT AGENDA

All matters listed under Item A 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/
PAYROLL WARRANTS

1. Service and Material Warrants
In the amount of \$7,756,095.50
2. Payroll Warrants
In the Amount of \$539,288.36

Items 1 and 2
Approved
as presented
Woofter - unanimous
(Commissioner
Christensen did
not vote -
temporarily absent)

Director
authorized
to proceed

- B. Request for approval to install a comprehensive financial management system using Federal funds and authorizing the Mayor to:

- 1) Execute an agreement with Sartoris, Inc. to assist the City in the first phase effort.
- 2) Execute an agreement with Michael Casey and Company to provide project management and financial systems support to the total effort.

Items 1 and 2
Approved
Woofter - unanimous
(Commissioner
Christensen did
not vote -
temporarily absent)

Same as above

APPROVED AGENDA ITEM


AGENDA*City of Las Vegas*

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

Page 11

3/7/79

ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL
& EMPLOYEE RELATIONS

BOB McPHERSON, AEP, DIRECTOR

A. AUTHORIZATION TO FILL POSITIONS -
CITY FUNDED - FULL TIME

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
(1) PS/Maintenance Air Conditioning Mechanic (replace budgeted vacancy)	\$1090	Responsible for maintenance and repair of air conditioning units.
(2) MS/Purchasing & Contracts Buyer (replace budgeted vacancy)	1012	Assists in procuring supplies and mater- ials and contract administration on a citywide basis.
(3) MS/Reprographics Illustrator/ Photographer Asst. (replace budgeted vacancy)	1037	To perform all audio/visual pro- duction functions as well as provide general photo- graphic and mech- anical arts assistance.
(4) Municipal Court Court Bailiff Two Positions (replace budgeted vacancies)	1058	To escort prisoners to and from Court and maintain order while Court is in session. Also responsible for serving warrants and subpoenas.

Items 1 thru 6
Approved
as presented
Woofert - unanimousDirector
authorized
to proceed

APPROVED AGENDA ITEM

RCJoch

AGENDA*City of Las Vegas*

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

Page 12
 3/7/79

ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL
 & EMPLOYEE RELATIONS

A. AUTHORIZATION TO FILL POSITIONS -
CITY FUNDED - FULL TIME (Con't.)

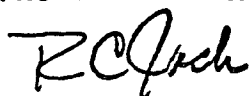
See Page 11

See Page 11

(5)
 R&LA/Community \$831 Assigned to the
 Affairs & Fine Reed Whipple Cul-
 Arts tural Arts Center
 Jr. Cultural performing assign-
 Program Assistant ments of a routine
 (replace budgeted nature in organi-
 vacancy) zing, coordinating
 and conducting a
 variety of cultural
 activities

(6)
 PS/Electrical 917 Maintains sche-
 Services matic and electri-
 Asst. Engineering cal drawings,
 Technician street lighting
 (replace budgeted prints and all other
 vacancy) data pertaining to
 street lighting

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 13

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

(No items for consideration on
the March 7, 1979 Agenda)

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

(No items for consideration on
the March 7, 1979 Agenda)

APPROVED AGENDA ITEM

RCJach

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 14

PHONE 386-6011

ITEM

Commission Action

Department Action

IV (f) DEPARTMENT OF MUNICIPAL SERVICES
DAN R. PILKINGTON, ACTING DIRECTOR

*CONSENT AGENDA

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

PURCHASING AND CONTRACTS DIVISION*A. AWARD OF BIDS

1. Janitorial Services for Nine (9) Locations
2. Airless Paint Spraying Equipment
3. Sprinkler Parts (Parks Division)
4. Insecticide and Herbicide-Annual
5. Three (3) Street Sweepers
6. Sheet Metal Brake
7. Sprinkler Parts (Cemetery Division)

Items 1 thru 7
Approved as
recommended
Woofter - unanimous

Director
authorized
to proceed

B. PURCHASE ORDER APPROVAL

1. Lease of IBM Mag Card "A"
2. Arts and Crafts Materials for Summer Program

Items 1 and 2
Approved
as recommended
Woofter - unanimous

Same as above

APPROVED AGENDA ITEM

RCJach

AGENDA*City of Las Vegas*March 7, 1979
Page 15

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICESWILLIAM J. PURVIS, P.E., 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.

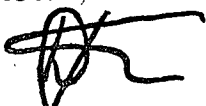
***A. RELEASE OF SUBDIVISION BONDS**

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

1. Charleston Heights No. 50-E-3.
(Becker & Sons, Ernest A. Becker, Jr.,
Agent - SW corner Smoke Ranch and Winwood)
2. Kingswood Estates Unit No. 3. (Chism
Homes, Inc., H. A. Chism, President -
NW corner Vegas Drive and Jones)
3. Kingswood Estates Unit No. 4. (Chism
Homes, Inc., H. A. Chism, President -
NW corner Vegas Drive and Jones)
4. Lewis Homes-Sahara Unit No. 1.
(Lewis Homes of Nevada, Earl Monson,
Agent - SW corner Oakey and Verdinal Dr.)
5. Charleston Heights No. 51-H.
(Becker & Sons, Ernest A. Becker, Jr.,
Agent - SW corner Eugene and Maverick)

Items 1 thru 5
Approved
as presented
Woofter - unanimous

Director
authorized
to proceed

APPROVED AGENDA ITEM:


AGENDA*City of Las Vegas*

March 7, 1979

Page 16

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

IV (g). DEPARTMENT OF PUBLIC SERVICES (Continued)*B. RELEASE OF BONDS

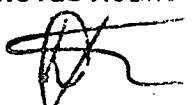
It is recommended that the performance bond posted for improvements at the following sites be released. All work has been completed in accordance with city standards. It is recommended that the work be accepted and the bonds released.

1. Location: NE corner Rancho Dr./ Washington
 Use: Offsite improvements
 Builder: Union Oil Company
 Surety: Safeco Ins. Co. c/o Harrington/Horsey Ins.
 Amount: \$2,950.00
 Bond No.: 2425075
2. Location: 930 So. 3rd St.
 Use: Offsite improvements
 Builder: Esquire Builders
 Surety: Fireman's Fund
 Amount: \$2,000.00
 Bond No.: SCR 6314702

Items 1 and 2
 Approved
 Woofter - unanimous

Clerk
 to proceed

APPROVED AGENT



AGENDA*City of Las Vegas*

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

Page 17
 March 7, 1979

ITEM

Commission Action

Department Action

V. RICHARD C. MAURER - CITY ATTORNEY

A. Annexation Resolution

Annexation No. A-18-78

Property Located: North side of Alexander Road between Lorenzi Blvd. on the east and Rainbow Expressway on the west

Petitioned by: Floyd Davis, 3043 Bel Air, Las Vegas, and Richard P. Sauer, 3713 Apache Lane, Las Vegas, Nevada

Acreage: 40 acres (approximately)

Zoned: R-E (County zoning Classification)
 N-U (City equivalent)

Adopted
 Resolution
 Christensen -
 unanimous

Clerk to
 proceed

B. Settlement of Condemnation matter
 City of Las Vegas v. Cava, Inc.

Approved settlement
 as recommended
 Christensen -
 unanimous

C/A to proceed

C. ADDENDUM No. 2:REEF LOUNGE - HEARING OFFICER'S REPORT

J. J.
 Mons.
 (erdi)

J. H.
 J. H.
 Ma

License suspended
 for one (1) week
 with establishment
 placed on a six (6)
 month probationary
 period, during which
 any further violation
 to result in
 revocation of
 License
 Woofter -
 Commissioner
 Christensen
 voted "no"

C/A and Dept.
 of Bus. Activity
 to proceed

Howard Jones,
 Attorney for Licensee

APPROVED AGENDA ITEM

R.C. Arch

R E S O L U T I O N

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 3rd day of January, 1979:

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

That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 3, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

BEGINNING at the Southeast corner of the Southeast Quarter (SE 1/4) of said Section 3; thence North 89° 39'05" West along the South line of said Southeast Quarter (SE 1/4) a distance of 780.90 feet to the Easterly boundary of that certain parcel of land described by Deed recorded March 23, 1977 as Inst. No. 879249 of Official Records of Clark County, Nevada; thence North 00°20'55" East along said Easterly boundary a distance of 40.00 feet; thence continuing along said Easterly boundary North 83°38'10" West, 477.07 feet; thence continuing along said Easterly boundary North 00°41'40" East, 519.88 feet; thence continuing along said Easterly boundary North 5°05'34" East, 851.92 feet; thence continuing along said Easterly boundary North 10°25'15" East, 92.12 feet to the North line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 3; thence South 89°35'08" East along said North line a distance of 1186.71 feet to the East line of said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4); thence South 00°32'28" West along said East line a distance of 1348.90 feet to the POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, April 18, 1979, at the hour of 2:00 o'clock p.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.

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 REVIEW-JOURNAL, 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 April 18, 1979, 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 the said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the same form as attached hereto as Exhibit "A".

4. That the Director of Public Services and the Director of Community Planning and Development are hereby directed to prepare and submit to the said Board of Commissioners of the City of Las Vegas, on Wednesday, March 21, 1979, 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 residents and citizens, 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 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 N.R.S. 288.570 to 288.608, inclusive.

PASSED, ADOPTED and APPROVED this 7th day of March,
1979.

APPROVED:

By WILLIAM H. BRIARE, Mayor

ATTEST:

Edwina M. Cole, City Clerk

A-18-78

EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY
WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-18-78:

NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, that:

1. The Board of Commissioners of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 7th day of March, 1979, declared its intention to annex to said City the territory generally located on the north side of Alexander Road between Lorenzi Boulevard on the east and Rainbow Expressway on the west.

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

That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 3, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

BEGINNING at the Southeast corner of the Southeast Quarter (SE 1/4) of said Section 3; thence North 89° 39'05" West along the South line of said Southeast Quarter (SE 1/4) a distance of 780.90 feet to the Easterly boundary of that certain parcel of land described by Deed recorded March 23, 1977 as Inst. No. 679249 of Official Records of Clark County, Nevada; thence North 00°20'55" East along said Easterly boundary a distance of 40.00 feet; thence continuing along said Easterly boundary North 83°38'10" West, 477.07 feet; thence continuing along said Easterly boundary North 00°41'40" East, 519.88 feet; thence continuing along said Easterly boundary North 5°05'34" East, 651.92 feet; thence continuing along said Easterly boundary North 10°25'15" East, 92.12 feet to the North line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 3; thence South 89°35'08" East along said North line a distance of 1186.71 feet to the East line of said Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4); thence South 00°32'28" West along said East line a distance of 1348.90 feet to the POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, April 18, 1979, at the hour of 2:00 o'clock p.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.

3. That a report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its residents and citizens 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 N.R.S. 268.570 to 268.608, inclusive.

4. 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:

FLOYD DAVIS
3043 Bel Air, Las Vegas, NV 89109

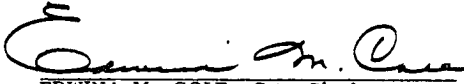
RICHARD P. SAUER
3713 Apache Lane, Las Vegas, NV 89107

5. Any record owner of real property within the said described territory may appear and be heard either in favor of or in protest of the proposed annexation at such public hearing and/or may file with the City Clerk a written protest of 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 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 7th day of March, 1979.


EDWINA M. COLE, City Clerk

AGENDA*City of Las Vegas*

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

Page 18
 March 7, 1979

ITEM

Commission Action

Department Action

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

A. Bill No. 79-11 Amending Title II,
 Chapter 5, Section 9, Subsection (A)
 to provide for reduced licensing fees
 for nonprofit organizations operating
 a child care facility upon approval of
 the Child Welfare Board and the Board
 of Commissioners

1st Reading and
 Referred
 Mayor Briare and
 Commissioner Lurie

Clerk to proceed
 with 1st
 publication

3/21/79 Agenda

B. Bill No. 79-12

Annexation No. A-11-78

Property Located: On the south side
 of Westcliff Drive approximately
 one-fourth (1/4) mile of Buffalo
 Drive

Petitioned by: Sproul Homes of Nevada
 by: John E. Kinkenon, Vice Pres.
 1012 Sproul Court, Las Vegas,
 Nevada

Acreage: Approximately 42 acres

Zoned: R-E to R-1-A (County class-
 ification)
 R-1 (City equivalent)

1st Reading and
 Referred -
 Commissioners
 Levy and
 Christensen

Same as above

C. Bill No. 79-13

Annexation No. A-13-78

Property Located: Southwest corner of
 Reiter Avenue and Decatur Blvd.

Petitioned by: George F. Kalb Con-
 struction, 3250 Spring Mountain
 Road, Las Vegas, Nevada 89102

Acreage: Approximately 1-1/2 acres

Zoned: C-1 (County classification)
 C-1 (City equivalent)

1st Reading and
 Referred -
 Commissioners
 Christensen and
 Levy

Same as above

APPROVED AGENDA ITEM

RCJsch

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 19

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

March 7, 1979

PHONE 386-6011

ITEM

Commission Action

Department Action

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

D. Bill No. 79-14 to amend Title X, Chapter 8, Section 4 to limit the use of traffic control signals to fire emergency vehicles only and thus prevent misuse by private companies

1st Reading and Referred -
Commissioners Lurie and Woofter

Clerk to proceed with 1st publication
3/21/78 Agenda

E. Bill No. 78-81 to amend Title IV to adopt the 1978 National Electrical Code along with a supplemental document providing amendments, deletions and additions thereto, as the City of Las Vegas' Electrical Code

1st Reading and Referred -
Commissioners Levy and Christensen

Same as above

F. Bill No. 79-15 to amend Title V, Chapter 1(A), Section 2, Subsection (D) to effectuate a refund and necessary procedure therefor of the electric power and light franchise fee tax as imposed on qualified elderly consumers

Referred to Study Committee -
Commissioners Lurie and Levy

G. Bill No. 79-16 to amend Title VIII, Chapter 3, Section 15 to raise the charges for collecting and disposing of garbage in the City of Las Vegas by the City or its authorized garbage contractor. The increase for residential customers would be \$.75 per quarter year, an increase of 7.41% over prevailing rates

1st Reading and Referred -
Commissioners Christensen and Lurie

Same as above
AND
Clerk to Notice for Public Hearing
2:00 P.M.
3/21/79
(Box Ad)

NOTE: Items A thru E and Item G Noticed for public comment before Recommending Committees
4:00 P.M.
3/14/79

AGENDA*City of Las Vegas*

March 7, 1979

Page 20

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VII. VACANCIES - BOARDS & COMMISSIONSA. ANIMAL ADVISORY COMMITTEE - 2-year term
(Abeyance from 3/21/79)

Abeyance

3/21/79 Agenda

The following have terms expiring
4/6/79:

1. Dr. V. H. Fisher
2. Ms. Nora La Beau
3. Ms. Susan Bond
4. Ms. Mary Hibbs
5. Ms. Jean Pemberton
6. Mr. Aaron Powell

APPROVED AGENDA ITEM

RCFsch

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 21

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VIII. REPORTS FROM RECOMMENDING COMMITTEES

- A. BILL No. 79-Z-1 - To amend the Land Use Plan Map of the City of Las Vegas by changing the various Zone designations

Committee: Commissioners Lurie and Christensen

1st Publication - Review Journal 2/23/79

2nd Reading and Adopted
Lurie - unanimous
(Commissioner Woofter did not vote - temporarily absent)

Clerk to proceed with final publication

- B. BILL No. 79-8 - Regarding the filing of claims for damages against the City

Committee: Commissioners Levy and Christensen

1st Publication - Review Journal 2/23/79

2nd Reading and Adopted
Levy - unanimous
(Commissioner Woofter did not vote - temporarily absent)

Same as above

- C. BILL No. 79-10 - To redefine, on the basis of the 1979 voting precincts, the boundaries of the four (4) Wards for the election of City Commissioners

Committee: Commissioners Lurie and Christensen

1st Publication - Review Journal 2/23/79

2nd Reading and Adopted
Lurie - unanimous
(Commissioner Woofter did not vote - temporarily absent)

Same as above

- D. BILL No. 78-76 - To provide for concrete "roll" type curb and gutter in areas zoned N-U, R-A or R-E on streets designated minor collector and minor local, where the Board of City Commissioners has waived the sidewalk requirement

Committee: Commissioners Christensen and Lurie

1st Publication - Review Journal 2/23/79

Adopted as amended (deleting N-U Zoning Designation)
Christensen - unanimous
(Commissioner Woofter did not vote - temporarily absent)

Same as above

NOON RECESS - 11:20 A.M.

APPROVED AGENDA ITEM

RCJach

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 22

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

- A. PROPOSED AMENDMENT TO THE MAJOR STREET PLAN ON LORENZI BLVD., BETWEEN THE LAS VEGAS EXPRESSWAY AND RANCHO DRIVE - the amendment involves a proposed reduction in the width of this Major Street from 100 ft. to 80 ft.

(Abeyance from 2/21/79 Meeting)

Approved reduction to 80 ft.
Levy - unanimous

(1 protest)

Staff authorized to proceed

- B. VAC-1-79 - Petition to vacate public right-of-way generally located north of Harris Ave., 600 ft. east of Eastern Ave., subject to the following conditions:

1. Satisfaction of the requirements of the various utility companies;
2. Conformance to Code requirements and Design Standards of all City departments;
3. Vacation shall not be recorded until all of the above conditions have been met.

Approved subject to conditions
Woofter - unanimous

(no one appeared in opposition to this request)

Staff authorized to proceed

- C. U-6-79 - APPLICATION OF MARTIN A. SHERMAN for a USE PERMIT to operate a PAWN SHOP on property located at 626 Las Vegas Blvd., South, in Zoning District C-2 (General Commercial)

Approved as recommended by the Bd. of Zoning Adjustment
Levy - unanimous
(No one appeared in opposition to this

Staff authorized to proceed

- D. ANNEXATION A-9-78 - Property generally located on the east side of Cypress Trail south of Coran Lane and west of Rancho Drive (Las Vegas Mortgage Co., Inc.)

Report accepted (to remain on file in Clerk's office for 15 days)

C/A to prepare Ordinance upon expiration of 15-day period if no protests filed

- E. ANNEXATION A-14-78 - Property generally located at the Southeast corner of O'Bannon Drive and Torrey Pines Drive (Lewis Homes of Nevada)

Same as above

Same as above

APPROVED AGENDA ITEM

RC Jack

City of Las Vegas

AGENDA DOCUMENTATION

Date: January 5, 1979

TO: The Board of City Commissioners	FROM: Audrey A. Daines, Deputy City Attorney
SUBJECT: Annexation (A-9-78)	PURCHASE REQUEST NO.
PURPOSE/BACKGROUND	

To begin the annexation process of certain property generally located on the East side of Cypress Trail South of Coran Lane and West of Rancho Drive by setting the date for public hearing, by directing the City Clerk to give the appropriate notice of such hearing and directing the Directors of Public Services and Community Property and Development to submit plans for the extension of services into the territory to be annexed.

1-22-79

1-22-79 - Mailed to S.B. Matlock
via Certified Mail 2-14-79

ALTERNATIVES/RECOMMENDATIONS

It is recommended that the Board of Commissioners take the appropriate steps to adopt the attached Resolution.

ja
attachment

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V B.

R E S O L U T I O N

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 18th day of October, 1978:

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

That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 20 South, Range 61 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

BEGINNING at the Northwest corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19 also being the Northeast corner of Parcel No. 2 of Annexation Ordinance 1053 as shown by map thereof in File 15 of Surveys, Page 59 in the Office of the County Recorder of Clark County, Nevada; thence South 1°40'08" West along the West line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being along the East line of said Ordinance 1053, a distance of 163.72 feet to the South line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being the Northwest corner of Annexation Ordinance 1033 as shown by said map in File 15 of Surveys, Page 59; thence South 89°32'08" East along said South line, also being along the North line of said Annexation Ordinance 1033, a distance of 167.28 feet to the East line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being a point in the Westerly boundary of Annexation Ordinance 957 as shown by map thereof in File 12 of Surveys, Page 88 in the Office of the County Recorder of Clark County, Nevada; thence North 1°39'56" East along said East line and said Westerly boundary a distance of 65.54 feet; thence North 38°33'00" West, continuing along said Westerly boundary, a distance of 128.29 feet to the North line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4); thence continuing along said Westerly boundary, North 89°30'52" West, along said North line a distance of 85.71 feet to the TRUE POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday,

March 7, 1979, at the hour of 2:00 o'clock p.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.

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 REVIEW-JOURNAL, 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 March 7, 1979, 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 the said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the same form as attached hereto as Exhibit "A".

4. That the Director of Public Services and the Director of Community Planning and Development are hereby directed to prepare and submit to the said Board of Commissioners of the City of Las Vegas, on Wednesday, February 7, 1979, 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 residents and citizens, 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 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 N.R.S. 268.570 to 268.608, inclusive.

PASSED, ADOPTED AND APPROVED this 17th day of January,

1979.

APPROVED:

By WILLIAM H. BRIARE, Mayor

ATTEST:

Edwina M. Cole, City Clerk

EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY
WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-9-78:

NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, that:

1. The Board of Commissioners of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 17th day of January, 1979, declared its intention to annex to said City the territory generally located on the east side of Cypress Trail south of Coran Lane and west of Rancho Drive.

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

That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 19 also being the Northeast corner of Parcel No. 2 of Annexation Ordinance 1053 as shown by map thereof in File 15 of Surveys, Page 59 in the Office of the County Recorder of Clark County, Nevada; thence South 1°40'08" West along the West line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being along the East line of said Ordinance 1053, a distance of 163.72 feet to the South line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being the Northwest corner of Annexation Ordinance 1033 as shown by said map in File 15 of Surveys, Page 59; thence South 89°32'08" East along said South line, also being along the North line of said Annexation Ordinance 1033, a distance of 167.28 feet to the East line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), also being a point in the Westerly boundary of Annexation Ordinance 957 as shown by map thereof in File 12 of Surveys, Page 88 in the Office of the County Recorder of Clark County, Nevada; thence North 1°39'56" East along said East line and said Westerly boundary a distance of 55.54 feet; thence North 38°33'00" West, continuing along said Westerly boundary, a distance of 126.29 feet to the North line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4); thence continuing along said Westerly boundary, North 89°30'52" West, along said North line a distance of 85.71 feet to the TRUE POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, March 7, 1979, at the hour of 2:00 o'clock p.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.

3. That a report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its residents and citizens 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 N.R.S. 268.570 to 268.608, inclusive.

4. 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:

LAS VEGAS MORTGAGE COMPANY, INC.
2411 WEST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89102 by: JERRY BRUNER, PRESIDENT

5. Any record owner of real property within the said described territory may appear and be heard either in favor of or in protest of the proposed annexation at such public hearing and/or may file with the City Clerk a written protest of 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 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 17th day of January, 1979.

EDWINA M. COLE, CITY CLERK

City of Las Vegas

AGENDA DOCUMENTATION

Date: January 5, 1979

TO: The Board of City Commissioners

FROM: Audrey A. Daines, Deputy City Attorney

SUBJECT: Annexation A-14-78

PURCHASE REQUEST NO.

PURPOSE/BACKGROUND

To begin the annexation process of certain property generally located at the Southeast corner of O'Bannon Drive and Torrey Pines Drive, by setting the date for public hearing, directing the City Clerk to give the appropriate notice of such hearing and directing the Directors of Public Services and Community Planning and Development to submit plans for the extension of services into the territory to be annexed.

ALTERNATIVES/RECOMMENDATIONS

It is recommended that the Board of Commissioners take the appropriate steps to adopt the attached Resolution.

ja
attachment

ACTION TAKEN

Approved by City Commission
Date 3-7-79

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

TX 1

TC

R E S O L U T I O N

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 15th day of November, 1978:

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

That portion of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 2, Township 21 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

BEGINNING at the Northeast corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 2; thence South 88°53'16" West along the North line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), a distance of 1279.99 feet to the Northwest corner of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4); thence South 2°52'55" East along the West line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), a distance of 661.55 feet to the intersection of said West line with the South line of Parcel 4 of that certain Parcel Map in File 18, Page 15 of Parcel Maps in the Office of the County Recorder of Clark County, Nevada; thence North 88°27'27" East along said South line, a distance of 1274.32 feet to the intersection of said South line with the East line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), said East line also being the West line of that certain parcel of land annexed to the City of Las Vegas under Ordinance No. 1964, as shown by map thereof in File 33 of Surveys, Page 22 in the Office of the County Recorder of Clark County, Nevada; thence North 2°24'24" West along said East line, a distance of 651.83 feet to the POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, March 7, 1979, at the hour of 2:00 p.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 REVIEW-JOURNAL, 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 March 7, 1979, 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 the said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the same form as attached hereto as Exhibit "A".

4. That the Director of Public Services and the Director of Community Planning and Development are hereby directed to prepare and submit to the said Board of Commissioners of the City of Las Vegas, on Wednesday, February 7, 1979, 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 residents and citizens, 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 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 N.R.S. 268.570 to 268.608, inclusive.

PASSED, ADOPTED AND APPROVED this 17th day of January, 1979.

APPROVED:

WILLIAM H. BRIARE, MAYOR

ATTEST:

EDWINA M. COLE, CITY CLERK

EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY
WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-14-78:

NOTICE IS HEREBY GIVEN to the property owners within the
proposed Las Vegas, Nevada, that:

1. The Board of Commissioners of the City of Las Vegas, Nevada has by Resolution duly passed, adopted and approved on the 17th day of January, 1979, declared its intention to annex to said City the territory generally located on the southeast corner of O'Bannon Drive and Torrey Pines Drive.

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

That portion of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 2, Township 21 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

BEGINNING at the Northeast corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 2; thence South 88°53'16" West along the North line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), a distance of 1279.99 feet to the Northwest corner of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4); thence South 2°52'55" East along the West line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), a distance of 661.55 feet to the intersection of said West line with the South line of Parcel 4 of that certain Parcel Map in File 18, Page 15 of Parcel Maps in the Office of the County Recorder of Clark County, Nevada; thence North 88°27'27" East along said South line, a distance of 1274.32 feet to the intersection of said South line with the East line of said Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), said East line also being the West line of that certain parcel of land annexed to the City of Las Vegas under Ordinance No. 1964, as shown by map thereof in File 33 of Surveys, Page 22 in the Office of the County Recorder of Clark County, Nevada; thence North 2°24'24" West along said East line, a distance of 651.83 feet to the POINT OF BEGINNING.

2. That said Board of Commissioners shall meet on Wednesday, March 7, 1979, at the hour of 2:00 o'clock p.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.

3. That a report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its residents and citizens 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 N.R.S. 268.570 to 268.608, inclusive.

4. 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:

LEWIS HOMES OF NEVADA
by: ROBERT E. LEWIS, AGENT
5240 South Polaris Avenue
Las Vegas, Nevada 89118

P.O. BOX 19297
Las Vegas, Nevada 89119

5. Any record owner of real property within the said described territory may appear and be heard either in favor of or in protest of the proposed annexation at such public hearing and/or may file with the City Clerk a written protest of 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 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 17th day of January, 1979.

EDWINA M. COLE, CITY CLERK

A-14-78

AGENDA

City of Las Vegas

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 23

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPT.
HAROLD P. FOSTER, DIRECTOR

The items listed below, where appropriate, have been reviewed by the various City departments including sanitary sewer, storm drainage, Traffic Engineering, Public Services, Fire and Building, and their comments and/or recommendations and requirements incorporated into the action.

All zoning items shall conform to the following general conditions:

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

All subdivision items shall conform to the following general conditions:

- (A) Tentative Maps - (1) Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve (12) months of the approval of the tentative map, or an extension of time up to one year, is not granted for the tentative map, a new tentative map must be filed. If a final map is recorded within twelve (12) months of the original approval of the tentative map, or within the extension of time

APPROVED
[Signature]

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 24

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

**X. COMMUNITY PLANNING & DEVELOPMENT DEPT.
(CONTINUED)**

of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.

(2) Street names to be provided in accord with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Sub-division Statutes.

(B) Final Maps - Conformance with the tentative map.

All Vacations shall conform to the following general conditions:

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

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

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 25

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)A. ABEYANCE ITEM - ZONE CHANGE -
Z-117-78 - WILLIAM AND CHARLOTTE
KNUDSEN

Property generally located at the
northeast corner of Del Rey Avenue
and Arville Street.

From: R-E (Residence Estates)

To: P-R (Professional Offices
and Parking)

Proposed Use: Offices

Planning Commission recommends
DENIAL (5=yes; 1=no).

If approved, following are the
recommended conditions:

1. Resolution of Intent to be
restricted to a twelve (12)
month time limit.
2. No ingress/egress shall be
permitted along Del Rey Avenue.

PROTESTS: 3

B. REQUEST OF DONALD T. ROMANO ON BEHALF
OF A. G. SPANOS FOR REVIEW AND
ACCEPTANCE OF THE ZONING CHANGE
APPROVED BY THE COUNTY COMMISSION -
ZC-331-78

Property generally located on the
south side of Charleston Boulevard
and the west side of Torrey Pines
Drive.

From: R-E (Rural Estates Residen-
tial)

To: R-4 (Multiple Family)

Proposed Use: Apartment Complex -
516 Units

Denied as
recommended by
Planning
Commission
Christensen -
unanimous

David T. Spurlock,
Attorney
for applicant

Clerk to notify

Planning
to proceed

Abeyance
Lurie
Commissioner
Christensen
voted "no"

George Dickerson,
Attorney for
applicant

3/21/79 Agenda

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 26

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)C. ZONE CHANGE - Z-118-78 - MEMORIAL
MEDICAL CENTER, INC.Application
withdrawnProperty located at 2001 West
Charleston Boulevard.

From: R-1 (Single Family Residence)

To: C-1 (Limited Commercial)

Proposed Use: Eleven Story Office
BuildingPlanning Commission unanimously
recommends DENIAL.If approved, following are the
recommended conditions:

1. Resolution of Intent to be
restricted to a twelve (12)
month time limit.
2. All ingress and egress shall be
from Charleston Boulevard.
3. The building shall be located
as required by the Department of
Community Planning and Develop-
ment.

PROTESTS: Approx. 67

D. ZONE CHANGE - Z-121-78 - PALOMINO
GARDENS, ET ALApproved
subject
to conditions
Woofert -
Commissioner
Christensen
voted "no"

Clerk to notify

Planning to
proceedProperty generally located on the
south side of Palomino Lane, 300 ft.
east of Shetland Road.

From: R-E (Residence Estates)

To: R-PD2 (Residential Planned
Development)Proposed Use: Detached Single
Family Dwelling UnitsPlanning Commission recommends DENIAL
(Affirmative Motion, 3-yes; 4-no).Ty Hilbrecht,
Attorney for
applicantIf approved, following are the
recommended conditions:

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

EXCERPT FROM MINUTES OF A REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS HELD MARCH 7, 1979

ITEM X. COMMUNITY PLANNING & DEVELOPMENT

ZONE CHANGE Z-121-78 - PALOMINO GARDENS, ET AL

Z-121-78
Approved
Subject
to
Conditions

(Meeting reconvened at 3:35 P.M. following a 5-minute recess)

Mayor Pro Tem Lurie: I would like to call the meeting back to order and we will now go to Item "D", Zone Change Z-121-78, application of Palomino Gardens, et al. Mr. Foster, are you going to make this presentation for Staff?

Harold Foster, Director, Dept. of Community Planning & Development: Yes. There was an application on this same property before you several months ago for R-1 zoning. It involves some nine acres (plus) of land on the south side of Palomino - Shetland to the west and there's a commercial shopping center there that abuts the property. To the east, except for the properties on the south side of Palomino, it is reserved for R-E development. To the south you can see (screen) there is C-D zoning on the southwesterly portion going to Charleston Blvd, there is still some R-E under this same ownership.

The proposal is for a twenty planned unit development which will have a density of two units per gross acre, which is the same density called for on the General Plan for the R-E area. You can see (screen) there is one access of a loop street pattern out to Palomino Lane.

When it was before the Planning Commission meeting there was some objection to the entrance being in the center of the property to Palomino because of the lights shining on the properties directly across the street. They indicated they would rather have it moved a little to the east or west. East was the only feasible location. The applicant was in agreement to relocating the driveway, or entrance, at that location which is across the street from a vacant property on the north side of Palomino.

To give you some idea on the density, the original request - the previous request - provided for three R-E lots and then 24 R-1 lots to the south. Later the applicant agreed to amend it to R-D on the south portion, which would reduce it to 19 R-D lots. With the 3 R-E lots, you would have a total of 22 vs. the 27 under an R-1 proposal. And, as mentioned, this is for a 20-unit development.

The Planning Commission recommended denial of the application, essentially on the basis that they did not feel that there was not an adequate indication to them on the parcel to the southeast that is owned by the developer, as to how it would be developed. If it was to be developed on the basis of residential, for which it is presently zoned, it would become landlocked, and the developers indicated they were not in agreement to include that parcel into this development.

We did have several protests at the meeting. There were a total of 6 on this application.

One other thing has come up that should be resolved on this. If it is approved, it concerns street improvements along Palomino. We had a petition from the Home Owners Assn. in this general area indicating they would not like to see the full street improvements placed on Palomino. They would like to have

Page 2
Excerpt
Z-121-78

a roll-type curb and street paving. No sidewalks and no street lighting. On the parcel to the east the zoning approval required full half street improvements. You will be having a request before you in the future to change that to what they are requesting. Roll-type curb and sidewalk has been installed on that corner property at Palomino and Rancho already.

In reference to the sidewalks - as you know there was an elementary school to the west - we paved a strip along the south side of Palomino for a walkway to the school. There is some question whether sidewalks should be removed - at least, on both sides of Palomino because Palomino is used as one of the primary accesses to the school for children in that general area and possibly some consideration can be given to only requiring a sidewalk on one side of Palomino.

Public Services is receptive to the roll-type curb and completely deleting the street lights.

Mayor Pro Tem Lurie: Is the applicant present and like to make a presentation?

Response: Mayor and members of the Commission, my name is Norman "Ty" Hilbrecht. I represent Palomino Gardens Development. The principals of the Development are present and I would like to introduce them to the Commission. They are Len Osborne, Leonard Rosenstein and Mattie Graves.

As was indicated, the matter has been before the Planning Commission on two occasions. It was deferred for meeting with some orotestants in the area and an adjustment of grievances, if possible. Recommendations were made by the Planning Commission on January 23rd to move the access to this area (easel). That was done. Following that, on February 8th the Planning Commission again recommended another substantial change to the project which would call for the installation of three R-E's along Palomino Lane, rather than including those three units within the Planned Unit Development.

The proposal, I think, with respect to the other issue raised by the Staff, and that is the issue of the so-called "island" portion of Mr. Osborne's property which is now zoned R-E, immediately to the rear - or to the north of his C-D zoning, was brought up and there was a suggestion that - or, certainly, an agreement by Mr. Osborne that it is not his intention to seek C-D there. He believes the property could be utilized for another purpose, perhaps P-R or something that would be more compatible, remembering that it would be abutted up directly to the rear wall, or I should say the southerly wall, of this particular development.

I would at this time, like to introduce Mr. Jay Downey to discuss the planning concepts - planning conformity - buffer concept involved here with respect to the Town & Country Center.

Jay Downey, 4045 Spencer: We have tried to comply with your Master Plan, which shows a density of two units per acre in this area. That is what the project has. To the east, as Mr. Foster stated, there is a Resolution of Intent on the Shopping Center under construction. We feel we are buffering that Shopping Center against the property owners on the north of Palomino where they will not look into that wall at all. The south is C-D zoning and P-R zoning. We feel, again, we are a compatible buffer. To the west is all R-E which we, again, are complying with.

Page 3
Excerpt
Z-121-78

We did change the lots fronting on Palomino to comply with the protestors. We did also change the entrance. We feel this project is in total compatability with the adjoining neighborhood. Normally you don't even have an R-E back up to a Shopping Center, but we have done that to take care of that total neighborhood.

At the Planning Commission we did receive a motion for approval, but it failed by a 4-3 vote. We feel we have designed a completely compatible project to the total area.

Mayor Pro Tem Lurie: Let's get to the crux of the matter, and that's the property between the C-D and your development.

Jay Downey: The R-E existing, Commissioner?

Mayor Pro Tem Lurie: The R-E. Why couldn't you develop that piece of property all the way where it backs up to the C-D?

Jay Downey: Well, if we went further south, mainly, because of the lay of the land - its topography - we would have to put in almost, I think, four (4) feet of fill just to do that. We cannot, with the size of that property, make it an integral design of this total thing with the streets to make it compatible. At this point we have no idea of what proposed use we would put that to, but anything that we would, we would have to come back before this Board for approval. We couldn't do anything without your approval on it.

Mr. Hilbrecht: Mr. Mayor Pro Tem, if I could, I would like to call your Honor's attention to the fact that this group does not control the C-D parcel I think that is now being used as a Rest Home, or some such facility, there that lies to the west of the green area there (easel map) so that while it might be (according to our Architect) feasible to incorporate that portion if the entire area laying 275 ft. back there were available for incorporation. It is not because of divergent ownership. So I think that is an impediment as well as the drainage one that Mr. Downey mentioned. We also have available for questioning an Engineer from Alcan Engineering, Mr. Kirk Anderson, who I think has done some preliminary exploration of that, and who recommended the requirement of the rather excessive fill in order to accomplish that result.

Mayor Pro Tem Lurie: So are we talking about the fill for the drainage or for the sewer?

Jay Downey: For the drainage of the project.

Mayor Pro Tem Lurie: The fears that I have is what is going to be developed on the property in between. It has been heard that you could come in for a P-R or some other type of zoning that would, to me, would just ruin the characteristics of the C-D we are trying to maintain along Charleston.

Jay Downey: Don't you think, Commissioner, that P-R would be a lesser use - again, with back up to our project, if this was the intent - and I don't know the intent for the use of that property. But, again, it would have to come back before this Board for total approval. We could do nothing on it without this Board's approval.

Mayor Pro Tem Lurie: This Board or some other Board - we would like to take care of the problem before it exists.

Page 4
Excerpt
Z-121-78

Attorney Hilbrecht: Mr. Mayor Pro Tem, can I further respond in this way - and I'm not suggesting that - I'm simply trying to recall to at least three of the Commissioners present, the predicament that my client, originally, Mr. Osborne, was one of the participants in this program, was faced with at the time of the approval by the Commission of the Resolution of Intent with respect to the Town & Country Center. We called this Commission's attention to the fact we would have difficulty at this stage developing a strict R-E type of development, which is what that present zoning is intended to accommodate. There was originally, I am sure, consistent with the planning here, the idea that some street dedication, or other access, would be provided for these 1200 ft. lots so that they would be able to be developed reasonably R-E.

You will recall that the Commission even suggested, in the strongest conceivable terms, at the time the Resolution was adopted - Your Honor will recall the Tramelco people considered trying to incorporate some kind of plan which would assure that this property was not an island. So, I grant you that - well, it seems a little unfair to now turn the burden on my client, Mr. Osborne and say now, because we have kind of landlocked you here because you weren't able to arrive at some kind of a program with the Tramelco people, now we want to address it right now and have you commit on the development of the property that is not now before the Commission. As I say, I'm not questioning anything - we do not oppose that - we simply pointed out that we needed some kind of access and now you are turning the coin over and saying - well, now we did it and what are you going to do with the property? That was not our development. In any event, I would like to suggest at this time that you hear, very briefly, from our Architect, Keith Ferris who would like to discuss with you the aesthetics concept of the specific project.

Commissioner Christensen: Ty, can I ask a couple of questions before you do that that pertain to what you have just told us? What is the connection between the owners of this property and the owners of the property that the Shopping Center is being built upon?

Mr. Hilbrecht: To my knowledge, none, but all the principals are present and I'm sure they can respond for themselves. Mr. Graves -

Response: My name is Madison Graves, 2323 Palomino Lane - Madison Graves II. No connection, Commissioner Christensen, except - I think that you know that I was involved in that, but no connection at all insofar as ownership or anything.

Commissioner Christensen: What is the connection between the owners of this property and the owners of that property directly in front where the Rest Home is?

Mr. Graves: The connection? There isn't any. There is absolutely no connection there either with us being connected with the owners of the Rest Home . . .

Commissioner Christensen: When you say "us", who are you referring to - you and your two partners - all three of you?

Mr. Graves: Well, we have Mr. Osborne here, which is Verlin Corp. The one strip that Ty was just referring to is Glen's piece -

Commissioner Christensen: And which is that?

Mr. Graves: This is the strip - well, it doesn't reflect on there (easel map) but it 165 ft. fronting on Palomino Drive going all the way to West Charleston.

Page 5
Excerpt
Z-121-78

Now, you see where the purple is there (easel map) -

Commissioner Christensen: Yes -

Mr. Graves: Alright, what Mr. Hilbrecht was saying was that Glen's (Mr. Osborne) piece - he had three acres there he could put one half acre home on because of the setbacks. We got together with Mr. Osborne and formed Palomino Gardens to incorporate this R-PD-2 so that we could put a worthwhile project there.

Mayor Pro Tem Lurie: Mr. Foster has a comment to make -

Harold Foster: There is one thing I want to point out just to clarify things - where that Rest Home is - that C-DP that extends from Charleston north to this property we're talking about, the parcel that the Planning Commission was concerned about was the R-E piece to the east of it.

Mr. Graves: The R-E piece to the east of it is our property -

Mr. Foster: East of the one where the Rest Home is - the C-PD - and that's the parcel they were asking to include into this development. However, we now hear discussion about drainage and maybe sewer problems.

Mr. Graves: May I one more thing - I didn't mean to get up here, but since I am, it has been brought to my attention - in case you are unaware of the history of this - we have been trying to work with the neighbors. I live there - I do have control of some of the other half acres there - I am very concerned with the neighborhood and I've been working with the neighbors and we changed the entrance - we changed the homes on Palomino, which we thought would be an advantage to the people on Palomino. Just a few minutes ago I heard that there are some things going around that certainly aren't true, and I'd like to straighten them out right now.

No. 1, it is being said that we are asking for R-PD-2 because R-PD-2 can be changed by administrative action, and I would just like Staff to please tell the people here, and my neighbors, that R-PD-2 is a zoning in itself and cannot be changed. They are afraid we're going to come in there and put highrise condominiums, and we don't like that.

The only other thing I would like to say to that is that this plan we have here before us, we would like it in the minutes that we are held to this plan. We don't want any modifications of it and I think the neighbors will appreciate that.

Commissioner Christensen: You see, the problem that I have - you can turn this around the other way - and the thing that worries me is that it is very easy to break up all these parcels of property in separate ownerships and to put them here and there so that you could use that as an excuse as to why you can't come deeper, but, in effect, what that does - that preserves that property that fronts on Charleston to an excessive depth for commercial zoning later, which then has the effect of opening up West Charleston to make commercial zoning go much deeper off of Charleston than it does now, which creates a problem further west - further east - almost every direction on Charleston, and this is what really concerns us. I think this is what concerned the Planning Commission. I realize you have taken pains to straighten out the problem with the houses fronting on Palomino, and so forth, and I don't think that the particular project is the one that really worries people. What worries them is that - what happens to the property that is left, because then the next time we hear a zoning application on that property that's on Charleston

Page 6
Excerpt
Z-121-78

we'll find that somebody has bought that piece of property and they will say - I've got to go all the way back with it because I have no access for anything else if I don't. And then we're in a box again. Now we've got to grant depth - we've got to grant commercial property to an extreme depth because there is no access. I mean, it's a real good argument, but you can sustain that argument by taking care of making sure that you've got that argument going in in the first place. And that's what scares us.

There have been a lot of things . . . I honestly believe that probably the reason the neighbors are really up in arms, is that they are very much aware of this situation because of what happened to them on the Shopping Center. And you are a victim of that. There is no question about it. They feel that they have been done-in once and they're looking for it to come again and are going to try to guard against it. I can appreciate that, and even though your project may be a very excellent one, I think that is the crux of the problem - is that you leave too much unsaid. They're not worrying about what's been said - they're worrying about what has been unsaid. What is going to happen to the rest of it. And that's why I asked the questions about this property ownership and control and so forth. You can have a corporation own a piece of property and say - well, it belongs to a corporation and that's a different piece, but it's only a different piece until you get ready to zone it when it has the same guys' bucks in it sometimes, and that's what I'm trying to find out - whose bucks are in that property that is left, and what is planned for it, and I'm not doing too well toward finding out. I think there are some things there that need to be clarified.

Mr. Graves: I think we can clarify that right now, and let's get it all out in the open. We do have the people who are involved in that property and I think that probably they should step forward and I will let Ty introduce them. Could we answer that question I asked on the R-PD-2 zoning?

Mr. Foster: This is correct - once the Commission approves the development plan, there can be no further changes unless approved by the Commission.

Ty Hilbrecht: Are you satisfied with Mr. Graves - I think he said . . .

Commissioner Christensen: Let's get it out on the table. I've got information that was given to me by I don't even know who because it doesn't say - but somebody took the time to research the ownership, and so forth, and there are a lot of questions that are unanswered in that -

Ty Hilbrecht: We are not up for zoning on that matter . . .

Commissioner Christensen: And that is just exactly what the problem is - you are up for zoning on this matter which leaves too many unanswered questions on the other matter. You see, in coming for zoning on this matter, by a de facto situation zone the other because there is no other way we can go if we approve this under the circumstances.

Ty Hilbrecht: I understand . . .

Commissioner Christensen: And that's what we are worried about

Mr. Graves: Well, let's clarify it -

Commissioner Christensen: Because I don't want - you see, I was told it was a sewer problem. Well, if it's a sewer problem and you own the property fronting on Charleston, you split the sewer - you run part of it to Palomino and then you run it the other way downhill to Charleston. The cost is more sewer line.

Page 7
Excerpt
Z-121-78

But what I'm interested in is what is going to happen to the property that is left, and what is the connection of the principals in this property too - the principals of that property, and what's going to happen . . .

Ty Hilbrecht: We'll bring it out, right now -

Mayor Pro Tem Lurie: I want to hear from the protestants and I want to hear from the man who made this report available to us. Then after you hear all of those comments, I will give you time to rebut, as long as we don't get too long-winded into this discussion.

Commissioner Christensen: That might be better because then you will know what is in our minds because a lot of it stems from this information we received, and so forth, and we should get it out in the open so you can maybe answer it -

Ty Hilbrecht: Mr. Mayor Pro Tem - so that I can qualify it because I would like to confer with my client when I go back - my understanding is that the general feeling of the Commission is that they have deep concern concerning, I guess, 200 ft. that lies between the back of this proposed project and the C-D zoning on Mr. Osborne's, including that portion that is in common ownership . . .

Commissioner Christensen: Ty, look at it from the over-all standpoint. If you took a line - do you see where it says ROI . . .

Mr. Hilbrecht: If you carried forward the green line -

Commissioner Christensen: If you carried forward that line between the purple (easel map) and the green, all the way west, you can see that all runs pretty much the same depth. With the exception of that piece that is deeper right there, which is deeper only temporarily, I believe - I think that is deeper because of a Use Permit in there - that's where the Nursing Home is -

Mr. Foster: That is all zoned C-D.

Commissioner Christen: Clear to that depth?

Mr. Foster: Yes -

Commissioner Christensen: Boy - somebody goofed.

Ty Hilbrecht: All I am saying is that it is my understanding that our group does not control the deep purple parcel (easel map). We do control the one purple parcel that abuts the green parcel, but what my understanding is that the concern of the Commission is, in any event, to level that off I believe at a 275 ft. depth -

Commissioner Christensen: Our problem is right where the point of your pen is on that map (easel map) -

Mr. Hilbrecht: Alright - and that this portion - I believe that part owned by the developers here should be included within the project. Is that the major concern at this juncture?

Mayor Pro Tem Lurie: That is what we are saying -

Commissioner Levy: Let me ask one question before we go on to the protestants - Are these people planning on building the homes, or just developing the lots? Mr. Graves, are you planning on developing the lots or also building the homes?

Commissioner Christensen: Is it going to be a complete package -

Page 8
Excerpt
Z-121-78

Mr. Graves: We are going to build homes -

Commissioner Levy: OK, now we can hear from the protestants.

Mayor Pro Tem Lurie: I would like to hear from the protestants to this project now. Please state your name and address for the record.

Response: Sir, I am a Doctor and I have to get to my office. I would like to speak in favor of the motion, just very briefly.

Mayor Pro Tem Lurie: If you will make it brief, because I have asked that the protestants be heard first -

Dr. James Warren, 2400 Palomino Lane: I am in favor of this proposal because I believe that residential houses should be developed on that property. I like the idea that they open on to Palomino. I wasn't in favor before because of the wall on the previous proposal, but I certainly am in favor of the houses now. I think it will increase the property value of my home. I'm tired of all the dust and debris that blows onto my property. I just wanted to say that much. Thank you very much.

Mayor Pro Tem Lurie: Does the group that is here to protest have a spokesman?

Response: Yes. My name is Don Yokum and I have the property at 815 Shetland Road which is on the southwest corner of the proposed development. I would like to protest this development because I share the concern that was voiced here about the landlocked piece of property. My concern is that we won't be properly buffered as far as a commercial zone. In other words, where the Rest Home is now, our lot comes down to that corner and I was under the impression that that was a temporary Use Permit. Now Mr. Foster has brought something out that I was not aware of. I was always under the impression . . .

Mayor Pro Tem Lurie: When the Use Permit ran out it would revert back to whatever zoning was there before -

Mr. Yokum: Back to an R-E zoning -

Mayor Pro Tem Lurie: Most of us thought that too -

Mr. Yokum: And I might mention that have had the firm of Wells, Tate & Kennedy design any residence that I plan to build there . . . which I think would be an asset to the neighborhood. I really wouldn't want to go ahead if it is going to abut a commercial area. It just doesn't seem fair from the standpoint that we thought the property was residential estates and that's the general area around there and I would like to see it stay that way.

Mayor Pro Tem Lurie: Thank you, Mr. Yokum.

Bruce Sullivan, 721 Shetland. I am the gentleman who had this research done and as far as I am concerned I understand my researchers spoke with a Mrs. Hall in Cedar City who owns the Nursing Home, who told the researcher to contact her son, Mr. Wofenstein, here in town who is a licensed Real Estate Broker with Bates & Springer, who informed our researcher that the Nursing Home did have a tentative offer of \$240,000.00 - that last year they had asked for some where between \$250,000 and \$260,000 and now they were wanting \$300,000, and to the best of his knowledge, it was on a temporary Use Permit and that he felt by selling it and tying it with the rest of the property on Charleston that it could be rezoned commercial.

Page 9
Excerpt
Z-121-78

I am not objecting to something being developed back there. I am objecting to the proposed plan for several reasons. One, I don't feel that PD-2 and 15,000 sq. ft. lots, without the possibility of putting a horse on them, is compatible to the property I live on, which has horses on it. I bought there after many years of research, to live there, not to sell and make a profit, but so that I could call my grandkids in New York City who have never seen a horse and say - come on out, you can ride a horse.

Roughly two and a half blocks from my property is a Riding Ring that is owned by either the City or the County - I don't know who owns it, but it is maintained publicly -

Unidentified speaker: It is privately owned -

Mr. Sullivan: OK - I was told it was owned by the public. I don't feel that the PD-2 and the size - bringing the lots down in size - net size to the building lot by 5,000 ft. or more, is compatible to the area.

I don't want to see it change. I want to see it remain as a unique area. When this started, I started to look around with the idea maybe of trying to find another location. But, try as I might, there isn't another location in the whole of Las Vegas that is like this - that is unique and "country" so to speak - right within the City. I would like to see it stay this way and that is why I am protesting it.

Mayor Pro Tem Lurie: Thank you, Bruce, did you understand when Mr. Foster said that the gross area is the same as an R-E lot - on these lots that are being proposed?

Mr. Sullivan: I understand what he said, but the figures that I get, I don't see it that way. If the street is 55 ft. wide

Commissioner Christensen: I was going to ask Mr. Foster if that doesn't apply also to R-E lots. Aren't you talking about the gross space before the streets are cut out?

Mr. Sullivan: I don't think so -

Mr. Foster: It's an add-on on R-E -

Commissioner Christensen: OK - I see - then there is a difference in sizes - you figure an add-on on R-E and gross on R-PD - that's correct -

Mr. Sullivan: That's why you have more space with the R-E zoning. As you are probably well aware, some of them in there are up for sale, some have been sold. Somebody has a home on Pinto there - I understand he is a Doctor here in town - his home is up for sale for \$590,000. This property could support 10 or 11 very nice homes in there and I firmly believe there are far more than 10 or 11 families that could, and would, avail themselves of of property just mentioned.

Mayor Pro Tem Lurie: Thank you very much, Bruce.

George Kokos, 2426 Palomino Lane: I have lived in that house for 25 years. I am a resident of this town for 26 years. I grew up with the town. I bought my property because of the low density - not high density. If we have to contend with 22 houses right across from my home with the access right across from my driveway, it will be very difficult.

Page 10
Excerpt
Z-121-78

Mayor Pro Tem Lurie: Didn't they agree to move that access?

Mr. Kokos: Before it was right in the center of my property. Now they have moved it east where it is right next to the fire hydrant - which is dangerous - and it has to come right in front of my entrance to my property. Now, we had this meeting with the Planning Commission - Commissioner Maggie Coleman, she insisted for the change. It was made. She insisted it should be denied because I was there ahead and I didn't want 50 cars coming in and out flashing their lights right into my living room and my dining area.

I protest it in two different parts. They knew when they bought it that it was R-E. Why don't they let it stay like that? Why are they asking to change it? So they can make more money.

Now, another situation is that I feel they are not sincere - they are not sincere in their intents. They are planning to hoodwink all the Commissioners - you know that once they get the approval there, they are going to change it. This is my opinion. Possibly I am wrong -

Mayor Pro Tem Lurie: You are entitled to your opinion -

Mr. Kokos: And you know Commissioner Lurie and Commissioner Christensen that I am a sincere person and an honest person, and I will not under any conditions use subterfuge in order to make money, one way or another. We cannot have anything like that. I am with the people who protest this situation.

Mayor Pro Tem Lurie: Thank you, George. Is there anyone else who wants to speak on this application?

Bob Scott. I live at 205 Shadow and presently am building at 2001 Palomino, on the corner of Palomino and Rancho. I am building a very nice house - a little too expensive for me but that's neither here nor there. I makes my wife happy. I am the culprit that put in the roll curb and gutter and the sidewalk - that was when Mr. Petroni, who lives up the street, told me he was going to sue me if the kids had to walk in the mud - that was after the City Engineer's office - Bossi called, or one of his representatives called one afternoon at three o'clock and said we had to have the sidewalk in by four the next day - which is a little difficult. But, at any rate, through a long series of battles I got the permits to put in the curb, gutter and sidewalk which, incidently, is good engineering. People may like the country, but the streets don't drain over there. They are nothing more than trails and Palomino is extremely dangerous coming off of Rancho Road and you do have a School up there. What Mr. Bossi wanted was good engineering and practical to keep the kids from having to walk in the mud.

I would like to see this particular piece of property developed, but I don't think the neighbors need to utilize somebody else's property for horse trails - a place to dump their leaves and grass clippings. Now, I am building a Shopping Center site and I hauled off tons - and I mean literally tons - of trash that that property was generally used for. Quite often people will protest something because it takes something away from them they didn't want to begin with but have had the use of. I don't see anything wrong with the project. I think the project would enhance the value of my own home.

Commissioner Levy: Bob, I agree with you, but I'm not just sure what you are doing - protesting or for it. You are for it, aren't you?

Mr. Scott: I think I'm for it, but what I want to see is the street developed in a proper manner, which is good engineering and compatible with what should be there - proper drainage - proper access for safety.

Page 11
Excerpt
Z-121-78

Pat Hirschman, 2530 Palomino Lane: I am speaking in behalf of myself and a few other people. We are in favor of the project providing we have three houses facing Palomino Lane with ingress and egress as far east as possible. With those changes, we are in favor of it.

Mayor Pro Tem Lurie: Is there anyone else who would like to speak on this application?

Chuck Santelman, 2550 Palomino Lane: I want to say a couple of things. First of all, the plan that has been submitted by Mr. Graves and his group - and I have talked with Mr. Graves about it - and I am in approval of the development. I am not against that. I want to see the area developed. I am very concerned, though - and I told Mr. Graves - about the property on Charleston. I think we've gotten off the subject - we were talking about that - that extra property on Charleston - and I want to see it properly planned at this point.

Mayor Pro Tem Lurie: But we can't do that at this point. We have only one item before us. If they want to come back in and request a zone change on that property, then it has to go through the procedures of the Planning Commission and then back before this Board here.

Mr. Santelman: Well, you either have to deny their application -

Mayor Pro Tem Lurie: If we were to approve their application, and they want us to approve it leaving that island, you might say, of that piece of property, then they are going to have to decide what they are going to do and how they want to address that question to the Planning Commission and to this Board at a later date. That is really not before us . . .

Mr. Santelman: But you people are going to have to make a decision as to whether approve or deny this application today. I would like to speak to Mr. Scott's comments a minute ago. We did have a neighborhood meeting and Mr. Scott was not invited because I could not get his phone number. I tried calling him before about the sidewalks and we did have approximately 25 or 30 people show up at a neighborhood meeting where we did discuss what we, as neighbors, want in regards to sidewalks, curb and gutter. At this point the neighborhood is in agreement, I think, with the exception of Mr. Scott, that we would like the roll curb, improved streets, no sidewalks and no street lights. Thank you .

Mayor Pro Tem Lurie: One more speaker. Then we are going to Mr. Hilbrecht and then close this meeting off.

Ray Hirschman, 2530 Palomino Lane: I have been through this all since it started. With the three houses that are going to face Palomino Lane - with this plan that is coming up, with those three houses be started before the rest of the project is started. I don't know what Mr. Graves has in mind . . so we could see something in front of us -

Mr. Graves: Those would be the most logical - they would be built first - we don't have to go on with the block wall -

Ty Hilbrecht: Mr. Mayor, I'm not sure that the drawing before the Commission shows the red line change which does, indeed, show that the three (3) homes along Palomino were planned as R-E, as we are submitting the matter as, indeed, Staff pointed out. The drawing does not seem to indicate that the fence is now behind instead of in front.

Commissioner Christensen: We've had enough conversation to understand that.

You plan on running the driveways out the front instead of out the back and there's a red line that goes across there that has the fence going in a different place (easel map).

Ty Hilbrecht: That is correct. We also have present Mr. Leon Wilkinstein and I think it appropriate that he make a comment or two concerning these papers that apparently have been circulated among the Commission. I have to say, Commissioners, we have not seen the paper. We don't know what allegations it may have. The only thing we heard from the speaker was the conversation with Mr. Wilkinstein. It happens that he is in the Commission Chambers and he would be delighted to speak on the subject.

Commissioner Christensen: While he is speaking on that, why don't you read that, Ty, so you can see what we're talking about.

Leon Wilkinstein. I am Thelma Hall's son. She owns the piece that is zoned commercial to the depth of 478 ft. In regards to the letter here that he is reading that was presented by Mr. Sullivan, I presume that - I don't know how the conversation is recorded with the other persons, but the conversation I had with him was entirely different than what I just had the opportunity to glance over. The conversation is totally out of context and statements were made that were not made at all. He put questions to me, like for instance, on the \$240,000.00 sales price. That was never even brought up by me. This was brought up by him and we reviewed it and told him - no, that was not. I did not let him know what it was. I didn't feel it was any of his business to know - what my mother was selling her property for or whether she, indeed, was.

The other allegation insofar as the Use Permit. It is zoned commercial and it is on the record that it is. I don't know where he comes up with this - that I had said this. So I just question the integrity of what he just said that I said. I know what I did say.

Commissioner Christensen: Is it your understanding that it is permanently zoned?

Mr. Wilkinstein: Yes. When we went in that's what we asked for.

Commissioner Christensen: And that is what corresponds with what Staff says.

Ty Hilbrecht: Mr. Mayor Pro Tem and members of the Commission, I have just supplied the Clerk with the original and adequate copies of a petition in favor of this Project by residents in the area. We think it appropriate, as rebuttal, for those persons who appear here in protest. We certainly feel that with the exception of the remarks made by Mr. Kokos and the other gentleman who submitted a written presentation, that our program and our project is in complete conformity with the public remarks made at this hearing. I will say with respect to the matters that in briefly reading the written presentation . . . again, I do have all of the principals here. The owners of this project are Mr. Rosenstein, Mr. Graves and Mr. Osborne in the name of Verlin Corporation. They are not the owners of the purple parcel (easel map). I think Mr. Wilkinstein has cleared that up. I think unless there are questions, that would summarize our presentation. I do have the Professionals as I indicated - the Architect, the Engineer and Mr. Downey present to answer any questions you may have.

Commissioner Levy: Don't you have to have it subdivided before you can split a piece of property?

Mr. Foster: It's like a land division on a parcel map. Are you talking about

Page 13
Excerpt
Z-121-78

the split parcel as well as the ones to the south?

Commissioner Levy: Yes, I speaking in regard to the purple. I know it is usually done before can come in, especially if it has two different ownerships.

Mr. Foster: Well, not necessarily. If it is under two separate recorded parcels, there is no problem. If it is all under one piece then it would be subject to doing that and they usually don't want to do that until they know there is going to be a division line.

Commissioner Levy: The only thing I'm worried about is what are they going to do with that piece down below - the green piece.

Ty Hilbrecht: My client, Mr. Osborne, at this time with respect to the parcel that lies directly behind his C-D, has no plans at this time. It was indicated when objections were raised that they had been advised by the Architect that it seemed unfeasible to incorporate it in the project at this time. He, as you know, has been ordered to build a concrete block wall at the back, immediately behind the C-D, so he had no plans for the property. I assume, if nothing else, it would eventually become parking or something of that nature. I think that is not before the Commission at this time with respect to that parcel.

Mayor Pro Tem Lurie: My main concerns is - I like this project - I think it is the best possible use for that piece of ground and would enhance the neighborhood. I do have questions concerning the parcels to the south. But those are not before us today. I am concerned on what is going to happen to that piece of property when it comes in . . .

Ty Hilbrecht: But that is our risk -

Mayor Pro Tem Lurie: In a sense, it is because we are going to have to address it one day -

Commissioner Christensen: And it is a risk, too -

Mr. Hilbrecht: There is no question about that, Mr. Commissioner. I think that everyone involved in the project understands that.

Commissioner Christensen: The thing that bothers me is that there is a risk, but is it really a risk because would we have any way to go? The first thing a good attorney would have us in court saying that we landlocked the property and we have to let them develop it. That gets back to my original question on it . . .

Mr. Hilbrecht: Except for the fact that they are here and have represented to you that they do not have plans at this time for the use of that -

Commissioner Christensen: At this time - but you see that's what worries me because it puts us in a box. That's the whole problem that I have -

Ty Hilbrecht: If my principals feel that it would be reasonable to incorporate some, or all, of this in, they are all available and they understand what the problem is.

Mr. Graves: May I get back to this again?

Mayor Pro Tem Lurie: One more statement, then we're going to close it off and ask for a motion from the Commission.

Mr. Graves: What we're trying to do here is to tell you that we do not own

Page 14
Excerpt
Z-121-78

the purple piece (easel map) - the Rest Home. We have no connection with that. We are asking you to zone this on its own merits. The landlocked property there that we're talking about - there's going to be a proposal before you shortly on the Rest Home and that piece. If we can't get that on - when I say "we" - I will have nothing to do with it -

Unidentified response: You are in to that -

Mr. Graves: No, only to the fact that at this current time it is still in my name - or in our name - we will try and go in there with a higher density. I understand you might approve a higher density home in that landlocked area if we could find some ingress and egress off of Charleston, just to put in four or five homes, R-1. We're only talking about a space of 160 by 200 ft.

Right now our problem in this project - we can't cut the street - outside of all the other problems, we can't bring the street back here without losing our valuable lot to service that landlocked property, and I think that matter should come before you on its own merits - on the other property. All we're asking for is . . .

Commissioner Christensen: Your Honor, I'd like to ask Staff a couple of questions. This is a Resolution of Intent - it has to be under a Resolution of Intent until it goes to an Ordinance - right? Would it be possible - has it ever been done - to just go ahead and zone something by Ordinance?

Mr. Foster: Yes - we do that sometimes, like on an R-1 . . .

Commissioner Christensen: Well then, would it be a logical thing if we wanted to establish the depth of the commercial along Charleston, if this were approved today, to go ahead and take from that black line (easel map) down the depth of the purple and go ahead and introduce an Ordinance and establish that to be the same zoning by Ordinance?

Mr. Foster: That property you are speaking of to the south has not been advertised for any possible change and you would have to go through the usual processes -

Mayor Pro Tem Lurie: We shouldn't even be discussing it -

Commissioner Christensen: I am aware of that, and I realize that I would have to request that an Ordinance be drawn up and all those things - what I'm asking is, as a point of information, is that a procedure that is a legal procedure? And has it ever been done?

Mr. Foster: Whether the City Commission initiate a zoning action on that piece to the south?

Commissioner Christensen: Yes -

Mr. Foster: Yes, you can.

Mayor Pro Tem Lurie: Without the consent of the property owner?

Mr. Foster: You may initiate it, or the property owner.

Joe Swessell: Why not propose this project be approved if this is absorbed into it so you don't have to spot-zone . . .

Mayor Pro Tem Lurie: We can't act on that today -

Unidentified Speaker: You can hold it until you can enact it -

Mayor Pro Tem Lurie: We don't like to hold things we don't absolutely have to hold. I believe that Commissioner Christensen is going to ask for that Ordinance. If he does, that Ordinance will be on our agenda at the next meeting.

Joe Swessell, 405 Wisteria: The Commissioners on the Planning Commission did not oppose the project itself, the way it is, and after the last Commission meeting we were told about the sewer problem and three of the Planning Commissioners indicated that that would have had a bearing on the voting, if that means anything.

Mayor Pro Tem Lurie: We found out today that it is not a sewer problem - it's a drainage problem.

Commissioner Woofert: Mr. Mayor Pro Tem, I make a motion at this time to reverse the Planning Commission and approve the project, subject to conditions.

Mauor Pro Tem Lurie: Are there any comments on the motion?

(No response)

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

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 27

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)

2. The proposed homes on the north portion of the development shall front on Palomino Lane.

PROTESTS: 6

See Page 26

See Page 26

E. ZONE CHANGE - Z-7-79 - A. M. LEVY,
TRUSTEE

Property generally located north of Craig Road between Lorenzi Boulevard and Rancho Drive.

From: R-E (Residence Estates) and
C-2 (General Commercial)

To: R-PD3 (Residential Planned
Development)

Proposed Use: Detached Single
Family Dwelling Units with
Equestrian Recreational Facilities

Planning Commission recommends
APPROVAL (6-yes; 1-no), subject to
the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. No more than two horses shall be stabled within this development for each dwelling unit.
3. No boarding of horses by persons not living within this development shall be permitted.
4. The bridle path and equestrian area shall conform to the requirements of the Clark County Health District relative to dust and cleanliness.
5. A six ft. block wall shall be constructed on the north property line as required by the Department of Community Planning and Development.

PROTESTS: 5

Approved as
recommended by
Planning
Commission
EXCEPT:

1) No corrals
on Lots 81 thru
85

2) Delete
Condition #5 and
add:

(a) An appropriate
equestrian-type
fence to be con-
structed 10 ft.
south of the north
property line as
required by the
Dept. of Comm.

Planning & Dev., &
b) A row of Arizona
Cypress to be
planted along the
north property line
as required by the
Dept. of Comm.
Planning & Dev.
Woofter

Commissioner
Christensen
voted "no"

Commissioner
Levy did not
vote - temporarily
absent

(5 Protests)

Clerk to notify

Planning
to proceed

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 28

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)F. ZONE CHANGE - Z-2-79 - ROOSEVELT
WILLIAMS AND DOROTHY SIGNAL

Property generally located at the
northwest corner of Palomino Lane
and Tonopah Drive.

From: R-1 (Single Family Residence)
To: P-R (Professional Offices &
Parking)

Proposed Use: Medical Office Bldg.

Planning Commission recommends
DENIAL (5-yes; 2-no).

If approved, following is the
recommended condition:

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

PROTESTS: 2

Approved subject
to conditions
Woofter
Commissioner
Levy abstained

Commissioner
Christensen
did not vote -
temporarily
absent

Kenneth Gragson
representing
applicant

(No protests)

Clerk to notify

Planning
to proceed

G. ZONE CHANGE - Z-4-79 - FRANK SALA,
ET AL

Property generally located at the
southeast corner of Palomino Lane
and Rancho Lane.

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

To: C-1 (Limited Commercial)

Proposed Use: Office Complex

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

1. Resolution of Intent to be
restricted to a twelve (12)
month time limit.
2. No access be allowed to Palomino
Lane.
3. A six ft. decorative block wall
shall be erected along Palomino
Lane and set back sufficiently to

Approved
as recommended
by
Planning
Commission

Woofter - unanimous

Clerk to notify

Planning
to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 29

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)

provide for landscaping as required by the Department of Community Planning and Development.

See Page 28

See Page 28

4. A 6 ft. block wall shall be constructed along the easterly side of this development adjacent to the residential zone.

PROTESTS: 1

H. ZONE CHANGE - Z-1-79 - L L L CORP.

Property located at 829 South Sixth Street.

From: P-R (Professional Offices & Parking)

To: C-1 (Limited Commercial)

Proposed Use: Offices (Existing)

Planning Commission unanimously recommends APPROVAL.

PROTESTS: 0

Approved as recommended by Planning Commission
Lurie - unanimous

Clerk to notify
Planning
to proceed

Commissioner Christensen did not vote - temporarily absent

I. ZONE CHANGE - Z-3-79 - JAMES E. AND
KATHERINE B. ROCHE

Property located on the east side of Dike Lane, 150 ft. north of Bonanza Road.

From: R-1 (Single Family Residence) and R-E (Residence Estates)

To: C-1 (Limited Commercial)

Proposed Use: Parking Lot

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

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The north 55 feet of this application be deleted.

Approved as recommended by Planning Commission

Clerk to notify
Planning
to proceed

Commissioner Christensen did not vote - temporarily absent

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 30

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)

3. A six ft. block wall shall be constructed on the north side of this property approved for C-1 zoning.

See Page 29

See Page 29

PROTESTS: 0

J. PLOT PLAN REVIEW - Z-30-76 - Y.M.C.A.

Request for approval of a Revised Plot Plan to allow certain changes from the approved plan relative to the proposed building and tennis courts, on property generally located south of Meadows Lane and approximately 900 feet west of Valley View Boulevard, R-1 zone (under resolution of intent to C-1).

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

1. Arizona Cypress trees be planted along the west and south sides of the property.
2. The tennis courts shall be located as shown on the plot plan.
3. The lighting on the tennis courts shall be directed to the tennis courts and away from all residential areas. All lighting on the tennis courts shall be turned off no later than 10:00 P.M.
4. The facility shall close at 10:00 P.M.

Approved as recommended by Planning Commission EXCEPT that Item 4 to be deleted
Levy - unanimous

Clerk to notify Planning to proceed

K. PLOT PLAN REVIEW - Z-63-70 -
CHARLESTON HEIGHTS SHOPPING CENTER

Request for a Plot Plan Review to allow a retail commercial building on property generally located at the

Approved as recommended by Planning Commission
Woofert - unanimous

Same as above

APPROVED

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 31

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)

southwest corner of Evergreen Avenue
and Decatur Boulevard, C-2 zone.

Planning Commission unanimously
recommends APPROVAL.

See Page 30

See Page 30

L. REVIEW OF CONDITIONS - Z-12-67 - F.
J. PERAZZO, ARCHITECT

Review of Conditions to rescind the
condition requiring the six ft. block
wall on property located at 3601 West
Sahara Avenue, C-1 zone.

Planning Commission recommends
DENIAL (6=yes; 1=no).

Granted a six (6)
month extension of
condition requiring
the 6 ft. block wall
Christensen -
unanimous

Clerk to notify
Planning
to proceed

M. ANNEXATION REPORT - A-16-78 -
MICHAEL-VEGAS PLAZA, INC.

Report for annexation of property
generally located at the northeast
corner of Vegas Drive and Michael
Way, containing approximately 1.5
acres of land.

Items M and N
Approved
Levy - unanimous

C/A to
prepare
Resolution
and Notice

N. ANNEXATION REPORT - A-17-78 - PHIL
ROBERT ROSEQUIST

Report for annexation of property
generally located on the east side
of Maverick Street, north of Smoke
Ranch Road, containing approximately
5 acres of land.

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 32

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)O. TENTATIVE MAP - SUNCREST MEADOWS

Property generally located at the southwest corner of Craig Road and Lorenzi Boulevard, R-1 zone.

Owner/Subdivider: Buttrum Construction Co.

No. of Acres: 31.2

No. of Lots: 126

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

1. There shall be no vehicular access to Lorenzi Boulevard and Craig Road from the abutting lots.
2. If a wall is constructed on an exterior boundary street, the CC&R's shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.

P. TENTATIVE MAP - WILDWOOD VILLAS

Property generally located on the west side of Lamb Boulevard between Stewart Avenue on the north and Charleston Boulevard on the south, R-1 zone (under resolution of intent to R-PD7).

Owner: Ron Rudin Realty

Subdivider: M. L. Enterprises

No. of Acres: 36.8

No. of Lots: 246

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

1. There shall be no vehicular access to Lamb Boulevard from the abutting lots.

Items O and P
Approved as
recommended by
Planning
Commission
Woofter - unanimous

Clerk to notify

Planning
to proceed

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 33

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT
(CONTINUED)**

2. A six ft. block wall is to be provided on the rear of those lots abutting Manor Green Lane and Corwood Green Lane.
3. If a wall is constructed on an exterior boundary street, the CC&R's shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.

See Page 32

See Page 32

AGENDA*City of Las Vegas*

March 7, 1979

BOARD OF CITY COMMISSIONERS

Page 34

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XI. ADDENDUM ITEMSXII. CITIZEN PARTICIPATION

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

- A. REQUEST OF HARRY C. AND HAZEL E. BASLER
re Signs at 102-110 E. Charleston Blvd.

Referred to Dept. of Public Services

A D J O U R N M E N T - 5:50 P.M.**APPROVED AGENDA ITEM***RCJoch*