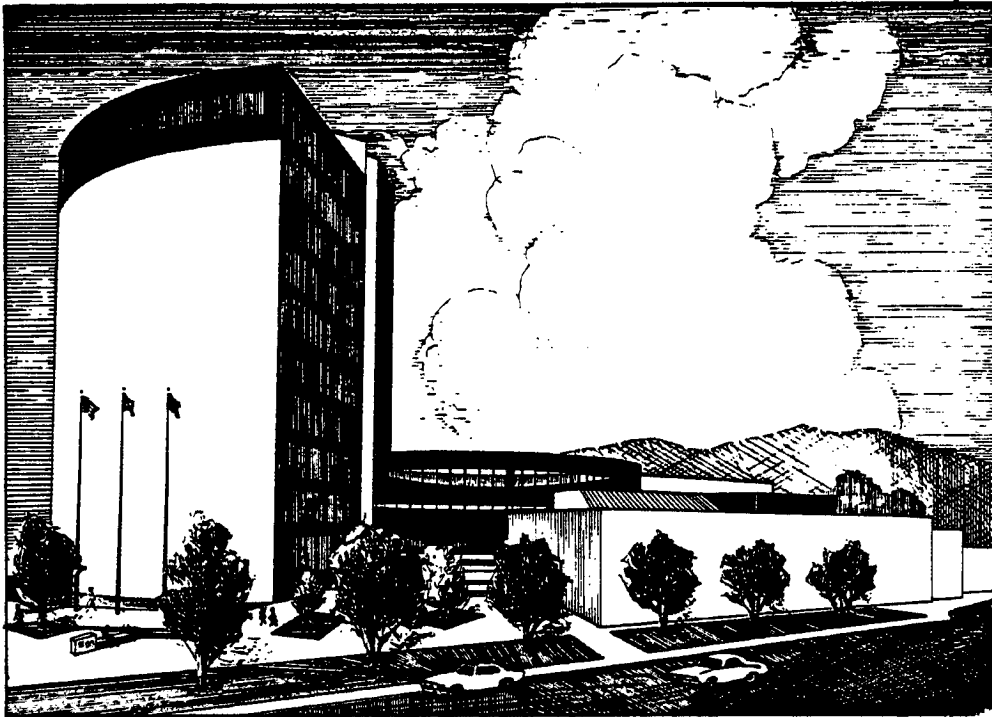




MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: August 19, 1981

TIME: 9:45 A.M.

INVOCATION: Rev. Richard H. Peterson

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS

	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	☒	☐	☐
COMM. PAUL J. CHRISTENSEN	☒	☐	☐
COMM. RON LURIE MAYOR PRO-TEM	☒	☐	☐
COMM. AL LEVY	☒	☐	☐
COMM. ROY WOOFER	☒	☐	☐

CITY ATTORNEY

GEORGE F. OGILVIE	☒	☐	☐

APPROVED BY REFERENCE _____ 19__

ATTEST:

Carol G. Hawley
CITY CLERK

William H. Briare
MAYOR

AGENDA*City of Las Vegas*

0001

August 19, 1981

Page 1

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

I. 9:45 A.M.A. COMMUNITY RELATIONSB. SPECIAL EVENTS

Presentation of Plaques of Appreciation
to Commission for grant from City to
"Help Them Walk Again Foundation" to
open the first Spinal Outreach Clinic.

Joanne Toadvine and Robert Keck
presented plaques of appreciation
to Board. The City of Las Vegas
was praised for being the first
City to support the spinal injury
cause as related to accidents with
their contribution of City parks
for the world's largest softball
tournament which is a fund raiser
for the Foundation.

II. 10:00 A.M.A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN
MEETING LAW

Announcement Made

B. INVOCATION

Reverend Richard H. Peterson
Trinity United Methodist Church

Invocation given
by Rev. Peterson

C. PLEDGE OF ALLEGIANCE

Pledge Given

APPROVED AGENDA ITEM

Ashley Hall

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

COUNTY OF CLARK) ss

Thomas Young
Edward Molitoris, an employee of the City of Las Vegas, Nevada, being first duly sworn, deposes and says that on the 14th day of August, 1981, at the hour of 9:30 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 19th day of August, 1981, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

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

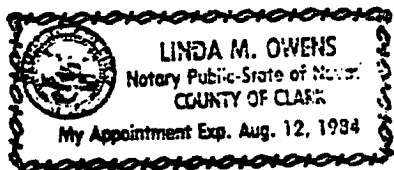
Ed Molitoris
 SIGNATURE

G.S. - 1223
 DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

14th day of August, 1981

Linda M. Owens
 NOTARY PUBLIC in and for said County
 and State. My Commission expires:



(Mailing required under the provisions of A. B. 437, NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

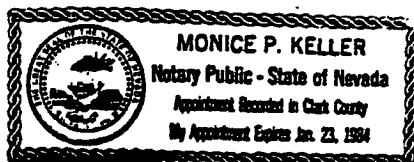
Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 14th day of August, 1981, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a REGULAR MEETING of the Board of City Commissioners, to be held on the 19th of August 1981, 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).

Loretta A. Hall
SIGNATURE (an employee in the Office
of the CITY CLERK)

Subscribed and sworn to before me this

14th day of August, 1981

Monice P. Keller
NOTARY PUBLIC in and for said County
and State. My Commission expires:



AGENDA*City of Las Vegas*

August 19, 1981

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.

ALL MEMBERS OF THE BOARD WERE PRESENT.

*A. CHARITABLE SOLICITATIONS PERMITS
(Approved by the Solicitations Review Board)

Lurie -
APPROVED
Items 1 thru 16.
Unanimous

Staff to proceed

1. TEMPORARY ASSISTANCE FOR WOMEN -- tickets to a benefit concert
2. NAVAL SEA CADET CORPS, VAN VOORHIS MEMORIAL SQUADRON -- tickets to a Wine Tasting party
3. SHEEP MOUNTAIN HOMEOWNERS ASSOCIATION -- tickets to a Bar-B-Q and Country Fair
4. LOYAL ORDER OF MOOSE, LODGE # 1763 -- a dinner party
5. SAVE OUR SPRINGS (S.O.S.) -- sale of advertising space
6. HADASSAH -- raffle tickets; sale of advertising space
7. ARCHIE GRANT PARK CLUB -- a bazaar/bake sale; raffle tickets

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

Page 3

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*A. CHARITABLE SOLICITATIONS PERMITS
(cont'd)

8. HOME OF THE GOOD SHEPHERD
AUXILIARY -- tickets to a
"Ball"
9. OPPORTUNITY VILLAGE --
tickets to a golf tournament;
a thrift shop
10. ST. JUDE'S RANCH FOR
CHILDREN -- tickets to
a "Nite of Stars"
11. OUR LADY OF LAS VEGAS
PARENTS CLUB -- raffle
tickets
12. ALL SAINT'S EPISCOPAL CHURCH,
WOMEN'S GUILD -- a rummage
sale; a Christmas bazaar
13. JUNIOR LEAGUE OF LAS VEGAS --
sale of advertising space
14. FIRST CHRISTIAN CHURCH --
pledges for a Hike-a-thon
15. NORTH LAS VEGAS CHAMBER OF
COMMERCE -- sale of
advertising space
16. UNITED WAY OF SOUTHERN
NEVADA -- tickets to
benefit performances

APPROVED
See Page 2

See Page 2

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

0006

August 19, 1981

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*B. CHILD CARE FACILITY APPLICATIONS
(Approved by the Child Welfare Board)Family Child Care Home

1. RENEE BRANER
6452 Alta Drive

5 children days
2 before/after school
2. TINA CRAFTS
424 Sandhill

5 children days
2 before/after school
3. VALJEAN RASMUSSEN
2740 Searles

3 children days
4. CYNTHIA FOGEL
7305 Bataan Street

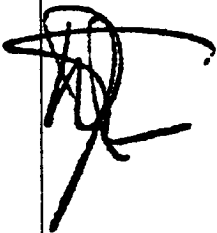
6 children days/3 nights
1 before/after school
5. ELAINE GATES
5817 Gowan Road

3 children days

Lurie -
APPROVED
Items 1 thru 7.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

August 19, 1981

Page 5

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*B. CHILD CARE FACILITY APPLICATIONS
(cont'd)Family Child Care Home
(cont'd)6. REBECCA BRUCH
7728 Genzer Street4 children days
3 before/after school7. RITA SCANIO
1312 Denarius Circle4 children days/2 nights
1 before/after school*C. GAMING -- Additional

1. FOXY'S JACKPOT CITY, INC.

Foxy's Firehouse Casino
2423 Las Vegas Blvd South
10 slots

2. WESPAC, INC.

Gold Spike
400 East Ogden
2 slots

3. CLUB BINGO, INC.

Club Bingo
23 Fremont
4 slotsAPPROVED
See Page 4

See Page 4

Lurie -
APPROVED
Items 1 thru 6,
with Lurie
abstaining from
voting on Item #6.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 6

PHONE 386-6011

ITEM

Commission Action

Department Action

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

4. L.R.P. CORPORATION

Social Circle Bar
235 North Eastern
1 slotAPPROVED
See Page 5

See Page 5

5. CASINO ELECTRONICS, INC.

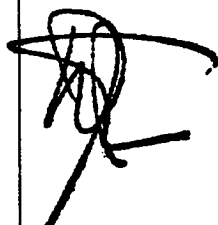
Road Runner Saloon
4425 East Stewart
1 slot

6. CASINO SERVICES

The Lift
3045 South Valley View
1 slotD. LIQUOR -- New1. *BLUE GARDEN, INC. dba
BLUE GARDEN
5000 West Charleston Blvd
Beer/Wine On-Sale LicenseThomas John Van Eyk, Pres,
Secy-Treas, Dir, 100%Lurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

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

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)E. LIQUOR -- Change of Ownership/
Change of Business Name

1. From: Ernie's Pool Hall
Earnest Douglas, 100%

TO: *BENEVA SMITH dba
SOUL BROTHER'S POOL
HALL
2360 North Lexington
Beer/Wine On-Sale

Beneva Smith, 100%

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

Lurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

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

1. From: Carmik, Inc. dba
Kenny's Restaurant
1205 East Charleston

Carl Gene Jensen,
Pres, 25%
Mike D. Purdy, V. P.,
25%
Cherrie Lee Purdy,
Secy, 25%
Dorthey Lu Ella
Jensen, Treas, 25%

TO: *PETER ELIADES dba
BOSTON PIZZA # 1
1601 Las Vegas Blvd So
Beer/Wine On-Sale

Peter Eliades, 100%

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

Lurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM.

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)G. LIQUOR -- Change of Ownership/
Change of Location/Change of
Business Name

1. From: Pink Panther, Inc. dba
Jerry L's Village Inn
1903-04 North Decatur

Geraldine M. Lepore,
Pres, Dir, Sole
Stockholder

TO: *SHIR-JAC, INC. dba
JAX LOUNGE
2245 A & B North
Decatur
General On-Off Sale

Shirley A. Galardi,
Pres, Dir, 50%
Jack E. Galardi, Secy,
Treas, Dir, 50%

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

Lurie -
APPROVED as per
City Attorney's
recommendations
and subject to
provisions.
Unanimous

Staff to proceed

H. LIQUOR -- Change of Business-
Corporate Name

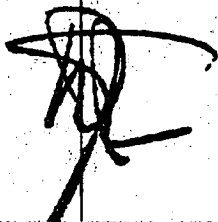
1. From: Walter's Wine Import
Corporation dba
Walter's Wine Import
Corporation

TO: MON VILLAGE, INC. dba
MON VILLAGE, INC.
827 North Main Street
Wholesale General

Albert Alfonse Verbist,
Pres, Treas, Dir, 50%
Nancy P. Verbist, V. P.,
Secy, Dir, 50%

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM


AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON SAYLOR
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 19, 1981 COMMISSION AGENDA
LIQUOR -- Change of Ownership/Change of Location/Change of Business Name

PURPOSE/BACKGROUND

Item III. G

Appearing on the August 19th agenda under item III. G. is a request for change of ownership, change of location, and change of business name on the liquor license currently held by Pink Panther, Inc., whereby the applicant, Shir-Jac, Inc., is seeking approval of the transfer of the license to operate under the name of Jax Lounge at 2245 North Decatur.

As you will recall, the City of Las Vegas conducted a show cause hearing in January 1981 against the Pink Panther, Inc. for violations of licensing provisions. The complaint to show cause was based primarily on the Pink Panther, Inc.'s failure to comply with federal tax laws, resulting in a tax lien being levied against the corporation and the seizure of the City liquor license by the Internal Revenue Service. (The tax lien has subsequently been satisfied and the seizure of the license cancelled.)

Findings of Fact and Conclusions of Law rendered by the Hearing Examiner were presented to the City Commission, and pursuant to the Decision and Order of the Board of Commissioners, the license of the Pink Panther, Inc. was suspended effective February 4, 1981. This decision ordered that the license remain suspended until such time as the "Pink Panther, Inc. is reinstated as a valid Nevada corporation and the federal tax liens are satisfied, or until such time as Pink Panther, Inc.'s liquor license is transferred to another person who is approved by the City of Las Vegas to hold said license."

Approval of the transfer of this liquor license to Shir-Jac, Inc. would satisfy the conditions of the suspension order and allow the license to be reinstated to an active status.

Measurements taken by the Department of Business Activity indicate that the location of 2245 North Decatur Boulevard does meet the distance requirements as set forth in the Liquor Control Ordinance.

Additional confidential reports will be furnished to the Mayor and Commissioners by the Special Investigations Bureau prior to the meeting.

Ila M. Britt
Ila M. Britt, Director
Department of Business Activity

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

78-3 10

Agenda Item

III. G. 1

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)I. LIQUOR & RETAIL TOBACCO -- Change of Ownership1. From: Elaine V. McCormick,
100%TO: *ROBERT & WINNIFRED
GRIESHABER dba
GREEN SHACK
2524 Fremont
General On-SaleRobert John Grieshaber
and Winnifred Kay
Grieshaber, 100%,
jointly as husband
and wife*Subject to the provisions of the
Planning, Building, and Fire codes
and Health Department regulationsLurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

J. LIQUOR & RETAIL TOBACCO -- Change of Ownership/Change of Business Name1. From: Gilbert Brothers
LiquorJoseph C. Schlageter
and Rita Marie
Schlageter, jointly
as husband and wifeTO: *DONNIE GRAY dba
GILBERTS LIQUOR
322 West Bonanza
General On-Off Sale

Donnie Ray Gray, 100%

*Subject to the provisions of the
Planning, Building, and Fire codes
and Health Department regulationsLurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)K. LIQUOR, GAMING & RETAIL TOBACCO --
Approval of Key Employees

1. BINGO PALACE CASINO, INC. dba
BINGO PALACE CASINO
2540 South Rancho Road
General On-Off Sale License
Unrestricted Gaming

Administrative Assistants:
Don Keith Gordon
Leo Diamond

Controller:
James Phillip Faso

2. SCOTT PLAZA, INC. dba
UNION PLAZA HOTEL & CASINO
#1 Main Street
General On-Sale License
Unrestricted Gaming

Scott Plaza, Inc., a wholly-
owned subsidiary of Scott
Development Corporation --

Comptroller:
Brian Dale Menzel

Lurie -
APPROVED
Items 1 and 2.
Unanimous

Staff to proceed

L. GAMING -- New

1. SUN DRUGS
2410 East Bonanza
Gaming: 10 Business-owned
Slots

Sun-RX Drugs, Inc. --
Brian Stevens Holt, Pres,
Dir, 100%
Wendel Reece Holt, V. P.,
Dir,
Deborah Jean Holt, Secy,
Treas, Dir

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

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

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ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITYM. RETAIL TOBACCO -- New

1. D & F ENTERPRISES, INC.
2540 South Rancho Road

D & F Enterprises, Inc. --
Delise A. Fertitta, Pres,
100%

Lurie -
 APPROVED
 Items 1 thru 3.
 Unanimous

Staff to proceed

2. 5TH DEMENTION SNACK BAR
4430-1 East Charleston

Eli J. Moses, 100%

3. SUNDOWNER TAVERN
1418 East Fremont

Robert J. Kofal, 100%

N. SECONDHAND LICENSE -- New

1. PRECIOUS METALS BUYERS
3230 Polaris, Suite # 6

Andrew Nicholas Simmons, 100%

Lurie -
 APPROVED
 Unanimous

Staff to proceed

Applicant present

O. AUCTIONEER LICENSE -- New

1. *JIM W. SHORT
2800 East Fremont

Auction Sale Permit:
Date: September 4, 1981
Showboat Hotel

Lurie -
 APPROVED subject to
 residency require-
 ment as per 5-6-2
 of City Code.
 Unanimous

Staff to proceed

*Subject to meeting residency
 requirement as stated under
 5-6-2

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 10, 1981

TO:
The Board of City CommissionersFROM:
DON SAYLOR, DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 19, 1981 COMMISSION AGENDA
AUCTIONEER LICENSE -- NewPURPOSE/BACKGROUND

Item, "0", 1.

Appearing on the August 19, 1981 City Commission agenda under item III "0" is a request for a new auctioneer license from Jim W. Short.

Mr. Short is an auctioneer for Nelson International, a company located in Tyler, Texas, which specializes in auctioning of heavy construction equipment all over the United States.

At the same time, Mr. Short is requesting a permit for an auction sale to be conducted on Friday, September 4, 1981, at the Showboat Hotel. The sale will consist of Heavy construction equipment belonging to the Frank Briscoe Construction Company.

It is my understanding that Mr. Short arrived in Las Vegas on August 3, 1981, registered at the Showboat Hotel, and will have completed the 30-day residency requirement by the time of the sale on September 4th.

FISCAL IMPACTRECOMMENDATIONS

W. M. Britt
W. M. Britt, Director
Department of Business Activity

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

III 0 1

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)P. AUCTION SALE PERMITS1. G. ROBERT DEIRO, LICENSED
AUCTIONEER

Location: 301 South Eleventh

Date: August 25, 1981

Location: 602 Las Vegas Blvd
South

Date: August 29-30, 1981

Lurie -
APPROVED
Unanimous

Staff to proceed

Q. SPECIAL EVENT LIQUOR LICENSE

1. LOYAL ORDER OF MOOSE # 1763

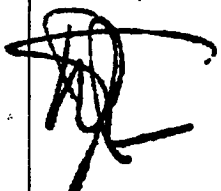
Location: 1600 Gragson

Date: September 3, 1981

Responsible Licensee:
LeRoy KeeneLurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA DOCUMENTATION

Date: August 10, 1981

TO: The Board of City Commissioners

FROM: DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 19, 1981 COMMISSION AGENDA
AUCTION SALE PERMIT

PURPOSE/BACKGROUND

Item, "P," 1

Attached are copies of letters from G. Robert Deiro requesting permits for auction sales on August 25, 1981, to be conducted at 301 South Eleventh Street and on August 29-30, 1981, to be conducted at 620 Las Vegas Boulevard South.

Mr. Deiro has been approved by the Board of City Commissioners for an auctioneer's license.

Title 5, Chapter 6, of the Las Vegas City code titled "Auctions and Auctioneers" does require a permit for each auction sale conducted and does require approval by the Board of Commissioners of such permits.

FISCAL IMPACT

RECOMMENDATIONS

Ila M. Britt
Ila M. Britt, Director
Department of Business Activity

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-3-10

Agenda Item

III P 1



**ROBERT DEIRO
& ASSOCIATES**
AUCTIONEERS
APPRAISERS

August 4, 1981

Honorable Board of City Commissioners
City of Las Vegas
400 East Stewart Ave.
Las Vegas, Nevada 89101

Re: Auction Sale Permit.

Gentlemen:

Pursuant to the applicable statute regarding auction sales, I hereby request that an auction sale permit be issued for the following public auction to be held August 29, 30, 1981 at 10:00 AM each day.

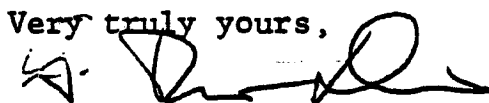
The owners of Marion's Furniture, John and Betty Zehring are closing their store after 22 years of operation. They wish to liquidate all of the remaining furniture inventory and the office furnishings and equipment. They will also sell their moving van during this sale.

The sale will be held on their premises at 602 Las Vegas Blvd. South, Las Vegas, Nevada.

I hereby certify that I am a citizen of the United States and a licensed auctioneer in the City of Las Vegas.

My last auction was held on March 25, 1981.

Very truly yours,


G. Robert Deiro, NAA, NSAA

GRD/jc

File

8-5-81
File # 7868
\$20.00 sale permit fee

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)R. LIQUOR -- Request for Extension
of Inactive Status

1. CURTIS & GREEN dba
NEW TOWN TAVERN
600 Jackson Street
General On-Sale License

Danny Curtis, 50%
Elijah Green, 50%

(Closed 5/25/81. Request for
extension of inactive status
for three-month period: 8/26/81
to 11/26/81.)

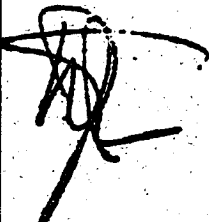
2. ANDERSON & THOMAS dba
BERTA'S LOUNGE
1905 "H" Street
General On-Off Sale License

Henry Anderson, 50%
Kenneth Thomas, 50%

(Closed 5/30/81. Request for
extension of inactive status
for three-month period: 8/31/81
to 11/30/81.)

Lurie -
APPROVED
Items 1 and 2.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

0020

Date: August 7, 1981

TO:
The Board of City Commissioners

FROM:
DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 19, 1981 COMMISSION AGENDA
LIQUOR -- Request for Extension of Inactive Status

PURPOSE/BACKGROUND

Items, "R", 1 & 2.

Standard requests for extensions of inactive status on liquor licenses as follows:

1. Danny Curtis and Elijah Green dba New Town Tavern
2. Henry Anderson and Kenneth Thomas dba Berta's Lounge

Copies of letters requesting extensions are attached.

FISCAL IMPACT

RECOMMENDATIONS

Ila M. Britt

Ila M. Britt, Director
Department of Business Activity

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-3-10

Agenda Item

III. R 1 & 2

CITY COMMISSION MINUTES AUGUST 19, 1981

Danny Curtis & Elijah Green
DBA New Town Tavern
600 Jackson Street
Las Vegas, Nevada 89101
August 4, 1981

0021

C/O Dept. of Business
Activity-License Division
#3866281
Mayor & City Commissions
400 Stewart Street
Las Vegas, Nevada
89101

Gentlemen:

My partner Elijah Green and I had a fire at our establishment (New Town Tavern, 600 West Jackson St.) on May 25, 1981 at approximately 5:00 a.m. in the morning.

We were granted a 90-day extension which will end August 24, 1981. Due to the fact that we were late in receiving our insurance payments from the fire, we would like to ask for at least another 4-weeks extension which will give us until September 24, 1981.

If plans go as projected our August 24, 1981 deadline can still be met. Preferably, we would appreciate the assurance of a September 24, 1981 deadline.

We would appreciate it greatly if this action was granted.

Thanking You In Advance


Danny Curtis


Elijah Green

8/19/81 G. J. J. Green
M. H.

III R I

August 10, 1981

Mayor William Briare and
City Commissioners
Las Vegas City Hall
400 East Stewart
Las Vegas, Nevada 89101

Attention: Ila M. Britt

Re: Berta's Lounge
1905 North "H" Street
Liquor License No. L04-110-4-00573

Gentlemen:

This is in reference to Berta's Lounge located at 1905 North "H" Street, which is presently closed effective May 30, 1981. The closure is due to the expiration of the lease. At the present time, we are planning a re-organization of the business.

This letter is to request an extension on the inactive status for an additional three-month period, pursuant to the provisions of the Liquor Control Ordinance.

Thank you,

Kenneth Thomas
Kenneth Thomas

Henry Anderson
Henry Anderson

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)S. LIQUOR & RETAIL TOBACCO -- New

1. *IRWIN M. BROWN dba
SUPER SIX MARKET
1960 North Highland
General Off-Sale License

Irwin Martin Brown, 100%

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

Lurie -
APPROVED subject
to provisions.
Unanimous

Staff to proceed

T. APPEAL ON DENIAL OF BUSINESS
LICENSE

1. FINNE ARTS THEATRE
1732 Fremont, Suite C

Eugene Tipton, 100%

Levy -
Appeal DENIED
Motion carried
with Levy and
Christensen voting
"yes"; Woofter "no";
Briere excused and
Lurie abstaining.

Staff to proceed

Atty. Paul
Schofield repre-
sented applicant
Appearances before
Board were Mr. &
Mrs. Tipton and
Silas Stepp.

U. LIQUOR -- Change of Business Name

1. From: CK's

TO: J.A.M., INC. dba
T.K. CHRISTY'S
300 S. Fourth Street
General On-Sale

Chris Karamanos, Pres,
Secy, Treas, Dir,
100%

A large number of
documents were made
See final minutes and verbatim
transcript for complete details.

Item U
Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

EXCERPT - CITY OF LAS VEGAS COMMISSION MEETING - AUGUST 19, 1981
RE: III-T - APPEAL ON DENIAL OF BUSINESS LICENSE - FINNE ARTS THEATRE

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MAYOR BRIARE: This next item, T, is an Appeal on Denial of Business License, and I'd like to request that the City Attorney, Mr. Ogilvie, make some opening remarks.

COMMISSIONER LURIE: Mayor?

MAYOR BRIARE: Oh, yes, Commissioner.

COMMISSIONER LURIE: Before we go to this item, can we go to Item U and take care of the Change of Business Name?

MAYOR BRIARE: If there is no objections by the Commissioners, we'll come back to Item T.

(THE BOARD THEN WENT TO ITEM U AND UPON COMPLETION, RETURNED TO THIS ITEM.)

Now, Mr. Ogilvie, we are returning to Item T on the Agenda.

CITY ATTORNEY OGILVIE: Yes, Mr. Mayor. This is an Appeal of the denial by the Director of Business Activity for a license to operate an adult movie under the name of Finne Arts Theatre to be located at 1732 E. Fremont Street here in Las Vegas. Before starting, I would request that the packet of material which is included in your agenda booklets be made a part of the record, and that is identified -- a document identified as:

City of Las Vegas Agenda Documentation dated August 7, 1981 to the Board of City Commissioners from Don Saylor, Deputy City Manager, Subject: Department of Business Activity, August 19, 1981, Commission Agenda, Appeal on Denial of Business License, and also the several attachments to the Agenda Documentation, which are identified as follows: (EXHIBIT A)

Item No. 1 consisting of three pages is the original Application for Business License filed by Silas Stepp on behalf of Eugene Tipton, doing business as Adult Theatre, 1732 E. Fremont. (EXHIBIT B)

The next item is a one page letter dated August 1, 1980, from the Department of Business Activity to the applicant requesting additional documentation regarding the proposed business and business premises. That letter was returned "Address Unknown" so the next item is a follow-up letter dated August 12, 1980, requesting the same information to which is attached the receipt that that letter was received. The receipt was signed by Silas Stepp. (EXHIBIT C)

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CITY ATTORNEY OGILVIE:

The next item is a letter from Silas Stepp furnishing the information requested in the August letters, and attaching to it, a six page Lease Agreement and a one page Certificate of Fictitious Name. This letter is dated March 30, 1981. (EXHIBIT D)

The next item dated April 22, 1981, is a three page Amended Application of Eugene Tipton changing the name of his proposed theatre to Finne Arts Theatre. (EXHIBIT E)

The next item is a memorandum or a letter from the Criminalistics Bureau relative to certain signature discrepancies that were discovered by the Department of Business Activity in processing Mr. Tipton's application. This letter is a one page document dated May 13, 1981. (EXHIBIT F)

The next item is a request from the Department of Business Activity to the City Attorney's Office regarding the entitlement of this applicant to a business license. That is a three page document dated May 15, 1981. (EXHIBIT G)

The next item dated May 20, 1981, is a two page memorandum written by John Roethel, Deputy City Attorney, in response to the prior request. (EXHIBIT H)

The next item dated May 21, 1981, consists of three pages with one attachment, a letter sent to Mr. Tipton requesting specific information regarding his business operation and raising the questions that were the subject matter of the Business Activity's request to the City Attorney's Office. The attachment to that is the receipt of the letter. (EXHIBIT I)

The next item is a two page response dated May 29, 1981, received from the attorney for Mr. Tipton, Attorney Paul Schofield. (EXHIBIT J)

The next item is a one page memorandum from the City Attorney's Office to the Business Activity Department relating to the status of the applicant as a result of Mr. Schofield's letter. (EXHIBIT K)

The next item is a report from one of the License Investigators dated July 27, 1981, which consists of two pages with one attachment. It's from Business Activity reporting additional findings that they have made following the receipt of Attorney Schofield's letter. (EXHIBIT L)

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CITY ATTORNEY OGILVIE:

The next item dated August 3, 1981, is a three page letter of denial as stating the reasons why the subject application has been denied. (EXHIBIT M)

The final item is a one page letter dated August 6, 1981, from Paul Schofield, the attorney for the applicant, appealing the denial which is before you this morning. (EXHIBIT N)

To give you some background of the matter before you, in February of 1980, the Department of Business Activity received a letter or an application from one James Walthall to open an adult theatre at the proposed address for the Finne Arts Theatre. That application was denied on the basis of some prior obscenity related convictions of Mr. Walthall and also because Mr. Walthall had given false information of his business license application.

In June of 1980, Mr. Tipton applied for a similar license at the same address and in his business license application he listed James Walthall as his son-in-law. Mr. Tipton resides in Oklahoma and Mr. Walthall in Texas. As a result of the August letters which Mrs. Britt wrote to the applicant requesting additional information, Mr. Stepp on behalf of Mr. Tipton, supplied her with a copy of the Lease Agreement for the premises and also a Certificate of Fictitious Business Name. The signatures on those two documents differed considerably with the signatures which appeared on the original business license application and the amended business application, all of which were purported to be signed by Mr. E. W. Tipton. The matter of the discrepancy in signatures was then submitted to the Criminalistics Bureau of the Las Vegas Metropolitan Police Department and as a result of that submission, the following letter was received. It's dated May 13, 1981, addressed to J. Ashenfelter, Sgt., from W. Leaver, Subject: Question Signature of Eugene Tipton. The content of the letter is "Upon examining the signatures of Eugene W. Tipton submitted, the following determination was made. The signature of Eugene W. Tipton appearing on the Questionnaire dated April 21, 1981, and notarized by Susie May Hall was not written by the same person who wrote the signatures of E. W. Tipton on the Lease Agreement dated January 10, 1981, and the Fictitious Firm Name form dated February 2, 1981."

As a result of this, the matter was submitted to the City Attorney's Office for review. At the advice of the City Attorney's Office the Department of Business Activity requested further information from Mr. Tipton, the applicant. That response was made by Mr. Tipton through

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CITY ATTORNEY OGILVIE:

his attorney, Mr. Schofield, in which assurances were made that "yes, all signatures were in fact the signature of Mr. Tipton," and another question raised in the letter was what was Mr. Walthall's potential connection with Mr. Tipton's business. The reponse was that at the present time Mr. Walthall had no connection with him; if in fact sometime in the future he was employed, it would be strictly on an employer-employee relationship and if that occurred, the Department of Business Activity would be so notified. Subsequent investigation, however, revealed that Mr. Walthall was signatory to the business bank account of Mr. Tipton, as was Mr. Tipton himself, and that Mr. Walthall was in fact on the premises supervising the remodeling work that was going on on the premises and in general, managing the affairs that were then being conducted on behalf of Mr. Tipton. As a result of that finding, the following denial letter was written. This is identified as a letter dated March 3, 1981, addressed to Eugene W. Tipton, P. O. Box 21, Spencerville, Oklahoma 74670, re: Application for License, Finne Arts Theatre, 1732 Fremont Avenue, Las Vegas, Nevada 89101.

"Dear Mr. Tipton:

This letter is the official notice that the above referenced business license application is hereby denied. The authority for this denial is contained in Las Vegas City Code Title 5, Chapter 1, Section 16, which states in part: 'Any license or permit application made pursuant to the provisions of this title or any amendment thereof for the conduct of business may be denied for good cause by the Department of Business Activity or by the Board of City Commissioners: The particular types of good cause which applied to your business license application are: 1. False or fraudulent statements in the Application for License, 2. Lack of fitness of the applicant to engage in a particular occupation or business, 3. Fraudulent practices or misrepresentations in the operation of the business or concealment or misrepresentation in procuring the license. Your application for the above referenced business license was filed with the City of Las Vegas on June 26, 1980. After initial processing, we requested further information on August 12, 1980. Your agent Silas Stepp sent the additional information by letter dated March 30, 1981. A review of this additional information revealed two potential problems: the documents disclosed two different signatures, both purporting to be the signature of Eugene W. Tipton, and two, the possible involvement in your business of James C. Walthall. Mr. Walthall, your son-in-law, had

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CITY ATTORNEY OGILVIE:

previously been denied a license by the City on April 30, 1980, for an adult movie theater. Mr. Walthall's denial was for false statements on the business license application regarding his criminal record. On May 21, 1981, by letter to you we requested clarification of the apparent discrepancies in your signature and we sought additional information concerning the operation of this business since you will be an absentee owner and the involvement of Mr. Walthall. In response to this request we received a letter dated May 29, 1981, from your attorney, Paul Schofield. Mr. Schofield represented that the two apparently different signatures of Eugene W. Tipton were, in fact, both executed by you. Mr. Schofield further stated: 1. Mr. Stepp will be entirely in charge of the total operation. 2. At the present time there is no intent to involve Mr. James C. Walthall in the operation of the business. Should there be a future determination to use Mr. Walthall in any way as an employee, our client would be happy to so advise the licensing department. Further investigation by this department leads us to believe that the representations made to the City regarding this business license application were false, that misrepresentations and concealments have been made in attempting to procure the license and that you lack the fitness necessary to engage in this business. Our investigation reveals that James C. Walthall has taken an active and supervisory role in the remodeling of the premises to be used for your proposed business. Checks drawn on the 'Finne Arts' checking account at First National Bank of Nevada have been signed by James C. Walthall and such is authorized since James C. Walthall appears as a signatory on the bank's account records. Silas Stepp is not a signatory on the bank account even though he is 'entirely in charge of the total operation' (letter by Paul Schofield, May 29, 1981). The bank account signature of 'E. W. Tipton' does not correspond with either of the two previous Tipton signatures we have in our file. Based on the information set forth above, your business license application is denied. Please be advised that you have the right to appeal this denial as stated in Las Vegas City Code 5-1-16(D) which provides" --

and then it quotes the section of the code. The letter is signed by Ila M. Britt, Director, Department of Business Activity. That is the posture of the matter before you this morning. He is here on the appeal of Mr. Schofield on behalf of Mr. Tipton, and perhaps Mr. Schofield might wish to say a few words.

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MAYOR BRIARE:

Before we hear from Mr. Schofield, I'll ask if there's any comments or questions of Mr. Ogilvie by any members of the Commission. Mr. Schofield.

ATTORNEY PAUL SCHOFIELD:

Thank you. Your Honor and members of the Commission, my name is Paul Schofield with offices at 516 S. Third Street, Las Vegas, Nevada. I do represent Mr. Tipton and Mrs. Tipton and also Mr. Stepp in this regard. I would also represent that Mr. and Mrs. Tipton are both here. I'm pointing over -- if they'd stand, just a moment. They're here to testify or make representations as necessary as is Mr. Stepp. Thank you. You can sit down. Mr. Stepp, right next to them. Based upon the way this has proceeded with Mr. Ogilvie making a record, I would suggest that perhaps I might respond the same way with a portion of my comments to be offers of proof to the Commission primarily as to what Mr. Stepp would testify to and what Mr. Tipton would testify to. For the record, too, I would like to represent to the Commission that notwithstanding the fact that I have probably been to the Licensing I know at least twice and maybe three times, and Mr. Stepp has been there on several occasions, I was unaware of a majority of the items as were stated to the Commission and put in the record by Mr. Ogilvie this morning. I am certainly aware of the response that I gave and the application and I would make comments in that regard. If I could briefly first state in regard to the various signatures and perhaps suggest to the Commission when I became involved in this, I became involved somewhere in May of 1981 when Mr. Stepp came to my office in regard to primarily questions as to how to respond and so on. Prior to that time, I had talked with Mr. Stepp in regard to an additional lease for Mr. Walthall who I think I did meet more than a year ago and drafted a lease which never went through. I say this to represent to you that Mr. Stepp would testify to the effect that Mr. Stepp is also a real estate broker. He in performing that profession was attempting to lease this particular property and I think other properties. He thought he made a deal with Mr. Walthall. I guess Mr. Walthall was turned down. I was not involved in that. Mr. Stepp would then testify that he then attempted to secure other lessees for the property. He was unable to do that. He then contacted some months later Mr. Tipton in regard to leasing this property. Mr. Tipton -- I'm kind of jumping around, I guess -- would also testify that he and his wife live in Oklahoma; it's their intent to move to Las Vegas, Nevada. However, in regard to the signatures and in about May when I became involved, I talked with Mr. Stepp and Mr. Tipton in regard to the signatures. I don't know how you really verify these. I did have him give me some exemplars -- some signatures signed before me. I tried

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ATTORNEY PAUL SCHOFIELD: to examine them and I know nothing about signatures. We also at that time were dealing with the City who dealt very fairly with us, I think, in regard to perhaps Mr. Stepp becoming the applicant if indeed there were these problems. We have a built-in problem. Mr. Walthall is the step son of Mr. Tipton and is the son of Mrs. Tipton who is here today, and has been the step son of Mr. Tipton for some 15 years. So we have what I would call a built-in problem. There is that association. However, after confirming to me to my satisfaction that all of the signatures in question -- and by the way, there were only two signatures in question at the time. I've been advised by Licensing that since that time there was a third signature, all three of which are assumed by Licensing to be by different people. We did though, after we were unable to make any other arrangements, contact a William Kaye in Los Angeles, California -- actually Van Nuys, California -- who is a handwriting expert of some 40 years. I have certain documents to submit to the Commission. One of the documents is his background; the other is his Affidavit in regard to his examination of copies of the various signatures which were given to me by a lady I know as "Marge" from the Licensing Department. Just very briefly, I'll state, and I'd like to ask that these be put into record, Mr. Kaye has worked on various cases -- one, the Howard Hughes' wills, as far as examination of documents; another, the Charles Manson murder case situation, and several others, but I just represent that based on the information that I could find, he's a very legitimate and expert handwriting expert. I won't say "analyzer". I understand there's a difference there. What we did, and he has then set forth in his Affidavit -- the Affidavit of William Kaye-- that he has examined copies of the three documents which I sent to him. He went further and stated they were marked in red or they were marked in green -- whatever the case -- and those were copies that I had gotten from Marge, not knowing which signatures were in question. He also stated that he examined the four exemplars that I sent him, which were signed in my office by Mr. Tipton in front of me, and he then filed his Affidavit which I think I wish would have been more positive, but I will also represent to the Commission that he called me on Monday and told me that it would be better for our situation if he could come here and examine the originals. I guess this is something that experts must do is examine the originals. That would have cost my client another \$500. We had paid \$350 for this examination. I advised because of the time situations and I thought because of the administrative nature of this particular hearing that we would take the Affidavit at this time. He did state, as I have stated to you, in his affidavit various things and then he stated

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ATTORNEY PAUL SCHOFIELD: that "Upon careful examination and comparison, it is my considered opinion in conclusion with reasonable certainty, where I permitted to examine the original documents in question, my findings possibly could verify these questioned signatures were written by one and the same person." And there are other comments in this. I agree this does not beyond any doubt state these are all the same. I submit to this Commission that no handwriting expert will ever get in court and say "beyond any reasonable doubt." As a matter of fact, I would question the very strong comments made by the Criminalistics Department and, again, these are the first times I've heard these today in this regard. I would submit that I do have this Affidavit and another set of documentation which is just Mr. Kaye's background that I would ask that when I get through here, I'd be allowed to file with the Commission. And those are my comments in regard to the signatures with the exception that, again, Mr. Tipton is here and Mr. Tipton will stand here under oath and tell you until his face turns red that those are his signatures. We don't know much else we can do at this point to the Commission. Again, I did not know, and I will represent this, until my last visit I think this past week to the Business Licensing that there had indeed been a "handwriting expert" who had made analysis that there really was such a person; that I could talk with that person. We just didn't know that. Now, part of that falls in then with the chronology of what has happened. Again, Mr. Stepp would testify that he found a person to lease this property. That person was turned down for licensing. Again, I was not involved. I understand the reason of the false statement was primarily he forgot to list the misdemeanor charge that he had in Texas in regard to a movie theater. Whatever the case, he was out of the picture. The evidence will show that Mr. Stepp then tried to find other tenants for that business, for that property, very simply so he'd get his commission, I'm sure. Mr. Stepp would then testify he then finally contacted Mr. Tipton -- he had known Mr. Tipton -- in Oklahoma and found that Mr. Tipton -- and I think Mrs. Tipton would testify she does not want to live in Oklahoma; she wants to live here -- that they wanted to come here and that he then convinced Mr. Tipton to submit his application. He later utilized the name of Finne Arts Theatre. He and Mr. Tipton had their agreement that Mr. Stepp would manage the business. Now, the chronology's important, I think, because we're talking of several months, and very briefly, I would state again as a matter of proof, the chronology was to the effect that -- first of all, we didn't know a lot of the things that Mr. Ogilvie stated had transpired intradepartmentally.

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ATTORNEY PAUL SCHOFIELD: However, Mr. Stepp was requested to provide certain information, financial background, etc. He did that. Part of that information was to the effect that Mr. Walthall was Mr. Tipton's step son. Other things transpired, I'm sure, and then Mr. -- or when this was determined, then, because of Mr. Walthall's earlier denial, remembering it's his step son Mr. Stepp or Mr. Tipton in this case, was asked to provide further information. Mr. Stepp would then testify that after we -- well, prior to that time, Mr. Stepp as agent for Mr. Tipton -- because he was in Oklahoma, and the evidence would also show Mr. Tipton's a 20-year retiree of the, I think, power company in Oklahoma. He has a ranch, a farm in Oklahoma -- whatever the case. Mr. Stepp then could not get then even the building permit to improve the leasehold, which had been leased by Mr. Tipton, until responses were given in regard to the signatures and in regard to Mr. Walthall. After my correspondence to Licensing, Mr. Stepp came back, and the testimony would be to the effect that he had asked for a letter of advice knowing that they, Mr. and Mrs. Tipton, expend money on this leasehold interest, that they would get their license. Mr. Stepp would testify that -- and I apologize -- I don't know Marge's last name. I should use the last name, but whoever --

COMMISSIONER CHRISTENSEN: Heather.

COMMISSIONER LEVY: Heather.

ATTORNEY PAUL SCHOFIELD: Ms. Heather advised, or one of those there, and I believe it was Ms. Heather, that, "No, that wouldn't be necessary," but did issue the building permit so they could go ahead and make leasehold improvements. The evidence would show that there has been in excess of \$15,000 of leasehold improvements made at that time. There was no question then to Mr. Stepp after receipt of my correspondence concerning the signatures or Mr. Walthall. In fact, there was no communications between Licensing and myself or Mr. Stepp until either Mr. Stepp came to Business License or I came to Business Licensing. Now, if I could, I'd like to briefly address myself to the allegations which I understand are for the denial, and primarily, I think I can put my finger on the whole problem of this situation. After receipt of my correspondence and apparently some further investigation or knowledge to Licensing, as Mr. Ogilvie pointed out in the letter of denial, Mr. Tipton was accused of false and fraudulent statements to the Licensing Department, a lack of fitness, practicing fraud and concealment, which I think on behalf of Mr. Tipton would be very offensive. Now, why was he then charged with these things and therefore denied the license on that basis? Primarily, I think the reason is this: As Mr. Ogilvie, in reading into the record to you this morning or in

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ATTORNEY PAUL SCHOFIELD: summarizing the letter of denial, which was August 3 of 1981, I wrote down a comment made by Mr. Ogilvie in regard to my response to the City concerning the involvement of Mr. Walthall. I wrote down what Mr. Ogilvie said this morning. He said that I said, "At the present time Walthall had no connection with him." That's the way I wrote it down. I think your record would reflect whatever it is. But I'm suggesting this may well be the problem. Mr. Stepp brought the correspondence into me in regard to answering these certain questions and I had quite a conversation with Mr. Stepp and with Mr. Tipton who was in Oklahoma at the time. I would like to first read my response in the August 3, 1981, letter to Licensing concerning Mr. Walthall. It says this: "In regard to to --

MAYOR BRIARE: Mr. Schofield, indulge me just for one second before you start that.

ATTORNEY PAUL SCHOFIELD: Yes.

MAYOR BRIARE: Mr. Schofield, I perhaps didn't understand one remark that you made earlier in your presentation. Are you planning to call witnesses, or did you make the statement that if the witnesses were called, here's what they would say?

ATTORNEY PAUL SCHOFIELD: I suggested that because Mr. Ogilvie -- and I think it's important in an administrative hearing like this -- has made a record of these various things where he says what the expert at Metro said -- and I've never even met that man --

MAYOR BRIARE: I understand.

ATTORNEY PAUL SCHOFIELD: -- that I would respond back making offers of proof, and I would say then whether or not the Commission cared to hear from the applicant or Mr. Stepp, they are available.

MAYOR BRIARE: Thank you for answering my question. That's what I was trying to determine because we're not sitting here as a court of law.

ATTORNEY PAUL SCHOFIELD: I understand that, and that's why --

MAYOR BRIARE: You're establishing the administrative record?

ATTORNEY PAUL SCHOFIELD: That's correct.

MAYOR BRIARE: Could you just give me a little idea of how much time would be involved in this?

ATTORNEY PAUL SCHOFIELD: Not much more.

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MAYOR BRIARE: Thank you, sir.

ATTORNEY PAUL SCHOFIELD: Perhaps I would interrupt myself here. Based upon the information that we received for the denial, there were two reasons for that, as I understand. One is that practically every signature they saw of Mr. Tipton was signed by a different person. I've addressed that. The other is the point I'm getting to just now, and I think it's a very important point, because it's a point where Mr. Tipton has been charged in effect with fraud, deceit, concealment and misrepresentation, and that is this.

COMMISSIONER CHRISTENSEN: That isn't what it says exactly.

ATTORNEY PAUL SCHOFIELD: Pardon me?

COMMISSIONER CHRISTENSEN: You made that just a little harder than the letter says. I've read the letter.

COMMISSIONER LEVY: Are you turning that letter in -- that letter from handwriting. Could I see it, please.

ATTORNEY PAUL SCHOFIELD: I'm sorry.

COMMISSIONER LEVY: The handwriting letter.

ATTORNEY PAUL SCHOFIELD: Yes, I have them right here.

COMMISSIONER LEVY: Could we have it? Peruse it while you're talking?

ATTORNEY PAUL SCHOFIELD: The other documents are the background.

COMMISSIONER LEVY: I don't care about that.

ATTORNEY PAUL SCHOFIELD: Did the Commission want me to respond to the -- ?

MAYOR BRIARE: Oh, excuse me. Are there questions? (No response.) Would you proceed then, Mr. Schofield, with the letter that you were going to read now.

ATTORNEY PAUL SCHOFIELD: Yes. The letter that I -- excuse me just a minute. I have too many letters. The letter that I was responding to -- primarily, if I could give the response first of all of my letter concerning the involvement of Mr. Walthall. And it particularly said this:

"In regard to your Question No. 3, particularly No. 3-A, at the present time there is no intent to involve Mr. James Walthall in the operation of the business."

And then as Mr. Ogilvie pointed out, should Mr. Tipton determine later to do that, he would work through the City. My main point is this, and this is true in regard

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ATTORNEY PAUL SCHOFIELD: to the signatures too, the question that we answered and that we sat in the office for hours and looked at closely, was this: "If you are approved for licensing, will James C. Walthall be involved in the operation of your business in any capacity whatsoever?" We responded that there's no present plan to involve him in the operation of the business. Now, we see that completely different and I represent that we answered that completely different than Licensing took that. Licensing took it this way: "Well, Mr. Walthall is out there working on the leasehold improvements." There exists no business at this time or certainly, there did not at that time. Mr. Walthall is the step son of Mr. Tipton and has been for 15 years, and Mr. Tipton, of course, lives in Oklahoma; Mr. Walthall in Texas. So we think we answered that as honestly and directly and as candidly as we could by saying "Mr. Walthall will in no way be involved in the operation of the business." And we went further in other parts of this correspondence and represented that Mr. Silas Stepp would be the manager and would run this business. Those indeed are the actual facts, but I represent to you that based upon the way I answered this correspondence with Mr. Stepp in my office and a telephone conversation with Mr. Tipton, that is primarily, as I understand it, the reason the license application was denied -- that there was misrepresentations saying that Mr. Walthall would not be involved in the business, and indeed, he will not be, and that was the representation then. Now, the other, and there is comment in Mrs. Britt's correspondence of denial of concealment. I represent there was no concealment. At the time of improving the leasehold interest, which was during the past full year, this has been a slow process of application. Mr. Walthall was involved in improvements and he was on the checking account of, if I can say it this way, of his step father Mr. Tipton. But I suggest this -- and that was in the name of Finne Arts Theatre, by the way -- and I suggest this to show clearly, there was no intent to conceal anything. It could have been an easy thing to not have Mr. Walthall on the checking account and, therefore, not be accused of misrepresentation. It would have been an easy thing to keep him off the leasehold interest. What I'm suggesting to the Commission is the improvements of the leasehold interest, and particularly, \$15,000 had nothing to do with the operation of a future business. There can be no operation until there's a business license, and I suggest that based upon that, Mr. Tipton was denied his license. So summarily, what I'm saying to you is -- again, we have not seen a lot of the documentation and information given -- but in regard to both questions concerning the signatures and who will manage the place, and also, Mr. Walthall, I must emphasize

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ATTORNEY PAUL SCHOFIELD: very clearly -- it says, "If you are approved for licensing, who will operate the business? Will Mr. Walthall be involved?" Our answer was, "If we are approved for licensing, Mr. Stepp will operate the business. Mr. Walthall in no way will be involved." And I represent to you those are true statements and they are not grounds for denial based upon misrepresentation. In regard to the signatures again, I have Mr. Tipton here and he will testify under oath to you that these are all his signatures. In fact, he could even tell you how he has to use his glasses; how he has to have paper held sometimes for him. But I think those are the two prime purposes that this routine business license, as modified by this Commission's ordinance in regard to adult oriented places. But I think these are why he was denied and I think that he was not properly denied based on fraud and misrepresentation. I think, in fact, we followed the letter and the spirit of the request from the Licensing Department and now to -- because we have strictly complied with that and honestly complied with that, for him to be denied, we think is improper and, therefore, we have then appealed it to the Commission. If I could make one other comment -- there has been discussion and negotiation with the City and that is to this effect. Mr. and Mrs. Tipton plan to move here from Oklahoma, but in effect, they say to me they don't really need this. They are prepared to sell to Mr. Stepp their leasehold interest and Mr. Stepp in effect would substitute in as the principle owner of the Finne Arts Theatre. We have not done this because of technicalities in that primarily that there was one other applicant for a motel adult oriented situation within a thousand feet. It's our position that perhaps this matter could be resolved, and it's my understanding Licensing would have no problem with it, unless there was a legal technicality, and that would be that Mr. Tipton would make his deal with Mr. Stepp; we'd give you the proper contracts, etc. and Mr. Stepp would substitute in as the principle of the business, not changing the applicants. However, that may or may not present a difficulty in regard to chronology of applicants and that's why it was not done. Primarily, that's our summary on the appeal and they're available to answer any questions that the Commission might have.

(TWO DOCUMENTS WERE MADE A PART OF THIS RECORD AS INTRODUCED BY MR. SCHOFIELD, AS FOLLOWS:

1. A 24-page document reflecting the background of William I. Kaye. (EXHIBIT O)
2. A 2-page document entitled "Affidavit of William Kaye" with a 2-page attachment reflecting exemplars of the handwriting of Eugene W. Tipton.) (EXHIBIT P)

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MAYOR BRIARE: Mr. Schofield, are you then through with your administrative presentation?

ATTORNEY PAUL SCHOFIELD: Yes.

MAYOR BRIARE: I would like to ask if, with her counsel's approval, Mrs. Tipton to come forward for a question or two.

COMMISSIONER LEVY: Could I just -- ?

MAYOR BRIARE: While she's coming up.

COMMISSIONER LEVY: I'd like to -- you know, you talk about interpretation. I'd certainly like to make an interpretation of this letter from Mr. Kaye. If I were you, I'd have spent the \$500 because I don't think you got anything at this time. When he says that he thinks with reasonable certainty that this was all the same signature if I were able to examine the originals, but he didn't examine the originals, and he's making no claim at all, as far as I'm concerned, regarding this letter.

ATTORNEY PAUL SCHOFIELD: I did discuss that with him and it was a matter of economics, and I said --

COMMISSIONER LEVY: Well, I appreciate the economics, but actually, you haven't proven anything regarding signatures as far as I'm concerned.

ATTORNEY PAUL SCHOFIELD: Well, our position is the best evidence is the signatory's testimony, but -- and again, I must represent to the Commissioner that it was just two, three or four days ago that I found out that there was supposedly an expert from Metro -- that we would have to show otherwise. I agree, because I talked to him on that. But I would represent to you -- and this is not evidence -- my representations -- that handwriting experts, that's about as far as they go for two reasons. One, that they will never say absolutely beyond certain -- or beyond doubt.

COMMISSIONER LEVY: Well, this one didn't saying anything --

ATTORNEY PAUL SCHOFIELD: The reason for that is --

COMMISSIONER LEVY: -- unless you've got another \$500.

ATTORNEY PAUL SCHOFIELD: The reason for that is is that he cannot -- he did not look at the originals and he physically could not be here to look at the originals. I would suggest that's why. He did also in his Affidavit state though that he would if called upon so testify as to what he stated in the Affidavit, and I think --

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COMMISSIONER LEVY: The Affidavit just states that if I was able to look at the original, I'm sure that I could come to a conclusion, but it did not say that I have come to a conclusion.

ATTORNEY PAUL SCHOFIELD: That's correct. I'm not trying to misrepresent it, but I suggest that --

COMMISSIONER CHRISTENSEN: Or which way the conclusion would be.

COMMISSIONER LEVY: That's right.

COMMISSIONER CHRISTENSEN: Or his letter didn't say which way the conclusion would be either. Basically, what it said is I can't give you any indication until I look at the originals.

ATTORNEY PAUL SCHOFIELD: I don't agree with you, Commissioner. I think it said that should he be able to look at the originals, he could -- I haven't got it in front of me -- represent with reasonable certainty that they were written by the same person.

COMMISSIONER LEVY: In other words, for another \$500, I think I could come up with --

COMMISSIONER CHRISTENSEN: That's what I just said. If I can look at the original, I can tell you whether they're right or not.

ATTORNEY PAUL SCHOFIELD: In all due respect, the originals are with the City and, of course, we really haven't got all the information.

COMMISSIONER LEVY: Okay.

MAYOR BRIARE: Mrs. Tipton, you look like a rather nice lady. I'm not going to have the Clerk put you under oath to tell the truth and all, and your counsel's sitting right there with you, but I'm kind of curious. How long have you lived in Spencerville?

MRS. EUGENE TIPTON: We've been there about -- this is the fifth year and we've owned the property or bought it about seven years ago.

MAYOR BRIARE: A pretty nice community?

MRS. EUGENE TIPTON: Sir?

MAYOR BRIARE: A pretty nice community?

MRS. EUGENE TIPTON: Yes, it is.

MAYOR BRIARE: How many porno movie houses are in Spencerville?

MRS. EUGENE TIPTON: None.

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MAYOR BRIARE: I'm kind of curious as to --

MRS. EUGENE TIPTON: This is just a small community.

MAYOR BRIARE: -- what possessed you to want to pack up and leave a nice community like Spencerville and come on out to Las Vegas and open a porno movie house?

MRS. EUGENE TIPTON: Well, I won't have nothing to do with the business. That's my husband.

MAYOR BRIARE: Why? Why?

MRS. EUGENE TIPTON: Well, he does --

MAYOR BRIARE: Why don't you want anything to do with it?

MRS. EUGENE TIPTON: Well, he does the business end of that sort of thing.

MAYOR BRIARE: How long have you been married to Mr. Tipton?

MRS. EUGENE TIPTON: Fifteen years.

MAYOR BRIARE: A pretty good husband?

MRS. EUGENE TIPTON: Yes, very good.

MAYOR BRIARE: Well, I'm picking on you, you know, Mrs. Tipton.

MRS. EUGENE TIPTON: Sir?

MAYOR BRIARE: That's why I'm picking on you.

MRS. EUGENE TIPTON: Oh.

MAYOR BRIARE: That's why I asked you to come forward before Mr. Tipton because, as I say, you -- my first comment to you -- you look like a rather nice lady and I'm quite surprised. Not that your looks make any difference as far as what kind of businesses you want to go into, but that was just a couple of things, notwithstanding all of the administrative procedures that we're involved with here right now. I just wanted to ask you those couple of questions. Did the Chamber of Commerce welcome you when you came out to open up a porno movie house?

MRS. EUGENE TIPTON: No, sir, I haven't been out --

MAYOR BRIARE: Okay, I don't have any other questions, Mrs. Tipton.

MRS. EUGENE TIPTON: But I love Las Vegas and I wanted to move out, too.

MAYOR BRIARE: Do you really? Why?

MRS. EUGENE TIPTON: I just love it.

MAYOR BRIARE: Well, normally, we're delighted to hear people say they love Las Vegas, especially -- we're not -- I, personally, am not very delighted when people love Las Vegas so much that they want to come out here and open up a porno movie house.

MRS. EUGENE TIPTON: Well --

MAYOR BRIARE: Well, Mrs. Tipton, I have strong feelings along that way, and I'm going -- unless the Commissioners have any questions of you, I have no other questions of you. I want to make a comment to the Commission, however, at this time. You may be seated.

ATTORNEY PAUL SCHOFIELD: Mr. Mayor, could I ask her one or two -- ?

MAYOR BRIARE: Well, first of all, I want to make a determination here from my fellow members of this Commission. In order to establish administrative records, we have to do what we're doing this morning. As far as making a fair and unbiased decision in this matter, I think I might have already indicated to you how I feel about this particular business whether it's duly licensed or not. I would be very much in favor of upon the conclusion of our business here this morning with respect to this appeal, that this be referred to an administrative officer that would be appointed by this Commission, because I don't want anything more to do with it, and I would disqualify myself from acting further, since you've already concluded your administrative presentation on this particular application. Because if there's any question in your mind, Counselor, or in Mrs. Tipton's mind that I'm prejudiced in this regard, you are one hundred percent correct.

ATTORNEY PAUL SCHOFIELD: I appreciate the Mayor's comments.

MAYOR BRIARE: Now, Commissioners, I don't know how far you want to go on this, but I've already indicated my feelings with respect to my sitting here further listening to these remarks. I would very much like to refer the matter to a hearing officer if we're going to have to do that anyway.

COMMISSIONER LURIE: Mayor, I don't think it's necessary to refer it to a hearing officer because I think both the City Attorney and Mr. Schofield presented their remarks in a sense that no matter what action this Board's taking, we're leading to some type of litigation in the courts. This Board has never approved or issued a license to an adult theatre, a massage parlor or any other type of adult business since I've been on this Board, and it's been eight years. So I don't think the Board's feelings have

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COMMISSIONER LURIE: on these applications, and I believe that there's enough information presented to us today to deny this business license application, and that would be my motion to deny the business license and let the attorneys take whatever action they deem necessary to proceed if they feel they want to proceed.

CITY ATTORNEY OGILVIE: May I make a comment?

MAYOR BRIARE: Mr. Ogilvie.

CITY ATTORNEY OGILVIE: I think that we have a pretty good record in this case to sustain the denial. Our record in this case is deterring very rapidly by contents such as I just heard. I think we do have a good record, and, Your Honor, I would like to have both the Mayor and Commissioner Lurie disqualify themselves and have this heard on the merits rather than -- because if we go to court on a denial that we just don't like the business, we're going to lose, and I think we can --

COMMISSIONER LURIE: Well, George, I'm not making that comment based on previous action. I just made a comment that we have not licensed these businesses before, based on information that you presented to us in preparing your case. Now, if you don't feel the case is strong enough, well, then, possibly, I might disqualify myself, but after reading all these documents, I feel we have a strong case and if they want to litigate it, then let's go to court, but in the meantime, the motion would be to deny the appeal.

MAYOR BRIARE: Commissioner Christensen.

COMMISSIONER CHRISTENSEN: Your Honor, I feel a little like George. I've been sitting here thinking while these comments were going on -- some of these -- past history and so forth on some of these things -- and you know, there are a lot of things that we're called upon to make decisions on as City Commissioners that we may or may not like, yet we can still make those decisions in an unbiased manner, and I would refer to that situation on this. I personally am not interested in the use of alcohol or tobacco, but I vote on liquor licenses and tobacco licenses every day because my beliefs are not necessarily those held by everybody in the community and I think you can act on these matters without being biased or prejudiced and so I'm trying to look at the --

MAYOR BRIARE: Objectively.

COMMISSIONER CHRISTENSEN: -- facts in this case objectively and these are the things that I find. I find, Number One, I don't think the discrepancy with the signatures has been fully answered.

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COMMISSIONER CHRISTENSEN: Now, a person that's purported to have signed these documents can stand and say, "Yes, sir, I signed all three documents." The fact of the matter is it was a different style of lettering and everything else. Now, if you sign things and you change the style of lettering and your last name and so forth, maybe you did sign them. Maybe it was frivolous; maybe it was something else. But the point comes home to me that the question here is one of if the signatures were actually all belonging to the same person, then he should have had enough knowledge to make them all look somewhat the same since they were all going to be involved with the same business, and if he doesn't have that knowledge, I question whether they have the knowledge to operate that business and not be used by somebody else as a front or something like that, and I think that's the fear that's shown here, as nobody really knows who this business is and that possibly could become a front for something else and so forth. That's the underlying thing that I get out of some of this information, and I have no prejudice here one way or another, but I have a hard time with the fact that the handwriting expert -- when he read the letter -- when the counsel for the license applicant read the letter, I got the exact same thing that Commissioner Levy got out of it. When I read it, I said, "Well, he didn't say anything." All he said was, "I've looked at the signature and if I could look at the originals, I could tell you whether they were the same or not," which tells me nothing, except that he didn't want to render an opinion because he didn't look at the originals. The other thing with the checking account and so forth, I noticed that was late and some of those checks were written -- if you look at the dates on them, they were signed by the person that was denied before for cause. Some of those checks were written late -- later than the correspondence when they said he was no longer involved and it was still the same name. These checks were written on the account in the name of this purported business license, which indicates to me that sure enough, he is still there. Now, if that's denied, that's fine, but the question still remains in my mind and the fact that the question remains in my mind is enough on this type of a license. If there is a question, that's enough for me to vote for denial, and I would -- I was going to make that motion based on that until Commissioner Lurie made it. But I just thought that I ought to make those comments that I hate to see us put ourselves in a position where we're disqualifying on these matters because if you don't believe in something or you do believe in something, you'd disqualify yourself on almost every issue in front of the City Commission, depending upon whether you believed for it or against it. So that's all I've got to say.

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MAYOR BRIARE: Commissioner Levy.

COMMISSIONER LEVY: If we're going to continue this, I'd like to ask Mr. Stepp some questions.

MAYOR BRIARE: Just indulge me for a second.

COMMISSIONER LEVY: Sure.

MAYOR BRIARE: I asked a question of Mr. Schofield --

COMMISSIONER LEVY: I heard that.

MAYOR BRIARE: -- if he was through with his administrative process and he indicated he was and then if there's any questions and so forth. Now, I recognize the responsibilities of an elected official and in many, many instances there are times when someone for reasons of his own would have to express his feelings one way or the other and even though propriety and perhaps good legal counsel says "no", I am not trained in the profession of law and it's altogether possible that sometimes people will say things that they wish they hadn't. I want to assure for the record and for anybody that cares one way or the other, including those people here in the audience, that I'm glad I said what I said because if I were in a court of law and Mr. Schofield were to put me under oath and say that during the course of statements and -- I don't want to say testimony -- but during the course of remarks made at the City Commission meeting of August the 19th, would you say that you were absolutely one hundred percent unbiased and being under oath, under circumstances like that, I would have to look the judge in the eye and say, "No, I was not unbiased." That being the case, I don't want to cause any more problem in this regard than perhaps what has been created from a legal standpoint. Whether it be a legal standpoint or a moral standpoint, I have told the truth, and in order to ease the administrative proceeding that we have right now, I shall leave this meeting until such time as a conclusion has been drawn on this matter and hope that perhaps my actions, although perhaps inappropriate at the moment, will not cause my fellow Commissioners too much problem.

(MAYOR BRIARE THEN LEAVES THE MEETING.)

MAYOR PRO-TEM LURIE: We'll proceed then with the meeting, and I believe, Commissioner Levy, you had a question of --

COMMISSIONER LEVY: I have a couple of questions of Mr. Stepp. Mr. Stepp, are you still an executive with Caesar's Palace?

SILAS STEPP: Pardon?

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COMMISSIONER LEVY: Are you still an executive with Caesar's Palace?

SILAS STEPP: I never was.

COMMISSIONER LEVY: Pardon?

SILAS STEPP: I never was an executive there.

COMMISSIONER LEVY: Well I mean in the casino?

SILAS STEPP: I am in the employ of Caesar's Palace.

COMMISSIONER LEVY: Do you plan to drop that?

SILAS STEPP: No.

COMMISSIONER LEVY: In other words, what you plan to do if you're able to be successful in this situation is work at Caesar's eight hours and work at this theatre and also be in the real estate business?

SILAS STEPP: Yes.

COMMISSIONER LEVY: Okay. The next question -- I was wondering --

SILAS STEPP: Could I expand on that a little bit?

COMMISSIONER LEVY: Sure.

SILAS STEPP: As you know, I'm in real estate just as you are.

COMMISSIONER LURIE: Silas, can you raise the microphone a little bit because this is all being recorded and we need to get it accurate.

SILAS STEPP: Yes. I'd just like to expand a little bit on, you know, personal feelings about --

COMMISSIONER LEVY: No. If you want to expand on what I asked you, that's fine.

SILAS STEPP: Okay, good. Well, I am a person of high energy levels and I am capable of doing more than one thing at one time and have my fingers on a number of activities, and I think that goes back to my basketball days and my days of working two jobs all of my life and being involved. I am one of those people that have to be involved in a number of activities and I like something that I can get my teeth into and I don't see that being a problem of having various jobs. That's the nature of a real estate broker. It's being with various individuals and various occupations.

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COMMISSIONER LEVY: Of course, this is going to be a 24 hour operation and I just -- how many 24 hour operations can you be involved in? Another question I was -- you know, us being fellow real estate brokers bothered me, and, boy, I'd sure like to find out how you found the Tiptons in Texas from just out of the blue and here they are. You're leasing this property?

SILAS STEPP: Well, believe it or not, I started off kind of an introverted person, but that doesn't give to very much in the real estate world if you're successful, and I'm not very successful.

COMMISSIONER LEVY: Well, I'm sure you are.

SILAS STEPP: I have to meet people; have to talk to people, and during the course of my employ at Caesar's Palace, I meet a number of my contacts, a number of people I talk to about various potential businesses, and I happened to be one of the people that like to move businesses. I like to work with people in relocating. You make more of a commission that way if you -- you know, you can cut yourself in on being a manager for them if they are an absentee owner; whereas, if the people live and reside here, they don't need a manager. So it's perfectly a --

COMMISSIONER LEVY: How did you find the Tiptons?

SILAS STEPP: Well, I just happened to meet them at Caesar's Palace.

COMMISSIONER LEVY: After working with the step son-in-law in a failure at getting him licensed, you just happened to run into these people from Texas?

SILAS STEPP: I don't see that as being, you know, anything out of the ordinary because families come there, people, my job is like being on vacation. I see the same people year in, year out. They come back, you know, so --

COMMISSIONER LEVY: Boy, that's a hell of a coincidence.

SILAS STEPP: Well, you know, I'm not here to say that they're the only people that I talked to about it. I talk to a number of people about the same house, about the same business, you know. I --

COMMISSIONER LEVY: Oh, sure.

SILAS STEPP: I'm a worker. You know, like I say, I trained myself to be a little bit gregarious, you know.

COMMISSIONER LEVY: Thank you, Silas.

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MAYOR PRO-TEM LURIE: Any further questions of Mr. Stepp? That's all, Silas. Thank you.

SILAS STEPP: If I could make a comment --

MAYOR PRO-TEM LURIE: Go ahead.

SILAS STEPP: -- about the nature of the business, and from what I've heard here, it's really disheartening to me as a citizen of the community here to just sit before my elected officials and hear them say that, you know, they could be prejudiced about a business and all, because really, I have felt the brunt of prejudice and I have represented all though this that if we go by the letter of the law, we followed the ordinances and the guidelines, that we wouldn't have any problems, and I know the temperament of the City. I know other businesses are in operation, and I just want to represent that I would not have anything to do with anything that I wasn't one hundred percent sure that was ethical and professional as laid out by your guidelines, and if the ordinances and the laws are not to be followed by you as well as me, then we're right back to the 60's and things that I have gone through that I don't particularly like. Now, every business I represent, you know, I have conditioned myself to be objective and to look at the rules and to go by them. There are some rules that I don't like -- some unwritten rules that I don't like, but I certainly expect my leaders to abide by the rules and at least to let me know where I stand, or come to me and say, "Silas, this isn't going to fly. Don't tell the people to spend their money." I really am deeply hurt when I represent the people that believe by the rules by Las Vegas citizens that license gambling establishments, that do all the background checks, are going to go by the rules, and then when I get the feeling that something else is in the air because of a personal prejudice, it's really, really hurting and I just -- I just wanted to make those comments because we're being straight forward and, you know, people are speaking their mind and I can understand personal feelings, but I think something more is involved than personal feelings when you permit people to go to the point of expending large amounts of money according to the rules, and then at the eleventh hour, disqualifying them. It just kind of brings home some points that well, I don't like to feel. That's all the comment I have.

MAYOR PRO-TEM LURIE: Thank you, Silas. Paul, do you have anything else?

ATTORNEY PAUL SCHOFIELD: Well, I have a question of the -- I have some concern in that after we've represented or caused administrative representation in that the Mayor did call Mrs. Tipton and then Mr. Stepp, I have not presented evidence, but I think based upon the administrative nature of this, again, and I personally think that the evidence itself -- I would

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ATTORNEY PAUL SCHOFIELD: just like to again perhaps comment, to make my record, and apparently, that's what we have to do in this case, that Mr. Tipton and, of course, Mr. Stepp, because he was an agent, was accused of fraud and denied because of fraud and misrepresentation. I think, as Mr. Stepp said, and perhaps for different reasons and I think case law, City of Las Vegas versus Craig Industries, the City is obligated to go by its laws too, and I think a very close review, and I don't think it will happen today, but a close review of the request from Licensing to Mr. Tipton and our straight honest responses to those questions -- not necessarily questions that maybe people thought were there, but through the questions -- would show that there was no misrepresentation and again, I appreciate the Mayor's feelings in regard to what I will call "adult theaters" rather than "pornographic" and he has every right to those, but I still agree with Mayor Christensen as he pointed out -- excuse me -- Commissioner Christensen.

COMMISSIONER CHRISTENSEN: You'll have me in deep trouble (laughing).

ATTORNEY PAUL SCHOFIELD: I understand that this Commission, as difficult as it must be, must be absolutely objective. I would suggest this, and I would ask for this, in fact. I think that because of the comments made here today, and as Mr. Ogilvie very well pointed out, I don't think there can be an objective vote, even though we think we're being objective. On this appeal, I would ask the Commission to take no action on this particular matter. Then it could properly go into court on a Dayton Hudson type situation where no action was taken and I would hope an objective court could rule on the merits of the evidence and then we would know whether or not they had a right to operate. Thank you very much.

MAYOR PRO-TEM LURIE: Okay. Commissioner Woofter, you have a comment?

COMMISSIONER WOOFTER: I just have a couple of questions of George. Being an attorney, I agree with Mr. Schofield's comment, Mr. Stepp and Commissioner Christensen, even though I might have certain feelings regarding adult theaters. It is legal. It's been upheld by the Supreme Court, so that not being the question. The question is whether or not the City has proven its case as far as a basis for denial of this license. In reviewing the records of the parties involved here -- of course, I know Mr. Stepp personally. I've known him ever since he went to school at UNLV, so there's no question in my mind that he is of good character and has been a good citizen of this community ever since that time. So there's no question as far as his personal involvement in this concern. It's the same with the other applicant, Mr. Tipton. It seems like his

COMMISSIONER WOOFER: business -- his work record shows him to be a good citizen back in Oklahoma. He's retired from a job that he's held for many years. Therefore, it boils down to the one question I have of George is whether or not the question of the signatures is sufficient to vote for a denial of that business license because I think the applicants have overcome to a great extent the other allegations posed by the City.

CITY ATTORNEY OGILVIE: Paul, I'm not quite finished yet, and as soon as Mr. Schofield is finished, I intend to proceed briefly if I may.

COMMISSIONER WOOFER: Fine.

ATTORNEY PAUL SCHOFIELD: I'm finished. I'm just here in case a question came up.

MAYOR PRO-TEM LURIE: Paul, I have one question. What business is Mr. Walthall and Mr. Tipton in in their respective cities that they live in?

ATTORNEY PAUL SCHOFIELD: I have no idea what Mr. Walthall -- well, I think Mr. Walthall -- I have no idea at this time what he's involved in. When I had the occasion to meet him, he owned adult theaters or a theater, I believe. I honestly didn't even know he lived in Texas until I inquired today. Mr. Tipton, I understand, is a retired power worker and he owns a farm and a ranch now.

COMMISSIONER LEVY: Well, I thought one lived in Oklahoma and one lived in Texas.

ATTORNEY PAUL SCHOFIELD: That's correct.

MAYOR PRO-TEM LURIE: Mr. Westhall, he's in the adult oriented businesses in Texas. His --

ATTORNEY PAUL SCHOFIELD: That was my understanding more than --

MAYOR PRO-TEM LURIE: Mr. Tipton's son-in-law, is he in that business in Oklahoma or --

ATTORNEY PAUL SCHOFIELD: No, no, no. That's his step son. Mr. Walthall is Mr. Tipton's step son who lives in Texas.

MAYOR PRO-TEM LURIE: Oh, they're partners. He's --

COMMISSIONER LEVY: No, no.

ATTORNEY PAUL SCHOFIELD: No, they're not partners. He's a step son. He just happens to be a step son. That's our whole problem. He lives in Texas. Whether he's in any type business, I really don't know, but I'd heard more than a year ago he had operated or built -- I'm not sure which -- an

EXCERPT - CITY OF LAS VEGAS COMMISSION MEETING - AUGUST 19, 1981

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RE: III-T - APPEAL ON DENIAL OF BUSINESS LICENSE - FINNE ARTS THREATRE

- ATTORNEY PAUL SCHOFIELD: adult theater. But they do live in two different states and they just happen to be related by Mrs. Tipton's marriage to Mr. Tipton.
- MAYOR PRO-TEM LURIE: Okay. George, do you want to conclude and then we do have a motion on the floor.
- CITY ATTORNEY OGILVIE: Yes. Mr. Schofield has made an offer of proof with what Mr. Tipton would testify to if he were asked if those were his signatures. I will accept that offer of proof. However, I would like Mr. Tipton, if he would, to step forward and give us three samples of his handwriting, and while he's doing that, I have some things I wish to point out.
- MAYOR PRO-TEM LURIE: Mr. Schofield, do you have any objection to Mr. Tipton writing his name three times on a piece of paper and submitting it to the City Attorney?
- ATTORNEY PAUL SCHOFIELD: Not at all. The only thing I don't have is a piece of paper.
- MAYOR PRO-TEM LURIE: Well, we'll furnish the paper. Don't forget to put your glasses on and hold the pen.
- (MR. E. W. TIPTON COMES FORWARD AND SIGNS A SHEET OF PAPER. THIS PAPER IS ATTACHED HERETO AND MADE A PART OF THE RECORD AS EXHIBIT Q.)
- COMMISSIONER CHRISTENSEN: One thing the City's got lots of is paper.
- ATTORNEY PAUL SCHOFIELD: Could I ask Mr. Ogilvie if he -- I know there are three -- you know, there's the signature card, which I think raises the real question, or would you like just three signatures at random. What would you -- E. W. Tipton?
- CITY ATTORNEY OGILVIE: How he usually signs his name or if he signs it three different ways, a copy of each. While Mr. Tipton is signing his name, I don't think I gave the Mayor the opportunity to make an order that all of the documents which I identified could be made a part of the record, if I could have such an order at this time.
- MAYOR PRO-TEM LURIE: Yes. All of the information presented by the City Attorney will be entered into the record.
- CITY ATTORNEY OGILVIE: I assume, Paul, you want the Affidavit and letter from Mr. Kaye as part of the record.
- ATTORNEY PAUL SCHOFIELD: If I could have a copy of all those affidavits made a part of the record.

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MAYOR PRO-TEM LURIE: All of the information presented by Mr. Schofield will also be entered into the record.

ATTORNEY PAUL SCHOFIELD: Mr. Lurie, while Mr. Tipton's here, could we ask perhaps for the record that he make a statement to the Commission as to whether or not all those signatures in question were his?

MAYOR PRO-TEM LURIE: Yes, that would be fine.

ATTORNEY PAUL SCHOFIELD: Mr. Tipton, would you so address that issue.

EUGENE W. TIPTON: I state that all those signatures are mine.

MAYOR PRO-TEM LURIE: Would you state your name and your address for the record?

EUGENE W. TIPTON: I'm Eugene W. Tipton. I'm Eugene W. Tipton and I live in Spencerville, Oklahoma and have for the last four or five years, since I retired, and I testify that those are my signatures.

MAYOR PRO-TEM LURIE: To all the documents that were presented to the City?

EUGENE W. TIPTON: Yes, sir.

MAYOR PRO-TEM LURIE: Mr. Ogilvie, do you have some questions of Mr. Tipton.

CITY ATTORNEY OGILVIE: Yes. I have passed among you a copy of the signatures as they appear in the packet and material that have been made a part of the record, and I'm not asking you to be document examiners or handwriting analysts, but I would like for you to compare the signatures as they appear on pages 1 and 2 and 5 and 6 of the packet before you, which are the signatures purporting to be Mr. Tipton's on the Application and the Amended Application. I would like you to compare the signatures on those four pages with the signatures that appear on pages 3 and 4, which are the purported signatures of Mr. Tipton on the Lease on page 3 and the Certificate of Fictitious Business Name on page 4. I would also like to ask you to compare those two sets of signatures with the signature that appears on the signature card which shows on page 7, and ask if in your experience and background as businessmen and having familiarity with different signatures, if you feel there is sufficient similarity between all those signatures to reach a conclusion that they were all made by the same person. At the same time I'll be passing down Mr. Tipton's signatures as he made out here in the audience today.

COMMISSIONER LEVY: Where are they?

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RE: III-T - APPEAL ON DENIAL OF BUSINESS LICENSE - FINNE ARTS THREATRE

COMMISSIONER WOOFER: Well, I looked at it and too his signatures are different with the way he wrote it here and they compare favorably with the signatures you've asked us to compare with.

COMMISSIONER LEVY: You mean to tell me -- Roy, you're going to tell me --

MAYOR PRO-TEM LURIE: You didn't check page 3 -- page 4. George, do you have anything else to add?

CITY ATTORNEY OGILVIE: Yes. I would like Detective Leaver to step forward. While Mr. Schofield was presenting his case, I asked Detective Leaver to examine Mr. Kaye's Affidavit. Detective Leaver is a member of the Criminalistics Bureau of Metro that made the initial analysis, and I would like him to comment on Mr. Kaye's Affidavit.

MAYOR PRO-TEM LURIE: Would you state your name and address for the record?

DETECTIVE WM. LEAVER: William Leaver. As was already stated in my memorandum to Sgt. Ashenfelter, my results were that the signature appearing on the Questionnaire was different from the two signatures appearing on the Lease Agreement and the Fictitious Firm Name form. I haven't examined the signatures, of course, that were just taken. I have summarily examined some of the signatures provided to Mr. Kaye. Specifically, there's a xerox copy; four signatures where it appears "E. W. Tipton." Now, of course, I don't have the original documents. I did in my original examination. My cursory findings are that the four xerox copies of the signatures provided to Mr. Kaye, those signatures being E. W. Tipton, I found to be consistent with the signature appearing on the Questionnaire. However, they are not consistent with the other two signatures, those being on Fictitious Firm Name form and the Lease Agreement.

CITY ATTORNEY OGILVIE: Would it assist you if you were to look at the signatures Mr. Tipton gave this morning?

DETECTIVE WM. LEAVER: Yes, it would. I would like some time to examine though.

COMMISSIONER LEVY: They match up pretty much with our Application form.

COMMISSIONER WOOFER: You can't do that in just a few minutes, can you, officer?

DETECTIVE WM. LEAVER: No, I would need more time. However, I would like to make an additional comment in that if I may myself, with the permission of Mr. Schofield, I would like to take an exemplar of my own from Mr. Tipton and compare those against those things that -- the original documents that were submitted to me. And as I have already stated,

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DETECTIVE WM. LEAVER: summarily, I can find consistencies with these signatures just provided by Mr. Tipton. They are consistent with the signature on the Questionnaire; however, they're still differences and inconsistencies found in the signatures that appear on the Lease Agreement and the Fictitious Firm Name form. I would like more time to resolve these differences and perhaps I can come up with a conclusive opinion for you gentlemen.

MAYOR PRO-TEM LURIE: Anything further, Mr. Ogilvie?

CITY ATTORNEY OGILVIE: In view of what Detective Leaver has said, I would suggest perhaps the hearing be closed and the decision be set off until the September 2 meeting of the Board at which time Detective Leaver could report back to the Board for his findings.

COMMISSIONER WOOFER: As well as possibly Mr. Kaye being able to review the originals also, Mr. Schofield.

COMMISSIONER LEVY: Oh, it's up to Mr. Schofield.

ATTORNEY PAUL SCHOFIELD: I think that would be fine. Could I consult with my clients. We do have a situation, as we're all aware of -- money on a lease, money spent and so on. Could I have one moment?

MAYOR PRO-TEM LURIE: Yes.

DETECTIVE WM. LEAVER: I can photograph these and make accurate photocopies of these original documents and provide them to Mr. Kaye.

COMMISSIONER LEVY: That's up to them.

(OFF THE RECORD DISCUSSION BETWEEN ATTORNEY SCHOFIELD AND HIS CLIENTS.)

MAYOR PRO-TEM LURIE: Mr. Schofield, do you want to proceed.

ATTORNEY PAUL SCHOFIELD: Yes. I checked with my clients and they prefer that the Commission go ahead and vote today because as I mentioned, timing. We would stand here and stipulate to this, however, if counsel would, and that's -- we're going out on an administrative review, but we would agree that should there be reason that this matter would go to court, we would be happy still to bring Mr. Kaye forward and allow the officer to come into that hearing and provide them with any signatures or exemplars necessary. But, again, we're of the posture that if we put this off a couple more weeks and then it's denied, we're just really behind a couple of weeks.

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MAYOR PRO-TEM LURIE: I'm going to withdraw my motion from the Board at this time.

ATTORNEY PAUL SCHOFIELD: I forgot His Honor's motion.

MAYOR PRO-TEM LURIE: Well, the motion was to deny the appeal, but I'm going to withdraw that motion based on comments from the City Attorney.

COMMISSIONER LEVY: Mr. Chairman?

MAYOR PRO-TEM LURIE: Commissioner Levy.

COMMISSIONER LEVY: Yes, I'll make a motion. After listening to the testimony and the questions regarding the signatures, as well as the attitude of how we got Mr. Tipton to our community and Mrs. Tipton, I will make a motion that we deny and follow the recommendations -- deny the appeal of the business application.

MAYOR PRO-TEM LURIE: We have a motion before us to deny the appeal. Are there any further comments from the Board on the motion? (No response.) Cast your votes on the motion. Post. The motion passes and the appeal is denied.

(VOTE ON THE MOTION TO DENY WAS AS FOLLOWS:

MAYOR BRIARE: Excused
COMMISSIONER LURIE: Abstained from voting
COMMISSIONER WOOFER: No
COMMISSIONER LEVY: Yes
COMMISSIONER CHRISTENSEN: Yes)

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON SAYLOR
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 19, 1981 COMMISSION AGENDA
APPEAL ON DENIAL OF BUSINESS LICENSE

PURPOSE/BACKGROUND

Item III. "T" under the Department of Business Activity portion of the agenda is a request for appeal of the denial of a business license filed by Paul H. Schofield, Attorney-at-Law, on behalf of his client Eugene W. Tipton.

Eugene W. Tipton is the applicant for a general business license, seeking approval to operate under the name Finne Arts Theatre, a proposed adult movie theater to be located at 1732 E. Fremont Street. Mr. Tipton's application was originally filed with the Department of Business Activity in June 1980, by his leasing agent Silas Stepp.

Attached and made part of this report is a chronological listing of events and pertinent documentation pertaining to this application. The letter of denial dated August 3, 1981 sets forth the grounds for denial of a business license pursuant to Las Vegas City Code provisions, and further outlines the facts and information obtained thru investigation by the Department of Business Activity which formed the basis of denial of the application.

In reviewing the cause for denial of this license application, one must take into consideration not only the series of events and evidence gathered relating directly to the application in question, but also a previous application for a similar type operation which was also denied by the Director of the Department of Business Activity. That application for license was also for an adult movie theater, and was filed in February 1980 by Silas Stepp on behalf of one James C. Walthall, dba Finne Arts, 708 S. First. Mr. Walthall's application was denied by the Department of Business Activity on the grounds of lack of fitness of the applicant, inasmuch as investigation revealed prior convictions on the charges of commercial obscenity and possession of obscene matter with intent to exhibit; also, for false information in the application because James Walthall stated the charges were dismissed and on appeal, when in fact he was convicted on both charges. James C. Walthall is the step-son of Eugene W. Tipton.

It is the determination of the Department of Business Activity based on the evidence gathered that 1) the applicant Eugene Tipton, who resides in Spencerville, Oklahoma, has made certain misrepresentations in attempting to procure this license; 2) that Silas Stepp, who is not a signatory on the bank account of Finne Arts Theatre, will not, in fact, be entirely in charge of the total operation as represented to the Department; and 3) that James C. Walthall, who the Department was advised had no involvement in the operation, has, in fact, taken an active and supervisory role in the remodeling of the premises to be used for the proposed business, and is a signatory on the bank account records.

Ila M. Britt

Ila M. Britt, Director
Department of Business Activity

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

EXHIBIT A
Page 1 of 2

Agenda Item

III. "T" 1

CHRONOLOGICAL LISTING OF EVENTS PERTAINING TO LICENSE APPLICATION

EUGENE W. TIPTON dba
FINNE ARTS THEATRE
1732 E. Fremont Street

EXHIBIT A
Page 2 of 2

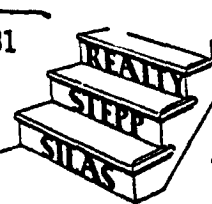
1. 6/26/80 Application filed by Silas Stepp, licensed broker, for Eugene Tipton, dba Adult Theatre, 1732 E. Fremont
2. 8/1/80 & 8/12/80 Applicant requested by Department to furnish additional documents relating to proposed business and business premises
3. 3/30/81 Requested information (lease and fictitious firm name) furnished by Silas Stepp for Eugene Tipton
4. 4/22/81 Amended application in name of Eugene Tipton dba Finne Arts Theatre, 1732 Fremont Street, filed by Silas Stepp on behalf of Mr. Tipton.

Investigation of applicant by Department commences

Discrepancy in signatures of Eugene W. Tipton on application and supporting documentation revealed; relationship between Tipton and one James C. Walthall revealed*

*Note: James C. Walthall is the step-son of Eugene Tipton. A similar application submitted in February 1980 under the name James C. Walthall dba Finne Arts, 708 S. 1st, was denied based on false statements on the application regarding Mr. Walthall's criminal record.
5. 5/15/81 Request for legal opinion submitted to City Attorney
6. 5/20/81 Memorandum rendered by John Roethel, Deputy City Attorney
7. 5/21/81 Letter sent to Tipton requesting specific information regarding operation and management of proposed business, specifically questioning signature discrepancy and involvement of James C. Walthall
8. 5/29/81 Response received from Attorney Paul Schofield on behalf of Eugene Tipton
9. 7/27/81 Continued investigation by Department reveals involvement of James C. Walthall in proposed business operation
10. 8/3/81 Letter of denial of business written to Eugene Tipton setting forth grounds for denial
11. 8/6/81 Letter from Paul H. Schofield requesting appeal of the denial of Finne Arts Theatre

City of Las Vegas

Personalized
Financial
Services

0056

733-7775

2590 South Highland
Las Vegas, Nevada 89109Silas Stepp
Licensed BrokerHome Phone
648-1903

LICENSE APPLICATION

Application must be completely filled out and all applicable questions
necessary to complete all lists and schedules.

Name of Applicant and Business (as it is to appear on the license)

Eugene Tipton dba Adult Theatre
APPLICANT'S NAME BUSINESS NAME (REFERENCE NRS 602)

Adult movie theatre 733-7775
TYPE OF BUSINESS BUSINESS PHONE

32 East Fremont C 2590 S. Highland, Las Vegas, Nev. 89109
BUSINESS ADDRESS SUITE NO. MAILING ADDRESS ZIP

If business in the City of Las Vegas, show anticipated date of opening or date the license is to begin: Sept. 1, 1980

In addition to the appropriate departmental approvals, it may be necessary for you to comply with the following checked
for compliance with City, County or State ordinances prior to issuance of a business license:

DO NOT WRITE IN THIS BOX

License No. _____ Amount _____ Attached _____ Pending _____
 Health Permit No. _____
 Type of Authorization Re: Premises _____ Additional Fees _____

COVETALS: Tentative

Final:

OWNING

DATE _____ BY _____

DATE _____ BY _____

PENDING

DATE _____ BY _____

DATE _____ BY _____

LEASE

DATE _____ BY _____

DATE _____ BY _____

DATE _____ BY _____

DATE _____ BY _____

Receipt No. _____ Date _____ Amount _____ Date _____
 Logged Date _____ Initial _____

Change of Ownership: License Fees Paid To _____ Owing _____
 Cycle No. _____ Amount _____ Paid To _____ Owing _____

Plate Card _____ License _____

Ordinance No. 1901 adopted by the Mayor and Board of City Commissioners on 11/23/77 provides for the issuance of a
temporary business license to permit the applicant to engage in the business designated at the location stated on the appli-
cation for a period up to, but not to exceed, 60 days. Provided, however, the preliminary inspections relating to the uni-
form code, proper zoning and structural building requirements have been made and tentatively approved by the proper
department within the City of Las Vegas.

If premises require inspection. Please show when someone will be on the premises to admit inspectors during the
_____ and _____ on _____. Applicant can be contacted at
phone: 733-7775

I understand that I cannot commence business until a temporary business license can be issued and that a regular license
will be issued until all requirements and conditions have been complied with.

Eugene W. Tipton EXHIBIT B
 Signature of Applicant Page 1 of 3

6/23/80
 Date

1. PURPOSE OF APPLICATION:

- ☒ New Business
 ☐ Change of Location (Show old location on page 4)
 ☐ Change in Name (Show old name on page 4)
 ☐ Change in Corporate Officer
 ☐ Change in Ownership (in compliance with NRS 104, Bulk Sales Act)

2. Give a concise description of the business to be conducted. Be certain that all phases of the business to be transacted are described. Any misrepresentation in the description of the business by the applicant will be sufficient cause for the license to be rejected or revoked.

Adult movie theatre

EXHIBIT B
Page 2 of 3

3. Describe the premises in or on which business is to be conducted. (Type of building, description of rooms in which business is to be transacted, include all physical properties to be used in conducting the business; for example, storage yards or equipment parking lots to be used in addition to the buildings and rooms.)

4. If applying as an INDIVIDUAL:

Name Eugene tipton Social Security No. 525-32-7791

Birth Date April 13, 1925 Phone Number 405-326-3096

Residence Address P.O. Box 21 Spencerville, Oklahoma

Time of Residence in Clark County? _____

If the applicant is the employee of another, give the following information:

✓ Employer's Name Retired Southwestern Bell Address Fort Worth, Texas

5. If applying as (check one) PARTNERSHIP _____, ASSOCIATION _____, OR CORPORATION _____

- A. List the following information for all members of Partnerships; or all Officers and Directors of Association or corporations and all Stockholders owning 5% or more of the corporations capital stock:

Name _____ Title _____ Soc. Sec. No. _____

Birth Date _____ Residence _____ Phone No. _____

Name _____ Title _____ Soc. Sec. No. _____

Birth Date _____ Residence _____ Phone No. _____

Name _____ Title _____ Soc. Sec. No. _____

Birth Date _____ Residence _____ Phone No. _____

B. Name of corporate resident agent _____

Address _____

C. Is this a newly formed corporation? _____ If not a Nevada Corporation, give the name of the State of Incorporation: _____

D. Give the date the Articles of Incorporation were approved by the State of Nevada: _____

List the names and addresses of current or previous businesses in which the applicants have been involved during the previous five (5) years:

Business Name

Business Address

Southwestern Bell Telephone Co. Fort Worth, Texas

Retired 3/15/77 began work for them 10/3/46

EXHIBIT B

Page 3 of 3

licensed outside the City of Las Vegas, give the name of jurisdiction:

A. City _____ County _____ State _____

Current License Numbers _____ Dates of Issue _____

Has the applicant, or any of the partners, association or corporation officers or directors ever:

Been refused a license of any type in the State of Nevada No Any other State? No

If so, where? _____ For what reason? _____

Been convicted of a crime, misdemeanor, or violation of any municipal ordinance, excluding minor traffic violations, where the fine is \$25.00 or less? Yes _____ No No If so, state the nature of such offense and and punishment assessed therefore.

Filed for bankruptcy? If so, where? No When? _____

List the names and addresses of four (4) persons of personal or business reference.

Name	Street	City	State	Zip Code
George Griffin	410 7th St.	Fort Worth	Texas	76101
Ray Young	800 Thrush Dr.	Sac Vegas	Nevada	
Silas Stapp	2590 S. Highland	Sac Vegas	Nevada	89109
Clyde Mc Coy	1056 N. Rancha	Sac Vegas	Nevada	

DECLARATION

I, undersigned, have answered all questions in the above application, and to the best of my belief, all answers are true and correct. I further understand that disclosure of any false or misleading or incomplete answers in the above will result in automatic denial or revocation of the license if already issued.

I certify that: a) if a change in ownership was made, the change is in compliance with NRS 104 (Bulk Sales Act) and b) if engaged in business under a fictitious name that the provisions of NRS 602 have been complied with.

I, undersigned, understands and agrees that the Director of the Department of Business Activity and any other officer designated shall have the power and authority to enter any store, building or any other place in which such business is conducted at any time during business hours and have access to the books of such business for the purpose of ascertaining the amount of sales made. The information received from the licensee under the provisions of this section shall be confidential and available only to those officials concerned in such matters as amended by the Las Vegas City Code.

Eugene W. Lytton
Signature of Applicant

per

Subscribed and sworn to before me on

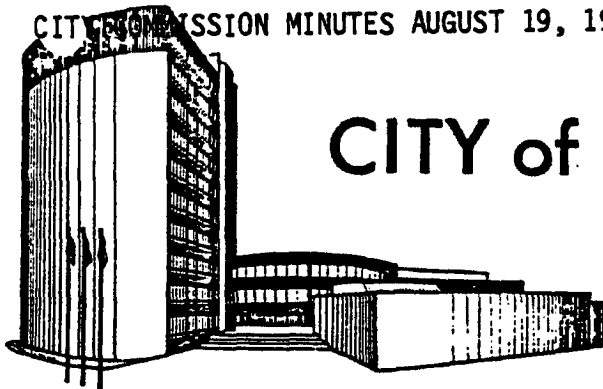
6-26, 1980

taken without fees.
6/26/80

Ila Britt, Director
Department of Business Activity

By Norathy Wilson by ai

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFER
AL LEVYCITY ATTORNEY
GEORGE F. OGILVIECITY MANAGER
RUSSELL DORN

CITY of LAS VEGAS

EXHIBIT C
Page 1 of 3

August 1, 1980

Mr. Eugene Tipton
2590 South Highland
Las Vegas, NV 89109

Dear Mr. Tipton:

We have received your business license application for an adult theater to be located at 1732 East Fremont Street. In our review of this application, we find that additional information is required. Please provide the following information to this Department:

1. Certificate of fictitious firm name.
2. A copy of the lease or rental agreement for 1732 East Fremont.
3. The complete details of the proposed operation of the adult movie theater including types of movies to be shown, hours of operation, number of seats, and all other related information.

Sincerely,

*Ila M. Britt*Ila M. Britt, Director
Department of Business Activity

IMB:ss

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFER
AL LEVY

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL DORN



August 12, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Adult Theatre
2590 South Highland
Las Vegas, NV 89109

EXHIBIT C
Page 2 of 3

Attention: Mr. Eugene Tipton

Dear Mr. Tipton:

We have received your business license application for an adult theatre to be located at 1732 East Fremont Street. In our review of this application, we find that additional information is required. Please provide the following information to this Department:

1. Certificate of fictitious firm name.
2. A copy of the lease or rental agreement for 1732 East Fremont.
3. The complete details of the proposed operation of the adult movie theatre including types of movies to be shown, hours of operation, number of seats, and all other related information.

Sincerely,

Ila M. Britt

Ila M. Britt, Director
Department of Business Activity

IMB:ss

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

☐ Show to whom and date delivered.....¢
☐ Show to whom, date and address of delivery.....¢
☒ RESTRICTED DELIVERY
Show to whom and date delivered.....¢
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery \$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	93744	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE _____ Date _____
☒ Addressee ☐ Authorized agent

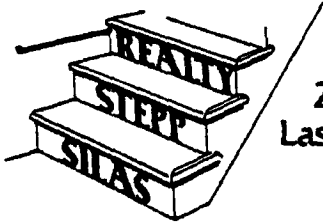
DATE OF DELIVERY 7-14

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK AUG 14 1980

GEEK'S INITIALS



2590 South Highland
Las Vegas, Nevada 89109
733-7775

EXHIBIT D
Page 1 of 8

3/30/81

Ms. Ila Britt, Director
Department of Business Activity
400 Stewart Ave.
Las Vegas, Nev. 89101

Madam:

This letter is in response to your recent request for additional information, regarding facilitation of our proposed Adult Movie Theatre operation. Please find enclosed a copy of our Certificate of fictitious firm name, a copy of our lease agreement, and the following, more detailed explanation of the proposed operation.

The type of movies to be shown are X-rated, hours of operation will be twenty-four hours, and the number of seats will be between 30-40 as determined by a complete analysis and conference with our contractor.

If more specific information regarding seating is required, we can provide that after our final plans have been rendered. Our theatre operation is to be comparable to other lawful Adult Theatre operations that are currently doing business within our city. Our movies are to be comparable to theirs.

Hoping that the above information is adequate for your proposes.

Sincerely,

A handwritten signature in cursive script that reads 'Silas Stepp'.

Silas Stepp

For Eugene Tipton

RECEIVED
BUSINESS ACTIVITY
APR 2 8 32 AM '81

CITY COMMISSION MINUTES AUGUST 19, 1981

0063

THIS LEASE entered into this 10th day of JANUARY 1981, by Carnig Terzian and Alice Terzian and Vartkes Barsam and Jean Barsam (hereinafter referred to as Lessors) whose address is 34663 VALLEY FORGE DR., FARMINGTON HILLS, MICH 48018 and E. W. Sipton (hereinafter referred to as Lessees) whose address is Post office Box 21 Spencerville, Oklahoma

WITNESSETH:

IN CONFORMANCE of the covenants and agreements hereinafter contained: the parties agree as follows:

1. DESCRIPTION: Lessors hereby lease to the Lessees the following:

FREMONT SQUARE

1732 E. Fremont Street store "C"

LAS Vegas, Nevada 89101

2. TERM: Said property to be leased to the lessees for a term of Two (2) years with a Two (2) year option, commencing on the 20th day of JANUARY 1981 and ending midnight on the 19th day of JANUARY 1983

3. RENT: The rent for the initial term of this lease shall be the sum of SEVEN HUNDRED + SIXTY-FIVE DOLLARS per month, commencing at the beginning of the term of this lease as set forth hereinabove, subject however, to the following adjustments: the monthly rental for the period commencing one (1) year following the date of the commencement of the term of this lease shall be adjusted in proportion to the change, if any, in the Consumer Price Index: (United States average: all items, as determined by the U. S. Department of Labor Bureau of Labor Statistics, Washington, D.C.) for the last month of the preceding lease year, over that for the month reported at the date of this lease; should said index be discontinued by the government, there shall be substituted therefor the then most comparable cost of living index. The monthly rental for each one year term shall be adjusted on each anniversary over that for the month received at the date of this lease; and in no

case shall the rental herein provided be adjusted below the base minimum rental of SEVEN HUNDRED + SIXTY-FIVE DOLLARS per month.

Lessees agree to pay the monthly rental on the first day of each and every month thereafter during the term of this lease, with a five (5) day grace period. In the event the rent is paid after the five (5) day grace period, there will automatically be a ten (10) percent increase in rent for that month.

4. USE OF THE PREMISES: Lessees agree during the term of the Lease, that the leased premises shall be used as an ADULT MOVIE THEATRE.

5. SECURITY DEPOSIT: Lessees agree to pay to Lessors the sum of SEVEN HUNDRED + SIXTY-FIVE Dollars upon execution of this lease, representing the first month's rent and a deposit of FIFTEEN HUNDRED + THIRTY Dollars, said sum to remain on deposit with the Lessors during the term of this lease and shall represent a security deposit by the Lessees for the faithful performance of the terms and conditions of this lease, said sum of FIFTEEN HUNDRED + THIRTY Dollars at the end of the term of this lease or any extensions hereof, shall be returned to the Lessees, providing however, there have been no defaults made on the part of the Lessees, and that the said premises herein demised are left in the same condition by Lessees as when received by Lessees, reasonable wear and tear excepted, and that it is not necessary for the Lessors to make any repairs on said premises.

6. MAINTENANCE: Lessees agree, during the term of this lease, at his own expense, to make all repairs to the interior of the leased premises, as and when they are needed to maintain the premises in a good state of repair, and to keep the sidewalks and public ways on the demised premises in a clean and safe condition.

Lessors agree to maintain the exterior of building and roof (with the exception of damage caused directly or indirectly by roof signs and/or the heating or cooling equipment of leased premises, as it shall then be deemed the responsibility of the Lessees.)

7. COMMON AREA: All signs must be approved by Lessors before being erected on building.

Maintenance, cleaning, outside lighting and repairs to be paid at a ratio of one-eighth ($1/8$) per store unit. These charges to be due and payable each month.

3. PARKING: Lessees's patrons shall be permitted reasonable, non-exclusive use of the parking lot.

9. HEATING AND COOLING: Lessees agree to maintain and repair the heating and cooling systems upon the within premises. Said maintenance and repair, in addition to the ordinary servicing, to include replacement of all parts, whether worn or defective. All repairs and maintenance to be done by a licensed heating and cooling contractor satisfactory to the Lessors.

10. LAWS: Lessees shall comply with all Federal, State, County and Health Department ordinances, rules and regulations.

11. UTILITIES: Lessees shall be responsible for all electric, gas, sewer and water used on the demised premises and one-eighth ($1/8$) of the disposal service (based on $1/8$ per store unit).

12. TAXES AND INSURANCE: Lessees shall pay all personal property taxes on equipment owned by the Lessees. Lessees to pay one-eighth ($1/8$) of all real property taxes, assessments, and Insurance, including fire, property damage, liability and auto glass on a monthly charge basis, due and payable each month. A quarterly statement of expenses incurred will be sent.

13. ASSIGNMENT: Lessees shall have the right to assign or sub-lease any or all of said premises during the term of this lease, or any hold over period, with the written consent of Lessors, which consent Lessors shall not unreasonably withhold.

14. ENCUMBRANCES: Lessees agree that he will at all times keep said premises free and clear from any and all liens and/or encumbrances for which he, or others acting through or for him, shall be responsible.

15. LIABILITY: Lessees agree to keep and save harmless Lessors from any suit or claim for damage or injury sustained upon said premises by any person from any cause whatsoever during the continuance of this lease.

16. INSPECTION: Lessor, or his agent, shall have the right at all reasonable times during the continuance hereof to enter upon said premises for inspection purposes, or for purposes of repair, and Lessors, or his agents, may, within thirty (30) days prior to termination hereof, affix and display "TO LEASE" signs upon any part of said premises selected by him.

17. ALTERATIONS: Lessees shall have the right to make such alterations or changes in the interior of the demised premises as shall be desirable for the proper and efficient operation of said business by Lessee, provided, however, that such alterations and changes to said premises shall be always subject to the written approval of Lessors and shall be at the sole cost and expense of the Lessees. These changes and alterations shall become the property of the Lessors.

18. DESTRUCTION: If, during the term of this lease, the premises are destroyed by fire, or other action of the elements or are partially so destroyed so as to cause them to be wholly unfit for occupancy, or if they are so badly injured or damaged that they cannot be repaired with reasonable diligence within one hundred and twenty (120) days after such destruction or damage, then the Lessor may cancel this lease and return all deposits and neither party shall be thereafter bound. If Lessors are able to restore the premises within one hundred and twenty working days, then upon written notice from the Lessors that the repairs are completed, this lease shall resume and the term of the lease shall be extended for the period not fit for occupancy.

19. BANKRUPTCY: If, at any time during the term hereof, proceedings in bankruptcy shall be filed by or against the Lessees and result in an adjudication of bankruptcy, or if the Lessees shall file, or any creditor shall file, or any person shall file any petition in bankruptcy under Chapters 10, 11, or 12 of the Bankruptcy Act of the United States of America, as such act is now in force, or if a receiver of the business or assets of the Lessees shall be appointed and if such appointment is not vacated within sixty (60) days after notice thereof to Lessees, or if a general assignment is made by the Lessees for the benefit of creditors, or if any

Sheriff, Marshall, Constable or other duly constituted public official takes possession thereof by authority of any attachment or execution proceedings, and offer same for sale publicly, the Lessors may, at his option, in either of such events, without notice to Lessees or any other person or persons, immediately recapture and take possession of the demised premises and terminate this lease with or without process of law, such process being expressly waived by Lessees. On any such termination all installments of rent owing to the date of termination shall become at once due and payable, and, in addition thereto, Lessors shall have all rights provided by the bankruptcy laws relative to proof of claim of an anticipatory breach of an executory contract.

20. DEFAULT: If Lessees default in payment of rent herein specified or the performance of any agreement by it required to be performed, then, after ten (10) days written notice to Lessees of such default, Lessors may enter upon said premises and terminate this lease and remove all persons or property therefrom, and in such case, the Lessors shall not be responsible for the care or safety of property or persons so removed, and Lessees hereby waive any and all claim for loss or damage to property or persons so removed by the Lessors under this provision. In the event Lessor is required to resort to legal action to enforce any of the provisions hereof, and/or Lessees are in default, Lessees shall also be liable for reasonable attorney's fees to Lessor's attorney. Lessor may, at his option, re-rent the premises without terminating the lease, at a reasonable rental, and Lessee shall pay any deficiency thereon, together with costs incurred by Lessor in connection therewith.

21. EXPIRATION: Lessees shall quit and surrender the said premises at the expiration or other termination hereof, in as good order and condition as a reasonable amount of wear and use thereof will permit (damage by the elements excepted). All improvements attached to said premises by Lessees, except trade fixtures installed by Lessees at their own expense, shall become the property of Lessor. If Lessees do not remove their property within five (5) days after this lease has expired, then said property shall be deemed abandoned property.

22. NOTICE: Whenever under this lease a provision is made for notice of any kind, it shall be deemed sufficient notice and service thereof if such notice to the Lessees is in writing addressed to Lessees at their last known post office address or to the leased premises and deposited in a mail box with postage pre-paid; and if such notice to the Lessors is in writing addressed to the Lessors at their last known post office address.

23. WAIVER: The waiver of one condition, covenant or agreement provided for herein shall not be deemed a waiver in respect to any or all other conditions, covenants or agreements contained herein.

24. OPTION TO RENEW: Lessees shall have the option to renew this lease on the same terms and conditions providing that the Lessees are not in default under any of the terms of this lease and that Lessees give notice in writing of said intention on or before sixty (60) days prior to expiration of this lease.

25. EFFECT: All covenants, conditions and agreements contained herein are intended to and shall extend to and include the assigns of the Lessors and the assigns of the Lessees.

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

LESSORS

Carmig Terzian
Carmig Terzian
Alice Terzian
Alice Terzian

LESSEES

E. W. Lipton

FICTITIOUS FIRM NAME

0089

THE UNDERSIGNED do hereby certify that FILED
APR 14 4 48 PM '81
conducting an Adult Movie Theatre business at
1732 E. Fremont Street, Nevada,
under the fictitious firm name of Simon's Adult Theatre
and that said firm is composed of the following person whose name and address is
as follows, to wit:

Eugene Tipton P.O. Box 21 Spencerville, Oklahoma 74762

WITNESS by hand on this 2nd day of February
19 81

E. W. Tipton

TEXAS
STATE OF ~~NEVADA~~
COUNTY OF TARRANT

On this 2nd day of FEBRUARY A. D., 19 81, before me,
E. M. Kuhl a Notary Public in and for said County
and State, residing therein, duly commissioned and sworn, personally appeared E. W. Tipton

known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and
year in this Certificate first above written.

E. M. Kuhl
Notary Public in and for said County and State.
My Commission expires 2/01/81

0070

LICENSE APPLICATION

NO. _____

This application must be completely filled out and all applicable questions answered. Use back page and additional sheets if necessary to complete all lists and schedules.

Name of Applicant and Business (as it is to appear on the license)

Eugene Tipton dba FINNE ARTS THEATRE
 APPLICANT'S NAME BUSINESS NAME (REFERENCE NRS 602)
ADULT MOVIE THEATRE 733-7775
 TYPE OF BUSINESS BUSINESS PHONE
1732 FREMONT (EAST) C 2590 SOUTH HIGHLAND LAS VEGAS 8
 BUSINESS ADDRESS SUITE NO. MAILING ADDRESS ZIP

If new business in the City of Las Vegas, show anticipated date of opening or date the license is to begin: MAY 4, 1981

In addition to the appropriate departmental approvals, it may be necessary for you to comply with the following checker items for compliance with City, County or State ordinances prior to issuance of a business license:

DO NOT WRITE IN THIS BOX

Bond: Type _____ Amount _____ Attached _____ Pending _____
 Nevada State License No. _____ Health Permit No. _____
 Letter of Authorization Re: Premises _____ Additional Fees _____
 Other _____

APPROVALS: Tentative

Final:

PLANNING

DATE _____ BY _____

DATE _____ BY _____

BUILDING

DATE _____ BY _____

DATE _____ BY _____

FIRE

DATE _____ BY _____

DATE _____ BY _____

LICENSE

DATE _____ BY _____

DATE _____ BY _____

General Receipt No. _____ Date _____ Amount _____ Date _____
 Logged Date 6-10-81 Initial _____

If Change of Ownership: License Fees Paid To _____ Owing _____
 Sewer Cycle No. _____ Amount _____ Paid To _____ Owing _____
 Referral to SIB: Date _____ Plate Card _____ License _____

Ordinance No. 1901 adopted by the Mayor and Board of City Commissioners on 11/23/77 provides for the issuance of a temporary business license to permit the applicant to engage in the business designated at the location stated on the application for a period up to, but not to exceed, 60 days. Provided, however, the preliminary inspections relating to the uniform fire code, proper zoning and structural building requirements have been made and tentatively approved by the proper department within the City of Las Vegas.

Business premises require inspection. Please show when someone will be on the premises to admit inspectors during the hours of _____ and _____ on _____. Applicant can be contacted at telephone: 733-7775

I understand that I cannot commence business until a temporary business license can be issued and that a regular license will not be issued until all requirements and conditions have been complied with.

Eugene W. Tipton
 Signature of Applicant

APRIL 21, 1981
 Date

PURPOSE OF APPLICATION:

CITY COMMISSION MINUTES AUGUST 19, 1981

- ☒ New Business ☐ Change of Location (Show old location on page 4)
☐ Change in Name (Show old name on page 4) ☐ Change in Corporate Officer
☐ Change in Ownership (in compliance with NRS 104, Bulk Sales Act)

2. Give a concise description of the business to be conducted. Be certain that all phases of the business to be transacted are described. Any misrepresentation in the description of the business by the applicant will be sufficient cause for the license to be rejected or revoked.

ADULT MOVIE THEATRE

3. Describe the premises in or on which business is to be conducted. (Type of building, description of rooms in which business is to be transacted, include all physical properties to be used in conducting the business; for example, storage yards or equipment parking lots to be used in addition to the buildings and rooms.)

4. If applying as an INDIVIDUAL:

Name EUGENE TIPTON Social Security No. 525-32-7791
Birth Date APRIL 13, 1925 Phone Number 405-326-3096
Residence Address P.O. BOX 21 SPENCERVILLE. OKLAHOMA
Time of Residence in Clark County? _____

If the applicant is the employee of another, give the following information:

Employer's Name RETIRED SOUTHWESTERN BELL Address FORT WORTH, TEXAS

If applying as (check one) PARTNERSHIP _____, ASSOCIATION _____, OR CORPORATION _____

- A. List the following information for all members of Partnerships; or all Officers and Directors of Association or Corporations and all Stockholders owning 5% or more of the corporations capital stock:

Name _____	Title _____	Soc. Sec. No. _____
Birth Date _____	Residence _____	Phone No. _____
Name _____	Title _____	Soc. Sec. No. _____
Birth Date _____	Residence _____	Phone No. _____
Name _____	Title _____	Soc. Sec. No. _____
Birth Date _____	Residence _____	Phone No. _____

B. Name of corporate resident agent _____
Address _____

C. Is this a newly formed corporation? _____ If not a Nevada Corporation, give the name of the State
Incorporation: _____

D. Give the date the Articles of Incorporation were approved by the State of Nevada: _____

CITY COMMISSION MINUTES AUGUST 19, 1981

List the names and addresses of current or previous businesses in which the applicants have been involved during previous five (5) years: 0072

Business Name

Business Address

SOUTHWESTERN BELL TELEPHONE CO.

FORT WORTH, TEXAS

7. If licensed outside the City of Las Vegas, give the name of jurisdiction:

A. City _____ County _____ State _____

B. Current License Numbers _____ Dates of Issue _____

8. Has the applicant, or any of the partners, association or corporation officers or directors ever:

A. Been refused a license of any type in the State of Nevada NO Any other State? _____
If so, where? _____ For what reason? _____

B. Been convicted of a crime, misdemeanor, or violation of any municipal ordinance, excluding minor traffic violations, where the fine is \$25.00 or less? Yes _____ No X If so, state the nature of such offense and a punishment assessed therefore.

C. Filed for bankruptcy? If so, where? NO When? _____

9. List the names and addresses of four (4) persons of personal or business reference.

Name	Street	City	State	Zip Co
<u>GEORGE GRIFFIN</u>	<u>410 7th STREET</u>	<u>FORT WORTH, TEXAS</u>		<u>76101</u>
<u>ROY YOUNG</u>	<u>800 THRUSH DRIVE</u>	<u>LASVEGAS, NEVADA</u>		
<u>SILAS STEPP</u>	<u>2590 SOUTH HIGHLAND</u>	<u>" " " " " " " " " "</u>		
<u>CLYDE McCOY</u>	<u>1056 NORTH RANCHO</u>	<u>" "</u>		

CERTIFICATION

I, the undersigned, have answered all questions in the above application, and to the best of my belief, all answers are true and correct. I further understand that disclosure of any false or misleading or incomplete answers in the above will result in automatic denial or revocation of the license if already issued.

I certify that: a) if a change in ownership was made, the change is in compliance with NRS 104 (Bulk Sales Act) and b) engaged in business under a fictitious name that the provisions of NRS 602 have been complied with.

The undersigned understands and agrees that the Director of the Department of Business Activity and any other official designated shall have the power and authority to enter any store, building or any other place in which such business is being conducted at any time during business hours and have access to the books of such business for the purpose of ascertaining the amount of sales made. The information received from the licensee under the provisions of this section shall be confidential and available only to those officials concerned in such matters as amended by the Las Vegas City Commission.

Eugene W. Lytle
Signature of Applicant

per _____

Subscribed and sworn to before me on _____, 19__

Ila Britt, Director
Department of Business Activity

By _____ EXHIBIT E
Page 3 of 3

*Rec'd 4/24/81
from
Silas Stepp
[Signature]*

0073

Inter-Office

MEMORANDUM

EXHIBIT F
Page 1 of 1

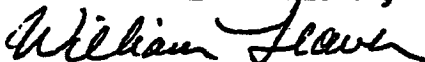
To : J. ASHENFELTER, SGT.
From : W. LEAVER
Subject : QUESTIONED SIGNATURE OF EUGENE TIPTON

Date: MAY 13, 1981

UPON EXAMINING THE SIGNATURES OF EUGENE W. TIPTON SUBMITTED, THE FOLLOWING DETERMINATION WAS MADE:

THE SIGNATURE OF EUGENE W. TIPTON APPEARING ON THE QUESTIONNAIRE, DATED 4-21-81, NOTARIZED BY SUSIE MAE HALL, WAS NOT WRITTEN BY THE SAME PERSON WHO WROTE THE SIGNATURES OF E.W. TIPTON ON THE LEASE AGREEMENT, DATED 1-10-81, AND THE FICTITIOUS FIRM NAME FORM, DATED 2-2-81.

RESPECTFULLY SUBMITTED,



WILLIAM LEAVER
CRIMINALISTICS BUREAU

CITY COMMISSION MINUTES AUGUST 19, 1981
INTER-OFFICE MEMORANDUM

Date

May 15, 1981

0074

TO:

GEORGE OGILVIE
CITY ATTORNEY

FROM:

Ila M. Britt
ILA M. BRITT, DIRECTOR
DEPARTMENT OF BUSINESS ACTIVITY

SUBJECT:

FINNE ARTS THEATRE
1732 FREMONT
APPLICATION FOR
ADULT MOVIE THEATER

COPIES TO:

DON SAYLOR, DEPUTY CITY MANAGER

This office has on file a pending application for an adult movie theater as referenced above. The applicant as indicated on the license application is one Eugene W. Tipton, who lists a residence address of P.O. Box 21, Spencerville, Oklahoma. Following is a brief record of events relative to this application.

- 1) An application was originally filed with this department on 6/26/80 under the name Eugene Tipton dba Adult Theatre, 1732 East Fremont.
- 2) A letter dated 8/1/80 requesting additional information addressed to Mr. Eugene Tipton at the given mailing address of 2590 South Highland was returned by the Post Office with the notation "addressee unknown."
- 3) A similar follow-up letter dated 8/12/80 was addressed to Adult Theatre, 2590 South Highland and again mailed. This letter was signed for as received by Silas Stepp on 8/14/80.

(It is to be noted that Silas Stepp has represented himself as the real estate agent handling the leasing of the property throughout the period of this pending application. He has also been the only person having any physical contact with this department reference this application.)

- 4) After having received no response to the letter dated 8/12/80 and after verifying a number of times that there was no business activity being conducted on the premises, the application was considered "withdrawn" by this department, and was removed from our active pending file.

George Ogilvie
City Attorney
Page Two

- 5) Under date of 3/30/81, a letter addressed to Ila M. Britt was submitted by "Silas Stepp for Eugene Tipton" furnishing the information originally requested in August 1980.
- 6) On 4/9/81, a blank general business license application was given to Silas Stepp for completion by his client Eugene Tipton, and a letter was mailed to Eugene Tipton requesting he complete a set of investigation paperwork and return them to this office.
- 7) On April 22, 1981, requested forms (general application and investigation paperwork) were hand delivered to this office by Silas Stepp.
- 8) At the request of this office, a routine background investigation of Eugene Tipton was conducted by Special Investigations, LVMPD; and reports dated 5/12/81 and 5/13/81 were submitted from J. Ashenfelter, Special Investigations, and William Leaver, Criminalistics Bureau, respectively. (Copies of reports attached)

In addition, for your information and as a matter of record, I would like to bring to your attention a previous application for an adult movie theater which I believe relates to the Tipton application. That application was also submitted to this office by Silas Stepp as the real estate leasing agent. The application being made was submitted in February 1980 under the name James C. Walthall, dba Finne Arts, 708 South First Street. It is to be noted that James Walthall also listed 2590 South Highland (Silas Stepp Realty office) as his mailing address with a residence address in Ft. Worth, Texas.

Mr. Walthall's application was denied by this department on the grounds of lack of fitness of the applicant, inasmuch as investigation revealed prior convictions on the charges of commercial obscenity and possession of obscene matter with intent to exhibit; also, for false information in the application because James Walthall stated the charges were dismissed and on appeal, when in fact he was convicted on both charges. A copy of the denial letter and James Walthall's application are attached.

George Ogilvie
City Attorney
Page Three

James Walthall is listed in Eugene Tipton's personal history questionnaire as his stepson. It is my belief that this raises a reasonable doubt as to whether Eugene Tipton may be a "front" for James Walthall.

Based on the foregoing, it is my opinion that the license application should be denied. Would you please review this matter and give me your opinion whether there is sufficient cause for a denial by the Department of Business Activity as provided under Title 5, Chapter 1, Section 16(A)?

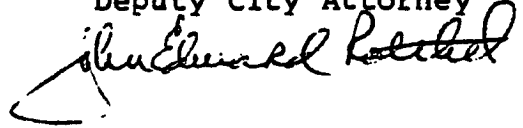
IMB:dw

May 20, 1981

M E M O R A N D U M

TO:
Ila Britt, Director
Department of Business Activity

FROM:
John Edward Roethel
Deputy City Attorney



SUBJECT:
Grounds for Denial of Business
License: --(a) Close Relationship
Between Applicant & Previously
Denied Applicant for Similar License;
and (b) Discrepancies in Signatures
on Various Documents Submitted With
Application

An opinion has been requested as to whether grounds exist to deny a business license application filed by Eugene Tipton for an adult movie theater at 1723 East Fremont. The applicant is seeking a general business license under the provisions of Title 5, Chapter 1 of the Las Vegas City Code. The applicant's proposed business location satisfies the requirements of Title 5, Chapter 5 regarding permissible locations for sexually-oriented businesses.

This office has reviewed the application and accompanying documents furnished nominally by Eugene Tipton. Pursuant to 5-1-16, the City of Las Vegas has a duty, inter alia, to verify the fitness of an applicant to engage in a particular occupation or business. Because licensing of businesses serves to protect the general health, safety, welfare and morals of the residents of the City of Las Vegas, it is important that the Department of Business Activity investigate any apparent inconsistencies in pending business license applications. In the opinion of this office, three potential areas of concern are raised by Eugene Tipton's business license application and we feel further clarification is needed.

First, Tipton's application indicates he will be the sole owner of the business to be known as Finne Arts Adult Theatre. However, Tipton will be an absentee owner since he resides in Spencerville, Oklahoma. Tipton's application further shows no indication that he has any experience in operating a business of this type. This certainly suggests that Tipton may only be operating as the bank roll for a business that is to be run by someone else.

Memo to: Ila Britt
From: John Edward Roethel

May 20, 1981
Page -2-

Secondly, various documents have been submitted bearing the signature of either Eugene W. Tipton or E. W. Tipton. An analysis done by the Las Vegas Metropolitan Police Department indicates that two different people signed these documents, notwithstanding the notarization of the signatures. The evidence indicates that the lease for the business premises and the certificate for a fictitious firm name were signed by a different person than the person who signed the business application. If the real Eugene Tipton did not sign the business license application, such would be grounds for business license denial under 5-1-16. If an imposter signed the lease and fictitious firm name form, then this would be evidence that Tipton is not actually in control of the business he purportedly owns.

Thirdly, Tipton's application indicates that a James C. Walthall is Tipton's stepson. Walthall was previously denied a business license by the City of Las Vegas to operate an adult movie theater in April, 1980. Tipton's application followed in September, 1980. Walthall was denied a license, in part, based on two prior convictions for obscenity law violations.

Due to Tipton's proposed absentee ownership and the other surrounding circumstances, it is the opinion of this office that further investigation is needed before a final determination on the propriety of issuing a business license can be made. Tipton should be required to verify the signatures on the various documents that are represented to be his. We should also seek information regarding employee agreements relating to who will actually be running the business in Las Vegas. It would be improper to share the profits of the business with any employee who may have a lack of fitness under 5-1-16(A)(4).

/jca

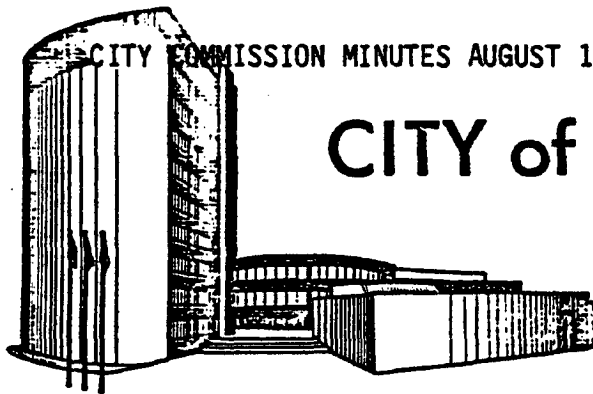
EXHIBIT H
Page 2 of 2

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFER
AL LEVY

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL DORN



CITY COMMISSION MINUTES AUGUST 19, 1981

0079

CITY of LAS VEGAS

EXHIBIT I
Page 1 of 4

May 21, 1981

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Eugene W. Tipton
P.O. Box 21
Spencerville, Oklahoma 74760

Re: Application for License --
Finne Arts Theatre
1732 Fremont
Las Vegas, Nevada

Dear Mr. Tipton:

Your license application to conduct an adult movie theater as referenced above has been under review by this Department. As part of this review, I am at this time requesting additional information from you as follows.

- 1) We have received a determination from the Criminalistics Bureau, Las Vegas Metropolitan Police Department, that the signatures of "Eugene W. Tipton" and "E. W. Tipton" as submitted on your License Application and investigative paperwork, Lease Agreement, and Certificate of Business Fictitious Firm Name, were not made by the same person. Because of this apparent discrepancy and the fact that two of the signatures, which are determined to be not written by the same person, bear the witness of a notary public, I am asking that you review these documents and advise me in writing:
 - a) Who signed the License Application and investigative paperwork?
 - b) Who signed the Lease Agreement?
 - c) Who signed the Certificate of Business Fictitious Firm Name?



Eugene W. Tipton
May 21, 1981
Page Two

- 2) Your application indicates that you will be the sole owner of this business; however, you will be an absentee owner inasmuch as you reside in Spencerville, Oklahoma. Please advise me in writing:
 - a) If you are approved for licensing, who will actually operate this business on a day to day basis?
 - b) Will this individual operate under a written management agreement? If so, please furnish a copy of that proposed agreement.
 - c) What will this individual's duties and responsibilities be?
 - d) Will this individual be employed on a flat salary basis, and/or will he receive any profits from the operation of the business?
- 3) In the Personal History Questionnaire submitted, James Walthall is listed under the question asking that the applicant list "all children, including step-children and adopted children." The records of this Department reveal that one James C. Walthall submitted an application to this office in February 1980 for an adult movie theater under the name Finne Arts, 708 South First Street, Las Vegas. That application was subsequently denied by this Department for lack of fitness of the applicant. Please advise me in writing:
 - a) If you are approved for licensing, will James C. Walthall be involved in the operation of your business in any capacity whatsoever?
 - b) Will James C. Walthall in any way share in any of the profits of the business?

Any additional information that you can furnish regarding your intentions on how the business will be operated, if you are licensed, will be appreciated. For example: Will

Eugene W. Tipton
May 21, 1981
Page Three

EXHIBIT I
Page 3 of 4

policies and regulations governing the business be set by you? Will hiring and firing of employees be subject to your approval? What methods of advertising will be used, and again, will it be subject to your approval?

Sincerely,

Ila M. Britt

Ila M. Britt, Director
Department of Business Activity

IMB:dw

EXHIBIT I
Page 4 of 4

Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" reverse.

1. The following service is requested (check one.)
☐ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
93940
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Eugene L. Dyer
DATE OF DELIVERY 5-26-81
POSTMARK

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1979-288-848

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

W. OWEN NITZ
PAUL H. SCHOFIELD
JAMES H. WALTON

Nitz & Schofield
A PROFESSIONAL CORPORATION
516 SOUTH THIRD STREET
LAS VEGAS, NEVADA 89101

TELEPHONE
(702) 382-2211

May 29, 1981

EXHIBIT J
Page 1 of 3

Ms. Ila M. Britt, Director
Department of Business Activity
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: Application for license - Finne Arts
Theatre, 1732 Fremont, Las Vegas, Nevada

Dear Ms. Britt:

Please accept this correspondence on behalf of Mr. Eugene W. Tipton and as a response to your correspondence of May 21, 1981.

In regard to your question No. 1, please be advised that the signatures of Eugene W. Tipton and/or E. W. Tipton on the various documentation to which you refer are all those of Mr. Eugene W. Tipton.

In regard to your question No. 2, please accept the following response.

(a) Mr. Silas Stepp, with offices at 2590 South Highland, Las Vegas, Nevada 89109, will actually oversee the operation of the business on a day-to-day basis, utilizing necessary employees.

(b) There is currently no written management agreement between Mr. Tipton and Mr. Stepp.

(c) Mr. Stepp will be entirely in charge of the total operation.

(d) Mr. Stepp will be employed on a flat salary basis.

In regard to your question No. 3, and particularly No. 3(a), at the present time there is no intent to involve Mr. James C. Walthall in the operation of the business. Should there be a future determination to use Mr. Walthall in any way as an employee, our client would be happy to so advise the licensing department.

Page 2
Ms. Ila M. Britt
May 29, 1981

In regard to your question No. 3(b), Mr. James Walthall will not in any way share in the profits of the business.

In regard to your final general inquiry, certainly Mr. Tipton will have a voice in the policies and regulations concerning the business. Many of these determinations will be made upon advice by Mr. Silas Stepp who will oversee the business. Mr. Silas Stepp, as general manager of the business, would have final determination in regard to hiring and firing of employees.

In regard to the methods of advertising to be used, we cannot at this time advise you that total definitive plans have been made. We are happy to advise that certainly any advertising to be used will be fully in compliance with the law of Las Vegas, Clark County, and the State of Nevada.

Both Mr. Stepp and Mr. Tipton have had the opportunity to observe other operations similar to this proposed business and it is our client's intention to present a highly professional business operation.

Finally, in that this license application has pended for some time, we would like to request that final processing of such be expedited. Should you have any additional questions in regard to the responses presented to you, or should any other questions arise which are routine in a license application such as this, please do not hesitate to contact this office.

Thank you for your prompt attention to this matter.

Cordially yours,



Paul H. Schofield

PHS:sw

cc: Mr. Silas Stepp

LAW OFFICES

Nitz & Schofield

A PROFESSIONAL CORPORATION

516 SOUTH THIRD STREET
LAS VEGAS, NEVADA 89101

*Hand Delivered
By Silas Stepp
6-1-81*

Ms. Ila M. Britt, Director
Department of Business Activity
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

INTER-OFFICE MEMORANDUM

June 2, 1981

TO: Ila Britt, Director
Department of Business Activity

FROM: *John Edward Roethel*
John Edward Roethel
Deputy City Attorney

SUBJECT: Application for Licence -
Finne Arts Theatre

COPIES TO:

This office has reviewed the May 29th response by Attorney Paul Schofield, representing Eugene W. Tipton to the inquiry sent by your office on May 21, 1981. With regard to question of the validity of the various signatures by Tipton you may rely on Schofield's representation or seek further verification from Tipton.

Nevertheless, it does not appear to this office that adequate and sufficient grounds exist to deny Tipton the type of business license for which he has applied. It would appear that the signature of Tipton on the license application is his true and correct signature.

/jca

EXHIBIT K
Page 1 of 1

RECEIVED
BUSINESS ACTIVITY
JUN 3 11 32 AM '81

INTER-OFFICE MEMORANDUM

July 27, 1981

MARGE HETHER, SUPERVISOR
PRIVILEGE LICENSE DIVISION

FROM:

JD JIM DIFIORE
LICENSE INVESTIGATOR

SUBJECT:

FINNE ARTS THEATRE
1732 EAST FREMONT

COPIES TO:

1. An ongoing investigation in the operations of Finne Arts Theatre at 1732 East Fremont Street has revealed that the bank signature card for this business lists as authorized signatures:

- 1) James Walthall
- 2) Mrs. J.C. Walthall
- 3) E.W. Tipton

The account was opened on April 23, 1981. To reiterate Mr. Tipton's attorney, Paul Schofield, in a letter to this department dated May 29, 1981, stated, "There is no intent to involve Mr. James C. Walthall in the operation of the business. Should there be a future determination to use Mr. Walthall in anyway as an employee, our client would be happy to so advise the licensing department." To date, no written notification has been received in this office.

2. A copy of the bank statements obtained from First Interstate Bank, 15th & Charleston Branch, for the months of April, May, and June reveal the following:

Acct. No. 174/786/4

<u>Month</u>	<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
April	-0-	-0-	\$ 3,100.00	\$ 3,100.00
May	\$3,100.00	\$1,855.40	-0-	\$ 1,244.60
June	\$1,244.60	\$3,868.50	\$19,234.00*	\$16,610.10

*Includes a deposit of \$15,000 on July 7, 1981.

Finne Arts Theatre
 July 27, 1981
 Page 2

The following checks were disbursed for this time period:

<u>Amount</u>	<u>Issued To</u>	<u>Signed By</u>	<u>Date</u>
\$ 200.00	Silas Stepp	James Walthall	5-14-81
850.00	Carnig Terzain	E.W. Tipton	5-01-81
800.00	Cash/Kenneth Crabtree	James Walthall	5-27-81
850.00	Carnig Terzain	E.W. Tipton	6-01-81
450.00	Nevada Power Company	James Walthall	6-18-81
1,491.00	CNA Construction	E.W. Tipton	6-18-81
1,040.00	City of Las Vegas/ Sewer Hook-up	E.W. Tipton	6-18-81
27.50	Singleton Safes	E.W. Tipton	6-24-81

It appears the signatures for E.W. Tipton from these checks are different from the signatures that were submitted with the application and an attached lease of the business premises. (See attached.) Additional information on E.W. Tipton from Texas is pending.

3. Due to the existence of these incidents involving the licensing of Finne Arts Theatre, it appears that certain facts are contradictory to what has previously been stated or documented regarding the business:
 - 1) James Walthall, denied a business license to operate this theatre, is still involved in the operations of the business in a significant position.
 - 2) Silas Stepp, who Paul Schofield stated will be entirely in charge of the total operation, is not even a signatory on the checking account for Finne Arts Theatre; thus does not seem to be totally in charge.
 - 3) The signatures of E.W. or Eugene Tipton applicant for the business license, leave some doubt in mind as to who this individual is. Although Mr. Tipton's attorney states to the contrary, an examination of the signatures of Mr. Tipton by William Leaver of Metro's Criminalistics Bureau concluded that the signature appearing on the questionnaire was not written by the same person who signed the lease agreement.

Investigation to continue.

JD:vh

EXHIBIT L
 Page 2 of 3

SIGNATURE ON LEASE
AGREEMENT for 1732

LESSEES E. FREMONT

E. M. Lipton

SIGNATURE ON PERSONAL
History Questionnaire
SUBMITTED WITH APPLI-
CATION

Eugene W. Lipton
APPLICANT'S SIGNATURE

SIGNATURE ON
BANK SIGNATURE
ACCOUNT for
FINNE/ARTS
Theatre.

SIGNATURE CARD: SOLE PROPRIETORSHIP OR PARTNERSHIP

The undersigned enter into this bank depositor agreement with FIRST NATIONAL BANK OF NEVADA, Reno, Nevada, and agree that this account shall be carried by said bank as a checking account and that all funds on deposit in said account shall be governed by said bank's by-laws, all future amendments thereof, all regulations passed or hereafter to be passed by its Board of Directors pursuant to said by-laws, and by all rules and practices as to interest and service charges of said bank relating to said account. Undersigned authorizes said bank to endorse checks, when presented for deposit to said account, if presented unendorsed, and to mail or hold statements as indicated on reverse hereof. Undersigned further agrees that this agreement shall be governed by the National Banking laws and the law of the State of Nevada.

The undersigned doing business under the trade name and style of
FINNE ARTS Adult Theatre

☒ certifies that he is the SOLE OWNER of the above named firm.

☐ certifies that they are owners of the above named firm as COPARTNERS and constitute all of the general partners of the partnership.

Number of authorized signatures, appearing on reverse, required to withdraw funds from this account 2

TAX ACCT
NUMBER 525-32-7791

E. M. Lipton
(Signature)

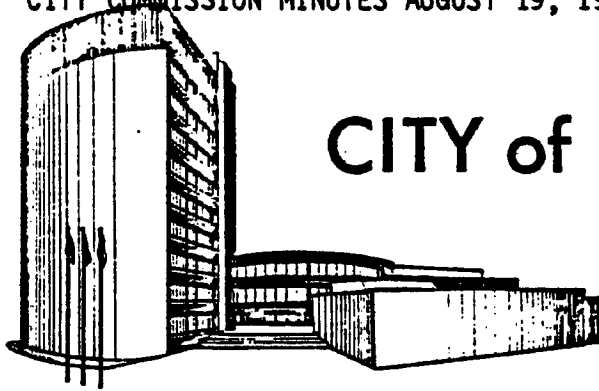
3. _____
(Signature)

2. _____
(Signature)

4. _____
(Signature)

(Continued on Reverse)

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFER
AL LEVYCITY ATTORNEY
GEORGE F. OSILVIECITY MANAGER
RUSSELL DORN

CITY of LAS VEGAS

August 3, 1981

Eugene W. Tipton
P. O. Box 21
Spencerville, Oklahoma 74670

EXHIBIT M
Page 1 of 3

Re: Application for License
Finne Arts Theatre
1732 Fremont Avenue
Las Vegas, Nevada 89101

Dear Mr. Tipton:

This letter is the official notice to you that the above-referenced business license application is hereby denied. The authority for this denial is contained in Las Vegas City Code Title V, Chapter 1, Section 16, which states in part:

Any license or permit application made pursuant to the provisions of this Title or any amendment thereof for the conducting of business may be denied for good cause by the Department of Business Activity or by the Board of City Commissioners.

The particular types of "good cause" which apply to your business license application are:

1. False or fraudulent statements in the application for license.
2. Lack of fitness of the applicant to engage in the particular occupation or business.
3. Fraudulent practices or misrepresentations in the operation of the business, or concealment or misrepresentation, in procuring the license.

Eugene W. Tipton

-2-

August 3, 1981

Your application for the above-referenced business license was filed with the City of Las Vegas on June 26, 1980. After initial processing, we requested further information on August 12, 1980. Your agent, Silas Stepp, sent the additional information by letter dated March 30, 1981.

A review of this additional information revealed two potential problems:

1. The documents disclosed two different signatures both purporting to be the signature of Eugene W. Tipton; and
2. The possible involvement in your business of James C. Walthall. (Mr. Walthall, your son-in-law, had previously been denied a license by the City on April 30, 1980, for an adult movie theater. Mr. Walthall's denial was for false statements on the business license application regarding his criminal record.)

On May 21, 1981, by letter to you we requested clarification of the apparent discrepancies in your signature and we sought additional information concerning the operation of this business (since you will be an absentee owner) and the involvement of Mr. Walthall. In response to this request, we received a letter dated May 29, 1981, from your attorney, Paul Schofield. Mr. Schofield represented that the two apparently different signatures of Eugene W. Tipton were, in fact, both executed by you. Mr. Schofield further stated:

1. Mr. Stepp will be entirely in charge of the total operation.
2. At the present time there is no intent to involve Mr. James C. Walthall in the operation of the business. Should there be a future determination to use Mr. Walthall in any way as an employee, our client would be happy to so advise the licensing department.

Further investigation by this department leads us to believe that the representations made to the City regarding this business license application were false, that misrepresentations and concealments have been made in attempting to procure the license and that you lack the fitness necessary to engage in this business.

Eugene W. Tipton

-3-

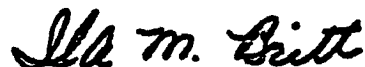
August 3, 1981

Our investigation reveals that James C. Walthall has taken an active and supervisory role in the remodeling of the premises to be used for your proposed business. Checks drawn on the "Finne Arts" checking account at First National Bank of Nevada have been signed by James C. Walthall and such is authorized since James C. Walthall appears as a signatory on the bank's account records. Silas Stepp is not a signatory on the bank account even though he is "entirely in charge of the total operation" (letter by Paul Schofield, May 29, 1981). The bank account-signature of "E. W. Tipton" does not correspond with either of the two previous Tipton signatures we have in our file.

Based on the information set forth above, your business license application is denied. Please be advised that you have the right to appeal this denial as stated in Las Vegas City Code 5-1-16(D) which provides:

- (D) Appeal From Department of Business Activity: Any person aggrieved by a decision of the Department of Business Activity denying or refusing to renew a permit or license under the provisions of this Section may appeal that decision within thirty (30) days to the Board of City Commissioners of the City of Las Vegas by filing written notice of appeal with the Department of Business Activity. The Board of City Commissioners shall hear the applicant at the next regularly scheduled meeting following the expiration of ten (10) days after the applicant files a notice of appeal.

Sincerely yours,



ILA M. BRITT

Director

Department of Business Activity

IMB/jca

cc: Paul Schofield
Silas Stepp

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EXHIBIT M
Page 3 of 3

W. OWEN NITZ
PAUL H. SCHOFIELD
JAMES H. WALTON

Nitz & Schofield
A PROFESSIONAL CORPORATION
516 SOUTH THIRD STREET
LAS VEGAS, NEVADA 89101

TELEPHONE
(702) 382-2211

August 6, 1981

HAND DELIVERED August 7, 1981

EXHIBIT N
Page 1 of 1

Department of Business Activities
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: Application for license - Finne Arts
Theatre, 1732 Fremont Avenue, Las Vegas,
Nevada 89101 - Appeal from denial of
license application, August 3, 1981

Gentlemen:

In accordance with Las Vegas City Code 5-1-16(D), please accept this written notice of appeal of your department's denial of the application for license for the Finne Arts Theatre as more particularly referenced above.

We will appreciate this matter being placed upon the Board of City Commissioners' agenda for hearing at the next upcoming meeting which we understand to be August 19, 1981.

Cordially yours,



Paul H. Schofield
Attorney for Finne Arts Theatre
and Eugene W. Tipton

PHS:sw

William I. Kaye

5411 Tynone Avenue
Van Nuys, California 91401
(213) 786-5575 / 786-5576

*Examiner of Questioned Documents
Special Document Photographs
to Illustrate Reports and for Use in Courts*

P.O. Box 2962
Van Nuys, California 91404

EXHIBIT 0
Page 1 of 4

TO WHOM THIS MAY CONCERN:

RE: _____

I, William I. Kaye, declare that I am a qualified, court appointed examiner of questioned documents with over forty years of experience in this field. I did research at Emory University, Atlanta, Georgia, studied the examination of questioned documents in the laboratory of Albert S. Osborne, and studied under Robert Moore, of the Detroit Police Department and Sheriff's Department, City of Detroit, Michigan. I have examined thousands of documents, maintain a laboratory with photographic equipment, microscopes, hand magnifiers, chemical reagents, measuring instruments, ultraviolet and infrared equipment, and have studied handwriting, printing and typing identification, inks, paper, watermarks, recovery of eradicated writing, the sequence of two lines, photography and chemistry.

I have appeared as a witness in municipal, superior and United States courts and in Canada. I have appeared in civil and criminal courts in the State of California and have been appointed by the court as a handwriting expert numerous times.

I have a degree in the Administration of Justice and an Associate in Arts Degree in Police Science.

EXHIBIT 0
Page 2 of 4

QUALIFICATION QUESTIONS

1. WHAT IS YOUR OCCUPATION?

Examiner of questioned documents, commonly known as a handwriting expert.

2. WHEN AND HOW DID YOU START THIS WORK?

Through research at Emory University, Atlanta, Georgia. Later, I studied under Robert E. Moore, Examiner of Questioned Documents, for the Sheriff's Department, City of Detroit. I also was permitted to examine questioned documents in the offices of Albert S. Osborne.

3. WHAT WAS YOUR TRAINING?

I have a reference library of books on the subject which I have studied. In practical experience, I have examined thousands of cases with many types of document problems. I have been an instructor on questioned documents at Los Angeles Valley College, Van Nuys, California.

4. CAN YOU EXAMINE HANDWRITING OF UNKNOWN ORIGIN AND COMPARE IT WITH HANDWRITING OF KNOWN ORIGIN, AND DETERMINE IF BOTH WERE WRITTEN BY THE SAME PERSON?

Yes.

5. DO YOU HAVE A LABORATORY IN CONNECTION WITH YOUR OFFICE?

Yes.

6. WHAT DOES YOUR LABORATORY AND OFFICE EQUIPMENT CONSIST OF?

Photographic equipment, microscopes, hand magnifiers, chemical reagents, measuring instruments, ultra-violet and infra-red equipment, and a transilluminator.

7. WHAT SUBJECTS IN PARTICULAR HAVE YOU STUDIED IN ORDER TO QUALIFY YOURSELF IN THIS WORK?

I have studied handwriting and typewriting identification, inks, paper, water marks, recovery of eradicated writing, the sequence of two lines, photography and chemistry.

REPRESENTATIVE CLIENTS

State Bar of Michigan
The Courts, as Consultant

Michigan Attorney General
National Labor Relations Board

BANKS

The National Bank of Detroit
The Detroit Bank & Trust Co.
The Michigan Bank
The Bank of the Commonwealth
The City Bank
The Public Bank
The Manufacturer's National Bank
Crocker Citizens Bank
Commonwealth Bank
Bank of America
Independence Bank
Home Savings & Loan Association

BONDING AND INSURANCE COMPANIES

A. A. A.
Allstate Insurance Co.
Metropolitan Life Insurance Co.
Standard Accident Co.
Lawyers Title & Insurance Co.
State Farm Insurance Co.
Royal Globe Insurance Co.
U.S.F. & G.
Maccabee's

RAILROADS

C. & O. Railway
Canadian National R.R.
Grand Trunk & Western R.R.
New York Central R.R.

MANUFACTURERS

Buick Motors Division
Cadillac Motors Division
Chevrolet Motors Division
Oldsmobile Motors Division
Chrysler Corporation
Firestone Tire & Rubber Company
Sun Oil Company
Ford Motor Car Co. (Dearborn)
Bendix Corporation
Sylvania Corporation

FINANCE COMPANIES

Associates Discount Co.
Beneficial Finance Co.
Commercial Credit Co.
Household Finance Co.
Seaboard Finance Co.

DEPARTMENT STORES

The J. L. Hudson Co.
F. W. Woolworth Co.
Lane Bryant, Inc.
Montgomery Ward
Sears, Roebuck & Co.

OTHERS

AFL-CIO
American Express Co.
Burton Abstract Co.
Holiday Inns
Hiram Walker & Co.
Michigan Federation of Teachers
Detroit Federation of Teachers
The Detroit News
The Detroit Free Press
Wayne State University
National Lawyers Guild
Universal Studios
Howard R. Hughes Wills
Mormon Church & Spalding Documents
Manson Case
Individuals

*William Kaye*LIST OF SOME OF THE DOCUMENT BOOKS IN MY LIBRARY

The following are some of the questioned document books in my library:

- A. "Questioned Documents" by Albert J. Osborne, 1929 edition.
- B. "Photographic Evidence" by Charles Scott, Three Volumes. Mr. Scott is also an attorney and member of the Missouri Bar.
- C. "Suspect Documents" by Wilson R. Harrison.
- D. "Law of Disputed Documents" by J. Newton Baker.
- E. "Disputed Documents" by Hanna F. Sulner, 1966.
- F. "Forgeries" by George H. Zinnel.
- G. "Typewriting Identification" by Billy Prior Bates and "Questioned Typewriting".
- H. "Problems of Proof" by Columbia U. Press Library, cong 56-7115.
- I. "Modern Scientific Evidence" by Richardson K B 202 R 52 1804
- J. "Forensic Physics by Ultra-Violet Light", prelim identification of obliterated writings in forgeries and falsification of documents - Cincinnati.
- K. "The W. H. Anferon Co." by James R. Richardson of the Kentucky Bar, Supplemental - Civil and criminal 1965 - 66.
- L. "Jones on Evidence - Civil and Criminal", Spencer A. Gard K B 202 J 65 e 1972 Sec. etc.
- M. "Basic Problems of Evidence" by Edmund M. Morgan.
- N. "Type" Pica 10 Pitch (per inch) Elite (12 pitch)

Equipment in use by William Kaye in addition to Ultraviolet Ray and Transilluminator Equipment.

Professional and Personal References furnished upon request.

William J. Kaye

0098

5411 Tyrone Avenue
Van Nuys, California 91401
(213) 786-5575 / 786-5576

Examiner of Questioned Documents
Special Document Photographs
to Illustrate Reports and for Use in Courts

P.O. Box 2962
Van Nuys, California 91404

August 17, 1981

EXHIBIT P
Page 1 of 4

AFFIDAVIT OF WILLIAM KAYE

1. I am an examiner of questioned documents, and I specialize in the technical analysis and comparison of documents. I have functioned as a court-appointed expert and have testified in civil and criminal actions in all courts in this State (California) and many others.

2. Pursuant to the request of Paul H. Schofield, counsel for Eugene W. Tipton, I have made a microscopic examination of a xerox copy containing three signatures of E. W. Tipton from various forms. This xerox copy is marked with an orange pencil and as Exhibit A. The first signature is signed E. W. Tipton; the signature on Lease Agreement for 1732 B. Fremont. The second signature is signed Eugene W. Tipton on the Applicant's Signature line; the signature on a Personal History Questionnaire submitted with application. And the third signature is signed E. W. Tipton; the signature on Bank Signature Account for Finne/Arts Theatre.

3. The above three signatures have been compared with a xerox copy of the exemplar signatures of E. W. Tipton executed four (4) times, as I understand, by the request of the attorney Paul H. Schofield. This document is marked in Blue pencil and as Exhibit B.

4. Upon careful examination and comparison it is my considered opinion and conclusion with reasonable certainty

William Kaye

0099

Affidavit of William Kaye

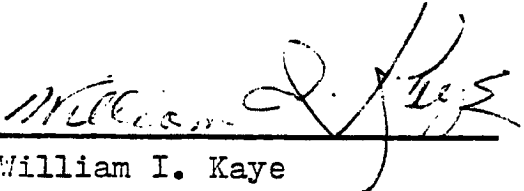
2

August 17, 1981

were I permitted to examine the original documents in question, my findings possibly could verify these questioned signatures were written by one and the same person.

5. I hereby certify under penalty of perjury that the statements made above are true and correct and, if required, would be available to testify to these statements in a court of law.

Executed on this 17th day of August, 1981, in the city of Van Nuys, California.



William I. Kaye

SIGNATURE ON LEASE
Agreement for 1732

LESSEES E. FREMONT

E. M. Lipton

SIGNATURE ON PERSONAL
History Questionnaire
Submitted with appli-
cation

Eugene W. Lipton
APPLICANT'S SIGNATURE

11. A

EXHIBIT P
Page 3 of 4

SIGNATURE ON
BANK SIGNATURE
ACCOUNT for
FINNE/ARTS
Theatre.

SIGNATURE CARD: SOLE PROPRIETORSHIP OR PARTNERSHIP

The undersigned enter into this bank depositor agreement with FIRST NATIONAL BANK OF NEVADA, Reno, Nevada, and agree that this account shall be carried by said Bank as a checking account and that all funds on deposit in said account shall be governed by said Bank's by-laws, all future amendments thereof, all regulations passed or hereafter to be passed by its Board of Directors pursuant to said by-laws, and by all rules and practices as to interest and service charges of said Bank relating to said account. Undersigned authorizes said Bank to endorse checks, when presented for deposit to said account, if presented unendorsed, and to mail or hold statements as indicated on reverse hereof. Undersigned further agrees that this agreement shall be governed by the National Banking laws and the law of the State of Nevada.

The undersigned doing business under the trade name and style of
FINNE ARTS Adult Theatre

☒ certifies that he is the SOLE OWNER of the above named firm.
☐ certifies that they are owners of the above named firm as CO-PARTNERS and con-
stitute all of the general partners of the partnership.

Number of authorized signatures, appearing on reverse, required to withdraw funds from
this account

E. M. Lipton
(Signature)

2. _____
(Signature)

(Continued on Reverse)

TAX ACCT
NUMBER 525-32-7791

3. _____
(Signature)

4. _____
(Signature)

0101

E W. Lyster E W. Lyster

E W. Lyster E W. Lyster

E. W. Lyston
Eugene W. Lyston
E. W. Lyston

City of Las Vegas

LICENSE APPLICATION

Application must be completely filled out and all applicable questions
sary to complete all lists and schedules.

of Applicant and Business (as it is to appear on the license)



Personalized
Financial
Services



733-7775

2590 South Highland
Las Vegas, Nevada 89109

Silas Stepp
Licensed Broker

Home Phone
648-1903

Eugene Tipton

dba

Adult Theatre

APPLICANT'S NAME

BUSINESS NAME (REFERENCE NRS 602)

Adult movie theatre

733-7775

IF BUSINESS

BUSINESS PHONE

32 East Fremont

C

2590 S. Highland Las Vegas, Nev. 89109

BUSINESS ADDRESS

SUITE NO. MAILING ADDRESS

ZIP

business in the City of Las Vegas, show anticipated date of opening or date the license is to begin: Sept. 1, 1980

For the appropriate departmental approvals, it may be necessary for you to comply with the following checked
compliance with City, County or State ordinances prior to issuance of a business license:

DO NOT WRITE IN THIS BOX

Is: Type _____ Amount _____ Attached _____ Pending _____
State License No. _____ Health Permit No. _____
r of Authorization Re: Premises _____ Additional Fees _____

REVIEWS: Tentative

Final:

ENDING

DATE

BY

DATE

BY

DING

DATE

BY

DATE

BY

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BY

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DATE

BY

DATE

BY

Receipt No. _____ Date _____ Amount _____ Date _____
Ownership: License Fees Paid To _____ Logged Date _____ Initial _____
Cycle No. _____ Amount _____ Paid To _____ Owing _____
al to SIB: Date _____ Plate Card _____ License _____

nce No. 1901 adopted by the Mayor and Board of City Commissioners on 11/23/77 provides for the issuance of a
ary business license to permit the applicant to engage in the business designated at the location stated on the appli-
for a period up to, but not to exceed, 60 days. Provided, however, the preliminary inspections relating to the uni-
re code, proper zoning and structural building requirements have been made and tentatively approved by the proper
tent within the City of Las Vegas.

s premises require inspection. Please show when someone will be on the premises to admit inspectors during the
f _____ and _____ on _____. Applicant can be contacted at
ne: 733-7775

stand that I cannot commence business until a temporary business license can be issued and that a regular license
be issued until all requirements and conditions have been complied with.

Eugene W. Tipton
Applicant

6/23/80
Date

①

List the names and addresses of current or previous businesses in which the applicants have been involved during the previous five (5) years:

Business Name

Business Address

Southwestern Bell Telephone Co. Fort Worth, Texas

Retired 3/15/77 began work for them 10/3/46

If licensed outside the City of Las Vegas, give the name of jurisdiction:

A. City _____ County _____ State _____

B. Current License Numbers _____ Dates of Issue _____

Has the applicant, or any of the partners, association or corporation officers or directors ever:

A. Been refused a license of any type in the State of Nevada No Any other State? No

where? _____ For what reason? _____
 convicted of a crime, misdemeanor, or violation of any municipal ordinance, excluding minor traffic violations, where the fine is \$25.00 or less? Yes _____ No No If so, state the nature of such offense and and punishment assessed therefore.

2. Filed for bankruptcy? If so, where? No When? _____

List the names and addresses of four (4) persons of personal or business reference.

Name	Street	City	State	Zip Code
George Griffin	410 7th St.	Fort Worth	Texas	76101
Ray Young	800 Thrush Dr.	Sacramento	Nevada	
Billie B. Brown	2540 S. Highland	Sacramento	Nevada	89109
Chloe M. C. C. C.	1056 N. Randa	Sacramento	Nevada	

TIFICATION

I, the undersigned, have answered all questions in the above application, and to the best of my belief, all answers are true and correct. I further understand that disclosure of any false or misleading or incomplete answers in the above will result in denial or revocation of the license if already issued.

I certify that: a) if a change in ownership was made, the change is in compliance with NRS 104 (Bulk Sales Act) and b) if engaged in business under a fictitious name that the provisions of NRS 602 have been complied with.

The undersigned understands and agrees that the Director of the Department of Business Activity and any other officer designated shall have the power and authority to enter any store, building or any other place in which such business is conducted at any time during business hours and have access to the books of such business for the purpose of ascertaining the amount of sales made. The information received from the licensee under the provisions of this section shall be confidential and available only to those officials concerned in such matters as amended by the Las Vegas City Code.

Eugene W. Lipton
 Signature of Applicant

per _____

Subscribed and sworn to before me on _____

6-26, 1980

Ila Britt, Director
 Department of Business Activity

taken without fees.
6/26/80

By Martha Wilson by ai

Q

22. NOTICE: Whenever under this lease a provision is made for notice of any kind, it shall be deemed sufficient notice and service thereof if such notice to the Lessees is in writing addressed to Lessors at their last known post office address or to the leased premises and deposited in a mail box with postage pre-paid; and if such notice to the Lessors is in writing addressed to the Lessors at their last known post office address.

23. WAIVER: The waiver of one condition, covenant or agreement provided for herein shall not be deemed a waiver in respect to any or all other conditions, covenants or agreements contained herein.

24. OPTION TO RENEW: Lessees shall have the option to renew this lease on the same terms and conditions providing that the Lessees are not in default under any of the terms of this lease and that Lessees give notice in writing of said intention on or before sixty (60) days prior to expiration of this lease.

25. EFFECT: All covenants, conditions and agreements contained herein are intended to and shall extend to and include the assigns of the Lessors and the assigns of the Lessees.

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

LESSORS

Carmie Tersion
Carmie Tersion
Alita Tersion
Alita Tersion

LESSEES

E. M. Lipton

CERTIFICATE OF BUSINESS

FICTITIOUS FIRM NAME

FILED

THE UNDERSIGNED do hereby certify that

conducting a Adult Movie Theatre business at1732 E Fremont Street, Nevada,under the fictitious firm name of Simone First Adult Theatre

and that said firm is composed of the following person whose name and address

as follows, to wit:

Eugene Vipton P.O. Box 21 Spencerville Oklahoma 74756WITNESS by hand on this 2nd day of February19 81E. W. Tipton

TEXAS
STATE OF ~~NEW YORK~~
COUNTY OF TARRANT

On this 2ND day of FEBRUARY A. D., 19 81 before me,E. M. KOHL

a Notary Public in and for said County

and State, residing therein, duly commissioned and sworn, personally appeared E. W. Tiptonknown to me to be the person whose name is subscribed to the within Instrument, andacknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and
year in this Certificate first above written.

E. M. KOHL
Notary Public in and for said County and State.
My Commission expires 2/01/81

City of Las Vegas

LICENSE APPLICATION

NO. _____

This application must be completely filled out and all applicable questions answered. Use back page and additional sheets if necessary to complete all lists and schedules.

Name of Applicant and Business (as it is to appear on the license)

Eugene Tipton dba FINNE ARTS THEATRE
APPLICANT'S NAME BUSINESS NAME (REFERENCE NRS 602)
ADULT MOVIE THEATRE 733-7775
TYPE OF BUSINESS BUSINESS PHONE
1732 FREMONT (EAST) C 2590 SOUTH HIGHLAND LAS VEGAS 89
BUSINESS ADDRESS SUITE NO. MAILING ADDRESS ZIP

If new business in the City of Las Vegas, show anticipated date of opening or date the license is to begin: MAY 4, 1981

In addition to the appropriate departmental approvals, it may be necessary for you to comply with the following checks for compliance with City, County or State ordinances prior to issuance of a business license:

DO NOT WRITE IN THIS BOX

Bond: Type _____ Amount _____ Attached _____ Pending _____
 Nevada State License No. _____ Health Permit No. _____
 Letter of Authorization Re: Premises _____ Additional Fees _____
 Other _____

APPROVALS: Tentative

Final:

PLANNING

DATE _____ BY _____

DATE _____ BY _____

BUILDING

DATE _____ BY _____

DATE _____ BY _____

FIRE

DATE _____ BY _____

DATE _____ BY _____

LICENSE

DATE _____ BY _____

DATE _____ BY _____

General Receipt No. _____ Date _____ Amount _____ Date _____
 Logged Date 12-10-81 Initial _____
 Change of Ownership: License Fees Paid To _____ Owing _____
 Sewer Cycle No. _____ Amount _____ Paid To _____ Owing _____
 Referral to SIB: Date _____ Plate Card _____ License _____

Ordinance No. 1901 adopted by the Mayor and Board of City Commissioners on 11/23/77 provides for the issuance of temporary business license to permit the applicant to engage in the business designated at the location stated on the application for a period up to, but not to exceed, 60 days. Provided, however, the preliminary inspections relating to the uniform fire code, proper zoning and structural building requirements have been made and tentatively approved by the proper department within the City of Las Vegas.

Business premises require inspection. Please show when someone will be on the premises to admit inspectors during the hours of _____ and _____ on _____. Applicant can be contacted at telephone: 733-7775

I understand that I cannot commence business until a temporary business license can be issued and that a regular license will not be issued until all requirements and conditions have been complied with.

Signature of Applicant

Date APR 21, 1981

5

List the names and addresses of current or previous businesses in which the applicants have been involved during previous five (5) years:

Business Name

Business Address

SOUTHWESTERN BELL TELEPHONE CO.

FORT WORTH, TEXAS

7. If licensed outside the City of Las Vegas, give the name of jurisdiction:

A. City _____ County _____ State _____

B. Current License Numbers _____ Dates of Issue _____

8. Has the applicant, or any of the partners, association or corporation officers or directors ever:

A. Been refused a license of any type in the State of Nevada NO Any other State? _____

If so, where? _____ For what reason? _____

B. Been convicted of a crime, misdemeanor, or violation of any municipal ordinance, excluding minor traffic violations, where the fine is \$25.00 or less? Yes _____ No X If so, state the nature of such offense and punishment assessed therefore.

C. Filed for bankruptcy? If so, where? NO When? _____

9. List the names and addresses of four (4) persons of personal or business reference.

Name	Street	City	State	Zip
<u>GEORGE GRIFFIN</u>	<u>410 7th STREET</u>	<u>FORT WORTH, TEXAS</u>		<u>76101</u>
<u>ROY YOUNG</u>	<u>800 THRUSH DRIVE</u>	<u>LAS VEGAS, NEVADA</u>		
<u>SILAS STEPP</u>	<u>2590 SOUTH HIGHLAND</u>	<u>*****</u>		
<u>CLYDE MCCOY</u>	<u>1056 NORTH RANCHO</u>	<u>"</u>	<u>"</u>	

CERTIFICATION

I, the undersigned, have answered all questions in the above application, and to the best of my belief, all answers are correct. I further understand that disclosure of any false or misleading or incomplete answers in the above will result in automatic denial or revocation of the license if already issued.

I certify that: a) if a change in ownership was made, the change is in compliance with NRS 104 (Bulk Sales Act) and b) engaged in business under a fictitious name that the provisions of NRS 602 have been complied with.

The undersigned understands and agrees that the Director of the Department of Business Activity and any other official designated shall have the power and authority to enter any store, building or any other place in which such business is being conducted at any time during business hours and have access to the books of such business for the purpose of ascertaining the amount of sales made. The information received from the licensee under the provisions of this section shall be confidential and available only to those officials concerned in such matters as amended by the Las Vegas City Code.

Eugene W. L. [Signature]
Signature of Applicant

per _____

Subscribed and sworn to before me on _____, 19__

Ila Britt, Director
Department of Business Activity

By _____

(6)

SIGNATURE CARD: SOLE PROPRIETORSHIP OR PARTNERSHIP

The undersigned doing business under the trade name and style of FINNE ARTS Adult Theatre

☒ certifies that he is the SOLE OWNER of the above named firm.
☐ certifies that they are owners of the above named firm as COPARTNERS and one

Number of authorized signatures, appearing on reverse, required to withdraw funds from

~~THIS RECORD~~ **TAX ACCT. NUMBER 525-32-7791**

1. _____ (Signature)

2. _____ (Signature) 4. _____ (Signature)

(Continued on Reverse)

⑦

AGENDA*City of Las Vegas*Page 15 **0110**

August 19, 1981

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM**Commission Action****Department Action****IV(a) ADMINISTRATIVE AGENDA**
RUSSELL W. DORN, CITY MANAGER

- A. REQUEST OF THE STATE TO PURCHASE LAND FOR EAST LEG OF FREEWAY LOCATED BETWEEN MOJAVE AND PECOS, NORTH OF STEWART.
- B. DISCUSSION AND POSSIBLE APPOINTMENT OF A DIRECTOR FOR THE DEPARTMENT OF BUSINESS ACTIVITY.
- C. PRESENTATION AND POSSIBLE ACTION ON THE ADOPTION OF AN IMPLEMENTATION PLAN TO CONSTRUCT AND OPERATE A CITY MISDEMEANANT DETENTION FACILITY.
- D. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION TO SUPPORT THE CONSTRUCTION OF A CITY MISDEMEANANT DETENTION FACILITY AND MASTER PLAN A CITY MISDEMEANANT DETENTION SYSTEM WHICH WILL MEET ALL APPLICABLE CURRENT STANDARDS.

Christensen -
Referred to Real
Estate Committee.
Unanimous

Clerk to put on
Real Estate
Committee agenda
for 8/24/81.

Lurie -
APPROVED the appoint-
ment of Jerry Cahill
as recommended.
Unanimous

City Manager to
proceed.
Board expresses
appreciation to
Ila Britt for her
many years of
dedicated service.
City Manager
directed to assist
in appropriate
recognition.

Item C
Woofter - Motion
to adopt concept
as presented by
staff & Resolution
with Para.#3 deleted.
Unanimous

Final Action on
this item to be
made at 9/16/81
Commission Meeting

Woofter - Motion
to review the
action of the BZA
in approving U-42-81
carried by unanimous
vote.

Public hearing
to be held on this
matter at the
9/16/81 Commis-
sion meeting
at 2 PM.

Staff to provide
alternate sites
and cost break-
downs at the
9/16/81 meeting.

Protesting site and plan were:
Robert March & Ned Solomon of Clark
County Juvenile Services and Mrs.
Mrs. Dennis LaChase, 2856 Willoughby

City of Las Vegas

0111

AGENDA DOCUMENTATION

Date: August 14, 1981

TO:
The Board of City CommissionersFROM: *Russell W. Dorn*
Russell W. Dorn
City Manager

SUBJECT: DISCUSSION AND POSSIBLE APPOINTMENT OF A DIRECTOR FOR THE DEPARTMENT OF BUSINESS ACTIVITY

PURPOSE/BACKGROUND

Effective September 8, 1981, Ila Britt, the Director of the city's Department of Business Activity, will retire from city service. Mrs. Britt has recommended that Jerry Cahill, the Deputy Director of the department, be named to fill the Director's position. Mr. Cahill has served as Deputy Director for the past year. Prior to joining the city, he spent seven years as Business Manager for the Metropolitan Police Department and six years as Personnel Director for the Clark County Sheriff's Office.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager would like to recommend that Jerry Cahill be appointed to serve as Director of the Department of Business Activity upon the retirement of Ila Britt.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

75-2-10

Agenda Item

IV(a) 8.

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 18, 1981

TO:

The Board of City Commissioners

FROM:

Russell W. Dorn
Russell W. Dorn
City Manager

SUBJECT: PRESENTATION AND POSSIBLE ACTION ON THE ADOPTION OF AN IMPLEMENTATION PLAN TO CONSTRUCT AND OPERATE A CITY MISDEMEANANT DETENTION FACILITY.

PURPOSE/BACKGROUND

The federal court mandated population caps limiting the number of inmates in the Clark County jail. At present, the combined population in the Clark County jail and the City of Las Vegas annex is approximately 450 inmates. On December 31, 1981, the combined population will be reduced to 302 prisoners. This would mean that 150 inmates would be released. Judge Foley has determined the sequence for releasing prisoners and obviously the less serious misdemeanor, pretrial and sentenced, will be released before felons.

If the City of Las Vegas does not implement a plan for a misdemeanor detention facility, no misdemeanor space will be available as of January 1, 1982. The staff has developed a plan which would enable the city to construct a misdemeanor detention facility within the required time frame. The plan involves acquiring military housing units from Nellis Air Force Base at no cost, combining these units with administrative trailers to form a misdemeanor detention facility for non-violent offenders.

Construction of this facility is needed to enable the police and the courts to insure public safety in our community and to protect our tourists.

FISCAL IMPACT

The estimated ONE TIME CAPITAL CONSTRUCTION COSTS for this facility are as follows:

Moving costs to relocate 4 military housing units from Nellis to the site.	\$ 110,420
Purchase and relocation of trailers for administration.	40,600
Site preparation which includes grading, sidewalks, security fencing, area lighting, parking lot and access road, turf and asphalt outdoor recreation yard.	711,200
Landscaping necessary to create a buffer zone for the community, Juvenile Court and Freedom Park.	100,000
Placement of utilities to the site including electrical, sewer, water and gas and emergency power.	233,500
Renovation and refurbishing of 4 dormitories and administrative and support units to meet consent decree requirements.	414,000
Security and life safety systems required by code including fire alarms, smoke and heat detectors, video surveillance and monitors, intercoms and fire sprinkler system in all buildings.	191,400
Sub Total	\$ 1,801,120
Contingency fund for unanticipated utility and refurbishing costs.	\$ 198,880
Total	\$ 2,000,000

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

States Due: _____

Agenda Item

IV(a) C.

*City of Las Vegas***AGENDA DOCUMENTATION**Date: August 18, 1981

TO: The Board of City Commissioners

FROM: Russell W. Dorn
City Manager

SUBJECT: PRESENTATION AND POSSIBLE ACTION ON THE ADOPTION OF AN IMPLEMENTATION PLAN TO CONSTRUCT AND OPERATE A CITY MISDEMEANANT DETENTION FACILITY.

FISCAL IMPACT CONT'D

This total project cost equals an approximate per bed cost of \$20,000. This amount is significantly below the national average of \$50,000 per bed for detention facilities. The City of Las Vegas Misdemeanant Detention Facility would become one of the most cost efficient systems built in the nation.

An estimated \$1,000,000 is currently available for this project from ad valorem capital improvement funds. The City Manager will be requesting consideration of the remaining \$1,000,000 required to complete this project in the upcoming September 16, 1981 revenue sharing hearing.

RECOMMENDATIONS

It is recommended that the City Manager be granted the authority to fully implement the plan for a city misdemeanor detention facility. This authority should include construction, operations, maintenance and all ancillary services and contracts which are necessary to implement this plan.

If the Mayor and City Commissioners agree with the City Manager's recommendation, the motion in favor of this item should be subject to being granted final approval of a use permit.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10

Agenda Item

IV(a) C.

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 17, 1981

TO: The Board of City Commissioners

FROM: *Russ*
Russell W. Dorn
City Manager

SUBJECT: Discussion and possible action on Resolution to support the construction of a city misdemeanor detention facility and master plan a city misdemeanor detention system which will meet all applicable current standards.

PURPOSE/BACKGROUND

As a result of the jail population caps imposed by the federal court, there will be no bed space available to house misdemeanor offenders after December 31, 1981. The incarceration of city misdemeanants is essential to protect the safety of our citizens and tourists and to insure the effectiveness of local law enforcement agencies and the courts.

For these reasons, staff has developed a plan for a city non-violent misdemeanor detention facility which can be constructed by January 1, 1982. Integrated into this plan must be long-range master planning of the city's misdemeanor detention needs.

The attached resolution highlights the city's immediate and long-range goals for a city misdemeanor detention system which meets all applicable current national standards.

ACTION TAKEN
Resolution
Approved 15
Amended
Date

FISCAL IMPACT

None, the cost of the facility at the city yards has been discussed under Item C - Presentation and possible action on the adoption of an implementation plan to construct and operate a city misdemeanor detention facility.

RECOMMENDATIONS

The City Manager recommends that the Board of City Commissioners adopt the attached resolution.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-3-10

Agenda Item

IV(a) D.

RESOLUTION TO SUPPORT THE CONSTRUCTION OF A CITY MISDEMEANANT
DETENTION FACILITY AND MASTERPLAN A CITY MISDEMEANANT
SYSTEM WHICH WILL MEET ALL APPLICABLE CURRENT STANDARDS

WHEREAS, Chapter 347 of the 1981 Nevada Statutes provides in Section 36 that "the jail located in the city hall complex of the City of Las Vegas reverts to the ownership and control of that city on July 1, 1981, and from that date the City of Las Vegas is responsible for all costs of operating and maintaining its jail, and the cost of any capital improvements thereto"; and

WHEREAS, the City of Las Vegas recognizes and acknowledges its obligations to provide jail facilities meeting applicable current standards for detention facilities; and

WHEREAS, the City of Las Vegas desires to promote the health, safety and welfare of the visitors, residents and taxpayers of the City by providing adequate jail facilities to incarcerate people charged with and convicted of violating City Ordinances; and

WHEREAS, the City of Las Vegas is committed to protecting the Constitutional rights of inmates incarcerated for violations of City ordinances; and

WHEREAS, the City of Las Vegas desires to provide the Las Vegas Metropolitan Police Department with the necessary detention resources to perform its law enforcement function; and

WHEREAS, the City of Las Vegas seeks to develop a detention facility for short term, minimum security, non-violent offenders and to integrate this current detention solution with the City's long term needs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas that:

1. Misdemeanor detention facilities for housing persons charged with or convicted of violating City Ordinances be

1 provided by the City of Las Vegas.

2 2. The misdemeanor detention facilities be constructed
3 and maintained to meet applicable current national standards.

4 3. Misdemeanor detention facilities having a capacity
5 up to 96 persons shall be provided at a site to be selected and
6 such facilities should be operational by January 1, 1982.

7 4. Master planning for long range detention need begin
8 as soon as possible.

9 DATED and APPROVED this 19th day of August, 1981.

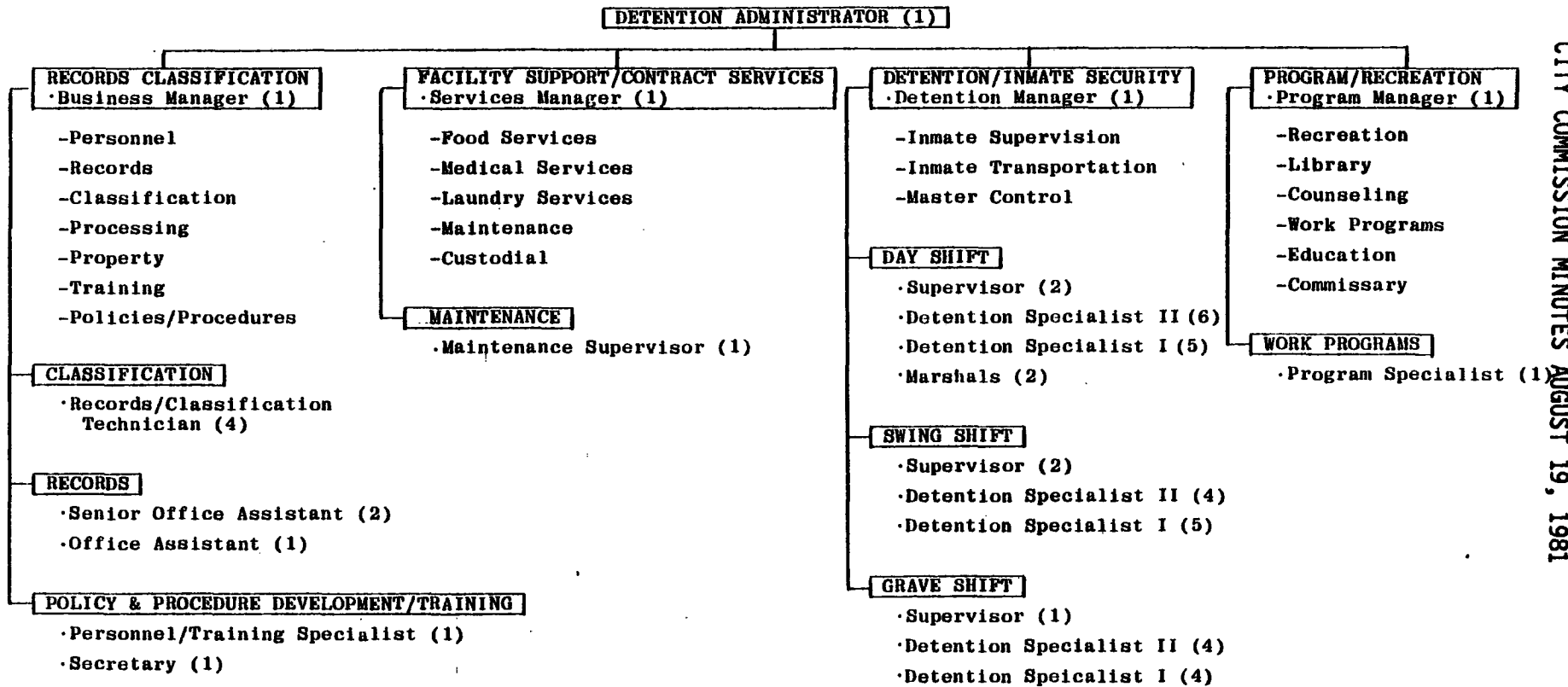
10 APPROVED:

11 
12
13 WILLIAM H. BRIARE
14 Mayor

15 ATTEST:

16 
17 CAROL ANN HAWLEY
18 City Clerk
19
20
21
22
23
24
25
26
27
28
29
30
31
32

PROPOSED DETENTION FACILITY TABLE OF ORGANIZATION



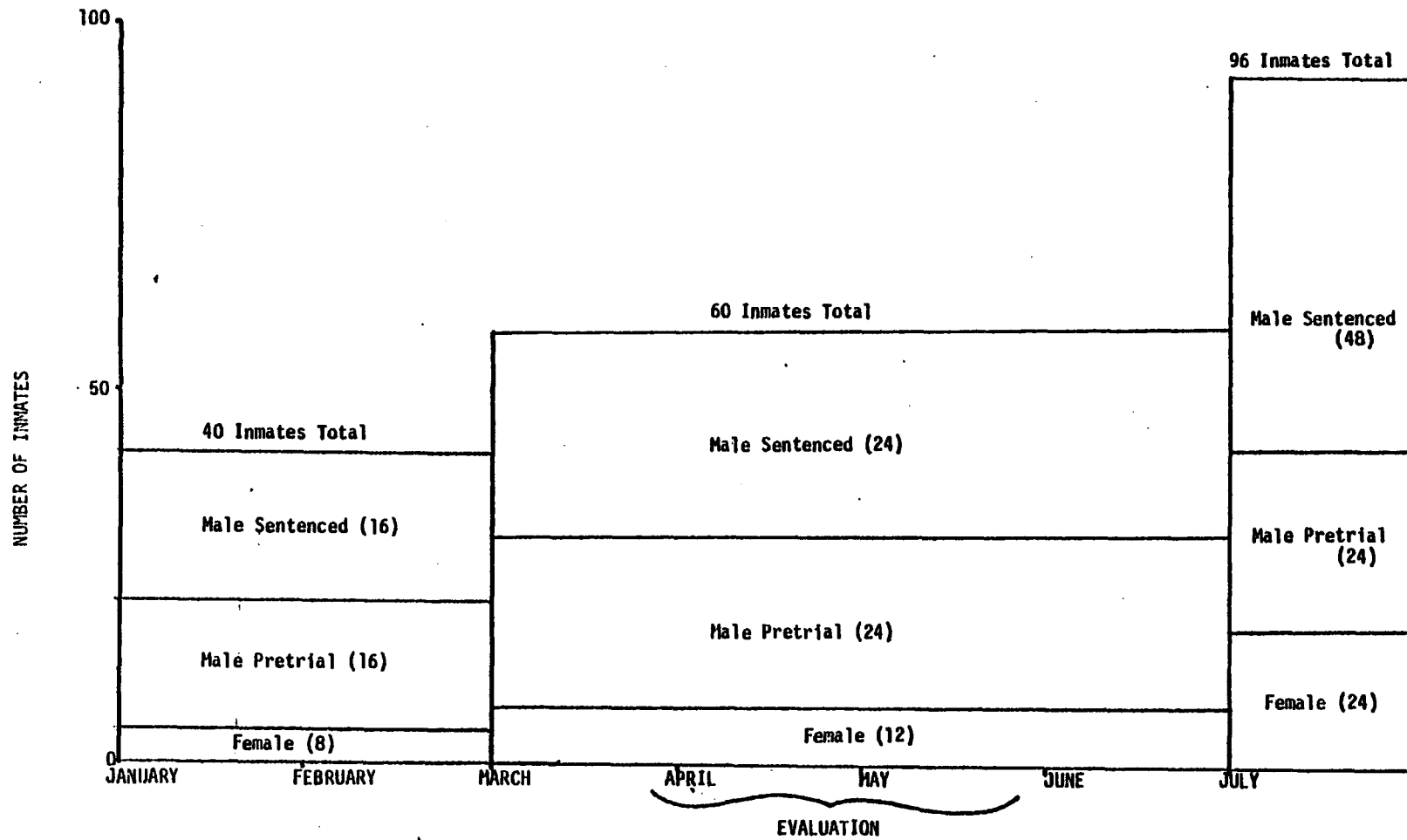
TOTAL STAFFING.....51

CITY COMMISSION MINUTES AUGUST 19, 1981

EXHIBIT A

0117

ANTICIPATED IMPLEMENTATION PLAN - DRAFT NO. 1



4.26 Dentention Facilities

A detention facility is a secure institution which is used for the temporary custody of juveniles accused or adjudicated of conduct subject to the jurisdiction of the family court over delinquency and who cannot be placed in an open setting. Detention facilities should be used to care for such juveniles following arrest, prior to adjudication, prior to disposition, and following disposition while awaiting transfer to the facility of placement, and may also be used for the temporary custody of such juveniles:

- Pending a hearing to modify or enforce a dispositional order pursuant to Standards 3.189 and 3.1810;
- Pending extradition pursuant to the interstate compact on juveniles; or
- Pending return to a residential facility from which they have absconded following placement.

Detention facilities should be located within the community from which they draw their population. Such facilities should not be on the grounds of an institution used to house adults accused or convicted of committing a criminal offense. ✓

Sources:

See generally National Council on Crime and Delinquency *Standards and Guides for the Detention of Children and Youth* (1961); Law Enforcement Assistance Administration, *Planning and Design for Juvenile Justice*, Part IV (1972); S. Norman, *Detention Practice*, (1960); *Mariarella v. Kelley*, 349 F. Supp. 575 (S.D.N.Y. 1973); Institute of Judicial Administration/American Bar Association Joint Commission on Juvenile Justice Standards, *Proposed Standards Relating to Architecture for Group Homes and Secure Detention and Correctional Facilities*, Standard 7.4 (draft, 1976); and *Proposed Standards Relating to Interim Status*, Standard 10.2 (draft, 1975) [hereinafter cited as LJA/ABA, *Interim Status*]; National Advisory Committee on Criminal Justice Standards and Goals, *Report of the Task Force on Juvenile Justice and Delinquency Prevention*, Standard 22.3 (1976) [hereinafter cited as *Report of the Task Force*].

Commentary

This standard defines "detention facility" and narrowly defines the category of juveniles who may be held in such temporary custody. Under this standard, a "detention facility" is any locked or otherwise secure institution used for the temporary custody of juveniles. This standard limits those who may be placed in such facilities to those who are accused or adjudicated of a delinquent act, and who cannot be placed

in an open setting. The standard also recommends that juvenile detention facilities should be situated within the community of the juvenile placed there, and specifies that such facilities should never be on the same grounds as a jail or prison housing convicted or detained adults.

The National Advisory Committee intends that the temporary, "interim" detention of juveniles in secure facilities should occur only rarely, and that detention facilities should play a minor role in the juvenile process. Detention "should be brief, terribly selective and modest in its aims." Comment of Patricia Wald, LJA/ABA, *Interim Status*, *supra* at Standard 10.2. Accordingly, this standard does not authorize—and Standards 3.153 and 3.154 expressly prohibit—placing youths not adjudged or accused of delinquency in any secure detention center. See Standards 3.153, 3.154 and Commentary. Standard 3.152 strictly limits the factual circumstances under which even those juveniles charged with delinquent acts may be detained in secure facilities. See Standard 3.152 and Commentary. To reinforce the principle that a youth's stay "in detention" should be brief, the family court must hear and resolve the petition expeditiously, see Standard 3.161, and the necessity for detention is subject to weekly reviews, see Standard 3.158. Thus, under these standards, secure detention facilities should play a minor role, and have a minimum of impact upon the total population of court-involved juveniles.

Although its use can and should be thus minimized, the detention facility remains the "gateway to the juvenile justice system for a group of offenders in the most serious trouble." Law Enforcement Assistance Administration, *Study on Planning and Design for Juvenile Justice*, *supra*. As of today, only four states prohibit absolutely the detention of juveniles in adult facilities. See *Report of the Task Force*, *supra* at Commentary to Standard 22.3; LJA/ABA, *Interim Status*, *supra* at Commentary to Standard 10.2; and C. F. Klejbuk and B. Rosenberg, *The Juvenile Status Offender and the Law: Abstract*, 14 (Pennsylvania Joint Council on the Criminal Justice System, April 1977) The remaining states and the District of Columbia permit the placement of juveniles in adult jails, with the condition that such youths are to remain "separate and apart" from the adults. Of these remaining jurisdictions, fourteen allow the detention of juveniles in adult facilities only when no juvenile facility is available; two states require that the juvenile be charged with a felony; and seven states have a minimum age limit below which a child cannot be held in an adult facility. See Klejbuk and Rosenberg, *supra* at 14.

The "separate and apart" provisions preferred to above have been generally unsuccessful in achieving their obvious objective. Where "joint" adult and juvenile facilities exist,

full view of the general living area; it is used for telephone communications, staff conferences, and storage of unit records. (Important)

DISCUSSION: In small detention homes the group worker's office should be located between the general living area and the reception area.

8178 There is a minimum of nine cubic feet of secure storage space per youth for storage of personal belongings. (Essential)

DISCUSSION: Residents should be encouraged to send large personal items home; however, the facility should provide storage space for items such as backpacks, musical instruments, or any other items that newly admitted youth may have with them.

8179 There are storage rooms for clothing, bedding and facility supplies. (Essential)

DISCUSSION: Space should be provided in the reception area to store and issue facility clothing and bedding, and to provide for the exchange of personal and facility clothing when youth appear in court or are released. Storage space for clean bedding and facility clothing should be provided near housing areas.

8180 Where the facility provides food service, the kitchen has at least 200 square feet of floor space. (Essential)

DISCUSSION: Excluding the food storage area, kitchen floor space should be the equivalent of 10 square feet per resident; this may be reduced proportionally for larger facilities. Kitchen equipment and food storage facilities should be sufficient for the quantity of food prepared.

8181 Space is provided for administrative, professional and clerical staff, including conference rooms, storage room for records, public lobby and toilet facilities. (Essential)

DISCUSSION: Space should be provided for general administrative functions and for the comfort of the staff.

8182 Current and stock storage space is available. (Important)

DISCUSSION: Shelf-deep closets directly off corridors in the sleeping quarters make it possible for the group worker to give out clothes or linens without leaving the group. As far as possible, except for kitchen, stock storage, and janitor space, there should be no walk-in closets.

8183 Closets for storage of cleaning supplies and equipment are located in each principal area and are well ventilated. (Important)

DISCUSSION: Maintenance of facility sanitation requires adequate consideration of janitorial needs.

maintenance professionals, is necessary for safe and efficient operation. Regular care and inspection of equipment is essential.

New Facilities Only

8185 Written policy and procedure provide that the new detention facility is built or the existing facility expanded only after a needs evaluation study has been prepared by the parent agency in conjunction with the juvenile court and the statewide juvenile detention agency, where such agency is not the parent agency. (Essential)

DISCUSSION: Before any detention facility is built or expanded an evaluation is necessary to determine whether more detention capacity is needed or whether increased demand has resulted from a lack of appropriate community services. An evaluation of need based solely upon previous rate of detention and projected changes in population would be insufficient. After all alternatives have been explored, the need for a new facility may be justified as a last resort.

8186 The facility site location is determined with participation from the community in which it is to be located. (Essential)

DISCUSSION: The involvement of leading residents should be enlisted; they should be informed individually of the purpose of detention, the nature of the building and the program, and the extent of supervision and control. Once their support has been gained they can then help to interpret the project to their neighbors. Publicity regarding the building site should stress the positive aspects of detention care.

8187 The facility is geographically accessible to juvenile justice agencies (law enforcement, prosecutor, courts), community agencies, and residents' lawyers, families and friends. (Essential)

DISCUSSION: Ideally, the new facility should be located near the agencies which it serves. Its location should facilitate movement of juveniles and should be easily accessible to individuals and resources important to the juveniles' reintegration into the community. It should not be located on the grounds of another corrections facility.

8188 A written program philosophy is developed for the new facility, which includes, but is not limited to:

- Statement of general goals and purposes;
- Description of the facility, including statutory authority and services to be provided;
- Justification for the facility and analysis of alternative means for achieving the same goals;
- Analysis of projected workload, staffing and programs;

detention home adjacent to each other but separate from other district facilities. District homes should be large enough to allow for segregation by age and type of problem (at least three units). Accessibility to professional personnel should be a factor in their location.

LOCATION OF JUVENILE AND FAMILY COURT DETENTION HOMES

In the automobile age the problem of locating a detention home in an accessible area is generally not a troublesome one. A site near the edge of the jurisdiction's principal city is desirable.

Juvenile detention homes are usually best designed on property large enough to include juvenile court and probation facilities. Probation officers can then interview detained children more easily, and children do not have to be transported back and forth between the detention home and the court.

Locating a detention home serving a juvenile and domestic relations or family court is more difficult if a single building is desired. The convenience of judges and lawyers, and problems flowing from the presence of detention facilities for adults, must be considered. If it is away from the downtown area it should be in a place easily reached by public transportation; and the site should be large enough for separation of the court from detention facilities and for an ample outdoor play area.

Such a site is usually expensive. If it cannot be obtained, the next best thing to do is to place only the juvenile probation offices and hearing room in the same building as the juvenile detention home, or adjacent to it; the trappings of the adult court with its bailiffs, law enforcement officers, and detention facilities for adults can then be kept in a downtown location away from the living quarters of children.

Combining the juvenile and domestic relations court with detention facilities in a downtown location has two strikes against it: (1) A downtown site can seldom provide sufficient space for a satisfactory overall plan. The usual result is faulty design and other consequences of insufficient space: poorly arranged units, a small and badly located outdoor play area enclosed by a high wall, and communication between detained children and persons on the street. (2) The cost of land and construction is usually greater in a downtown location than in a less crowded section.

198. Avoiding Crowded Areas

The detention site should not be in a slum, a depressed area, or an industrial or general shopping section. It should not be

situated in or near a jail, or in or adjacent to any building (except a juvenile court) used for other purposes.

199. Size of Property

The site should be (a) large enough to prevent children in the outdoor play area from seeing passers-by, discourage exposure at the windows, prevent attempts to pass contraband through a fence or over a wall; (b) large enough to insure privacy if other buildings should go up later on nearby property; and (c) large enough to accommodate possible future expansion of the home and the construction of a juvenile or family court building on the same property while meeting the requirements of good court and detention design. *There should be adequate space for the parking of staff and visitors' cars.*

200. Accessibility

The building should be accessible to major centers of population by public transportation. It should be so located that staff, parents, probation officers, and others will be able to reach it easily.

201. Outdoor Play Area

The site should include a level, or nearly level, well-drained 200' x 200' outdoor play area adjacent to the building. Detention institutions for over 100 children require at least two such areas for outdoor play; family-type homes, about half as much. In most parts of the country, *the outdoor play area should have a southern exposure.*

202. Building Site and Neighbors

Initial selection of the site should be undertaken without undue publicity. The interest of leading residents near a possible site should be enlisted; they should be informed individually of the purpose of detention, the nature of the building and the program, and the extent of supervision and control. Once their support has been gained they can then help



CLARK COUNTY JUVENILE COURT SERVICES

JOHN F. MENDOZA
DISTRICT JUDGE

3401 EAST BONANZA ROAD
LAS VEGAS, NEVADA 89101
(702) 649-3611

ROBERT M. MARCH
DIRECTOR

19 August 1981

The Honorable Mayor Bill Briare
Chairman City Commission

Mayor Briare:

On behalf of the youth of this community, the Honorable John F. Mendoza and the Juvenile Court Probation Committee, I would like to record a formal protest regarding the placement of the new jail facility. To place such a facility, even for misdemeanants adjacent to the Juvenile Court which cares for neglected, abused and dependent children adds to the trauma of troubled youth and families.

We would like to share the following concerns with you:

It is possible that inmates housed in a detention facility for misdemeanor charges, actually have committed felony type offenses, including sexual offenses and the charges were plea-bargained down to misdemeanor offenses. Therefore, more serious offenders could be held in the proposed facility than the City has stated.

--Our concern is the type of misdemeanants that will be initially housed at the facility in the four, 2-story barracks. One cottage, closest to the Child Haven facility is for females, the other three are for male inmates. The offenses committed or plea-bargained, by these inmates would be:

Driving Under the Influence
Public Nuisance
Misdemeanants
Disturbing the Peace
Prostitution

--The adult facility will be approximately one-half way back on the lot adjacent to the West, with the access road leaving Bonanza Road, and running immediately adjacent to our property back to the adult facility. Four, 2-story barracks will be purchased from Nellis Air Force Base and will be refurbished to house 72 men and 24 women.

The Honorable Mayor Bill Briare
19 August 1981
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0123

- Planting trees as a buffer is planned for both sight and sound which will be a long range project as it would be years before the trees reached an acceptable height to provide any real barrier.
- Various areas of Child Haven such as cottage rooms and the playground will directly face the proposed facility.
- It is very likely that women being held in the misdemeanor facility, whose building is located immediately adjacent to Child Haven, have children in Child Haven and would be within sight and sound of each other thus causing great hardship on the children.
- That once the area next to Juvenile Court has a permanent adult detention facility constructed, using only four acres, this being only a fraction of the total city owned land available at that location, the future impact of population growth could cause the entire available land to be devoted to adult jail/detention type facilities.
- The perception of the community that this entire complex will be identified by its most serious component, that being a place housing adult criminals.
- The exposure of abused, neglected and abandoned children to the adult facility.
- It was indicated at the hearing that the City has some 500 acres of land in this area. It would certainly seem that the four acres needed could be located in a more appropriate location rather than next to our facility.
- I have recently learned that the Juvenile Court Facility in St. Louis, Missouri, has an adult prison located next to its facility. Escaping prisoners would use the juvenile facility grounds as a means to hide their escape, thereby automatically causing a full search of the juvenile facility and grounds if a breakout occurred.

The St. Louis Adult Facility is a two-story building. Inmates on the top floor have been caught on several occasions, making obscene gestures and various "catcalls" to the youth in the juvenile facility.

The Honorable Mayor Bill Briare
19 August 1981
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NATIONAL STANDARDS REGARDING THE LOCATION OF JUVENILE FACILITIES

Lou McHardy, Executive Director of the National Council of Juvenile and Family Court Judges, has informed me that the Council has taken a position of being definitely opposed to having an adult facility immediately adjacent to a juvenile facility.

Please find attached a letter from Mr. Gene Feher, Director of the National Juvenile Detention Associate. He indicates that the national board is strongly opposed to any adult prison, jail or lock up facility being located next to any juvenile detention center.

--Standards for the Administration of Juvenile Justice dated July 1980, Section 4.26, page 453, reads in part:

Detention facilities should be located within the community from which they draw their population. Such facilities should not be on the grounds of an institution used to house adults accused or convicted of committing a criminal offense. (Attached)

--Standards and Guides for the Detention of Children and Youth, dated 1961, Section 198, page 113, reads:

The detention site should not be in a slum, a depressed area, or an industrial or general shopping section. It should not be sited in or near a jail, or in or adjacent to any building (except a juvenile court) used for other purposes. (Attached)

--Manual of Standards for Juvenile Detention Facilities and Services, dated February 1978, Section 8187, page 36, reads in part:

Ideally, the new facility should be located near the agencies which it serves. Its location should facilitate movement of juveniles and should be easily accessible to individuals and resources important to the juveniles' reintegration into the community. It should not be located on the grounds of another corrections facility. (Attached)

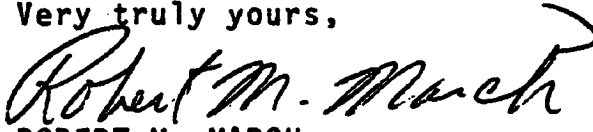
VIOLATION OF NRS 62

--The construction of an adult detention facility adjacent to the Clark County Juvenile Court Services is a violation of NRS 62.180, sub-section 3, which reads in part:

Any detention home built and maintained under the authority of this chapter...shall not be or treated as a penal institution, nor, in counties having a population of 20,000 or more, shall it be adjoining or on the same grounds as a prison, jail or lockup. (Emphasis added) (Attached)

It appears that placing this adult facility next to abused, neglected and abandoned children, such as those housed in Child Haven, and the thousands of delinquent and unmanageable youth that are referred and housed in the Clark County Juvenile Court facilities is inconsistent planning and totally inappropriate.

Very truly yours,


ROBERT M. MARCH
DIRECTOR

CC: The Honorable John F. Mendoza
Ron Lurie
Paul J. Christensen
Al Levy
Roy Woofter

Attachments

NJDA

MINUTES AUGUST 19, 1981

NATIONAL JUVENILE DETENTION ASSOC.

0126

GENE FEHER
Executive Director

JAMES JORDAN
President

PERRY TCHORNI
President-Elect

BOB RADER
First Vice President

JOSEPH KULICK
Second Vice President

DANA MENARD
Secretary-Treasurer

JOHN DIETRICK
Past President

August 18, 1981

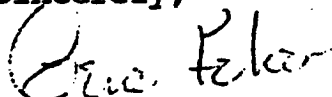
Mr. Robert M. March, Director
Clark County Juvenile Court Services
3401 East Bonanza Road
Las Vegas, Nevada 89101

Dear Mr. March:

The National Juvenile Detention Association strongly opposes any detention center built, maintained, or adjoining the same ground as an adult prison, jail or lockup.

The Juvenile Detention Facility should be on the same ground or near the agencies which it serves.

Sincerely,



GENE FEHER
EXECUTIVE DIRECTOR

GF/ss

REGIONAL CHAIRPERSONS

Region One
KEN HERMAN

Region Three
DAVE JACKSON

Region Five
WILLIAM STEFFENS

Region Seven
DAVID MOE

Region Nine
LANCE DAVIS

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Region Eight
JACKIE WILSON

Region Ten
FRANK MILLS, JR.

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981 Page 1
IV(a) - ITEMS C & D - REGARDING PROPOSED MISDEMEANANT DETENTION FACILITY

MAYOR BRIARE:

On Commissioners' Page 15, Roman Numeral IV(c) - Presentation and possible action on the adoption of an implementation plan to construct and operate a City misdemeanor detention facility. Mr. Dorn, we've changed our agenda a little bit here by going right to Item No. C, a presentation and possible action on the adoption of an implementation plan to construct and operate a City misdemeanor detention facility. Would you proceed.

CITY MANAGER DORN:

Yes, Your Honor. If the Mayor and Commission would just bear with me a moment, we'd like to present to the Mayor and City Commission and the public a presentation on the plan to implement a misdemeanor detention facility, and the first speaker I'd like to introduce is Lois Solomon, my Administrative Assistant, to give a little background information.

LOIS SOLOMON:

Good morning, Mayor Briare, members of the Commission. We are here this morning to present to you a plan to solve a problem that faces the City of Las Vegas as a result of the Consent Decree implementation that is coming from Judge Foley's Federal Court. As you are all aware, one of the conditions and parameters of the Consent Decree is that the population in the existing Clark County Jail and City Jail Annex must be reduced. That reduction has a mandated timeframe. On December 31, of the current year, if alternative housing is not found, there will only be room in the Clark County Jail to house 252 people. There will only be room in the current City Annex to house 50 people. When you compare these figures to the fact that at the moment there are approximately 450 people incarcerated in those two facilities, you see there are about 150 people who would otherwise have to be released. The problem that we are facing today is what is the City going to do to handle the situation and the complications of this problem in that we are under a court mandated timeframe. If we had the luxury of time to develop plans and research many, many, many other options, we may have come up with a different type of configuration than the type that we're going to present to you today. But the timeframe, that being December 31, limits the options that we are able to evaluate. The basic problem is in a nutshell, there is inadequate bed space available to incarcerate criminals in this community. Specifically, as that affects the City of Las Vegas, on December 31, for all intent and purpose, there will be no bed space whatsoever to house misdemeanants. There are two actions that will cause that. Judge Foley in his Order has specified the sequence with which prisoners must be released from the

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LOIS SOLOMON:

jail, and misdemeanants, obviously, because of the lesser type of criminal that they are, will be released before felons. In addition to that, at the July 21 Clark County Commission meeting, because of these pending population caps, Clark County informed the City of Las Vegas that as of January 1, 1982, City misdemeanants will no longer be eligible to be housed in the Clark County Jail. What this all boils down to is if something is not done and no program is put in place, January 1 there will be no ability for the law enforcement agencies, Metro Police Department and the courts to incarcerate misdemeanor offenders. We feel very strong, as you do, that there is a need to incarcerate these kinds of people. The police and the courts both would be very seriously impacted in their ability to effectively do their job if they don't have that resource -- that tool -- the ability to incarcerate -- in their arsenal as the Sheriff has defined it. It is very important to us to ensure the safety of our citizens and if there is no ability to put people in jail, then the safety of our citizens is jeopardized. This community has a primary of tourism as our major industry. It is essential that our tourists feel safe and secure when they come to our community and visit, and we don't want to do anything to jeopardize our primary source of revenue and our primary industry in this community. One of the problems in solving this situation has been planning coordination. Up until the passage of Senate Bill 386, which changed the Metro funding formula and also took the Detention Bureau out of the Metropolitan Police Department and returned it to either the County or the City, depending upon whose facility it is, all three parties to the Consent Decree, Clark County, City of Las Vegas and the Metropolitan Police Department were jointly attempting to solve this problem. When S.B. 386 was passed and became effective on July 1, we were able to isolate those particular concerns that we have and address our problems on our own. Now, in attempting to solve this problem, we tried to prioritize what our goals are. What is it that the City is trying to accomplish? Basically, we feel that it is essential that the City provide a misdemeanor detention facility. This facility would house people for short term in a minimum security environment who are non-violent offenders. What this accomplishes for us and for the community is it makes additional bed spaces available in two ways. Not only does it supply misdemeanor housing for people who have violated City ordinances, but inadvertently, it also relieves some of the burden to the County. For every City misdemeanor that does not have to be housed in the existing jails, those beds are now available for felons, and therefore, some of the felons who are the more threat to our community can be housed there. What we want to do is ensure the effectiveness

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LOIS SOLOMON:

of the Metropolitan Police Department and our Municipal Courts that all the resources that they need to operate are provided to them. In any plan that we propose, we fully intend to comply with the Federal Court Order and to meet all the national standards which have been established for detention facilities. We want to operate a facility that's safe, secure and sanitary. When I say "safe", I mean safe for the inmates from each other; safe for the Correction Officers who must work in that environment, and most assuredly, safe for the community in which this facility is going to exist. The secure and the sanitary all ties to the standards established by all the different Federal agencies. It is imperative that any efforts taken in this regard be well coordinated with both the Metropolitan Police Department and the Detention Services Bureau. What we do not want to do is replicate services where that will hinder law enforcement ability to operate, and we have been working very closely with Sheriff John McCarthy and his staff. They've been extraordinarily cooperative. They have seen an overview of this proposal that we're going to show you this morning and feel that it is extremely workable and we can coordinate it where coordination would benefit the citizens. Because of the timeframe under which we're attempting to implement this plan, we do not have the ability to address all of the City's long term detention system needs, but what we have incorporated into this presentation is the concept that whatever immediate solution we're going to propose here this morning will work in an integral fashion with any long term solutions that we may have to develop for the City as it grows and expands. Overriding this entire list of goals, of course, in the interest of our taxpayers, is the basic goal and objective that the proposal that we come up with be extremely cost effective, and I think you're going to see shortly that we've come up with about the most cost effective solution ever found in the United States. In order to make a determination of what to present to you, your staff has been exploring every single option that we could find available to us to solve this problem. The first option that we chose to investigate was the option of pretty much status quo, which is trying to work in concert with Clark County. There were a number of meetings that have taken place over all the months since we've known that this situation was going to develop, and we tried to formulate a plan with Clark County and Metro to solve the problem both immediately and in the long term. There was a point in time when Clark County was seriously considering the purchase of a downtown motel which they intended to remodel and turn into a misdemeanor housing facility, and had they done that and had that plan been approved and endorsed, we would have had the room there to contract with Clark County and pay them an

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LOIS SOLOMON:

inmate day per diem kind of basis to house our inmates. On July 21 at the Clark County Commission meeting, their Commission elected not to continue with that plan. They rejected that plan and indicated no other alternative available for misdemeanor housing. As I mentioned earlier, at that same meeting they also informed us that as of January 1, 1982, City misdemeanants will no longer be housed in the County. So obviously, that option was eliminated as a possibility. The second option that we were pursuing -- and some of these, by the way, were all happening simultaneously because of the time constraints we were operating under -- we explored the possibility of the City buying or leasing a motel or a hotel to be used for misdemeanor housing, and it turned out to be a very poor cost effective solution. The location of the motels would have had no long term use for the City. We're not in the investment business. To remodel a lease motel would have been extremely not cost effective because to make the facility secure and meet the standards that are required by all of the Federal agencies would have cost so much money for a short term lease that it wouldn't have been a cost effective solution. The next option that seemed to be the most viable for a long time was the concept of purchasing modulars, and what I mean by "modulars" are a prefabricated type of units that are configured into a detention facility. We scoured everywhere in the country for vendors who could supply these types of modules. We found a number of vendors, only two of which had operating facilities in the West. Your staff went to these two facilities; one was in Arizona; the other was in Reno, to investigate the possibility of adopting those plans here in Las Vegas. The Arizona facility was totally unfit for our uses. Although it was a misdemeanor facility, the buildings themselves did not meet City building codes and it was not even close to Consent Decree compliance. The facilities that existed in Reno were much better, but they were a maximum security facility and the problem there was the cost effectiveness. These are temporary modular housing with an extremely high initial capital outlay. Unless there would be a long term use for those modules, you're investing a tremendous sum of resources in something that you had no ability to reuse. So anything that was at all possible in the module area was eliminated. We then were considering new construction -- building a new jail detention facility on some existing site or site that we would explore and that afforded a great many benefits. We had the flexibility of designing anything that we would require to meet our needs. The obvious problem with that is there was no way that any new facility could be constructed anywhere near the allotted timeframe. So, seemingly, we were running out of options, but the one thing that the new construction option

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LOIS SOLOMON:

offered to us was the obvious thought that whatever decision we did make would have to be an existing facility -- something that existed because there wasn't time to build it. There were some suggestions by some members of this Board that in our explorations we talk to the people at Nellis Air Force Base and see what they do about their detention needs and their stockade. When we went out to Nellis Air Force Base to pursue that line of investigation, it came to our attention that there were a number of military housing units which were not occupied which were sitting out at Nellis Air Force Base. They had a desire to move those units out since they have their MX expansion plans which wanted to utilize that same set of property. As a result of a tremendous amount of cooperation and assistance of the staff and personnel at Nellis Air Force Base, they have agreed to give us those buildings at no cost if we would simply move them off of their site. Our architects and our engineers worked diligently with people from the National Institute of Corrections Jail Center reviewing all standards, reviewing Judge Foley's Consent Decree and have taken those military units which are sitting out at Nellis Air Force Base and have devised a plan to configure those buildings into a City misdemeanor detention facility which will meet our needs which can be constructed in the timeframe that we've talked about and that's an extremely viable approach, and what we're here to do this morning is to make a presentation to you on that proposal. At this point I'd like to introduce Kerry Miller who is our Court Administrator who will talk about some of the constraints of this option.

CITY MANAGER DORN:

Thank you, Lois.

KERRY MILLER:

I might add for the benefit of those in the audience and the members of the press that when we talk about misdemeanants, we're talking about those who in the case of the City of Las Vegas and Municipal Court who are charged with public nuisance and disturbing the peace which includes most of our vagrant population, driving under the influence, petty theft, trespassing, and those who fail to appear in court on perhaps traffic charges or other criminal charges. So that should just give you just a profile of the kind of individual that we're talking about. In the design of the physical facility that we're presenting to you and the preparation of the operations plan, there were a few constraints that we had to deal with. I'd just like to quickly review these with you. First of all, as has been explained, we're under a very tight timeframe. What we are proposing must be completed and ready to go on line by January 1 of 1982. Secondly, we're working

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KERRY MILLER:

with existing structures. This limits our flexibility in being able to design a facility that perhaps would have all the amenities we would like or the flow or the operational procedures and standards that would be preferred, so we have to work under the constraint of the facility that is made available to us, and finally, we have to work within the limits of a location that is suitable and meets the Federal standards that we have to comply with. The primary things that we have to consider are accessibility to public transportation and also proximity to the courts and others in the law enforcement and justice community. Now, with these constraints, we have identified several operation requirements. These are given and we wanted to review these with you before we actually went over the details of the site plan and the design of the facility itself. First of all, all bookings of misdemeanants will continue to take place at the City Jail Annex. Secondly, all 48 hour holds of misdemeanants -- City misdemeanants -- will continue to take place at the Jail Annex. I might point out that this represents the majority of our misdemeanants. They are released before that two-day time period. Third, those held longer than 48 hours will be housed at our proposed detention facility. Currently in our jail facility at the present time we are averaging between 50 and 60 inmates a day who are held for periods of time longer than 48 hours. Third, we are looking at holding in this facility only non-violent City misdemeanants. The way that we will be able to assure that we comply with this is during the first 48 hours when the individuals are held in the Jail Annex, they will be classified and their disposition will be determined. Fifth, we are proposing that all releases will take place at the Jail Annex. Misdemeanants will not be released at the detention facility site. They will be transported here to City Hall and processed out through the Jail. And finally, because of the fact that all booking will take place at the Jail Annex and release will take place at the Jail Annex, the movement of prisoners in and out of our detention facility will be minimal. At the current rate of turnover we're projecting that between five and fifteen inmates will have to make the trip either from the detention facility to City Hall or the other way around and procedurally, we expect that we can accommodate that with just one round trip run a day. So with those operational requirements, I'd like to turn the time to Tom Graham who's our Director of Architectural Services who will present the site plan.

TOM GRAHAM:

Thank you, Kerry. Good morning. I'm going to give you a brief overview on the highlights of the organization of that facility. Bear in mind the constraints that

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TOM GRAHAM:

Kerry mentioned to you because they do impact our flexibility in terms of design. The location is on a piece of property located east of the existing City Yards. There's 15 -- almost 16 acres in that vicinity. The facility we're talking about will occupy approximately five acres of that. It will be located in such a way to sit approximately in the center of that site. This is an artist's rendering of the overview on the configuration of the buildings. These buildings indicated here and here (referring to the rendering) are the four dormitories that were generously donated by the Air Force for the use. They will house 96 total inmates. That is a limitation placed on us by the BZA, the Board of Zoning Adjustment, at their meeting on August 17, this past Monday. The photograph in the lower corner -- there is an illustration of this for the audience to look at behind me -- the photograph here shows one of these typical buildings in place as it exists right now out at Nellis, and I think you have a copy of that in your backup. The proposal then is to organize the dorms as you see them and through private industry acquire additional mobile office units that will accommodate the multi-purpose building located here and in the front portion. The two buildings you see adjusted there would be the administration building in terms of receiving public and inmate processing. The entire perimeter of the enclosure will be within two 16 ft. high fences. The outer perimeter fence will be lighted with cutoff type fixtures so as to reduce or mitigate the impact of lighting going into the atmosphere in the surrounding neighborhood. In addition to those lighting features, there will be electronic and video surveillance devices placed at key locations around that perimeter. I'd like now to refer to the site plan for a moment, and, again, I believe you have a copy of this in your backup. As I mentioned, the area itself is 15, almost 16 acres in this vicinity just east of the City Yards. Bonanza Road is here; Mojave Road is here on this site plan. North is to the top of the illustration. One of the requirements of ACA -- one of the standards that they recommend -- is to be within one mile of a public transit stop. There is currently a bus stop at the corner of Bonanza and Mojave. The distance from that point to the front entrance into our administrative unit for the public visiting function is 4/10ths of a mile. So we have more than complied with that standard. We have in addition to the lighting that I mentioned, using cutoff fixtures to mitigate the impact, we have set the facility -- this is the area of the facility itself. This is the five acres. It is approximately 800 ft. from the center of Bonanza Road to the center of the building complex you saw on the aerial view. In

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TOM GRAHAM:

addition, we are proposing a landscaped buffer screen that will -- of evergreen type plantings -- that will go along Bonanza frontage that will go along the entire east boundary that abuts the Clark County Juvenile Home property to the east and again, all along the adjacent boundary of that 16 acres that abuts Freedom Park on the north. We feel with the distances we're talking about from Bonanza, again, about 300 to 400 ft. to the center of the complex from Freedom Park -- with those distances combined with the landscaped buffer screen, we feel we have adequately reduced the visual impact of the surrounding neighborhood. A little orientation -- the three dorms I mentioned before are here. The singular dorm which would be for the women's occupancy is on the side towards the Juvenile Home property. We would propose to house 72 male inmates on this side and on the east side of the singular women's dorm it would only house 24 female inmates. The access road would come in off of Bonanza and within the perimeter I mentioned before, the two fences, is a 30 ft. space that would be used for a service road. This would allow all incoming services such as catering food, linen, intake of inmates and any repairs to the buildings themselves in terms of mechanical replacement or whatever to come into the complex in the central gate and then have a complete perimeter service road that loops around providing access to all those. I would like to move on to the typical housing dormitory which, again, are the buildings donated by the Air Force. They are a two-story configuration and on this floor plan, the second story is on the far side and the first story is next to me. Each of these, as I mentioned before, would house 24 inmates. On the upper story you would have what we call eight-man housing units, eight individuals, two per room, four rooms surrounding a central bath, and this again, is in compliance with ACA standards in terms of inmates to the proper toilet and bath facilities. Two of those modules -- on the first floor, we have another of those modules and in the back we have renovated the buildings to provide the required day space -- day room space that is under ACA -- American Correction Association standards. In other words, each of these dormitories is self sufficient. The food serving function catered in would be served in the day room of each dormitory. Internal fencing within the site plan allows for each of the dormitories to be isolated so you can classify your inmates and there's no need for them to commingle if you wanted to have a classification system in order to provide a greater degree of compatibility among them as to how they're housed. Let me show you a typical two-man unit -- eight-man unit -- excuse me. This is an enlargement of roughly

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half of one of the dormitory units. And again, I think you have this in your backup. A typical two-man room would be equipped with two bunks and a service for writing, which again is required by the American Corrections Association. The area provided in there -- exceeds simply because we have an existing building -- exceeds the square footage again recommended by the American Corrections Association. So even though we are putting two people per room where it is recommended to put one person per room, we have more than exceeded the square footage and we feel through our contact with the National Institute of Corrections that that would be an acceptable situation. Each of these two-man rooms, as I mentioned before, share the common bath and toilet facilities located centrally between the four two-man rooms. I'd like to move back for a moment if I might to the support unit. If you remember from the site plan, it was the building located in the back portion of the perimeter. Within that again are requirements that are necessary to meet the American Corrections Association standards. We have separated entrances from the women's dorm on this side and from the men's dormitory complex on this side. Inside this unit then would be housed a multi-purpose room, an indoor exercise room, a library and a commissary, which again are part of those standards that we're meeting. In addition, there's a loading ramp and dock coming up at the back directly off the perimeter service road I mentioned, to accommodate the linen, catering, storage and items being delivered into the commissary. The administration building on the front is comprised of two different mobile office units that we have put together in order to accomplish this function in terms of space requirements. The public coming in would enter this complex from this side off the public parking lot shown on your site plan. The inmate receiving comes in to the back side so we completely separated those two functions. The public waiting area is equipped with the necessary support amenities as per ACA. A central control room here has complete visibility over the public waiting area and complete visibility over the access of the public in the visiting room, as well as anyone who would come into this area which provides all the backup -- clerical, records, administrator type station necessary to operate the function. The control room also would have a centrally located audio-visual type panel that controls your electronic devices around the perimeter and monitors where you do have camera surveillance throughout the complex. The unit located basically above this line then is an area where there is commingling of staff, inmates and the public -- public primarily in the form of attorneys and counselors coming in to interview inmates. In that sense, I'll bring you in from the other side. We have inmate receiving coming

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TOM GRAHAM:

in this way. We have two holding cells here. Across the way is the required rest room facility; a medical room here with related storage; property storage room; two attorney's counseling rooms, and then an employee lunchroom here and, of course, then the access for the inmate side of the visiting room here. All of these spaces that I described to you satisfy the criteria of the American Corrections Association except for the two-man room which we feel is justifiable under this configuration. The economics of this project in terms of the entire building complex, all the infrastructure required, you also have a breakdown in your backup on. I'll just briefly go over that, if I may. Remembering that the buildings themselves from Nellis are free -- we do have to move them and they are about 30 X 80 ft. -- and the moving costs are \$110,000 approximately, and that also is not just the moving of the buildings by contract but that would also be adjustments to utilities along the way in order to move a two-story building that far. In addition, we have the purchase and relocation of the trailer units which you would use for the support and administration buildings and that's approximately \$40,000. The site preparation which includes all necessary grading, sidewalk, security fencing, area lighting, parking lot and access road and related recreation yards is approximately \$700,000. The landscaping necessary to create the buffer zone for the community and Juvenile Court and Freedom Park is \$100,000. The placement of utilities to the site, including electrical, sewer, water, gas and emergency power, is \$233,000. The renovation and refurbishing of the dormitories once they're on the site in order to restore them and put in certain amenities that are again required by ACA is \$414,000. The security and life safety systems that are required by our own building codes relative to the buildings themselves and again supported by the American Corrections Association standards -- these would include such things as fire alarms, smoke and heat detectors, the video surveillance I mentioned before, intercoms, the fire sprinkler system in all of the buildings, is \$191,000. This brings us to a construction total of One Million Eight (\$1,800,000). We've allowed 11% contingency because we still are currently in design as far as the construction design plan. So that brings us to a round number of Two Million Dollars (\$2,000,000), which we feel is a very realistic estimate to do the entire project from a construction preview and this is the most economical detention facility that we have been able to find in the country, and I'll say that I think on a per bed basis, as it makes a lot more sense -- on a per bed basis, rounding off to roughly a hundred beds, we have 96. For simplistic math, we have \$20,000 per bed to build this facility.

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TOM GRAHAM:

The national average to build a detention facility is \$50,000 per bed. We feel in view of this and in view that we are meeting all of the criteria and in view of all the constraints that Kerry laid out, this is the only alternative that we have right now to satisfy the community need within that timeframe. I'd like now to turn it back to Kerry to address some of the operational aspects of the facility.

CITY MANAGER DORN:

Thank you, Tom.

KERRY MILLER:

I'd just like to summarize the organizational plan for this facility. We have reviewed Federal requirements and also the particular need as far as this physical layout is concerned to ensure the security of the inmates, their proper supervision and monitoring of all activities within the facility, and we have determined that a complement of 51 personnel would be required. We are proposing that a detention administrator be hired to be responsible for the day-to-day twenty-four hour operation of the facility and he will supervise the four major operational components of the facility which will be records and classification, facility support and contract services, detention and inmate security and program services. These positions will be hired incrementally on a phased-in basis with all 51 positions filled and employees on board by June 30. We're also suggesting that the actual operation of the facility be phased with a January 1 date when it opens with a capacity of 40 beds and 40 inmates. This will give us a chance to test our security procedures, determine that operationally everything is sound and established, and then three months later increasing that capacity to 64 with finally, by July 1 of '82 having the full capacity of 96. The total annualized operating budget for the facility which includes personnel costs and other operating expenditures, supplies and services, is slightly over Two Million Dollars -- \$2,070,558. Under the previous provisions, just by comparison to show you -- to put this operational cost in perspective -- under the provisions of NRS 280, which was the old Metro law, the City would have had to pay 4.7 Million Dollars in detention services this year. So comparing that to our proposed Two Million Dollar (\$2,000,000) operational costs, we are looking at a direct savings of approximately Two point Seven Million Dollars (\$2,700,000).

CITY MANAGER DORN:

Your Honor, I would like to summarize, but before I do, you might like to hear from our Chief Judge, Judge Seymore Brown, and Judge Mosley --

MAYOR BRIARE:

Is Judge Brown present?

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CITY MANAGER DORN:

-- and Judge Primeaux were here earlier but had appointments to go to.

JUDGE BROWN:

Mayor and Commissioners, I'm very excited about this facility. You know since the Federal decree came in to lower the population of the jail, it's not easy being a judge. You have to think twice, three times, sometimes four times before you put anybody in jail, and I don't like that feeling. We give people fines; they don't pay the fines; they don't show up in court; they come back; we give them another fine; they don't pay that; they don't show up in court; they don't come back, and it goes on and on, and we actually have to think and think, "Well, should I put him in jail?" "Should I put him in jail?" With a facility like this, and in going over it, I can see a great potential. Number One, I could utilize one of those cottages for weekend. Just have the people go in on their days off or a work release program where they work -- do their job during the day and report to that facility at night instead of going home. We can't do that now because the people that are in jail say, "Okay, you're coming back next week. I want you to bring me some money," or "I want you to bring me cigarettes or else I'll beat you up." But with a facility like that where there's just one facility to house weekend and people that are on work release, I think it's very exciting and I think it would be good for our courts to utilize something like this. Also, the proximity with the City Yards, we could have work programs where the City trucks come pick up the prisoners and just take them out and drive them back at the end of the day to have these people work. In looking at the facility, where you have a classroom type situation with chairs, etc., it would be tremendous to have Alcoholics Anonymous come in, traffic school, counseling, right there at the facility. Now, these people aren't violent, as the staff pointed out, and I think the staff did an excellent job of their presentation. They're misdemeanants that I might send for maybe 30 days, 60 days, 90 days -- the maximum six months -- and they're people that just can't live in the community. The Legislature says, "Well, drunk drivers. We want them put in jail," and yet the Decree says, "Keep them out of jail." We have a ceiling on how many people you can put in jail and I don't like the feeling of thinking two and three times before I put somebody in jail. If that person deserves to be put in jail, I'm going to put him in jail, and I feel, Commissioners and the Mayor, that we have to provide some place for it, and I'm really excited about this facility. I think it houses everything that we need as far as the misdemeanor is concerned. You're just talking about petty larcenies, drunk driving,

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JUDGE BROWN:

reckless driving, those people that are given fines that just won't pay them. They have the ability to pay them but they don't pay them and they don't show up in court and they deserve to be in jail. Are there any questions? I'd be glad to answer.

MAYOR BRIARE:

Thanks very much, Judge.

JUDGE BROWN:

Your welcome.

MAYOR BRIARE:

While we're on this subject, we're going to have one other item of business before we conclude the morning agenda, but certainly, on behalf of the members of the Board of City Commissioners and the people of Las Vegas, we want to extend our thanks to the staff of Nellis Air Force Base who have made this a viable plan. We still have some things that have to be done relative to the Board of Zoning Adjustment, but, nevertheless, it certainly is a viable plan and without the cooperation of Nellis Air Force Base, we just couldn't have come up with this idea, and in particular, I think that Brigadier General Richard Dunwoody and Colonel Jerry Smith and Mr. Al Lujan who have worked with our staff have made this what will probably be the most innovative plan in history, or at least in the history of Las Vegas, to solve one of the most perplexing problems in the history of Las Vegas. So I think that Judge Brown's enthusiasm about this project is shared certainly by the members of the City Commission and we hope that we can be able to resolve a few of the other problems that are still facing us in the next several weeks. But in the meantime, I'm convinced, members of the Commission, that this is probably the best thing that we could possibly do and it's going to certainly relieve the citizens of the City of Las Vegas from a lot of pressure and perhaps many, many times the cost of what it otherwise would take. Comments by the Commissioners?

COMMISSIONER CHRISTENSEN:

I have just one question, Mayor. I echo your sentiments. Of course, the Air Force has always been a good neighbor and I echo your thanks and so forth, and I think our staff has done a fine job. One question that came up in the presentation in my mind and it's not a contradictive question. It's just for clarification. We've got a staffing pattern that shows we're going to end up with 51 people eventually and so forth. Did the bill -- I forget the number -- that released us from the funding of the felony Clark County Jail system -- did that put our jail system under our control where we have to staff and man the jail for those misdemeanants and did that also put the control of the County's Jail under the County Commission so that the Metropolitan Police

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COMMISSIONER CHRISTENSEN: Department will no longer after December the 31st have Correction Officers?

DEPUTY CITY MANAGER HALL: We have the option, Commissioner.

COMMISSIONER CHRISTENSEN: It's optional.

COMMISSIONER WOOFER: Mayor, I have just a couple of comments. Certainly, I think everybody's in agreement with the concept as far as the construction of such, but there's certainly concern on my part, as well as on the part of many of my constituents in the district I represent, as far as the location of this facility, and I know there are certain ones here in the audience that at the appropriate time would probably like to be heard from too in regards to the location, and I have a question of Mr. Dorn at this time. Has staff, which I'm sure they have, reviewed other alternative locations and namely, I keep bringing it up -- like Lois mentioned, I think I mentioned the fact so it's kind of my pet idea as far as stockade concept and the area that I always considered that would be the most compatible for this type of a program would be the old Prison Farm out in the area, and I was wondering if this area as well as others were considered before staff made the recommendation as far as the City Yard is concerned.

CITY MANAGER DORN: Commissioner Woofter, I'd like to address that. Yes, we looked at numerous sites throughout the City, both City owned and private property. We looked at the Rehab and we've been discussing that site for the last year as related to other detention facility needs for both Clark County and the City of Las Vegas. We feel, and the plaintiffs in this case in the Federal Court, the Rehab site location is not sufficient and it will not meet the Federal standards. The only site that will meet the Federal standards is the City Yard site location, and we're very confident that the plaintiffs and the Federal Judge will accept this site and the site plan.

COMMISSIONER LEVY: I have a question.

MAYOR BRIARE: Commissioner.

COMMISSIONER LEVY: Regarding today's action and future action, are we -- will we be actually putting this back on the agenda? I'm sure that the action of the BZA of Monday night in regards to approval of this particular site -- I'm sure that will be appealed, watching the news media the last couple of days. Do we want to set a particular hearing or what is our action at this point?

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- CITY MANAGER DORN: Commissioner Levy, to address that concern, if the Mayor and City Commissioners agree with the City Manager's recommendations, a possible motion in favor of this recommendation would make it subject to being granted before final approval of a use permit, and I think the Commission can consider setting a public hearing.
- COMMISSIONER WOOFER: That was my intent. To make a motion at the time, depending upon the action of the rest of them.
- MAYOR BRIARE: Well, the point, I think, that we're all greatly concerned with here are some gentlemen here that want to speak and there might be some others and I would hope that there would be no discussion today on a matter which is not yet in front of this Commission, namely, the BZA part.
- COMMISSIONER LEVY: The site.
- MAYOR BRIARE: This is a proposal, and I realize it's so difficult to determine which comes first, the chicken or the egg, and as committal as it might seem by shows of enthusiasm, that is not the case. This has to be all put together in a package and then we have to listen to the various discussions that are to be presented to us, both in favor and perhaps even some in opposition, so I just wonder and to determine -- Mr. Dorn, your comment is to ask for a motion of some sort. If from some kind of procedural level a motion is necessary, that might be well and good, but otherwise, I wonder if it would be proper to hold off any and all motions until such time as we have gotten all the input that's necessary. As an example, wouldn't we be in a terrible fix if we had a mandate from the Air Force, which we do not have, to say that, you know, they have some kind of laws that they're affected with and that if they don't have some kind of an indication today from the City Commission as to its favor of this type of a plan, that we might lose the surplus housing. Is there a problem there, Mr. Dorn?
- CITY MANAGER DORN: No, Your Honor, there isn't. We've got official notification through the Air Force and chain of command from Washington that these buildings are committed to us and that they will be available immediately for moving. If the Commission so desires to wait until September 16, I believe that will be the date, if an appeal was to be filed, that the Commission would hear it, that would be okay with the staff. We have sufficient time to address other concerns in the plan. I might caution the Commission of one problem and that is this complicated task with an almost impossible

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CITY MANAGER DORN:

deadline to construct and operate and recruit and hire the necessary personnel to operate the facility to meet Federal Consent Decree and September 14, a hearing in front of Judge Foley to bring this plan forward is very important because the Judge could evaluate this plan and instantly put a reduction in population allowable in Clark County and the Jail Annex, but two weeks, I think we can live with to hear more input from the community and their concerns, but it might delay the timetable for two weeks.

MAYOR BRIARE:

Mr. Dorn, Commissioner Lurie just pointed out also that in order to put something on the desk of Judge Foley that some indication from this Commission has to be made so that it's officially before His Honor. It's kind of difficult on the one hand to say, "Yes," that this is a good plan, and still stay open for future comments along the way, but as it's been clearly stated, that if the City Manager's recommendation should be favored as to this as a possible plan, that it could be approved by the City Commission, as Commissioner Woofter's indicated, subject to the proper zoning and to any other problems that come up.

COMMISSIONER WOOFTER:

Mayor, that's what I was wondering. It would probably satisfy Judge Foley as well as showing to the public we have not made a determination of the full package until we have a complete public hearing. If we could make a motion to adopt a resolution in its entirety up to and excluding the paragraph -- the last paragraph on the second page which states -- not the last one, but Number Three -- Subparagraph Three -- which states, "Misdemeanant detention facilities having a capacity of up to 96 persons shall be provided at the City Yards near Bonanza and Mojave and such facility shall be operational by January 1, '82" -- excluding that language as far as the specific location, then I think that even the ones in my district have no qualms or no problem with the concept that we need to build this, but their concern still is with the location, so we could pass the resolution in its entirety excepting the specified location.

CITY MANAGER DORN:

Commissioner Woofter, that would be acceptable, but you might want to consider just waiting until you set, if you desire with your motion, as you've just explained, to set a public hearing and get public input. We could take all these items in a package.

COMMISSIONER WOOFTER:

Alright, but my understanding, you know, that Judge Foley needed something on his desk by September 9. That was my --

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CITY MANAGER DORN: Well, that would sure help and show the commitment by the City Commission to look at master planning the detention facility. As you mentioned, it wouldn't be site specific and that would be sufficient for Judge Foley.

COMMISSIONER CHRISTENSEN: Why can't we just be right up front about the whole affair and present Judge Foley with this information and say because of the time constraints, we can't make a final decision until we've had the determination?

MAYOR BRIARE: We can just hand to him and say, "This is --

COMMISSIONER CHRISTENSEN: This is the direction we're looking to go and we haven't had a public hearing and so we can't be absolutely certain until after the public hearing and it's three days after this hearing, so --

MAYOR BRIARE: I think the Judge will understand.

COMMISSIONER CHRISTENSEN: He's a reasonable person.

CITY MANAGER DORN: If the Mayor and Commissioners in accord with that could consider adopting this in principle but not for implementation and present that to the Federal Judge and wait for the determination of the public hearing.

COMMISSIONER CHRISTENSEN: Well, along with an explanation of why it's done that way.

MAYOR BRIARE: If a motion, after we hear from some people that want to talk about this -- if a motion were to be entertained by this Commission, it perhaps might be that we adopt the concept and then perhaps that would be satisfactory to the Judge and at the same time we are not so committed or into the thing that we cannot still judge from the comments of people that have remarks that they might want to make. Does that sound reasonable? Well, let's see what these gentlemen right here have to say.

COMMISSIONER LURIE: I have a comment, Mayor, before we call on some other people that I think that we might be overlooking that this is a very serious problem. Public safety is a Number One item and it's a priority with this body and the community. I think the problem we have to address is when it comes January 1, 1982, when the County does not accept any more City misdemeanants, then what do we do? We have a situation now that we're under a time restraint and I agree in adopting something today in principle, but I think we need to establish these dates of these public hearings so that we can address all of these particular items and concerns of Commissioner Woofter's constituents in his district, but I still have

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COMMISSIONER LURIE: to remind you that we have people on the street now that need to be incarcerated and we have no place to put them. The Judge is right when he says that they have to let people back on the street with fines or giving them a citation that should be incarcerated. I spoke in favor of this plan before this Board of Zoning Adjustment. I thought the Board of Zoning Adjustment made a motion that was very acceptable by putting limitations on the population in the facility, as well as some other conditions. So I think that we should adopt something today and set these dates for public hearing in September so that we can proceed with our plans to present to Judge Foley.

COMMISSIONER WOOFER: On that basis, Mayor, I'm going to make a motion to approve the concept, as you've stated, on building such a detention facility and also -- well, it has to be two separate motions. My second motion would be requesting a review on the part of this Commission in regards to the use permit that was granted by the BZA and set that for September 16 so all parties could be heard in regards to that.

MAYOR BRIARE: Do you gentlemen understand what we're trying to get around here? I don't know whether you want to speak in favor or in opposition to it or what and anybody else.

COMMISSIONER LEVY: I'd like to make one other comment. If they're going to speak on the site per se, then I don't think this is the meeting to be talking about the site. If you're talking about basically the concept, I'm all ears before I vote on it, or anybody else in the audience.

MAYOR BRIARE: Gentlemen, please come forward. Give us your name and your interest in the meeting today.

ROBERT MARCH: I'm Robert March, Director of Juvenile Court Services. This is my Deputy Director, Ned Solomon, and, Mayor, Commissioners, we have a very definite interest in the site location.

COMMISSIONER LEVY: Alright, then that's not today.

MAYOR BRIARE: How about the concept?

ROBERT MARCH: We support the concept completely.

MAYOR BRIARE: Mr. Solomon, your boss reflects your feelings too, I suppose?

NED SOLOMON: Exactly -- yes.

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COMMISSIONER LURIE: Could I ask a question before you sit down? How many juvenile offenders do you have incarcerated right now in your facility?

ROBERT MARCH: Between 180 and 200.

COMMISSIONER LURIE: Between how many?

ROBERT MARCH: One hundred eighty and 200.

COMMISSIONER LURIE: One hundred eighty and 200 juveniles in your facility.

ROBERT MARCH: That's correct.

COMMISSIONER LURIE: And what types of charges are they being held on?

ROBERT MARCH: They are held on delinquent and status offender type of charges.

COMMISSIONER LURIE: Felons? You have some felons?

ROBERT MARCH: Yes.

COMMISSIONER LURIE: Thank you.

ROBERT MARCH: The ones that we are most concerned with are the abused, neglected and abandoned youth.

COMMISSIONER LURIE: You're talking about the children of Child Haven?

ROBERT MARCH: Yes, I am.

COMMISSIONER LURIE: Yes, okay.

ROBERT MARCH: Right, and that's a significant --

COMMISSIONER LURIE: So to distinguish between the two, it's completely different between Child Haven and your 180 to 200 --

COMMISSIONER LEVY: I hope you're not mixing them.

ROBERT MARCH: No, we're not mixing them.

COMMISSIONER LEVY: Alright, then there is a difference between the two.

ROBERT MARCH: There is a difference, but they're all located along that side of the --

COMMISSIONER LEVY: City land that was given to the County?

ROBERT MARCH: That's correct. We're very appreciative of that land. We have a tremendous concern about the exposure to these youth -- the activity there.

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COMMISSIONER WOOFER: Well, that's going to the site. Can we take action on the motion, sir, at this time?

COMMISSIONER LURIE: I just needed some clarification.

MAYOR BRAIRE: This is not -- we are receiving no discussions on the site. We're only receiving discussion on the concept of this plan.

ROBERT MARCH: Mayor, could we leave you some material?

MAYOR BRIARE: You bet. Right with the City Clerk here. Thank you, gentlemen. Yes, ma'am, we're only going to be discussing the concept that you've heard today. We're not going to discuss the site at all.

KATHLEEN LaCHASE: Fine. I'm Mrs. LaChase and I live in the area there, and I'm also a loving citizen of Las Vegas. With the timeframe, I don't want to see the Commissioners make an error of building a facility like we did at the jail with no kitchen facilities. Time, you know -- this is the most important thing. All I hear is 150 felons will be released if we don't have a place to put these misdemeanants. I was under the understanding that the first phase of this building, if completed by January 1, will only house 40 misdemeanants. What will happen to the other 110 people? They will still be released, right? I think we should look at a concept where you can --

MAYOR BRIARE: By January 1.

KATHLEEN LaCHASE: A concept, yes, but where you can --

MAYOR BRIARE: Do you have any suggestions that would be an improvement on this concept, Mrs. LaChase?

KATHLEEN LaCHASE: Yes, that you look for a facility that's going to be able to grow and handle these people.

MAYOR BRIARE: But you want it for 96 people right now?

KATHLEEN LaCHASE: I don't want it for anybody right now where it's going to be located.

MAYOR BRIARE: We're not talking about location. Where do you live, Mrs. LaChase?

KATHLEEN LaCHASE: Okay. I live -- it would be the corner of Mojave and Washington Avenue.

MAYOR BRIARE: Okay. Located how far away from the City Yards?

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KATHLEEN LaCHASE: Within eye sight. I don't know by footage.

MAYOR BRIARE: Now, you're talking about location, aren't you, Mrs. LaChase?

KATHLEEN LaCHASE: No, location concerns me, but I won't discuss that now. I'm talking about the fact that if we're going to build a facility, let's build a facility that's going to be able to handle the 150 immediate, but how many are we going to have by the end of July of 1982?

COMMISSIONER LURIE: The Board of Zoning Adjustment made a commitment -- I was at that meeting and you were there -- of a maximum of 96 people. That was the maximum until such time as you would have another public hearing. At such time it could be one year, five years, in order to expand the facility. The City does not have a long range plan at the present time. It's a short range plan.

KATHLEEN LaCHASE: Mr. Dorn had mentioned something about a work program that's already looked into at the meeting Monday evening, so I think they're looking into a little longer range than January 1st.

COMMISSIONER LEVY: That's when they're going to open it.

KATHLEEN LaCHASE: That's when they hope to open it. They hope to have 40 people, not 150.

COMMISSIONER LEVY: No, 96 is basically what they're going to be eventually getting to.

KATHLEEN LaCHASE: Mr. Dorn -- can I address Mr. Dorn now?

COMMISSIONER LURIE: I think --

MAYOR BRIARE: Now, we have already heard that 40 people are going to be coming in first to see how the whole facility operates and what it's like and if it does go through. If that happens to end up being the location, eventually, it would hold a maximum of 96 people.

KATHLEEN LaCHASE: Eventually. We already need housing for 150.

MAYOR BRIARE: Well, Mrs. LaChase, you're not -- actually, we probably need 500.

COMMISSIONER LURIE: Some of those people, I think you're talking about in the 150, are also County misdemeanants. They're not all City.

COMMISSIONER LEVY: See, it's the County's responsibility to find their facility, not the City's.

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981 Page 22
IV(a) - ITEMS C & D - REGARDING PROPOSED MISDEMEANANT DETENTION FACILITY

MAYOR BRIARE: Do you folks wish to present something on behalf of the location or the concept?

COMMISSIONER LURIE: They are here on another matter.

MAYOR BRIARE: Oh, excuse me.

CITY MANAGER DORN: Mayor, may I make just a clarification for Mrs. LaChase? The City is only responsible for City misdemeanants. The 150 that I mentioned is the County responsibility for felons. So we're talking about 50 to 60 City misdemeanants and that will relieve the pressure and the overcrowding of the jail so felons can stay in the jail and these post-sentence City misdemeanants -- the non-violent, the vagrant, the prostitute, DUI's can go to this facility, and so this will help the entire system. Meanwhile, as we all know, Clark County is presently constructing a jail to house 650 maximum security facility felons and that will be finished and this will help relieve the problem and it will be hopefully completed in two years with an expansion capability to 800.

KATHLEEN LaCHASE: I understand that you still only have January 1, 40 beds that will be available for the felons?

CITY MANAGER DORN: That's correct. Not for felons, but City misdemeanants.

COMMISSIONER LURIE: Misdemeanants.

COMMISSIONER CHRISTENSEN: Do you understand the difference? No felons.

KATHLEEN LaCHASE: I understand that the misdemeanants will be in this facility -- 40 of them.

CITY MANAGER DORN: That's correct.

COMMISSIONER LURIE: Russ, would you give --

KATHLEEN LaCHASE: By chasing them out of the big jail, that will leave 40 beds for the felons.

MAYOR BRIARE: It's probably best to have them in some sort of a facility somewhere than wandering around on the streets which they would be doing.

COMMISSIONER LURIE: Is it Mrs. LaChase?

CITY MANAGER DORN: Your Honor, if I --

COMMISSIONER LURIE: Why don't we give Mrs. LaChase a copy of this plan so that she can see how you plan on implementing the population because it spells it out here so you can see

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981 Page 23
IV(a) - ITEMS C & D - REGARDING PROPOSED MISDEMEANANT DETENTION FACILITY

COMMISSIONER LURIE: the numbers. You're welcome to have a copy of our material.

CITY MANAGER DORN: If we don't address by January 1 and the population cap is implemented, that means that there will not be any City misdemeanor facility for any misdemeanants, so everybody will get citations. So 50 or 60 that are in the detention facility now will be back more on the street, and that is one of the problems that we're facing.

KATHLEEN LaCHASE: Thank you.

MAYOR BRIARE: We have a motion by Commissioner Woofter to adopt the concept and the Resolution as he has made it. Do you want to take both motions at the same time, Commissioner?

COMMISSIONER LURIE: Can I ask a question, Mayor?

MAYOR BRIARE: Commissioner.

COMMISSIONER LURIE: I'd like to just recommend since we're adopting this -- the motion is to adopting a concept, that also have staff prepare at the public hearing, if they're going to look at alternate sites, to show us some alternate sites and to show us a cost breakdown of these alternate sites if we were not to use the City Yards, and compare that figure with say if we were to use the Rehab Farm or a location out by Nellis Air Base. I just feel that we need to see the difference between those --

COMMISSIONER LEVY: Actually want to see why they picked that site.

COMMISSIONER LURIE: And also justification for that site.

COMMISSIONER WOOFTER: Mayor, if you want this motion adopting the concept to include the resolution, then I wouldn't have any objection to that except for that Subparagraph Three specifying the location.

MAYOR BRIARE: Right. Is that understood by the Commissioners, with the exception of those paragraphs? Comments by the Commissioners. Cast your votes. Post. The motion's approved.

COMMISSIONER WOOFTER: Now, Mayor, I'd like a second motion that we review the use permit granted by the BZA in regards to the facility as well as the location at our meeting of September 16 at 2 P.M. where all parties can be heard at that time.

MAYOR BRIARE: Comments by the Commissioners?

CITY COMMISSION MINUTES AUGUST 19, 1981

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981 Page 24
IV(a) - ITEMS C & D - REGARDING PROPOSED MISDEMEANANT DETENTION FACILITY

COMMISSIONER LURIE: I have one comment, Mayor.

MAYOR BRIARE: Yes, this will be properly posted and so forth.
Commissioner Lurie.

COMMISSIONER LURIE: Is it the City's responsibility to ask for that hearing or is it the responsibility of the attorneys that were represented the other night that ask for a date to be set for public hearing?

COMMISSIONER CHRISTENSEN: Either party can.

COMMISSIONER LURIE: Either party can ask for it and that date is going to be two o'clock on the --

CITY MANAGER DORN: September the 16th.

COMMISSIONER LURIE: September 16. I was just clarifying.

CITY MANAGER DORN: Then that will meet all the procedural steps, necessary posting and public notice.

COMMISSIONER LURIE: Well, that's what was told to the people that were in attendance and I think it's only fair that they be notified that it is going to be set.

COMMISSIONER LEVY: I'm sure they'll know.

MAYOR BRIARE: Comments on Commissioner Woofter's motion. Cast your vote. Post. Motion's approved.

AGENDA*City of Las Vegas*

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August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

E. DISCUSSION AND POSSIBLE ACTION CONCERNING
 AWARD OF BID REGARDING SALE OF CARSON
 STREET PARKING FACILITY.

Woofter -
 TABLED until
 9/16/81 City
 Commission meeting.
 Unanimous

9/16/81 Agenda

NOTE: Earlier motions on Item E
 were as follows:

Woofter moved to table until next meeting with full board in attendance. This first tabling motion failed with Lurie, Levy & Christensen voting "no". Levy then moved to follow recommendations of City Manager and reject all bids. Levy's motion was offset by a motion by Christensen to reconsider Woofter's tabling motion which failed. Levy then withdrew his motion to reject. Christensen's motion to reconsider the tabling motion passed by unanimous vote. The Board then entertained Woofter's motion to table until 9/16/81 and it passed by unanimous vote as reflected above.

Appearances on Item E were as follows:
 Richard Chavez, Denver, Colorado and
 his attorney, Richard Gonzales of
 Denver.

Board asks City Attorney to advise
 them regarding liabilities if the
 Board does not award bid.

Bid Specifications #81.1231.14 were
 introduced and made a part of the
 record.

AGENDA DOCUMENTATION

Date: August 14, 1981

TO: The Board of City Commissioners

FROM: CITY MANAGER

SUBJECT: Consideration of Bids Concerning Sale of Carson Avenue Parking Facility

PURPOSE/BACKGROUND

At the opening of the bids for the sale of the Carson Avenue Parking Facility, which was held on June 30, 1981, two bids had been received. The apparent high bidder, Mr. Richard Chaves of Denver, Colorado, submitted a bid in the amount of \$7,111,111.00, and Four Queens, Inc., submitted a bid in the amount of \$6,000,100.00. Accordingly, the City Attorney's office recommendation that, if a contract for the purchase of the Carson Avenue Parking Facility is awarded, it be awarded to Mr. Chaves.

On the other hand, during the preparation of the bid documents and the bidding process, the City was hamstrung by a statute relating to the sale of municipal property which has been dedicated to a public use, such as an off-street public parking facility, and which was acquired through condemnation or the threat of eminent domain proceedings. As a result of this statute, the City was required to see to it that equivalent off-street public parking at a comparable location would be available before it could relinquish possession of its current facility. The bid conditions were therefore drafted in such a way as to require the successful bidder to pay, by way of immediately posting an irrevocable letter of credit, for the construction of the City's one-half of the proposed County/City parking facility and to pay to the City, by December 15, 1981, approximately 1.6 million dollars for the redemption of the City's parking facility bonds. It is probable that these extremely restrictive conditions discouraged many persons who otherwise could have been interested in purchasing the facility from bidding, since it is doubtful that many potential bidders would have the wherewithall to come up with 100% of the amount of its bid within the succeeding five and one-half months.

The statute referred to above was amended in the closing days of the 1981 session of the Nevada Legislature, and,

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-3-10

Agenda Item

IV(a) E.

CITY COMMISSION MINUTES AUGUST 19, 1981

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 14, 1981

TO:

The Board of City Commissioners

FROM:

CITY MANAGER

SUBJECT:

Consideration of Bids Concerning Sale of Carson Avenue Parking Facility (cont.)

PURPOSE/BACKGROUND

commencing on July 1, 1982, the governing body of a city may dispose of property of the type considered herein upon such terms and conditions as it deems in the best interest of the residents and taxpayers of the city. With the advent of this new legislation, therefore, it is quite possible that the Carson Avenue Parking Facility could be disposed of, either through sale or lease, on terms much more favorable to the City than those contemplated at the time these bids were solicited.

Additionally, if the sale were made under the new legislation, the approximately \$4,140,000 of the total amount bid which would otherwise be required to construct the replacement parking would be available for other uses.

In view of the foregoing, the Board of Commissioners may desire to reject both bids and explore alternatives for the disposition of the facility after July 1, 1982.

FISCAL IMPACT

If Mr. Chaves' bid is accepted approximately \$1,375,000, over and above the amounts necessary to construct the City's one-half of the proposed County/City parking facility and to redeem the parking facility bonds, will be realized by the City. Rejection of all bids will result in the City's failure to realize such amount for the short term, but might produce a larger return if a sale or lease of the facility were conducted under more favorable conditions in the future.

RECOMMENDATIONS

It is recommended that the Board of Commissioners reject all bids for the sale of the Carson Street Parking Facility and instruct the City Manager's office to develop a new proposal for the sale or lease of such facility in accordance with the new legislation.

DISPOSITION

Approved ☐
 Disapproved ☐
 Held ☐

Status Due: _____

Agenda Item

IV (a) E.

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
ITEM IV(a)-E - DISCUSSION AND POSSIBLE ACTION CONCERNING AWARD OF
BID REGARDING SALE OF CARSON STREET PARKING FACILITY

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MAYOR BRIARE:

The next item to be considered this afternoon by the City is the discussion and possible action concerning award of bid regarding the sale of Carson Street parking facility. Mr. Dorn.

CITY MANAGER DORN:

Yes, Your Honor. At the opening of bids for the sale of the Carson Avenue parking facility, which was held on June 30 of 1981, two bids had been received. The apparent high bidder, Mr. Richard Chaves of Denver, Colorado, submitted a bid in the amount of \$7,111,111 and the Four Queens, Inc. submitted a bid in the amount of \$6,000,100. Accordingly, the City Attorney's office recommendation that, if a contract for the purchase of the Carson Avenue parking facility is awarded, it would be awarded to Mr. Chaves. On the other hand, during the preparation of the bid documents and the bidding process, the City was hamstrung by a statute relating to the sale of the municipal property which has been dedicated to a public use, such as an off-street public parking facility, and which was acquired through condemnation or the threat of eminent domain proceedings. As a result of this statute, the City was required to see to it that equivalent off-street public parking at a comparable location would be available before it could relinquish possession of its current facility. The bid conditions were therefore drafted in such a way as to require the successful bidder to pay, by way of immediately posting an irrevocable letter of credit, for the construction of the City's one-half of the proposed County/City parking facility and to pay to the City, by December 15, 1981, approximately 1.6 million dollars for the redemption of the City's parking facility bonds. It is probable that these extreme restrictive conditions discouraged many persons who otherwise could have been interested in purchasing the facility from bidding, since it is doubtful that many potential bidders would have the wherewithall to come up with 100% of the amount of its bid within the succeeding five and one-half months. The statute referred to above was amended in the closing days of the 1981 session of the Nevada Legislature, and, commencing on July 1 of 1982, the governing body of a city may dispose of property of the type considered herein upon such terms and conditions as it deems in the best interest of the residents and the taxpayers of the City. With the advent of this new legislation, therefore, it is quite possible that the Carson Avenue parking facility could be disposed of, either through the sale

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CITY MANAGER DORN:

or lease in terms and dollars much more favorable to the City than those contemplated at the time these bids were solicited. Additionally, if the sale were made under the new legislation, approximately \$4,140,000 of the total amount bid, which would otherwise be required to construct or replace the parking facility, would be available for other uses. This 4.1 million dollars would be additional revenue to the City. This 4.1 million dollars could be appropriated for other City services and capital projects in lieu of expending 4.1 million dollars in revenue received from this bid for the construction and replacement of a parking garage facility. The County has already awarded a bid to construct additional public parking in the downtown area. In view of the foregoing, the Board of Commissioners may desire to reject both bids and explore alternatives for the disposition of the facility after July 1, 1982, when the new legislation becomes effective. I might add at this time, the bid documentation before me, Page 2, if I may quote, says: "The Board of City Commissioners reserves the right to waive any informality or reject any or all bids. Prospective bidders are also advised that the contract will be awarded, if at all, only upon the approval of the bidder and the final form of the Real Estate Exchange and Bond Redemption Agreement by both the Board of City Commissioners of the City of Las Vegas and the Board of County Commissioners of the County of Clark." I mention that because I feel in all fairness that all bidders were made well known that bids could be rejected. Fiscal Impact -- if Mr. Chavez' bid is accepted, approximately \$1,375,000 over and above the amount necessary to construct the City's one-half of the proposed County/City parking facility and to redeem the parking facility bonds will be realized by the City. Rejection of all bids will result in the City's failure to realize such amount for the short term, but might produce a larger return if a sale or lease of the facility were conducted under more favorable conditions in the future, i.e. the City would immediately gain 4.1 million dollars in additional revenue for the City taxpayers by not replacing additional parking as we would have to do under this bid document. Therefore, it is recommended that the Board of City Commissioners reject all bids for the sale of the Carson Street parking facility and instruct the City Manager's office to develop a new proposal for the sale or lease of such facility in accordance with the new legislation. I personally favor a public bidding process open to all the public of a public auction type for the sale or lease of this garage, because under this new legislation and public auction competitive process, the City will gain millions of dollars more in revenue for the City taxpayers.

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
ITEM IV(a)-E - DISCUSSION AND POSSIBLE ACTION CONCERNING AWARD OF
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MAYOR BRIARE: Mr. Dorn, I think everybody has heard what your recommendation is. Do you have legal counsel on your recommendations? Pardon me -- did you have legal counsel on your recommendations?

CITY MANAGER DORN: Yes, I did, if Mr. Ogilvie would like to comment on that.

CITY ATTORNEY OGILVIE: Well, if I did my job correctly, as I certainly did my level best to do when I prepared the bid documents, the option should have been retained to the Board to reject all bids if that is their desire.

MAYOR BRIARE: I think before I ask for comments from the Commissioners on Mr. Dorn's request, I'm sure that the recommendation is not very pleasing to Mr. Chaves and wonder if he has any comment on the recommendation of the City Manager.

ATTY. RICHARD GONZALES: Good afternoon, Your Honor. My name is Richard Gonzales. I'm here on behalf of Mr. Chaves. My address is 550 West Colfax Avenue. I'm a licensed attorney within the State of Colorado. I reside in --

MAYOR BRIARE: Mr. Gonzales, are you associated with a Nevada attorney?

ATTY. RICHARD GONZALES: No, sir.

MAYOR BRIARE: Are you here representing Mr. Chaves as an attorney?

ATTY. RICHARD GONZALES: Sir, I'm here at the request of Mr. Chaves. I'm in-house counsel for him and two of his companies that he owns. One's a California corporation.

MAYOR BRIARE: Are you familiar with the Nevada law requiring -- are you admitted to the Nevada Bar?

ATTY. RICHARD GONZALES: No, Your Honor.

MAYOR BRIARE: I don't know if that still applies. There used to be a big argument and Mr. Chaves -- Mr. Gonzales, excuse me -- several years ago, I sat on a board, such as I'm sitting on right now -- not this City Commission -- and some very serious consequences resulted by the appearance of an attorney who was not licensed in Nevada, nor did he associate himself, and it seemed to me as a non-attorney that there was a technicality that I didn't particularly want to get involved with, but nevertheless, it was the law, and I'm sure that you could go out and come back in 15 minutes and have a Nevada attorney with you and therefore be associated, but since I have knowledge of this, I'm going to ask the City Attorney if -- before we go any further and

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MAYOR BRIARE: after you've sat in the meeting this morning -- I want to make sure that we proceed on the right grounds, okay?

ATTY. RICHARD GONZALES: Certainly.

MAYOR BRIARE: Mr. Ogilvie.

CITY ATTORNEY OGILVIE: I know of nothing that would prohibit Mr. Gonzales from appearing before you.

MAYOR BRIARE: Great.

CITY ATTORNEY OGILVIE: Some boards have regulations requiring admission to practice before them, but this board, to the best of my knowledge, have never adopted it.

MAYOR BRIARE: That's wonderful. Please proceed, Mr. Gonzales.

ATTY. RICHARD GONZALES: Yes. I'd like to introduce Mr. Chaves. He's in the audience.

RICHARD CHAVES: I'm Richard Chaves from Denver, Colorado. I'm the man that read about the advertising for bid of the parking garage by the City of Las Vegas. I'm the man that requested a bid application and specifications. I'm the man that got it in Denver, Colorado -- 550 West Colfax. I've been working on this bid for over six months exclusively. I had to -- not having any other facility here in -- or any business in Las Vegas, I had to give the City a complete parking analysis which took several weeks and I bid on the parking garage and I was the winner. I bid a million, one hundred thousand dollars more than the Four Queens. I bid a million, three hundred thousand dollars more than the MAI Appraisal for the garage, and I am here, gentlemen, to ask that this award be made to me today. I have spent in upwards of one hundred thousand dollars of hard earned money -- hard earned money. I think I figured one time that we make on each quarter in the parking business -- when you collect a quarter, if you make 6/10ths of 1 percent -- 6/10ths of 1 cent profit, you're in good hands. You're doing a good job. If you try to multiply this, what I have to do to earn a hundred thousand dollars, and then put it into a deal like this, where at the last minute for some law that supposedly was passed yesterday or something and actually was passed in May the 20th of this year, long before the bids were out, long before the sealed bids came in, to wait this long and it's never been -- and no one -- no one from the City ever told me -- no one from the City ever told me that this bid that I was bidding on -- this garage -- was predicated or they

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
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RICHARD CHAVES: were passing a law and at the end, if it might produce more money for the City because of a law that was passed, they would turn down my bid. The bid specification that Mr. Dorn -- the section that he just read states clearly that you can reject the bid if I'm not responsible and if I'm not responsive to the bid. I think it's been determined that I am both, and I know that I am both. I've spent this money; I'm ready to go with this deal; I've got the \$7,100,000 ready to go and I'd like to buy this garage today.

MAYOR BRIARE: Is that -- what does it say again, Mr. Dorn?

CITY MANAGER DORN: Page 2 on the Invitation to Bid, which I'll submit for the record. "The Board of City Commissioners reserve the right to waive any informality or to reject any or all bids." (EXHIBIT A)

MAYOR BRIARE: Well, did it say "responsive" or "responsible"?

CITY MANAGER DORN: It has no mention of "responsive".

RICHARD CHAVES: Keep going.

CITY MANAGER DORN: "The prospective bidders are also advised that the contract will be awarded, if at all, only upon the approval of the bidder and the final form of the Real Estate Exchange and Bond Redemption Agreement by both the Board of City Commissioners of the City of Las Vegas and the Board of County Commissioners of the County of Clark."

MAYOR BRIARE: Could it be, Mr. Chaves, that you're confusing this with a document from one of your other garages?

RICHARD CHAVES: No.

MAYOR BRIARE: You understand, of course, and know that Mr. Gonzales does too that we don't sit here and draw up these things. We have our own staff and lawyers and so forth that do this. Now, you indicated and I think you made a very good point. If that's what it says, then in order to even consider Mr. Dorn's recommendation, we'd have to prove that you're irresponsible or incapable of doing it, but it doesn't say that. You said that it did.

RICHARD CHAVES: Mr. Briare, when you go into -- this is the standard language that every City uses.

MAYOR BRIARE: No. Read what the City of Las Vegas says.

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
ITEM IV(a)-F - DISCUSSION AND POSSIBLE ACTION CONCERNING AWARD OF
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RICHARD CHAVES: That's what everybody uses, and this is -- yes, they all say that they can reject a bid. They always accept the bids if the person is responsible and responsive. I operate with nine brothers.

MAYOR BRIARE: I wouldn't add more into that than is there. You have nine brothers.

RICHARD CHAVES: I operate with nine brothers. We're all in the parking lot business. We operate in 13 states and Canada. This is -- to make a man go and spend his hard earned money and not even tell him that there's a law that's been passed since May the 22nd, that that law is going to cause the bid to be turned down and wait another year to see if maybe the City will get more money or if the City's in a better position to sell it or whatever, you know, to make me spend my hard money -- it's money -- and not even tell me this is a -- I can't --

MAYOR BRIARE: I don't want to take this position, but I'm compelled to. To make you take a position, did you read the bid documents?

RICHARD CHAVES: Yes, sir.

MAYOR BRIARE: Would you tell me how you interpreted that page that Mr. Dorn is referring to?

RICHARD CHAVES: Well, sir, that bid specification has about 20 pages in it.

MAYOR BRIARE: Did you read Page 3?

RICHARD CHAVES: Well, there is conflicting --there is -- it says -- it says a lot of things in it. It's a rambling thing, and it --

MAYOR BRIARE: But yet you chose to spend one hundred thousand dollars and something to make your proposal?

RICHARD CHAVES: Well, I think, Your Honor, that the --

MAYOR BRIARE: And you said it's a rambling thing?

RICHARD CHAVES: Yes. I think that the City -- the Chief Executive Officer whom I have been trying to see for six weeks on a week to week basis practically -- five weeks ago, four weeks ago, three weeks ago, two weeks ago, one week ago. Last week, my daughter and I went into his office. He wouldn't see me. I called him; he wouldn't see me. For the Chief Executive Officer not to see me, not to tell me that he's considering a law that was

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
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RICHARD CHAVES:

passed before he sent the specifications out, and not to let me know on what basis they were -- Mr. Ogilvie, the City Attorney, told me to get all -- all this paper-work done -- all this work -- when I was the high bidder -- because he had to investigate the whole -- my background, my financial ability, my family -- everything -- and up to the last minute -- and now, you tell me on some other basis, they're going to -- I don't go out and spend a hundred thousand dollars just on a whim that they're going to reject it on some other basis besides the winning bid.

ATTY. RICHARD GONZALES:

Your Honor, if I might address this for just a minute. Mr. Chaves and I have looked over the bid specifications. I'm of a different opinion than Mr. Ogilvie. I've talked to Mr. Ogilvie briefly this morning about it. The bid specifications -- well, basically, my argument would be, Your Honor, that's a denial of due process that Mr. Chaves is entitled to. The bid specifications are a little unique in this respect. They ask for a minimum, or they have a minimum bid requirement -- 5.8 million dollars -- and it's based on Mr. Anderson's appraisal of the parking lot operation. I think in a situation where you have an individual, or when your bid specifications state that you have a minimum bid requirement, so long as the bidder is qualified in all other respects to perform, based on his experience and financial capability, I think the language that Mr. Dorn read on Page 3 of those Bid Specifications is boiler plate language. I don't --

COMMISSIONER CHRISTENSEN:

What do you mean "boiler plate" language?

ATTY. RICHARD GONZALES:

Well, I think the sort of thing that's put in all the bid specification requirements. I think in a situation as this one where you have a minimum bid requirement and Mr. Chaves' bid is in excess of 1.3 million dollars --

COMMISSIONER CHRISTENSEN:

Well, you're saying we don't need that language in bid specifications?

ATTY. RICHARD GONZALES:

No, I said -- what I'm saying is it changes the nature of that -- in my opinion, it changes the nature of that bid specification requirement. It takes it out of the category of being able to reject. We're not at that stage yet, I hope.

COMMISSIONER LURIE:

Mr. Gonzales, did you read the bid specifications and approve them for Mr. Chaves to go ahead and submit his bid to the City?

EXCERPT - CITY OF LAS VEGAS COMMISSION MINUTES - AUGUST 19, 1981
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ATTY. RICHARD GONZALES: Yes.

COMMISSIONER LURIE: You read them; you approved them, and you gave him the attorney's opinion that it was okay to go ahead and submit a bid, based on your recommendation as an attorney?

ATTY. RICHARD GONZALES: That's correct. That's after Mr. Chaves and I discussed it at some length. As Mr. Chaves has indicated, or at least I've indicated, I'm in-house counsel --

COMMISSIONER LURIE: At the time you submitted the bid, you did not mention about any reservations about the section that discussed the rejection of the bids if the City Commission felt that they wanted to reject them?

ATTY. RICHARD GONZALES: We discussed that language in the particular bid. It was my opinion that if Mr. Chaves submitted a bid, he was the high bidder and he was able to perform, that he would be awarded the contract.

COMMISSIONER CHRISTENSEN: Well, then, why if you found that our bid specifications were faulty and we'd spent all this money and hired our attorneys to draw up these bids and everything and then, you're coming here at the last minute and telling us our bid specifications are faulty? I don't think we're any more guilty than you are.

ATTY. RICHARD GONZALES: Mr. Christensen, I'm not saying that Mr. Ogilvie did a poor job in drafting it. I think we've gone past the stage. The reason I'm here, we're going to discuss whether to accept or reject Mr. Chaves' bid. It's no question that he was the highest bidder, and there's no question up to this point that he can perform under the bid specifications. I've looked at a -- just for the record, so that Mr. Chaves -- he made reference to a bill -- an assembly bill -- which was passed May 20. Mr. Ogilvie was good enough to give me a copy of it this morning. It's the first time I've had an opportunity to --

CITY ATTORNEY OGILVIE: Mr. Gonzales, you keep referring and Mr. Chaves did too to May 20. That is not the day it was -- that was the day it was introduced. I don't know the day it was finally adopted by both the House and the Legislature, but it did not become effective until June 3. For whatever it means, it certainly was not approved on May 20. That was the day, as I said, it was introduced.

ATTY. RICHARD GONZALES: Mr. Ogilvie, I guess the point Mr. Chaves and I are trying to make is that that information was known to you and Mr. Dorn. Certainly, if Mr. Dorn was going to

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- ATTY. RICHARD GONZALES: a position one way or another based upon that particular Assembly Bill No. 693, you would have had knowledge of it at least by June 3 and would have made that information available to Mr. Chaves. As Mr. Chaves has indicated, he has foregone a lot of other sorts of opportunities in order to focus in on this particular transaction. He's been --
- COMMISSIONER CHRISTENSEN: But you see, you're telling us that we were at fault by not telling Mr. Chaves that, and yet, the day you got the bid specifications, you went over them. At that time you determined that that language put in there was not effective language, that we couldn't be held to it, and you didn't bother to tell us that. Now, you know, what's the difference between the two charges?
- ATTY. RICHARD GONZLES: No. Well, I'm not making any charges, Mr. Christensen. What I'm saying is that --
- COMMISSIONER CHRISTENSEN: Mr. Chaves made the charge that we should have told him.
- ATTY. RICHARD GONZALES: Well, I happen to agree with him because the Commissioners were going to take the position that somehow this particular assembly bill was going to affect a determination of whether to award this contract to Mr. Chaves. That information should have been shared with Mr. Chaves before he made commitments with other individuals in terms of financing and so forth.
- COMMISSIONER CHRISTENSEN: I see. You're assuming that clear back in June, we figured we were going to not sell the garage and we should have told him?
- ATTY. RICHARD GONZALES: No, I didn't assume anything.
- COMMISSIONER CHRISTENSEN: Oh.
- ATTY. RICHARD GONZALES: I came here yesterday under the assumption that Mr. Chaves was going to be awarded the contract. I'm still of that opinion; however, you asked for comments. Mr. Dorn made a recommendation, and we'd like to address some of those things, so this point may be moot. I don't know what stage in your decision-making process you are. I'm just saying that with respect to this particular contract, Mr. Chaves has indicated that he bid 1.3 million dollars over and above what that MAI appraisal appraised that particular parcel of land -- those twelve lots with the improvements thereon. Mr. Dorn is asking you to speculate and I've listened to the recommendations. I haven't had an opportunity to

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ATTY. RICHARD GONZALES: read them, but I think he's asking you to speculate on the fact that you might be able to get more money at a later date if it wasn't for these restrictive requirements. I don't think that's necessarily so. I don't see how you're going to change your position a year from today if you go ahead and put that thing up for auction, because you're probably going to ask for some cash -- a cash transaction at that particular time. From reviewing the bid specifications --

COMMISSIONER CHRISTENSEN: Well, the difference is that after July of 1981 -- or is it '82?

COMMISSIONER LEVY: '82.

COMMISSIONER CHRISTENSEN: After July of 1982, we no longer have to build like parking spaces, so it saves us the whole cost of reconstructing another garage elsewhere. That's where the savings is. It's not built into inflation or anything else. You may not have understood his -- but he read that right in his documents. So to say it's questionable, you're telling us that if we dispose of it after July of 1982, we're going to lose the total cost of replacing all those spaces? I -- you know --

ATTY. RICHARD GONZALES: I don't know what's going to happen in June of 1982. I don't think Mr. Dorn can tell you with any certainty what's going to happen in July of 1982. What I'm saying is -- let me get back to my original point. What I said was that in all fairness to Mr. Chaves, I haven't seen any arguments raised why he shouldn't be awarded that particular bid. I've looked at your Local Government Purchasing Act, specifically, Chapter 332 in the Rejection of Bids and I've tried to get a feeling for what kinds of things that the Commissioners would be looking at in terms of rejecting the bid. As far as we are concerned, we have complied with all the requests of Mr. Ogilvie's office for disclosure, including financial information, Mr. Chaves' background, and we've complied with all the bid specifications. So Mr. Chaves stands before you today a ready, willing and able purchaser under those bid specifications.

COMMISSIONER LEVY: Mr. Gonzales, as I indicated earlier in our conversation this morning, I feel that we could do so much more for our community needs by waiting this year, and that basically, has nothing to do with Mr. Chaves or whoever bids this property. It's what we can do with the availability of funds. With the County going ahead with that parking garage and not needs of our dollars, this gives us the ability to if we wait one year -- and I hope Mr. Chaves doesn't get that mad at us, you know, if we're able to win our position, come back a year from now, if

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- COMMISSIONER LEVY: we do that and bid it, or whatever, and we'll be able to -- again, as I indicated, do so much more for our community needs than to build another parking garage downtown that the County's already building with their money.
- ATTY. RICHARD GONZALES: Mr. Levy, this information that you're sharing with us this morning, that's not any different sort of information than you didn't have when these bid specifications --
- COMMISSIONER LEVY: That's not true. You have to understand. I -- you know, I'm sorry that you don't have some basic local accounts or know a little bit local about what's happening in our State. When legislation is proposed in Carson City, when it is and when it comes out and if it comes out are many, many facets. We proposed quite a bit of legislation this last year and I'm sorry to say a lot of it did not become law -- a lot more than I'd like to see.
- COMMISSIONER CHRISTENSEN: A lot of it that did you didn't recognize as what you proposed either.
- COMMISSIONER LEVY: I mean -- in other words, it is an "iffy" from day one day -- to the last day of -- is the Governor even going to sign the bill to that point. In mean, in other words, it's all "iffy" and until we do get a final vote and the signature of the Governor, we have nothing and we can't look at it as anything either. We spent a lot of effort and time, right, Mr. Cool, to get there, but if we get there, it's a different story.
- RICHARD CHAVES: Mr. Levy?
- COMMISSIONER LEVY: Yes, sir.
- RICHARD CHAVES: This legislation you're talking about was passed and signed by the Governor thirty days -- on June the 1st, 30 days before this bid was even sent out -- thirty days before. It wasn't passed yesterday. You knew about this -- the City knew about this, and in reference to you saying 4.1 million dollars will be lost if you build that garage, it won't be lost because it's an asset. You can sell it.
- COMMISSIONER LEVY: But it's already being built -- but, see, but not to the citizens of Las Vegas. Again, I mean the fact that you are a newcomer to our community, sir, you don't understand the problems between City and County governments. We have two governments trying to act like a city, and we have a problem -- if the County is going ahead, and indications -- "yes," they are going ahead; "yes," they have the funds to build this garage, nothing is being lost.

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RICHARD CHAVES: Nothing being lost?

COMMISSIONER LEVY: They are building the garage, but that gives us an opportunity on a City level to develop new facilities and to meet some other needs of our community.

RICHARD CHAVES: Why can't you accept my seven million dollars then?

COMMISSIONER LEVY: Because what we have to do is turn around and we have to do that garage -- that garage that the County is wanting to do and is doing right now.

RICHARD CHAVES: You'll own the garage, Mr. Levy, and you can sell it for 4.1 million dollars.

COMMISSIONER LEVY: To who?

RICHARD CHAVES: I'll buy it for 4.1 million dollars, and Mrs. Hood might buy it from the Four Queens for four million one hundred thousand. It's not like you're throwing it out the window.

COMMISSIONER LEVY: Oh, I appreciate that, sir.

RICHARD CHAVES: You're buying it and you have an asset.

COMMISSIONER WOOFER: Let me ask this question. We're throwing dates around. I want to ask George because I notice on this bid document that the bid was signed by Mr. Park as far as the specs on June 5, 1981. Now, to get it in the right chronological order, when did the Governor sign the law that Russ bases his recommendation on into law?

CITY ATTORNEY OGILVIE: June 3.

COMMISSIONER WOOFER: So that was -- then Mr. Park, even though he might not have knowledge, still as far as the dates were concerned, it was a law when Mr. Park signed his bid specs?

COMMISSIONER LEVY: It didn't go into effect until July 1 of '82.

CITY ATTORNEY OGILVIE: That's correct. I think the bid specs were actually mailed out on June 8, the following Monday.

COMMISSIONER WOOFER: So in other words, all of us in the City government should have known about this law that Russ speaks of before or approximately at the time Mr. Chaves received the bid notice and papers, I imagine, in Denver? Is that correct?

CITY ATTORNEY OGILVIE: No, Mr. Chaves -- he and his brother Eloy who run some -- own some parking garages in Reno visited my office quite some time before the bids actually went out and so when the bids went out, we saw to it that one was mailed to him and so he got word of it.

COMMISSIONER WOOFER: What he is saying right here is that this law was in effect when he bid on this?

CITY ATTORNEY OGILVIE: Yes. The --

RICHARD CHAVES: Commissioner, I did not know about it.

CITY ATTORNEY OGILVIE: June 30 was the day of the bid opening.

COMMISSIONER LURIE: That was already signed into law?

RICHARD CHAVES: Yes, it was in law. If the City was going to move on this law, they could have stopped the bids right there and saved the City and saved me a tremendous amount of money, and that's the obligation I think the City had to at least tell me.

MAYOR BRIARE: Mr. Dorn, when did you hand this written opinion to the Commissioners and myself?

CITY MANAGER DORN: For the record, Mayor, early this morning. The reason --

MAYOR BRIARE: Has Mr. Gonzales had the opportunity to look at your recommendation?

CITY MANAGER DORN: No, he hasn't, but the recommendation that's in your book and my book as backup is what I read verbatim for the record. He can get a copy.

MAYOR BRIARE: Well, I know sometimes when you read something in a more rapid manner, it's different than being able to see it. So you're handing Mr. Gonzales this written opinion -- this written recommendation which you handed to us this morning. This is what you're giving Mr. Gonzales now?

CITY MANAGER DORN: Yes, Your Honor. For the record though, if I may take a moment for a little clarification, Mr. Chaves said that I haven't met with him in six weeks. I've met with him and I was introduced to him. He personally introduced himself in this chamber, and he returned a call about two or three weeks ago. If my memory serves me right, he was staying at the Four Queens. I returned the call and we couldn't get in contact with him. It is my position as City Manager and always has been and always will be

CITY MANAGER DORN: that I do not meet with public bidders. I have a very competent City Attorney's office and City Attorney's staff that handle those matters for me. The decision that has to be looked at -- not only law, but my job as City Manager, is to do the best I can and that is run the City as a City government as a business and to make profit if we have a chance to make profit. The way I interpreted those specs in the very beginning was that line I read for the record that any and all bids may be rejected, and didn't give any reasons. But my job, my moral obligation to the Commission is to say, with new legislation that is upon the books, that the City taxpayers and the City treasury can gain 4.1 million dollars and only gain 1.3 million dollars by the sale of this garage. As City Manager, I don't recommend that. That's my personal recommendation. The County -- we would have to replace that parking, but the County has already appropriated funds and has legislation now for charging for public parking. We've contributed to the downtown area by providing this additional parking to the public, but as I mentioned, my personal recommendation would be a sale or a lease and that Mr. Chaves would be publicly invited and personally invited to submit a bid, if the Commission so desires readvertisement under this new law, so he can compete with other potential bidders. I think another important point is that if we don't have to replace that 4.1 million dollars for the garage, that's additional revenue the City could put in City projects in very tight fiscal times. So I'm looking at it as the City Manager like a businessman. The intent was never that we had to sell it. We wanted to do the best for the City taxpayers.

RICHARD CHAVES: May I ask you a question, Mr. Dorn?

CITY MANAGER DORN: Sure.

RICHARD CHAVES: The first time I went to your office, did you know that I was the bidder on the parking garage?

CITY MANAGER DORN: I don't -- do you recall when that was?

RICHARD CHAVES: Well, it was about six weeks ago, and I talked to your secretary and I told her I was Richard Chaves from Denver -- the gentleman that bid on the garage. Do you remember that?

CITY MANAGER DORN: I don't -- I don't recall that.

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RICHARD CHAVES: The other time that I went, a couple of weeks ago, did you know that -- when I went with my daughter?

CITY MANAGER DORN: Yes, I did.

RICHARD CHAVES: Okay. Did you know then that your policy was that you don't talk to bidders?

CITY MANAGER DORN: It's always been my policy.

RICHARD CHAVES: Why didn't you tell me that, sir, so I would be -- keep --

MAYOR BRIARE: Mr. Chaves? Excuse me, Mr. Chaves.

CITY MANAGER DORN: Well, Mr. Chaves, you've been in constant contact with our City Attorney and I know he's been in in-depth discussion of the bids and the documents

RICHARD CHAVES: It would have been simple for you to tell me --

MAYOR BRIARE: Mr. Chaves, this is --

RICHARD CHAVES: -- we don't deal with this.

MAYOR BRIARE: Mr. Chaves, this is not the time nor the place to debate with our City Manager as to whether he talked to you or didn't talk to you or what his policy is or what his policy isn't, and you're not going to prove anything to us by arguing with the City Manager.

RICHARD CHAVES: I agree, sir. He could have just said, "I don't -- it's my policy not to meet with you." But he kept calling me and I kept missing him and he kept missing me.

MAYOR BRIARE: Mr. Gonzales.

ATTY. RICHARD GONZALES: In any case, Your Honor, that's our position.

MAYOR BRIARE: Is there anyone else that wishes to make any comments about the recommendation of the City Manager to the City Commission? This is a recommendation. This is not a -- the City must act on a recommendation one way or another, but we have the recommendation and I'll ask once again if there's anyone that wanted to make any comments about the recommendation of the City Manager. There being none then, gentlemen, you can go ahead and sit down.

ATTY. RICHARD GONZALES: Your Honor, can I ask you a question, please?

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MAYOR BRIARE: Of course, Mr. Gonzales.

ATTY. RICHARD GONZALES: Are you going to take a vote right at this minute?

COMMISSIONER CHRISTENSEN: It depends on whether he gets a motion.

MAYOR BRIARE: Yes, motions have to be made, or since -- I've asked about three times now if there was anyone that wanted to make any more comments and that being the case, I was going to close the matter with respect to anybody wanting to make comments and we would take it up amongst ourselves now and deliberate on what this Commission wants to do with respect to Mr. Dorn's recommendation. Did you have something else you'd like to --

ATTY. RICHARD GONZALES: I just didn't want to say anything prematurely. I do want to say something if you are going to cast votes. I'd like to say something prior to that time, but it may be that you have something else in --

MAYOR BRIARE: Well, I'll tell you the manner in which we operate here, and it seems to be a practice that once the Commission takes a matter unto itself to act or not act, whatever they should chose, then that precludes anyone else from getting into the discussion because then it's discussion amongst the members of this Board. I would suggest that if you do have something you'd like to address yourself to, that you do so now.

ATTY. RICHARD GONZALES: Fine. Your Honor, I was going to recommend that --

MAYOR BRIARE: Excuse me. Kind of on the idea, Mr. Gonzales, that when you're before a court or you give the judge everything that you have to give to them, and once you submit the case, then it's up to the judge and more than likely, he will not allow you to come forward with any more materials that you might have. But in this instance, by all means, we would like to hear any comments you have and whatever you want to say, we'd like to have you say it right now.

ATTY. RICHARD GONZALES: Fine. Your Honor, I haven't had an opportunity to review or even study Mr. Dorn's recommendation. I have gotten a copy of the assembly bill. I don't know what type of impact that will have with respect to the City. I would ask that it be -- if this Board is going to make a determination, that they perhaps grant us a continuance for a minimum of two weeks that we could prepare to rebut some of the arguments set forth in the City Manager's recommendation. And the second thing I was going to say, Your Honor, is if there was anybody on this Board who

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ATTY. RICHARD GONZALES: had any kind of financial ties or any kind of direct or indirect dealings with any of the bidders, I'd request that they abstain from voting on this particular matter.

MAYOR BRIARE: Is there anything else then?

ATTY. RICHARD GONZALES: No.

MAYOR BRIARE: Okay, then are you through with your comments?

ATTY. RICHARD GONZALES: Well --

MAYOR BRIARE: Because remember, as I said, Mr. Gonzales --

COMMISSIONER LURIE: Mayor, I think that needs some kind of clarification from Mr. Gonzales on the statement he just made. You wanted to make --

ATTY. RICHARD GONZALES: Certainly, I'll address my comments to you, Mr. --

COMMISSIONER LURIE: -- a comment, because this is going to get into a -- looks like a long drawn out hearing now and there's going to be some name calling; there's going to be some hard feelings, but I take that comment as possibly directed towards myself, and I take exception to that, Mr. Gonzales, and I think that you should kind of clarify to this Board on what you're insinuating about any kind of financial interests that I might have in this particular transaction that's before us. And I would like to also add to this body that Mr. Gonzales, Mr. Chaves, his daughter, had tried to set up a meeting with me through a Mr. Rasmussen on Monday afternoon at 6:30 in the evening after the Metropolitan Police Fiscal Affairs and I refused to meet on such a sensitive matter with you. You had six months that you've been working on this project and not one time did Mr. Chaves have the courtesy to even call I don't think any member of this Board to set up any type of meeting. He checked us out very thoroughly through conversations he had with the members of the downtown business people, which I felt was not in the best interests of the community or this body, because he was insinuating that possibly our integrity could be tested by trying to find information out about us, and I resented that, and when a meeting was tried to be set up by Mr. Chaves with me through Mr. Rasmussen and his daughter, there was no way that I would take the time to meet before this meeting to discuss the bid situation that's before us today. That's how sensitive I think it is. And now, you're coming in and insinuating that I might have some conflict of interest. So if you want to spell it out to the Board,

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- COMMISSIONER LURIE: you go right ahead and spell it out, because I'm going to vote on this item because I've reviewed the documents; I've reviewed the legislation. What I do on this body is going to be in the best interest of the City of Las Vegas.
- ATTY. RICHARD GONZALES: Mr. Lurie, whatever this Board does, I hope it's in the best interest of the City of Las Vegas. I don't mean to impugn your integrity or your character. I'm simply watching out for Mr. Chaves' interest. I indicated that if anyone had any kind of either financial ties or interest, directly or indirectly, with any of the bidders -- obviously, the only other bidder is the Four Queens, Inc. -- that they abstain from voting. With respect to your comments about --
- COMMISSIONER LURIE: I've already been asked to abstain once today on a particular item and I don't do it twice in one day.
- ATTY. RICHARD GONZALES: We'd be -- Mr. Lurie --
- COMMISSIONER CHRISTENSEN: I think what Commissioner Lurie's after is why did you feel that a warning like that was necessary when the Nevada State Law already requires that, and we live here and we understand that.
- ATTY. RICHARD GONZALES: Well, I'm ignorant of the types of occupations or vocations or incomes of any of the members of this particular panel, and I made that statement because I thought it might be common knowledge to the members of this particular commission, but --
- COMMISSIONER CHRISTENSEN: It is common knowledge. That's why I don't know why you have to make that statement. There's got to be a reason for a statement like that --
- ATTY. RICHARD GONZALES: Okay.
- COMMISSIONER CHRISTENSEN: -- because we abide by the law, and that's the law.
- ATTY. RICHARD GONZALES: That's fine. Mr. Lurie, let me ask you some questions then because I don't know. I take it you have some sort of a company here within the City of -- ?
- MAYOR BRIARE: Now, just a minute. Before you do, Mr. Lurie's very capable of taking care of himself, but we do have a certain amount of decorum that we must abide by at these kinds of meetings, and Mr. Gonzales, I don't quite frankly care what your personal arguments are or what other kind of arguments. You're representing a client and as far as I'm concerned, while I'm the Chairman of this Commission, no one is going to be

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MAYOR BRIARE: standing there and arguing back and forth with a member of this Board as to what he does or what he doesn't do. That's not a matter before this Commission, and if you have any -- as Commissioner Lurie has already invited, if you have statements to make that you would be prepared legally and otherwise to back up, you go right ahead and make them, but as far as getting into an argument with any member of this Commission, as for the purpose of decorum, I'm not going to allow it and I will declare it out of order. We know you're here representing with the best of your ability the interest of Mr. Chaves. It's been suggested by the City Manager that the best interest would be served here in the City. So you're diametrically opposed with the best interest of the City as far as our City Manager is concerned.

ATTY. RICHARD GONZALES: Well, we're not --

MAYOR BRIARE: Don't say you're opposed to the people of the City of Las Vegas. You're only representing Mr. Chaves. Because the interests seem to be 180 degrees apart.

RICHARD CHAVES: Mayor, we don't want --

MAYOR BRIARE: Now, if Mr. Dorn is wrong in his analysis of this, which he is telling us what his analysis is -- if he's wrong, we can vote against it or we can question his ability as the City Manager. But to question any of the integrity of any member of this Commission, you'll have to do that in some other form other than this.

ATTY. RICHARD GONZALES: Your Honor, I just --

MAYOR BRIARE: I'm not speaking in your behalf. I am responsible for maintaining certain rules of order here.

COMMISSIONER LURIE: I appreciate your comments, Mayor, and we can proceed.

MAYOR BRIARE: Now, Mr. Gonzales, you still have the floor and you may certainly make further comments if you wish, but it's not going to be an argumentative basis along that line.

ATTY. RICHARD GONZALES: No, I don't mean to argue with this Board, Your Honor.

RICHARD CHAVES: Mayor, I don't know how kindly I can talk to you because I don't like to be accused of arguing. This gentleman never argues. He's been my attorney for over a year -- in-house attorney. I work with him all the time. He doesn't argue.

MAYOR BRIARE: I'm very impressed with your attorney.

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RICHARD CHAVES:

Please, sir, don't imply that we want -- we're just trying to find out -- we're just trying to explain our position.

MAYOR BRIARE:

Well, we haven't taken a vote. After a vote is taken -- you know, you're not the first one to ever come to town or appear before this Board where they have arguments with individual members of this Commission. But this is not the time nor place to bring those arguments up. Now, if you have something you want to do at some later time with respect to any comments or anything that you have on your mind, that's fine, but we are here discussing Mr. Dorn's recommendation. We're not here to discuss whether this Commissioner or that Commissioner's --

COMMISSIONER WOOFER:

Mayor?

MAYOR BRIARE:

Commissioner Woofter.

COMMISSIONER WOOFER:

Mr. Gonzales had asked consideration for continuance, and usually, when we have a long duration of time where we've given everybody an opportunity to be heard, I usually like to get the vote out of the way so we don't have to go through the whole process again, but I feel in a way, what is fair is fair here, and Mr. Gonzales has represented that he came here with full intent and belief that since his client was the high bidder by over a million dollars, that he was going to receive the bid and then he received notice just prior to the meeting that there was the possibility that would not be the case because of a new law that was enacted. So I think Mr. Gonzales has a basis for a continuance for this Commission to be fair in regards to that aspect, to allow him time to answer Mr. Dorn's recommendation. Certainly, I'm like Mr. Dorn and the members of this Commission. I certainly want to do what's right for the City and be a businessman for the City and receive the greatest benefit from the sale of this garage, but like I say, by golly, everybody went into this originally back in June based on a submission of bids and I think the applicant deserves at least that aspect to answer Mr. Dorn's representation that rejection of bid will benefit the City more than accepting Mr. Chaves' bid and on that basis, I make a motion to table this matter until the next meeting, or until a full Board is here September 16.

MAYOR BRIARE:

Comments by the Commissioners?

COMMISSIONER LEVY:

Yes.

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ITEM IV(a)-F - DISCUSSION AND POSSIBLE ACTION CONCERNING AWARD OF
BID REGARDING SALE OF CARSON STREET PARKING FACILITY

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MAYOR BRIARE:

Commissioner.

COMMISSIONER LEVY:

Yes, Mr. Mayor. There has not been proof to me that by delaying this any longer we will accomplish anything except maybe satisfy Mr. Gonzales and Mr. Chaves as to where we're going, and I'm sorry to be so curt and impolite to them, but again, I must look to the benefit of the City, and that's my number one client, not, you know -- and I appreciate it. I also was contacted on Monday to meet with Mr. Chaves, which I did this morning, because my policy is to see anybody and everybody and listen to what they have to say. I can't agree with Commissioner Woofter. I think that we should go ahead and get this thing over with and go on to the next subject at hand, and I don't think anything will be accomplished because I know which direction this thing has got to lead to. Either we sell the property today to Mr. Chaves -- today or tomorrow -- or we continue with the aspect of trying to develop some cash a year from now that will get us more gain for the City, and that's the whole thing at hand today, and will be for the next two weeks or September 16 -- whatever it will be. It will be the same question at hand.

COMMISSIONER WOOFTER:

I wanted to make just one more comment on the basis for my request. That's for my personal concern too in requesting --

COMMISSIONER LEVY:

Oh, I know it.

COMMISSIONER WOOFTER:

-- from the City Attorney office to review whether or not if we reject the bid, what type of liability are we looking forward to as far as what Mr. Chaves has represented -- the possibility of having to reimburse one hundred thousand dollars for expenses, as well as any other liability that the City might have in respect to it as such.

MAYOR BRIARE:

Commissioner Christensen.

COMMISSIONER CHRISTENSEN:

Your Honor, I -- the comment bothers me a little that the attorney came here today with the idea that this bid was going to be awarded. If that were the case, why all the politicking this past week? I mean, somebody must have known that there was a question of whether it be awarded or everybody wouldn't have been politicked. It's kind of like Commissioner Lurie said. Nobody had ever contacted any Commissioners until somebody apparently got the word somewhere that the bid might not be let, might not be accepted or the garage may not have been sold. Now, all of a sudden, we get all this politicking. It's interesting to find Mr. Rasmussen involved in the politicking, and we've done

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COMMISSIONER CHRISTENSEN: background checks on the Commissioners to find out all of these things. That makes it so -- I have to wonder just when actually anybody knew what anybody else was going to do, because I certainly didn't know what I was going to do, and yet, I was politicked as though the word was out that I did know what I was going to do, and I'm interested at the things that have come out in this meeting. I find them very interesting the things that have come out of this meeting.

RICHARD CHAVES: Mr. Christensen, I might be able to --

COMMISSIONER CHRISTENSEN: Things that I didn't know before.

RICHARD CHAVES: I might be able to answer --

MAYOR BRIARE: Mr. Chaves, we have a motion before the Commission. I've explained what the procedure of this Commission is. Now, if Commissioner Christensen has a question he wishes to ask --

RICHARD CHAVES: I think he asked a question, sir.

MAYOR BRIARE: I beg your pardon?

RICHARD CHAVES: He wants to know why all the politicking the last minute.

MAYOR BRIARE: Oh, are you directing that question to Mr. Chaves?

COMMISSIONER CHRISTENSEN: No, I didn't ask a question. I merely said I question the statement that was made that they thought the bid was going to be let -- was going to be awarded today and that's the reason the attorney's here. I guess what I'm saying is I don't believe that --

RICHARD CHAVES: You question it?

COMMISSIONER CHRISTENSEN: -- because we were politicked --

MAYOR BRIARE: Mr. Chaves.

COMMISSIONER CHRISTENSEN: -- too much before then, which leads me to believe that maybe there was some information known that prior, or some information suspected, or something. I don't know, but I have to disagree with that statement based on that.

MAYOR BRIARE: So you don't have any questions?

COMMISSIONER CHRISTENSEN: No.

MAYOR BRIARE: Further comments?

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COMMISSIONER CHRISTENSEN: That's for the benefit of the rest of the Commissioners.

MAYOR BRIARE: Right. Thank you. Further comments by the Commissioners? The motion is to hold this until the meeting of September 16. Cast your vote on the motion to hold. Post. The motion fails. The matter is still before the Commission.

(VOTE: Mayor Briare voted "Yes"
Commissioner Woofter voted "Yes"
Commissioner Lurie voted "No"
Commissioner Levy voted "No"
Commissioner Christensen voted "No")

COMMISSIONER LEVY: Mr. Mayor, again, as I've stated, reiterated, I'm looking out -- I hope I am -- as a businessman looking towards the best for our community. Therefore, I'll move that we follow the recommendation of our City Manager and reject all bids.

MAYOR BRIARE: I'm going to support your motion, but I feel compelled to make a comment for the record, and I wish to be very careful how I word this because there's been some suggestions, or -- well, I won't go any further on that because I don't like to --

COMMISSIONER CHRISTENSEN: Your Honor, could I interrupt you?

MAYOR BRIARE: Yes, go ahead.

COMMISSIONER CHRISTENSEN: Procedurally, how do I change my vote on the last motion? I don't mind holding it for two weeks.

CITY ATTORNEY OGILVIE: Since you were on the prevailing side, you can move for reconsideration.

COMMISSIONER CHRISTENSEN: First, I've got to table this next motion, so I'll move to table this motion to approve, to follow the City Manager's recommendation.

COMMISSIONER LEVY: I -- you know, if you're going to play politicks -- I mean, I don't care. I mean, if that's the case, I'll withdraw my motion.

COMMISSIONER CHRISTENSEN: It's not a case of politicks.

MAYOR BRIARE: There's no motion before it. No, he meant to say "parliamentary procedure."

COMMISSIONER LEVY: Yes, that's what I meant.

MAYOR BRIARE: He meant "parliamentary procedure". Am I right?

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COMMISSIONER LEVY: Yes.

COMMISSIONER CHRISTENSEN: It's not that important to me -- the two weeks -- one way or another.

COMMISSIONER LEVY: It's a month.

COMMISSIONER CHRISTENSEN: Is it a month? Whatever it is.

COMMISSIONER LURIE: Why a month? I thought he said two weeks.

COMMISSIONER LEVY: No, somebody's going to be out of town on the --

COMMISSIONER WOOFER: Yes.

COMMISSIONER LURIE: Oh, okay.

MAYOR BRIARE: There's --

COMMISSIONER LURIE: First, let me just say that I have no problem either if we hold it for 30 days.

MAYOR BRIARE: Alright, we have no motion before us, gentlemen.

COMMISSIONER CHRISTENSEN: Okay, then I'll move to reconsider the last motion.

MAYOR BRIARE: Cast your votes. Post.

(VOTE: The full Board all voted "Yes" on the motion above to reconsider.)

MAYOR BRIARE: Now, we're on Commissioner Woofert's motion to hold this until the meeting of September 16.

COMMISSIONER CHRISTENSEN: I'll make this comment, Mayor, and the reason that I wanted to work this around and change my vote is simply because there's no reasoning for it or anything except that if we decide to follow the Manager's recommendation and reject these bids, it isn't like we're going to sell the garage tomorrow to one party or another, because that's not our intent at all here --

COMMISSIONER LEVY: For one year.

COMMISSIONER CHRISTENSEN: -- and this -- all we're asking to do is to -- if we follow the Manager's recommendation -- is to delay the sale until such time as we don't have to replace it with like facilities and 30 days isn't going to hurt that one way or another. So, you know, in thinking about it, I see no problem with that.

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MAYOR BRIARE:

Well, it's already been brought out, and I have a strong feeling, Commissioner Woofert, that your motion is going to be passed this time, but I had to -- I was compelled at the moment to bring up a point that I wanted to bring up and that was with reference to what is fair. Are we going to be good sports and say, "Well, you know, we're going to be honorable and we're going to give this -- we're going to award this bid to Mr. Chaves because after all, he played the game fair and square and he put up a lot of money," but then on the other hand, I'm looking at the interest of the taxpayers of the City and any time my City Manager tells me that we would be as much as four million dollars ahead if we waited a year and a half, I cannot walk around this City and look any voter in the eye and say, "Well, listen. I'm a good sport and I kind of played by the rules. We're going to go ahead and give it to Mr. Chaves, even though the City Manager said we had four and a half million," so the reason for my voting in favor of the motion to delay is because I'm going to make some strong inquiries to the City Manager's office as to how he comes up with this figure and I want to be able to demonstrate to the public that it is indeed in their best interest to gain this money. In other words, for him to put down in a little more detail than that paper which he gave us this morning and the paper which you now, Mr. Gonzales, are going to have an opportunity to review at a little bit more leisure. Now, we're speaking on the main motion to hold this until September 16. Further comments? (No response.) Cast your votes. Post. The motion's approved. This is held until September 16.

(VOTE: The full Board all voted "Yes" on the motion above to hold until 9/16/81.)

(END OF DISCUSSION ON THIS ITEM.)

City of Las Vegas

WILLIAM H. BRIARE
Mayor

Board of City Commissioners
RON LURIE
PAUL J. CHRISTENSEN

Board of City Commissioners
ROY WOOFER
AL LEVY

Bid Number

81.1231.14



Description

PUBLIC SALE OF THE CARSON AVENUE PARKING STRUCTURE
OWNED BY THE CITY OF LAS VEGAS

RUSSELL W. DORN, JR.
City Manager
ASHLEY HALL
Deputy City Manager
DON SAYLOR, AIA.
Deputy City Manager

DAN R. PILKINGTON
Director of General Services
J.E. (ED) PARK, CPPO
Chief, Purchasing &
Contracts Division

BID DOCUMENTS

INVITATION TO BID

Sealed bids for Bid No. 81.1230.14, for PUBLIC SALE OF THE CARSON AVENUE PARKING STRUCTURE OWNED BY THE CITY OF LAS VEGAS, will be received by the City of Las Vegas until 3:00 P.M., Las Vegas time June 30, 1981.

ALL BIDS MUST BE FILED AT THE OFFICE OF THE CITY CLERK
TOTH FLOOR, CITY HALL COMPLEX, PRIOR TO 3:00 P.M., ON
THE DATE ESTABLISHED ABOVE.

All documents pertinent to this advertisement may be examined and obtained at:

Office of the Purchasing and Contracts Division

Prospective bidders are instructed to read the attached form of proposed REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT carefully. This document constitutes the GENERAL CONDITIONS with respect to this Invitation to Bid, and the successful bidder will be required to perform all of the obligations of BUYER specified therein. Each bidder must state, both in writing and in figures, the gross amount of its bid for the purchase of the Carson Avenue Parking Structure from the City of Las Vegas; provided, however, that the minimum bid acceptable to the City of Las Vegas is the amount of Five Million Eight Hundred Thousand Dollars (\$5,800,000.00).

For the purpose of assisting the bidders in computing the amount of their bids, and for informational purposes only, the costs which the successful bidder, as BUYER, will be required to assume and pay pursuant to the attached AGREEMENT are estimated as follows:

Section 2.1 - Estimated Contract Cost (including land acquisition costs)	\$3,718,308
Sections 2.2 and 2.3 - Certified Contract Cost (over Estimated Contract Cost)	185,915
Section 2.4 - Bond Redemption Payment	1,575,900
Section 2.5 - Transaction Expenses	25,000
Section 2.6 - Cost Overruns	<u>232,843</u>
	\$5,737,966

Bids will be publicly opened and read aloud, immediately after the established closing time and date, in the Office of the Purchasing and Contracts Division, 1st Floor, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada.

Prospective bidders are requested to direct any questions concerning this bid to: J.E. Park, Chief, Purchasing and Contracts Division, at 386-6231, between the hours of 9:00 A.M., and 3:30 P.M., Monday through Friday.

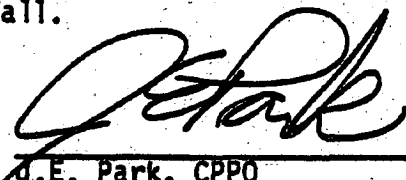
CITY COMMISSION MINUTES AUGUST 19, 1981

~~The prospective bidders are also advised that the contract will be awarded, if at all, only upon the approval of the Bidder and the final form of the REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT by both the Board of City Commissioners of the City of Las Vegas and the Board of County Commissioners of the County of Clark.~~ The prospective bidders are also advised that the contract will be awarded, if at all, only upon the approval of the Bidder and the final form of the REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT by both the Board of City Commissioners of the City of Las Vegas and the Board of County Commissioners of the County of Clark. Each bidder must deposit with its bid, security in the amount of Ten Thousand Dollars (\$10,000.00) in the form of a cashier's check or bid bond.

No bidder may withdraw his bid for a period of forty-five (45) calendar days after the actual date of the bid opening.

A pre-bid conference concerning this Invitation will be held on June 22, 1981, at 9:00 A.M., in the Office of the Purchasing and Contracts Division Conference Room, 1st Floor, City Hall.

Dated June 5, 1981


J.E. Park, CPPO

Chief, Purchasing and Contracts Division

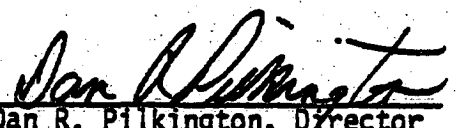

Dan R. Pilkington, Director
Department of General Services

EXHIBIT A

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P R O P O S A L

EXHIBIT A

Place CITY OF LAS VEGAS NEVADA

Date: _____

Bid No. 81.1230.14

Proposal of _____ hereinafter called "Bidder", a corporation organized and existing under the laws of the State of _____, a partnership, an individual doing business as _____.*

To: THE CITY OF LAS VEGAS, NEVADA

Gentlemen:

The Bidder, in compliance with your Invitation to Bid for the purchase of the Carson Avenue Parking Structure, having carefully read the attached REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT and related documents, having visited the site of the Carson Avenue Parking Structure and being familiar with all of the conditions surrounding the proposed sale of the Carson Avenue Parking Structure, hereby proposes to purchase the Carson Avenue Parking Structure from the City of Las Vegas in accordance with the Contract Documents, including the attached proposed form of REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT and this proposal, for the total purchase price of _____ (\$ _____).

The Bidder hereby agrees, upon its receipt of a written demand therefor by Clark County, Nevada, to deliver to Clark County the irrevocable letter of credit required by Section 2.1 of the attached REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT and fully to perform and satisfy all of the obligations of BUYER in the manner and at the times specified in said Agreement.

The Bidder acknowledges receipt of the following addenda:

The Bidder understands that the minimum bid acceptable to the City of Las Vegas for the Carson Street Parking Structure is the amount of Five Million Eight Hundred Thousand Dollars (\$5,800,000.00), that the Board of City Commissioners reserves the right to reject any or all bids and to waive any informality in any bid and that the contract will be awarded, if at all, only upon the approval of the Bidder and the final form of the REAL ESTATE EXCHANGE AND BOND REDEMPTION AGREEMENT by both the Board of City Commissioners of the City of Las Vegas and the Board of County Commissioners of the County of Clark.

The Bidder agrees that its bid shall be good and may not be withdrawn for a period of forty-five (45) calendar days after the scheduled closing time for receiving bids.

*Indicate corporation, partnership or individual, as appropriate, by striking inapplicable language.

Upon receipt of the written notice of acceptance of its bid, the Bidder will execute the formal Agreement, in substantially the form attached hereto, within fifteen (15) calendar days. The bid security attached in the sum of Ten Thousand Dollars (\$10,000.00) is to become the property of the City of Las Vegas in the event that the Agreement is not executed within the time above set forth, as liquidated damages for the delay and additional expense to the City of Las Vegas caused thereby.

Respectfully submitted:

By: _____
(Title)

(Business Street Address)

(City, State and Zip)

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EXHIBIT A

EXHIBIT A

REAL ESTATE EXCHANGE
AND
BOND RETIREMENT AGREEMENT

PREAMBLE

THIS AGREEMENT, made and entered into on this ____ day of _____, 1981, by and among _____, (hereinafter called "BUYER"), THE COUNTY OF CLARK, a political subdivision of the State of Nevada (hereinafter called "CLARK COUNTY"), and THE CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter called "LAS VEGAS"), all of the foregoing sometimes hereinafter referred to singly as "Party" and collectively as "Parties".

W I T N E S S E T H

WHEREAS, CLARK COUNTY currently contemplates and is in the process of planning the construction of a major new parking facility to accommodate its need to provide downtown parking for its employees, to provide both ready access to its facilities and to provide convenient parking for citizens of Southern Nevada who have business with the Clark County offices; and

WHEREAS, it appears necessary and in the best interests of LAS VEGAS and its inhabitants to improve, extend, and better the existing parking system of LAS VEGAS by the addition of new and additional parking facilities in the downtown area; and

WHEREAS, the parking facilities in the downtown area with immediate access to commercial and governmental facilities are congested and inadequate, thereby inhibiting the continued growth, viability, and attractiveness of LAS VEGAS, its commercial businesses, and the public's access to governmental facilities in the downtown area; and

EXHIBIT A

WHEREAS, the requirements of LAS VEGAS' Off-Street Parking Revenue and General Obligation Bonds, Series February 1, 1966 (the "Bonds" herein) continue to impose a substantial burden and drain upon its financial resources; and

WHEREAS, the consolidation and mutual operation of a combined expanded new parking facility by CLARK COUNTY and LAS VEGAS will provide significant economies of scale and benefits for their respective workers, inhabitants, and visitors; and

WHEREAS, BUYER is willing to advance the significant sums necessary to retire the Bonds and is also willing to assist and facilitate in the construction of a larger and more efficient parking facility than was previously contemplated by CLARK COUNTY, thereby also securing for itself better and more convenient parking;

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the Parties agree as follows:

ARTICLE I

DEFINITIONS

Unless the context otherwise specifies or requires, the terms defined in this Article I shall, for the purposes of this Agreement, have the following meanings:

Section 1.1 Bond Counsel. The law firm of Sherman & Howard, 2900 First of Denver Plaza, 633 Seventeenth Street, Denver, Colorado, 80202, which has represented LAS VEGAS with regard to matters involving the Bonds.

Section 1.2 Bonds. The City of Las Vegas, Nevada, Off-Street Parking Revenue and General Obligation Bonds, Series February 1, 1966, in the principal amount of Five Million Dollars (\$5,000,000.00), of which One Million Five Hundred Seventy Five Thousand Nine Hundred Dollars (\$1,575,900.00) is still outstanding as of the date of execution of this Agreement.

EXHIBIT A

Section 1.3 Bridger Street Parking Garage. The new parking garage being constructed by CLARK COUNTY, located on Casino Center Boulevard between Lewis and Bridger Streets.

Section 1.4 Carson Street Garage. The six (6) story parking garage owned by LAS VEGAS and located on Carson Avenue between Second and Third Streets, including the North-South alleyway passing through the center of the building on the first story, as more particularly described in Schedule "A" attached hereto and by this reference made a part hereof.

Section 1.5 Certified Contract Cost. The amount certified to BUYER and LAS VEGAS by CLARK COUNTY, pursuant to Section 3.2, as the actual cost to acquire, construct and equip the Las Vegas Interests, including a detailed breakdown and explanation of the elements thereof.

Section 1.6 City Commission. The Board of Commissioners of LAS VEGAS, which board is the governing authority of the City of Las Vegas.

Section 1.7 Closing Date. The Closing Date of the escrow through which the Parties will consummate this transaction shall be ninety (90) days after the Completion Date, or at such earlier date after the Completion Date as the Parties may hereafter agree upon. The Closing Date as herein established or as subsequently agreed upon among the Parties shall be designated by the BUYER to the Title Company, as escrow holder, by giving written notice thereof at least twenty (20) days before the Closing Date.

Section 1.8 Common Areas. Those portions of the Bridger Street Parking Garage which are the subject matter of common ownership by CLARK COUNTY and LAS VEGAS pursuant to Section 3.4(a), including without limitation the real property, structure, elevators, and easements (including all Common Areas and necessary easements and rights for ingress, egress, and support appurtenant to the Garage and to each parking place situate therein), which

EXHIBIT A

said Areas, other than the real property, are more particularly described in Schedule "B" attached hereto and by this reference made a part hereof.

Section 1.9 Completion Date. The date on which the construction of the Bridger Street Parking Garage is complete and that structure has been finally accepted by CLARK COUNTY, thus becoming fully accessible for general use and occupancy.

Section 1.10 Cost Overrun. The amount by which the actual construction costs of the Las Vegas Interests exceeds the Estimated Contract Cost for those interests.

Section 1.11 County Commission. The Board of Commissioners of CLARK COUNTY, which board is the governing authority of Clark County, Nevada.

Section 1.12 Estimated Contract Cost. The amount which CLARK COUNTY represents as the estimated cost to BUYER to acquire, construct and equip the Las Vegas Interests, including a detailed breakdown and explanation of the elements thereof.

Section 1.13 Las Vegas Interests. The collective reference to and designation of the Public Parking Facilities and LAS VEGAS' interest in the Common Areas, based upon the proportion that the number of parking spaces in the Public Parking Facilities bears to the total number of parking spaces in the Bridger Street Parking Garage.

Section 1.14 Public Parking Facilities. Those portions of the Bridger Street Parking Garage which are to be owned and operated by LAS VEGAS as parking spaces for public off-street parking, as more particularly described in Schedule "C" attached hereto and by this reference made a part hereof.

Section 1.15 Title Company. A reputable title company, reasonably acceptable to all Parties, to be designated by BUYER at a later date, which company shall open an escrow for this transaction and handle the technical requirements associated

with said escrow and the closing of the transactions contemplated hereunder.

ARTICLE II

OBLIGATIONS AND RIGHTS OF BUYER

Section 2.1 Irrevocable Letter of Credit. Immediately upon the execution of this Agreement, BUYER shall deliver to CLARK COUNTY, on behalf of LAS VEGAS, an irrevocable letter of credit, issued by a banking institution acceptable to CLARK COUNTY, in the amount of the Estimated Contract Cost, which irrevocable letter of credit shall approximate, in form and substance, the specimen attached hereto and labeled Schedule "D" and shall provide that, upon demand by CLARK COUNTY to the issuing bank, which demand shall be accompanied by the Project Architect's approval of payment statement showing the actual need for the expenditure of funds for work performed on or equipment installed in the Public Parking Facilities or for LAS VEGAS' proportionate share of expenditures of funds for work performed on or equipment installed in the Common Areas, said bank shall immediately pay over to CLARK COUNTY the sum demanded. Funds advanced pursuant to this letter of credit shall be used solely for payment for work or equipment actually performed or installed in the construction of the Public Parking Facilities or for the payment of LAS VEGAS' proportionate share of the amount due and owing by CLARK COUNTY with respect to work or equipment actually performed on or installed in the Common Areas. To the extent that any payment has been made or is due and owing by CLARK COUNTY for work already performed or equipment already installed in the Public Parking Facilities or in the Common Areas, then, on the effective date of this Agreement, CLARK COUNTY shall be entitled to immediate payment of such sums, or LAS VEGAS' proportionate share thereof, as the case may be, from said bank.

Section 2.2 Buyer's Right to Terminate. BUYER shall, at its sole option, have the right, without liability, to terminate this Agreement, including its obligation to purchase the Carson Street Garage, and to secure the return of its letter of credit from CLARK COUNTY, at any time within ten (10) calendar days after CLARK COUNTY has provided BUYER and LAS VEGAS with the Certified Contract Cost, if, and only if, the Certified Contract Cost exceeds the Estimated Contract Cost by more than five percent (5%).

Section 2.3 Letter of Credit Adjustment. If BUYER elects to proceed, BUYER shall immediately provide CLARK COUNTY with an additional irrevocable letter of credit in the amount by which the Certified Contract Cost exceeds the Estimated Contract Cost, which letter of credit shall be issued by a banking institution, and be in a form, acceptable to CLARK COUNTY and which shall be used only in accordance with the requirements of Section 2.1.

Section 2.4 Bond Redemption Payment. On or before December 15, 1981, or such later date as the Parties may hereafter agree upon, BUYER will pay directly to LAS VEGAS the sum certified by LAS VEGAS as necessary for the purpose of calling and redeeming all remaining outstanding Bonds, which sum shall not exceed

Section 2.5 Transaction Expenses. BUYER shall pay all the expenses of escrow and closing, other than the expenses of title insurance (which shall be paid in accordance with Section 6.3), as well as all expenses incurred by LAS VEGAS or BUYER with regard to the transfer of the Carson Street Garage to BUYER or the transfer of the Public Parking Facilities and LAS VEGAS' interest in the Common Areas of the Bridger Street Parking Garage to LAS VEGAS, attorney's fees (including expressly, but without limitation as to fees for other counsel, the fees for Bond Counsel), and the costs of any reasonably necessary studies or appraisals.

EXHIBIT A

Section 2.6 Cost Overruns. If the actual construction costs allocable to the Las Vegas Interests exceed the Certified Contract Cost for those interests, BUYER hereby agrees to pay an additional amount, not to exceed fifteen (15) percent of the Estimated Contract Cost, exclusive of any amount thereof attributable to land acquisition costs, in payment of such Cost Overruns. To the extent that such Cost Overruns exceed fifteen (15) percent of the Estimated Contract Cost for the Las Vegas Interests, exclusive of any amount attributable to land acquisition costs, they shall become the sole obligation and expense of CLARK COUNTY.

Section 2.7 Residual Payment. Prior to the Closing Date, BUYER shall pay into escrow, for payment to LAS VEGAS, the amount of its bid, a copy of which is attached as Schedule "E" hereto and by this reference made a part hereof, as submitted to LAS VEGAS and accepted by LAS VEGAS upon entering into this Agreement (which amount shall not be less than Five Million Eight Hundred Thousand Dollars (\$5,800,000)) less the amounts actually expended by BUYER pursuant to Sections 2.1, 2.3, and 2.4 and one-half (1/2) of the amounts actually expended by BUYER pursuant to Sections 2.5, and 2.6. Except as provided in subsection 2 of Section 12.2, BUYER'S aggregate liability to CLARK COUNTY and LAS VEGAS shall not exceed the amount of its bid.

ARTICLE III

OBLIGATIONS OF CLARK COUNTY

Section 3.1 Certification of Estimated Contract Cost. CLARK COUNTY hereby certifies, in accordance with the calculations contained in the attached Schedule "F" attached hereto and by this reference made a part hereof, that an accurate and true estimate of the cost of acquiring, constructing and equipping the Las Vegas Interests is _____ Dollars (\$ _____).

EXHIBIT A

Section 3.2 Certification of Certified Contract Cost.

Within ten (10) calendar days after the award of the primary contract for the construction of the Bridger Street Parking Garage, or upon the signing of this Agreement, whichever is later, CLARK COUNTY shall certify to LAS VEGAS and BUYER the Certified Contract Cost as defined in Section 1.4, including a statement of prorated cost per each parking space sought by LAS VEGAS.

Section 3.3 Construction of Parking Facility.

(a) Prior to the Closing Date, and as a condition thereof, CLARK COUNTY shall procure and deliver to LAS VEGAS: (1) a certificate, duly executed by the architect in charge of construction, attesting to the fact that the Bridger Street Parking Garage has been completed substantially in accordance with all contracts, plans, and specifications; (2) a certificate of occupancy; and (3) the affidavit of the general contractor, together with all appropriate documentation or invoices for such work and materials, verifying the completion of construction and to the payment in full of all work, labor, services, and material, as well as an acknowledgment by such general contractor in such affidavit that it has been paid in full for its services and costs, including but not limited to any contractually allowed cost overruns.

(b) CLARK COUNTY hereby covenants and agrees that the work in constructing the Bridger Street Parking Garage shall be of workmanlike quality.

(c) Until the Closing Date, LAS VEGAS shall have no control over any portion of the premises of the Bridger Street Parking Garage. CLARK COUNTY assumes full responsibility and the entire liability for any and all damage or injury of any kind whatsoever to any and all persons, whether employees or otherwise, and to all property, arising from or connected with the operation of such premises or the construction and operation thereof prior to the Closing Date. CLARK COUNTY shall indemnify and hold

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harmless LAS VEGAS and BUYER and their agents, servants, and employees, of and from any and all liability, loss, expense (including reasonable attorney's fees), or damages arising out of or in connection with the foregoing. Nothing herein contained shall be deemed to relieve CLARK COUNTY of any of its obligations under this Agreement or to affect LAS VEGAS' right of inspection with respect to the construction as herein provided.

(d) At all times during the construction of the Bridger Street Parking Garage and up to and including the Closing Date, CLARK COUNTY shall maintain and keep in full force and effect, or require to be maintained and kept in full force and effect by its contractor, valid and enforceable policies issued by insurance companies of recognized responsibility doing business in the State of Nevada, which companies shall be reasonably satisfactory to LAS VEGAS and BUYER, providing the following coverages:

- (1) general public liability insurance against any and all claims for personal injury, death, or property damage occurring in or about the premises or the adjacent streets and sidewalks, in an amount not less than One Million Dollars (\$1,000,000.00) in respect of bodily injury or death to any one person, in an amount not less than Five Million Dollars (\$5,000,000.00) in respect of bodily injury or death to any number of persons arising out of one accident or disaster, in an amount not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) in respect of damage to or destruction of property arising out of any one claim, and in an amount not less than Two Million Dollars (\$2,000,000.00) in respect of damage to or destruction of property arising out of any number of claims arising out of any one accident, together with any necessary endorsement thereon covering the additional risks during the course of the construction of the contemplated facility;

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- (2) fire, casualty, and extended coverage insurance for the full replacement cost, including coverage for any work in progress during the course of construction, of the real property constituting the Bridger Street Parking Garage and reasonable amounts of personal property located at the site.

Both LAS VEGAS and BUYER shall be named as additional named insureds on all such policies, and such policies shall not be cancellable until LAS VEGAS and BUYER have been given thirty (30) days advance notice in writing of such cancellation by the insurance company issuing the policies in question. Should such cancellation occur, CLARK COUNTY shall obtain, or cause its contractor immediately to obtain, new coverage in like amount.

(e) During the course of construction of the Bridger Street Parking Garage, LAS VEGAS and its supervising architects, engineers, or other authorized agents may enter and inspect the premises for the limited purpose of determining whether the work performed or being performed conforms with all underlying plans and specifications and the terms of this or any subsequent agreement. CLARK COUNTY shall keep at the construction site all such plans, specifications, and shop drawings relating to the construction, which LAS VEGAS or its architects, engineers, or other authorized agents may examine at all reasonable times. If during construction, LAS VEGAS, or its architects, engineers, or other authorized agents shall reasonably determine that such construction is not proceeding in accordance with such plans and specifications or the terms of this or any subsequent agreement, and if LAS VEGAS shall give written notice to CLARK COUNTY specifying the particular deviation, deficiency, or omission, CLARK COUNTY forthwith shall take such steps as shall be necessary to cause its contractor, at said contractor's own expense, to correct such deviation, deficiency, or omission.

(f) CLARK COUNTY, on the Closing Date, will deliver

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to LAS VEGAS its written guaranty that, for a period of two years from the date of the completion of the Bridger Street Parking Garage, the general contractor, at its own cost and expense, will make all necessary repairs, replacements, and corrections of any nature or description, interior or exterior, structural or nonstructural, as shall become necessary by reason of faulty construction, labor, or materials. It is the intention of the Parties with respect to such guaranty that, in the event the general contractor shall fail or refuse to make such repairs, replacements, and corrections, CLARK COUNTY shall become responsible, at its own cost and expense, for procuring such repairs, replacements, and corrections, in the place and instead of the general contractor.

Section 3.4 Transfers to LAS VEGAS. On or before the Closing Date, CLARK COUNTY will deposit into escrow for transfer to LAS VEGAS the following documents:

(a) A Quitclaim Deed transferring to LAS VEGAS an interest in fee in and to the Public Parking Facilities, as more fully described in Schedule "B" (representing the parking spaces to be owned by LAS VEGAS), and an undivided interest in and to the Common Areas, including the real property, structure, and easements (including all Common Areas and necessary rights of ingress and egress to the Garage and the parking spaces owned by LAS VEGAS), said undivided interest to be owned and held by CLARK COUNTY and LAS VEGAS as tenants in common in proportion to the number of parking spaces in the Bridger Street Parking Garage which are owned by each Party. A non-exclusive easement for ingress, egress, and support through the Common Areas is appurtenant to each parking space owned by CLARK COUNTY and LAS VEGAS, and the Common Areas, including elevators, are subject to such easement.

(b) A Bill of Sale transferring to LAS VEGAS title in and to all items of personal property located in the Public

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Parking Facilities and title in and to such items of personal property located in the Common Areas as may be necessary to the use, operation, and maintenance of the Public Parking Facilities.

Section 3.5 Partition. Unless otherwise provided for in the interlocal agreement between LAS VEGAS and CLARK COUNTY as required pursuant to Sections 3.6 and 4.3 hereof, CLARK COUNTY or LAS VEGAS shall be entitled to seek partition of the Bridger Street Parking Garage only upon the showing that:

(1) Three years after destruction of or damage to the Garage, which has rendered a material part thereof unfit for such use as was made thereof prior to such destruction or damage, the Garage, or affected portion thereof, has not been rebuilt or repaired substantially to its state prior to said destruction or damage by the Party having the responsibility to do so pursuant to said interlocal agreement;

(2) Three-fourths or more of the Garage has been destroyed or substantially damaged, and CLARK COUNTY, or its successors in interest, is opposed to the repair or restoration of the Garage; or

(3) The Garage has been in existence in excess of fifty (50) years and is at that time obsolete and uneconomic, and CLARK COUNTY, or its successors in interest, is opposed to the repair or restoration of the Garage.

Section 3.6 Operation of The Bridger Street Parking Garage. CLARK COUNTY hereby covenants and agrees that, at the earliest possible date, it shall reach an interlocal agreement with LAS VEGAS concerning the mutual operation, maintenance, and repair (and such other matters as may be jointly agreed upon) of the Bridger Street Parking Garage, with an appropriate allocation of the expenses thereof. In this connection, it is understood and agreed that LAS VEGAS shall be obligated to provide personnel to staff and operate the Public Parking Facilities

and that CLARK COUNTY shall be solely responsible for the operation, maintenance, and repair of its portion of the Bridger Street Parking Garage constructed for the purpose of providing parking for its employees.

ARTICLE IV

OBLIGATIONS OF LAS VEGAS

Section 4.1 Retirement of Bonds. On February 1, 1982, or such later date as the Parties may hereafter agree upon, LAS VEGAS will call and redeem all of its outstanding indebtedness under the Bonds.

Section 4.2 Title to the Carson Street Garage to be Placed in Escrow. On or before the Closing Date, LAS VEGAS will deposit into the escrow established pursuant hereto, for transfer to BUYER, a Quitclaim Deed to the Carson Street Garage, including all fixtures and improvements, duly executed and acknowledged and in recordable form sufficient to convey all of LAS VEGAS' right, title and interest therein to BUYER; provided, however, that said deed shall contain a restriction and covenant essentially in the form as hereinafter set forth, which said restriction and covenant shall run with the land and shall bind BUYER and any and all of its successors in interest as regards the Carson Street Garage or portion thereof. Said restriction and covenant shall read essentially as follows:

During the first ten (10) years following the date of this deed, the Carson Street Garage shall be used solely for parking purposes. GRANTEE, its successors and assigns shall be entitled to make improvements or alterations to the appearance and structure of the premises, either to facilitate its operation or to assist in the integration of the structure into the operation of such other facilities as GRANTEE may have in its immediate vicinity. Such improvements and alterations shall in no event, however, result in the reduction of parking spaces below eighty percent (80%) of the number available as of the date hereof. Subsequent to expiration of the ten (10) year restriction provided for herein, GRANTEE, its successors and assigns shall hold fee simple absolute title to the Carson Street Garage, unencumbered by any restriction or covenant as regards its application, use, or alteration.

In addition, LAS VEGAS will simultaneously place into such escrow a Bill of Sale to any item of personal property located in the Carson Street Garage and necessary to the operation and maintenance thereof, free of all liens and encumbrances, for transfer to BUYER.

Section 4.3 Operation of The Bridger Street Parking Garage. LAS VEGAS hereby covenants and agrees that, at the earliest possible date, it shall reach an interlocal agreement with CLARK COUNTY concerning the mutual operation, maintenance, and repair (and such other matters as may be jointly agreed upon) of the Bridger Street Parking Garage, with an appropriate allocation of the expenses thereof. In this connection, it is understood and agreed that LAS VEGAS will be obligated to provide personnel to staff and operate the Public Parking Facilities and that CLARK COUNTY shall be solely responsible for the operation, maintenance, and repair of its portion of the Bridger Street Parking Garage constructed for the purpose of providing parking for its employees.

ARTICLE V

CONDITIONS PRECEDENT

Section 5.1 Approval by County Commission. The right of CLARK COUNTY to draw upon the irrevocable letter of credit provided for in Section 2.1 is conditioned upon the prior approval by the County Commission of all of the terms of this Agreement, including a specific authorization, backed by a pledge of the full faith and credit of CLARK COUNTY, to complete the Bridger Street Parking Garage as contemplated by this Agreement, including the transfer to LAS VEGAS, by Deed and Bill of Sale, to the Public Parking Facilities and LAS VEGAS' interest in and to the Common Areas and to all items of personal property located in the Public Parking Facilities and in the Common Areas as may be necessary to the use, operation and maintenance of the Public Parking Facilities, and, also, to honor and pay for any damages or other judgment awarded by a court of competent jurisdiction

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resulting from a breach by CLARK COUNTY of this Agreement.

Section 5.2 Opinion of Bond Counsel. All rights of LAS VEGAS hereunder are conditioned upon its having procured, by the date of signing of this Agreement, from Bond Counsel an opinion to the effect that the call and redemption of the Bonds will free LAS VEGAS from any encumbrance or obligation with respect thereto.

Section 5.3 Approval by City Commission. All rights of LAS VEGAS hereunder are conditioned upon the prior approval by the City Commission of all of the terms of this Agreement, including a specific authorization, backed by a pledge of the full faith and credit of LAS VEGAS, to transfer to BUYER, by Deed and Bill of Sale, the Carson Street Garage and associated personal property, and, also, to honor and pay for any damages or other judgment awarded by a court of competent jurisdiction resulting from a breach by LAS VEGAS of this Agreement.

Section 5.4 Agreement Authorized by LAS VEGAS. LAS VEGAS covenants and agrees to provide to BUYER an opinion from its City Attorney, within 90 days after the signing of this Agreement, to the effect that this Agreement and all other documents to be delivered by LAS VEGAS to BUYER, upon the signing of this Agreement or at the close of escrow, have been or will be duly authorized, executed, and delivered by LAS VEGAS, are or will be legal, valid, and binding obligations of LAS VEGAS, sufficient to convey title, are or will be enforceable in accordance with their respective terms, and do not or will not violate any provision of any agreement to which LAS VEGAS is a party or of any charter, article, ordinance, regulation or bylaw of LAS VEGAS or of any other relevant governmental authority.

Section 5.5 Agreement Authorized by CLARK COUNTY. CLARK COUNTY covenants and agrees to provide to LAS VEGAS an opinion from the Clark County District Attorney, within ninety (90) days after the signing of this Agreement, to the effect

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that this Agreement and all other documents to be delivered by CLARK COUNTY to LAS VEGAS or BUYER, upon the signing of this Agreement or at the close of escrow, have been or will be duly authorized, executed, and delivered by CLARK COUNTY, are or will be legal, valid, and binding obligations of CLARK COUNTY, sufficient to convey title, are or will be enforceable in accordance with their respective terms, and do not or will not violate any provision of any agreement to which CLARK COUNTY is a party or of any charter, article, ordinance, regulation or bylaw of CLARK COUNTY or of any other relevant governmental authority. Furthermore, CLARK COUNTY expressly represents that its execution of this Agreement is duly authorized and has been perfected in accordance with NRS 244.320.

ARTICLE VI

ESCROW

Section 6.1 Establishment of Escrow. Within twenty (20) days following the execution of this Agreement, the Parties shall cause an escrow to be opened at the Title Company, which shall be selected by BUYER pursuant to Section 1.13, for the purpose of carrying out the provisions of this Agreement.

Section 6.2 Escrow Instructions. Each Party agrees to execute escrow instructions and any further instruments which may be necessary to consummate the transaction contemplated herein and effectively convey and assign to BUYER the Carson Street Garage and to LAS VEGAS the Public Parking Facilities and LAS VEGAS' interest in the Common Areas of the Bridger Street Parking Garage as outlined hereinbefore and to deposit into escrow all sums and documents which said escrow instructions shall call upon them to deposit from time to time.

Section 6.3 Title Insurance. On the close of escrow, BUYER shall furnish, at its expense, policies of title insurance issued by the Title Company, which BUYER feels are adequate to insure the title of BUYER in the Carson Street Garage.

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Section 6.4 Closing Date. The Closing Date of the escrow shall be determined in accordance with Section 1.7. CLARK COUNTY acknowledges that the Closing Date is important to both LAS VEGAS and BUYER, and LAS VEGAS acknowledges that the Closing Date is important to BUYER. Therefore, all Parties agree that time shall be of the essence of this Agreement with reference to the Closing Date. In the event of the failure of the escrow to close on or before the Closing Date, damages may be awarded to one or more of the Parties pursuant to the damage provision hereof.

Section 6.5 Escrow Instructions Supplemental. The Parties hereto do not intend that either the escrow instructions or the actions of the Parties in executing the same shall supersede or be construed as superseding this Agreement, but such escrow instructions shall be deemed as merely supplemental to this Agreement and a means of carrying out and consummating the transaction provided for in this Agreement.

ARTICLE VII

REPRESENTATIONS BY LAS VEGAS

LAS VEGAS has made diligent inquiry and is informed and believes and therefore represents to BUYER and CLARK COUNTY as follows:

Section 7.1 No Defects. The Carson Street Garage is free of any material physical or mechanical defect.

Section 7.2 Operation Legal. Neither the Carson Street Garage nor the continued operation thereof, as contemplated by BUYER, violates in any way any law, regulation, or building code.

Section 7.3 Proper Documentation. All documents to be delivered to BUYER pursuant to this Agreement are or will be originals or true and correct copies of originals and will represent truly the factual matters stated therein.

Section 7.4 No Condemnation or Special Assessment.

There is not presently pending any special assessment or condemnation action against the Carson Street Garage or any part thereof, nor has LAS VEGAS received any notice that any special assessment or condemnation action is contemplated.

Section 7.5 Utilities. All water, sewer, gas, electric, telephone, and drainage facilities, and all other utilities required by law or by the normal operation of the Carson Street Garage, are installed to the property lines of, and are connected to, the Carson Street Garage, including all improvements with any valid and necessary permits, and are adequate to service the Carson Street Garage and permit full compliance with all requirements of law and the normal usage demands for the facility.

Section 7.6 Permits and Easements. LAS VEGAS has all appropriate licenses, permits, easements and rights of way, including proof of dedications, building permits, and occupancy permits, which are required from any governmental authority having jurisdiction over the Carson Street Garage, or from any private party, as are necessary in the use of the Carson Street Garage in order to assure adequate vehicular and pedestrian ingress and egress to and from the Carson Street Garage.

Section 7.7 No Liens. As of the close of escrow, there will be no outstanding contract made by LAS VEGAS for any improvement to the Carson Street Garage which has not been fully paid, and LAS VEGAS shall cause to be discharged all mechanics' and materialmen's liens arising from any labor and material furnished with respect to the Carson Street Garage prior to or at closing.

ARTICLE VIII**REPRESENTATIONS BY CLARK COUNTY**

CLARK COUNTY has made diligent inquiry and is informed and believes and therefore represents to BUYER and LAS VEGAS as follows:

Section 8.1 No Defects. The Bridger Street Parking Garage is and shall be free of any material physical or mechanical

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defect.

Section 8.2 Operation Legal. Neither the Bridger Street Parking Garage nor the operation, in cooperation with LAS VEGAS, of portions thereof will violate in any way any law, regulation, or building code.

Section 8.3 Proper Documentation. All documents to be delivered to LAS VEGAS or BUYER pursuant to this Agreement are or will be originals or true and correct copies of originals and will represent truly the factual matters stated therein.

Section 8.4 No Condemnation or Special Assessment. There is not presently pending any special assessment or condemnation action against the Bridger Street Parking Garage or any part thereof, nor has CLARK COUNTY received any notice that any special assessment or condemnation action is contemplated.

Section 8.5 Utilities. All water, sewer, gas, electric, telephone, and drainage facilities, and all other utilities required by law or by the normal operation of the Bridger Street Garage, shall be installed to the property lines of, and shall be connected to, the Bridger Street Parking Garage, including all improvements with any valid and necessary permits, and shall be adequate to service the Bridger Street Parking Garage and permit full compliance with all requirements of law and the expected usage demands of the facility.

Section 8.6 Permits and Easements. CLARK COUNTY has or will have all appropriate licenses, permits, easements and rights of way, including proof of dedications, building permits, and occupancy permits, which are required from any governmental authority having jurisdiction over the Bridger Street Parking Garage, or from any private party, as shall be necessary in the use of the Bridger Street Parking Garage by either CLARK COUNTY or LAS VEGAS, or both, in order to insure adequate vehicular and pedestrian ingress and egress to and from the Bridger Street Parking Garage and the respective portions thereof.

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Section 8.7 No Liens. As of the close of escrow, there will be no outstanding contract made by CLARK COUNTY for any improvement to the Bridger Street Parking Garage which has not been fully paid, and CLARK COUNTY shall cause to be discharged all mechanics' and materialmen's liens arising from any labor and material furnished with respect to the Bridger Street Parking Garage prior to or at closing.

ARTICLE IX

UNENCUMBERED TITLE TO CARSON STREET GARAGE

Section 9.1 Liens and Encumbrances. The transfer to BUYER of title to the Carson Street Garage as contemplated herein shall be free and clear of all liens and encumbrances, excepting the restrictive covenant set forth in Section 4.2, of any type whatsoever, except to the extent that such encumbrances may be recognized or acknowledged herein and do not adversely affect the contemplated use by BUYER of said Carson Street Garage.

ARTICLE X

UNENCUMBERED TITLE TO BRIDGER STREET PARKING GARAGE

Section 10.1 Liens and Encumbrances. The title that LAS VEGAS is to receive of the Public Parking Facilities and its interest in the Common Areas of the Bridger Street Parking Garage as contemplated herein shall be free and clear of all liens and encumbrances of any type whatsoever, except to the extent that such encumbrances may be recognized or acknowledged herein and do not adversely affect the contemplated use by LAS VEGAS of the Public Parking Facilities and LAS VEGAS' interest in Common Areas.

ARTICLE XI

RISK OF LOSS AS REGARDS THE CARSON STREET GARAGE

Section 11.1 BUYER'S Obligation to Proceed. BUYER shall be bound to fulfill its obligations hereunder and to acquire the Carson Street Garage, as required by the terms hereof, without regard to the occurrence or effect of any damage to or destruction

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of the Carson Street Garage, or any improvements thereon, prior to the Closing Date, provided that:

(a) The cost of repairing any such damage or destruction does not exceed One Hundred Thousand Dollars (\$100,000.00); and

(b) Upon the close of escrow BUYER shall be credited, against the sums required under Article II, for the full amount of any insurance proceeds collected by LAS VEGAS as a result of such damage or destruction, or, to the extent that they may not have been so collected, such proceeds shall be assigned to BUYER in abatement or in lieu of any such credit. If LAS VEGAS is not insured to the full extent of any such loss, LAS VEGAS shall credit BUYER, as against the sums required under Article II, with an amount fully compensating for such uninsured damage, to the extent of any sums expended by BUYER in repairing the same, which is not otherwise reimbursed.

Section 11.2 BUYER'S Right to Terminate. Should the cost of repairing any such damage or destruction exceed One Hundred Thousand Dollars (\$100,000.00), BUYER may, at its option exercisable at any time within thirty (30) calendar days after such damage or destruction, either terminate this Agreement and all its obligations hereunder or consummate the transaction contemplated herein. If BUYER elects to terminate this Agreement, LAS VEGAS shall be obligated to pay over (or assign to the extent not theretofore collected) any and all insurance proceeds it may have received with regard to the Carson Street Garage, to the extent of any sums expended by BUYER pursuant to Section 2.4 and payment or assignment hereunder shall relieve LAS VEGAS from any further obligation under this Agreement. If BUYER elects to proceed with this Agreement, however, all insurance proceeds shall be paid over to BUYER (or assigned to the extent not theretofore

collected), to the extent of any such sums expended by BUYER pursuant to this Agreement, less only such monies actually expended by LAS VEGAS to repair the damage. If LAS VEGAS is not insured for any loss or to the full extent of any loss resulting from the occurrence or effect of any damage to or destruction of the Carson Street Garage, or improvements thereon, LAS VEGAS agrees:

(a) Should BUYER elect to terminate this Agreement, to repay BUYER for all sums expended by BUYER pursuant to Section 2.4 which are not otherwise reimbursed by the insurance proceeds; or

(b) Should BUYER elect to proceed with the acquisition, to repay to BUYER an amount fully compensating for such uninsured damage, to the extent of any sums expended by BUYER pursuant to this Agreement, which are not otherwise reimbursed by the insurance proceeds.

Section 11.3 Alternative Right of BUYER. Should LAS VEGAS, for any reason neither occasioned by the default of either CLARK COUNTY or BUYER in the performance of their respective obligations under this Agreement nor occasioned by any of the reasons specified in Section 17.12, fail to transfer good and marketable title to the Carson Street Garage to BUYER on the Closing Date, BUYER, in its sole discretion, shall have the option, exercisable at any time prior to the actual transfer of said title, to declare as forfeited and void all interest, right, title, and equity, whether beneficial or legal, current or prospective, which LAS VEGAS may have acquired in the Bridger Street Parking Garage by virtue of this Agreement, in complete release and relinquishment of any right, title and interest BUYER may have or assert in and to the Carson Street Garage. In the event that BUYER exercises its option to declare such forfeiture, LAS VEGAS shall promptly repay to BUYER all sums expended by BUYER pursuant to Section 2.4.

CLARK COUNTY hereby covenants and agrees to refund to BUYER, within ninety (90) days after such declaration of forfeiture, an amount equal to all sums expended by BUYER pursuant to Sections 2.1, 2.3 and 2.6, plus interest at the rate of twelve percent (12%) per annum on such sums accruing from and after the date of such declaration of forfeiture. Upon the full refund by CLARK COUNTY of such sums (plus interest as aforesaid) expended by BUYER pursuant to Sections 2.1, 2.3 and 2.6, BUYER hereby agrees to forego and forever waive any and all claims, loss, damage, or expense which BUYER may have against CLARK COUNTY by virtue of this Agreement or CLARK COUNTY's performance hereunder. Any such release, however, shall be conditioned upon the full receipt by BUYER of all such sums. In the event that BUYER exercises its option to declare a forfeiture hereunder, any remaining obligations of BUYER, LAS VEGAS or CLARK COUNTY pursuant to Articles II, III, IV, VII, VIII, IX, or X hereof shall immediately cease to exist and become unenforceable; provided, however, that all other terms, conditions, and provisions of this Agreement shall remain fully valid and enforceable, save and except to the extent that the same are superseded by the releases hereinabove provided for, including, expressly but without limitation as to the applicability of other provisions, the damage provisions hereof.

ARTICLE XII

RISK OF LOSS AS REGARDS THE BRIDGER STREET PARKING GARAGE

Section 12.1 BUYER'S Obligation to Proceed. BUYER shall be bound to fulfill its obligations hereunder and to acquire for, in the name of, and on behalf of LAS VEGAS, the interests in the Bridger Street Parking Garage to be owned by LAS VEGAS, as required by the terms hereof, without regard to the occurrence or effect of any damage to or destruction of the Bridger Street

Parking Garage, or any improvements thereon, prior to the Closing Date, provided that:

(a) The cost of repairing any such damage or destruction does not exceed One Hundred Thousand Dollars (\$100,000.00); and

(b) Upon close of escrow, CLARK COUNTY shall pay to BUYER the full amount of any insurance proceeds collected by CLARK COUNTY as a result of such damage or destruction, or, to the extent that they may not have been so collected, such proceeds shall be assigned to BUYER. If CLARK COUNTY is not insured to the full extent of any such loss, CLARK COUNTY shall repay to BUYER an amount fully compensating for such uninsured loss, to the extent of any sums expended by BUYER in repairing the same, which is not otherwise reimbursed.

Section 12.2 BUYER'S Right to Terminate. 1. Should the cost of repairing any such damage or destruction exceed One Hundred Thousand Dollars (\$100,000.00), BUYER may, at its option exercisable at any time within thirty (30) calendar days after such damage or destruction, either terminate this Agreement and all of its obligations hereunder or consummate the transaction contemplated herein. If BUYER elects to terminate this Agreement, CLARK COUNTY shall pay over or assign to BUYER, from the proceeds of any insurance, an amount equal to all sums expended by BUYER pursuant to Sections 2.1, 2.3, and 2.6 up to the date of such damage or destruction, and LAS VEGAS shall repay BUYER for all sums expended by BUYER pursuant to Section 2.4. If BUYER elects to proceed with this Agreement, however, all of the insurance proceeds shall be paid into a special fund exclusively dedicated to and used for the reconstruction of the Bridger Street Parking Garage in accordance with the terms of this Agreement. If CLARK COUNTY is not insured for a loss or to the full extent of any loss resulting from the occurrence or effect of any damage

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to or destruction of the Bridger Street Parking Garage, or improvements thereon, CLARK COUNTY agrees:

(a) Should BUYER elect to terminate this Agreement, to pay to BUYER an amount equal to all sums expended by BUYER pursuant to Sections 2.1, 2.3, and 2.6 up to the date of such damage or destruction, which are not otherwise reimbursed by the insurance proceeds; or

(b) Should BUYER elect to proceed with the transaction, to pay into a special fund exclusively dedicated to and used for the reconstruction of the Bridger Street Parking Garage, in accordance with the terms of this Agreement, an amount equal to the sums expended by BUYER pursuant to Sections 2.1, 2.3, and 2.6, to the extent that such sums are not fully reimbursed by the insurance proceeds paid into said special fund.

2. It is understood and agreed that, should BUYER elect to proceed with this Agreement:

(a) Any costs incurred in the reconstruction of the Bridger Street Parking Garage pursuant to subsection 1 of this Section, over and above the amount of the insurance proceeds, shall be divided between CLARK COUNTY and BUYER in proportion to the number of parking spaces in the Garage to be owned by CLARK COUNTY and LAS VEGAS, respectively;

(b) BUYER shall be solely responsible for that portion of such costs which is attributed to the parking spaces to be owned by LAS VEGAS; and

(c) No portion of such costs shall be deducted from the Residual Payment provided for in Section 2.7 or otherwise be chargeable against or become the responsibility of LAS VEGAS.

ARTICLE XIII

REAL ESTATE BROKERS

Section 13.1 No Brokers. Other than as specifically provided herein to the contrary, no Party has had any contact or dealings

regarding the transaction contemplated herein, or any communication in connection therewith, through any licensed real estate broker or other person who can lawfully claim a right to a commission or finder's fee as a procuring cause of the transaction contemplated herein. In the event that any broker or finder perfects a claim for commission or finder's fee based upon such contract, dealings or communication, the Party through whom the broker or finder makes such claim shall indemnify, save harmless and defend either or both of the other Parties from said claim and all costs and expenses (including reasonable attorneys' fees) incurred by the other Parties in defending against the same.

ARTICLE XIV

CLOSING

Section 14.1 Closing. The Title Company shall close escrow on the Closing Date or on such earlier date as it is in the position to issue to LAS VEGAS and BUYER standard policies of title insurance upon the interests they are entitled to receive hereunder in the Bridger Street Parking Garage and Carson Street Garage, respectively, in amounts at least equal to the fair market values of such interests, showing titles thereof vested in LAS VEGAS and BUYER, respectively. Title Company shall complete the closing of escrow by:

- (a) Dating the Deeds as of the close of escrow;
- (b) Recording the Deeds;
- (c) Issuing title insurance as contemplated in this Agreement;
- (d) Delivering any other documents required hereunder;
- (e) Paying the balance required under Section 2.7 to LAS VEGAS, adjusted as specified by this Agreement.

Section 14.2 Prorations. Rents, taxes, utilities, service contracts, insurance policies, and any and all other periodic fees shall be prorated as of the close of escrow, with ordinary debits and credits according to accepted accounting practices.

Section 14.3 Possession. The right to possession of the Carson Street Garage shall transfer to BUYER at the close of escrow.

Section 14.4 Possession of Interest in the Bridger Street Parking Garage. All appropriate property and tenancy in common rights to the Bridger Street Parking Garage as provided for in this Agreement shall transfer to LAS VEGAS at the close of escrow.

ARTICLE XV

INDEMNITY

Section 15.1 Obligation of CLARK COUNTY. CLARK COUNTY agrees to hold LAS VEGAS and BUYER free and harmless from, and to indemnify and defend each and both of them against, any claim, loss, damage or expense arising out of or in connection with, or alleged to have arisen out of or in connection with, any activity or event related to or occurring on the premises of the Bridger Street Parking Garage prior to the Closing Date.

Section 15.2 Obligation of LAS VEGAS. LAS VEGAS agrees to hold CLARK COUNTY and BUYER free and harmless from, and to indemnify and defend each and both of them against, any claim, loss, damage or expense arising out of or in connection with, or alleged to have arisen out of or in connection with, any activity or event related to or occurring on the premises of the Carson Street Garage prior to the Closing Date.

ARTICLE XVI

DEFAULT AND DAMAGES

Section 16.1 Default. If any Party defaults in the performance of its obligations under this Agreement, any other Party hereto shall have, in addition to any other right available to it at law or in equity, the option of suing for specific performance.

Section 16.2 Damages. Should no Party elect to pursue the remedy of specific performance, any Party may, upon a

material default by another Party, sue for damages plus interest at the rate of fifteen percent (15%) from the time of such material default.

Section 16.3 Other Remedies. The exercise by any Party of its rights under Sections 16.1 and 16.2, or of any other right granted it by this Agreement, shall not constitute a waiver by said Party of any other remedy that law or equity may provide, and each Party shall remain free to pursue whatever remedies it feels are appropriate.

ARTICLE XVII

MISCELLANEOUS

Section 17.1 Notices. Any notice which may be necessary or appropriate to be given with regard to this Agreement shall be deemed given if given in writing and served either personally or delivered by mail, postage prepaid, addressed as follows:

TO: CLARK COUNTY
c/o County Manager
200 East Carson Avenue
Las Vegas, Nevada 89101

TO: City of Las Vegas
c/o City Manager
400 E. Stewart Avenue
Las Vegas, Nevada 89101

TO BUYER

Notices shall be deemed received as of the actual receipt thereof or three (3) business days following the mailing thereof, whichever first occurs.

Section 17.2 Entire Agreement. This Agreement, together with the Schedules appended hereto, contains all of the representations of and the entire understanding among the Parties with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are replaced in total by this Agreement and the attached Schedules.

Section 17.3 Time. Time is of the essence in the performance of the Parties' respective obligations herein contained.

Section 17.4 No Merger. The obligations herein contained, including, but not limited to, any and all warranties, shall not merge with transfers of title herein contemplated, but shall remain in effect until each such obligation is fulfilled.

Section 17.5 Assignment. The respective rights and obligations of each of the Parties, as determined herein, shall not be assignable without the prior written consent of each of the other Parties. Subject to that understanding, this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

Section 17.6 Additional Documents. The Parties agree to execute such additional documents, including escrow instructions, as may be reasonable and necessary to carry out the provisions of this Agreement.

Section 17.7 Amendments. This Agreement may not be amended, modified, altered, or changed in any respect whatsoever except by further agreement in writing and duly executed by all of the Parties hereto.

Section 17.8 Captions. The captions and section numbers of this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope or intent of this Agreement or the intent of any provision hereof.

Section 17.9 Number and Gender. Whenever required by the context hereof, the singular shall include the plural and vice-versa, and the masculine gender shall include the feminine and neuter genders and vice-versa.

Section 17.10 Waiver. The waiver by any Party of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or of any other term, covenant or condition herein contained. The subsequent continued performance of its obligations hereunder by such breaching Party

shall not be deemed to be a waiver of any preceding breach by any other Party of any term, covenant or condition of this Agreement, other than the specific breach so cured and accepted, regardless of the knowledge of any other preceding breach. No covenant, term or condition of this Agreement shall be deemed to have been waived by a Party unless such waiver be in writing and executed by that Party.

Section 17.11 No Partnership. Other than with respect to the operation of the Common Areas of the Bridger Street Parking Garage subsequent to the Closing Date, and only to the limited extent of such operation as herein specified, no Party, by this Agreement, in any way or for any purpose, becomes a partner of or a joint venturer with any other Party in the conduct of its business or otherwise.

Section 17.12 Force Majeure. In the event that any Party shall be delayed, hindered in or prevented from doing or performing any act or thing required hereunder by reason of strikes, lockouts, casualties, Acts of God, labor troubles, inability to procure materials, failure of power, governmental laws or regulations (except any enacted by the Parties), court judgments, injunctions, riots, insurrection, war or other causes beyond the reasonable control of said Party, that Party shall not be liable or responsible for any such delay, and the doing or performing of such act or thing shall be excused for the period of the delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

Section 17.13 Severability. If any term, covenant or condition of this Agreement, or the application thereof to any Party or circumstance, shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to the Parties or circumstances, other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term,

covenant or condition of this Agreement shall remain and be valid and shall be enforced to the fullest extent permitted by law.

Section 17.14 Construction. The Parties acknowledge that each Party has reviewed, revised, and at times even insisted on all or part of the language in this Agreement, and therefore the Parties covenant and agree that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting Party shall not be employed in the interpretation of this Agreement or of any amendment hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

ATTEST:

CLARK COUNTY

LORETTA BOWMAN, County ClerkBy MANNY CORTEZ, Chairman, Board
of County Commissioners

ATTEST:

LAS VEGAS

CAROL ANN HAWLEY, City ClerkBy WILLIAM H. BRIARE, Mayor

ATTEST:

BUYER

SecretaryBy President

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

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 items may be discussed if a Commission member or citizen so requests.

*A. SERVICE AND MATERIAL WARRANTS/PAYROLL
WARRANTS/OTHER WARRANTS & INVESTMENTS

1. Service and Material Warrants
In the amount of \$1,482,227.47
2. Payroll Warrants
In the amount of \$712,024.85
3. Other Warrants and Investments
In the amount of \$10,227,250.81

Lurie -
APPROVED
Items 1 thru 3.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

CITY COMMISSION MINUTES AUGUST 19, 1981

CITY of LAS VEGAS
WARRANT REGISTER SUMMARIES RECAP

0216

SERVICE & MATERIAL WARRANTS

No.	Thru	AMT \$	DESCRIPTION
CH01373	-0-	(33.00)	VOID
GH05092	-0-	(98.81)	VOID
H405787	-0-	221,359.46	SERVICE & MATERIALS
H405798	-0-	17,740.21	" "
H405799	-0-	211,540.22	" "
H405846	-0-	334,481.36	" "
H405854	H406241	697,238.03	" "

Total Service & Material \$1,482,227.47

PAYROLL WARRANTS

No.	Thru	AMT \$	DESCRIPTION
00028370	00030084	712,024.85	P/R 7/18/81

Total Payroll \$ 712,024.85

OTHER WARRANTS

No.	Thru	AMT \$	DESCRIPTION
GH05192	-0-	(659.06)	VOID/CETA
GH05291	-0-	(268.12)	VOID/CETA
H405300	-0-	1,180,000.00	BANK TRANSFER
H405301	H405312	48,368.75	BOND & INTEREST
H405765	H405785	280,796.13	CETA
H405786	-0-	78,857.61	"
H405788	H405795	99,312.50	BOND & INTEREST
H405796	-0-	659.06	CETA
H405797	-0-	268.12	"
H405800	H405807	87,706.25	BOND & INTEREST
H405808	-0-	24,513.28	CETA
H405809	H405845	58,142.41	"
H405847	-0-	37,310.45	"
H120989	H120993	5,476,000.00	BANK TRANSFER
H912007	H912008	70,398.26	INSURANCE REIMBURSEMENT
H943850	H943853	2,785,845.17	BANK TRANSFER

Total Other \$ 10,227,250.81

TOTAL NET AMOUNT \$12,421,503.13

I hereby certify that I have audited the above warrants:
and approve same for payment as being in compliance with all applicable laws, to the best of my knowledge and belief.

DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED: _____

CITY MANAGER

On August 19, 19 81, The Board of City Commissioners ordered the above warrants paid and the City Treasurer is hereby ordered to disperse the warrants as presented.

MAYOR

ATTEST: _____

CITY CLERK

AGENDA

CITY COMMISSION MINUTES AUGUST 19, 1981

City of Las Vegas

August 19, 1981 0217

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

Page 18

ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS

GARY DONALD OGG, DIRECTOR

AUTHORIZATION TO FILL BUDGETED
VACANCIES - CRITICAL HIRES - CITY
FUNDED - FULL TIME

1.	<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>		
	PS/Streets Maintenance Laborer (Two Positions) (Replacement)	\$1099.	Serves as a member of a crew responsible for the maintenance and repair of City streets	Lurie - APPROVED as recommended. Unanimous	Staff to proceed
	PS/Traffic Engineering Traffic Signal Electrician (Replacement)	\$1441.	Member of a crew responsible for installing and main- taining traffic signals		
	City Manager Jr. Administrative Secretary (Replacement)	\$1042	Responsible for a variety of clerical activities in the department		
	City Manager Administrative Office Aide (Receptionist) (Replacement)	\$ 833	Responsible for providing reception- ist and general clerical functions for the department		
	R&LA/Parks Grounds Worker (Replacement)	\$1154	Responsible for per- forming a variety of semi-skilled and manual labor tasks in the maintenance and upkeep of various City parks		
	Fire Services Secretary (Replacement)	\$1213	Responsible for a variety of secre- tarial duties		

APPROVED AGENDA ITEM

Ashley Hall

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL
& EMPLOYEE RELATIONS

GARY DONALD OGG, DIRECTOR

(continued)

<u>Dept/Class</u>	<u>Monthly Salary</u>	<u>Justification</u>
Business Activity \$ 947. Off St. Parking Municipal Parking Garage Attendant (New Position)		Responsible for issuing tickets and collecting fees for cars parked on Muni- cipal parking lots

APPROVED
See Page 18

See Page 18

2. Amend 1981 Personnel Policies and Procedures Manual to reflect the adoption of the 1981-82 Appointive Salary Schedule.

Lurie -
APPROVED
as recommended.
Unanimous

Staff to proceed

AUTHORIZATION TO FILL NEW
BUDGETED POSITIONS ADOPTED
IN THE 1981-82 FINAL REVISED
BUDGET/CRITICAL HIRES.

3. Staffing - New City Misdemeanant Detention Facility

- a) Discussion and possible action on the hiring of a new Detention Administrator and authorized Table of Organization for staffing the City Misdemeanant Detention Facility.

Christensen -
APPROVED motion to
direct City Manager
to proceed but that
job applicants be
advised that Detention
Facility overall plan
not yet formally
adopted.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 13, 1981

TO:
The Board of City CommissionersFROM:
Ashley Hall
Deputy City ManagerSUBJECT:
DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS - AUTHORIZATION TO FILL BUDGETED VACANCIESPURPOSE/BACKGROUND

The following information is submitted with reference to Item 1 under Agenda Item IV. (c).

Maintenance Laborer (Two Positions) - to replace one employee who was transferred and one employee who was promoted

Traffic Signal Electrician - to replace employee who resigned

Jr. Administrative Secretary - to replace employee who returned to Civil Service status

Administrative Office Aide (Receptionist) - to replace employee who resigned

Grounds Worker - to replace employee who resigned

Secretary - to replace employee who retired

Municipal Parking Garage Attendant - to provide additional assistance in the Municipal parking areas

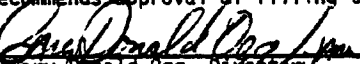
FISCAL IMPACT

All of the above positions are included in the 1981-82 budgets of the requesting departments. There are no additional non-budgeted expenses associated with any of these positions.

RECOMMENDATIONS

The Department of Personnel & Employee Relations has indicated that all of the above are in order. The City Manager's Office concurs with requesting departments' recommendations, the staff analyses, and recommends approval of filling the positions at this time.

RECOMMENDED


Gary Donald Ogg, Director
Personnel & Employee RelationsDISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

IV. (c)

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 17, 1981

TO:

The Board of City Commissioners

FROM:

Gary D. Ogg, Director
Personnel & Employee Relations

SUBJECT:

Ratification of Salary Schedules for 1981-82 Fiscal Year

PURPOSE/BACKGROUND

Section III, Paragraph B, of the Personnel Policy and Procedures Manual, 1981 Edition, directs the City Manager, following the approval by the Board of Commissioners of a general salary adjustment, to prepare appropriate salary schedules to implement such adjustment for all affected appointed, classified and hourly employees. Pursuant to such direction, and with the intent of implementing the salary adjustment approved by the Board of Commissioners on July 2, 1980, which became effective on July 5, 1981, the City Manager prepared and put into effect the attached salary schedules.

These schedules afford all classified employees the 8% salary increase approved by the Board of Commissioners at its meeting held on July 2, 1980. They also afford all appointive employees the 8% increase except those whose salary would exceed the maximum amounts established by the City Manager for their respective positions, were the full 8% salary increase allowed. As to those employees, the salary increases were limited to the amount permitted by the salary caps provided for in the salary schedules.

FISCAL IMPACT

The money for the salary increase described above is available in the budget for the 1981-82 fiscal year.

RECOMMENDATIONS

It is recommended that the Board of Commissioners ratify the action of the City Manager in establishing the attached salary schedules.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10

Agenda Item

IV. (c) 2.

CLASSIFIED EMPLOYEES SALARY SCHEDULE

Current as of August 1, 1981

(Salary rates effective July 5, 1981, to January 2, 1982)

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
1	3.34 266.84 578.15 6,937.84	4.05 324.34 702.74 8,432.84	
2	3.42 273.52 592.63 7,111.52	4.16 332.47 720.35 8,644.22	
3	3.50 280.36 607.45 7,289.36	4.26 340.78 738.36 8,860.28	
4	3.59 287.37 622.64 7,471.62	4.37 349.29 756.80 9,081.54	
5	3.68 294.55 638.19 7,658.30	4.47 358.03 775.73 9,308.78	
6	3.77 301.90 654.12 7,849.40	4.59 366.96 795.08 9,540.96	Clerk Aide I
7	3.87 309.45 670.48 8,045.70	4.70 376.15 814.99 9,779.90	

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August 1, 1981

Classified Employees Salary Schedule

0222

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
8	3.96 317.18 687.22 8,246.68	4.70 385.55 835.36 10,024.30	
9	4.06 325.12 704.43 8,453.12	4.94 395.18 856.22 10,274.68	
10	4.17 333.25 722.04 8,664.50	5.06 405.07 877.65 10,531.82	
11	4.27 341.57 740.07 8,880.82	5.19 415.18 899.56 10,794.68	
12	4.38 350.11 758.57 9,102.86	5.32 425.57 922.07 11,064.82	Radio Communications Aide
13	4.49 358.87 777.55 9,330.62	5.45 436.21 945.12 11,341.46	
14	4.60 367.84 796.99 9,563.84	5.59 447.12 968.76 11,625.12	
15	4.71 377.03 816.90 9,802.78	5.73 458.29 992.96 11,915.54	

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
16	4.83 386.46 837.33 10,047.96	5.87 469.76 1,017.81 12,213.76	
17	4.95 396.12 858.26 10,299.12	6.02 481.49 1,043.23 12,518.74	
18	5.07 406.03 879.73 10,556.78	6.17 493.53 1,069.32 12,831.78	
19	5.20 416.17 901.70 10,820.42	6.32 505.87 1,096.05 13,152.62	Junior Office Assistant
20	5.33 426.57 924.24 11,090.82	6.48 518.50 1,123.42 13,481.00	
21	5.46 437.24 947.35 11,368.24	6.64 531.47 1,151.52 13,818.22	Parking Garage Attendant
22	5.60 448.16 971.01 11,652.16	6.81 544.75 1,180.29 14,163.50	

August 1, 1981

Classified Employees Salary Schedule

0224

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
23	5.74 459.37 995.30 11,943.62	6.98 558.37 1,209.80 14,517.62	
24	5.89 470.86 1,020.20 12,242.36	7.15 572.33 1,240.05 14,880.58	
25	6.03 482.63 1,045.70 12,548.38	7.33 586.65 1,271.08 15,252.90	Custodian Kennel Attendant Office Assistant Senior Parking Garage Attendant
26	6.18 494.70 1,071.35 12,862.20	7.52 601.31 1,302.84 15,634.06	Computer Operator Trainee Data Entry Operator
27	6.34 507.07 1,098.65 13,183.82	7.70 616.35 1,335.43 16,025.10	Court Counselor Trainee Junior Cultural Program Assistant Junior Recreation Leader Maintenance Laborer Photo Typesetter Planning Aide Reprographics Equipment Operator Stenographer Treatment Plant Operator Trainee
28	6.50 519.75 1,126.13 13,513.50	7.90 631.76 1,368.81 16,425.76	Truck Driver

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
29	6.66	8.09	Animal Health Technician
	532.74	647.55	Automotive Records Clerk
	1,154.27	1,403.03	Business Activity Control Clerk
	13,851.24	16,836.30	Computer Operator
			Custodial Foreman
30			Data Control Clerk
			Equipment Repairer Helper
			Equipment Service Worker
			Grounds Keeper
			Monument Setter
			Municipal Records Clerk
			Scanner Operator
			Senior Office Assistant
			Supply Clerk
			Traffic Maintenance Worker
31	6.83	8.30	Heavy Duty Truck Driver
	546.06	663.75	Parking Collection Officer
	1,183.13	1,438.13	Parking Enforcement Officer
	14,197.56	17,257.50	
31	7.00	8.50	Accountant I
	559.71	680.33	Assistant Engineering Technician
	1,212.71	1,474.05	Assistant Design Technician
	14,552.46	17,688.58	Assistant Sign Painter
			Central Stores Clerk
			Cultural Program Assistant
			Data Entry Supervisor
			Electrical Trades Helper
			Housing Counselor Trainee
			Medical Assistance Instructor
			Recreation Leader
			Secretary
			Senior Citizens Program Specialist
			Senior Grounds Keeper
			Skilled Trades Helper
			Traffic Maintenance Crew Leader
			Treatment Plant Operator
			Wastewater Collection System Crew Leader
			Youth Activities Specialist

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
32	7.17	8.72	Lead Computer Operator
	573.70	697.33	License Inspector Trainee
	1,243.02	1,510.88	Light Equipment Operator
	14,916.20	18,130.58	Parking Meter Repairer Process Server Senior Parking Enforcement Officer Sprinkler Equipment Repairer
33	7.35	8.93	Adaptive Senior Recreation Leader
	588.05	714.78	Automotive Parts Clerk
	1,274.11	1,548.69	Automotive Mechanic Helper
	15,289.30	18,584.28	Junior Buyer Legal Secretary Maintenance Mechanic Planning Assistant Senior Recreation Leader Senior Reprographics Equipment Operator Street Light Maintenance Worker
34	7.53	9.16	Animal Control Officer
	602.75	732.65	Communications Supervisor
	1,305.96	1,587.41	Programmer Trainee
	15,671.50	19,048.90	
35	7.72	9.39	Buyer
	617.82	750.96	Custodial Supervisor
	1,338.61	1,627.08	Graphic Arts Supervisor
	16,063.32	19,524.96	Grounds Crew Leader Legal Assistant License Inspector Office Supervisor: Municipal Court Senior Secretary Sprinkler Crew Leader Street Maintenance Crew Leader Tree Trimmer
36	7.92	9.62	Assistant Right-of-Way Agent
	633.27	769.73	Community Affairs Equipment Supervisor
	1,372.09	1,667.75	Community Center Supervisor
	16,465.02	20,012.98	Cultural Center Supervisor

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
36 (Con't)	7.92 633.27 1,372.09 16,465.02	9.62 769.73 1,667.75 20,012.98	Engineering Designer Engineering Technician Illustrator/Photographer Assistant Lead Animal Control Officer Leisure Activities Information Specialist Motor Sweeper Operator Senior Citizens Individual Services Coordinator Special Projects Supervisor Traffic Barricade Inspector
37	8.11 649.10 1,406.36 16,876.60	9.86 788.98 1,709.46 20,513.48	Accountant II Assistant Treasurer Heavy Equipment Operator NET Project Coordinator Park Ranger Parking Enforcement Supervisor Parking Garage Supervisor Senior License Inspector Senior Treatment Plant Operator Traffic Maintenance Foreman
38	8.32 665.32 1,441.53 17,298.32	10.11 808.71 1,752.21 21,026.46	Adaptive Recreation Program Coordinator Air Conditioning Mechanic Automotive Body Mechanic Automotive Mechanic Carpenter Electrician Housing Code Inspector I Housing Counselor I Machinist Motor Sweeper Crew Leader Painter Photographer Plumber Senior Animal Control Officer Senior Citizens Program Coordinator Senior Maintenance Mechanic Sign Painter Traffic Signal Electrician Welder

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
39	8.52	10.36	Accountant III
	681.96	828.92	Cemetery Foreman
	1,477.58	1,795.99	Court Counselor
	17,730.96	21,551.92	Personnel Analyst
			Planner
			Programmer
			Wastewater Collection System Foreman
40	8.74	10.62	Community & Youth Affairs Coordinator
	699.01	849.65	Housing Code Inspector II
	1,514.52	1,840.91	Recreation Specialist
	18,174.26	22,090.90	Senior Automotive Mechanic
			Traffic Signal Technician
41	8.96	10.89	Air Conditioning Crew Leader
	716.48	870.89	Automotive Crew Leader
	1,552.37	1,886.93	Carpenter Crew Leader
	18,628.48	22,643.14	Central Stores Supervisor
			Greenskeeper
			Painter Crew Leader
			Park Foreman
			Plumber Crew Leader
			Senior Buyer
			Senior Park Ranger
			Senior Right-of-Way Agent
			Sign Painter Crew Leader
42	9.18	11.16	Street Foreman
	734.39	892.66	Treatment Plant Foreman
	1,591.18	1,934.10	Building Inspector
	19,094.14	23,209.16	Community Design Technician
			Electrical Inspector
			Improvement District Coordinator
			Mechanical Inspector
			Public Works Inspector
			Senior Engineering Designer
			Senior Engineering Technician
			Senior Recreation Specialist
			Special Design Technician

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
43	9.41	11.44	Building Maintenance Foreman
	752.76	914.99	Building Plans Checker
	1,630.98	1,982.48	Chemist
	19,571.76	23,789.74	Civil Engineer
			Electrical Construction Coordinator
44			Electrical Foreman
			Garage Foreman
			Senior Court Counselor
			Traffic Signal Foreman
45	9.64	11.72	General Park Foreman
	771.57	937.85	General Street Foreman
	1,671.74	2,032.01	
	20,060.82	22,384.10	
46	9.89	12.02	Contract Specialist
	790.86	961.30	Principal Engineering Technician
	1,713.53	2,082.82	Senior Building & Safety Inspector
	20,562.36	24,993.80	
47	10.13	12.32	Assistant Supervisor of Maintenance
	810.63	985.32	Assistant Supervisor of Vehicle Services
	1,756.37	2,134.86	General Treatment Plant Foreman
	21,076.38	25,618.32	
48	10.39	12.62	Building Plans Technician
	830.90	1,009.97	Chief Engineering Technician
	1,800.28	2,188.27	Chief Right-of-Way Agent
	21,603.40	26,259.22	Principal Electrical Designer
			Senior Civil Engineer
			Senior Personnel Analyst
			Senior Planner
			Senior Systems Analyst
			Traffic Signal Supervisor

August 1, 1981

Classified Employees Salary Schedule

0230

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
48	10.65 851.68 1,845.31 22,143.68	12.94 1,035.23 2,243.00 26,915.98	
49	10.91 872.97 1,891.44 22,697.22	13.26 1,061.09 2,299.03 27,588.34	Supervisor of Building Inspection Supervisor of Electrical Inspection Supervisor of Mechanical & Plumbing Inspection
50	11.18 894.80 1,938.73 23,264.80	13.59 1,087.63 2,356.53 28,278.38	Principal Civil Engineer Principal Personnel Analyst Principal Planner
51	11.46 917.17 1,987.20 23,846.42	13.93 1,114.83 2,415.47 26,985.58	
52	11.75 940.09 2,036.86 24,442.34	14.28 1,142.69 2,475.83 29,709.94	Assistant Supervisor of Engineering Design
53	12.04 963.59 2,087.78 25,053.34	14.64 1,171.25 2,537.71 30,452.50	
54	12.35 987.68 2,139.97 25,679.68	15.01 1,200.53 2,601.15 31,213.78	

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August 1, 1981

Classified Employees Salary Schedule

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
55	12.65 1,012.37 2,193.47 26,321.62	15.38 1,230.54 2,666.17 31,994.04	
56	12.97 1,037.69 2,248.33 26,979.94	15.77 1,261.31 2,732.84 32,794.06	
57	13.29 1,063.63 2,304.53 27,654.38	16.16 1,292.86 2,801.20 33,614.36	
58	13.63 1,090.22 2,362.14 28,345.72	16.56 1,325.17 2,871.20 34,454.42	
59	13.97 1,117.47 2,421.19 29,054.22	16.98 1,358.31 2,943.01 35,316.06	
60	14.32 1,145.41 2,481.72 29,780.66	17.40 1,392.26 3,016.56 36,198.76	

END OF CLASSIFIED SALARY SCHEDULE

CITY OF LAS VEGAS
FIRE DEPARTMENT SALARY RATE SCHEDULE
Current as of August 1, 1981
(Salary rates in effect through July 1, 1981; any changes to
salary rates will be shown after completion of negotiations)

0232

CITY COMMISSION MINUTES AUGUST 19, 1981

SALARY GRADE	BI-WEEKLY RATE MONTHLY RATE* ANNUAL SALARY*		CLASSIFICATION
	Minimum	Maximum	
71	501.35 1,086 13,035	686.74 1,488 17,855	Communications Specialist Assistant Hydrant Repairer
72	530.84 1,150 13,802	727.14 1,575 18,906	
73	560.34 1,214 14,569	767.55 1,663 19,956	Fire Mechanic Senior Communications Specialist Hydrant Repairer Fire Prevention Inspector Trainee
74	589.82 1,278 15,335	807.93 1,751 21,006	Chief Communications Specialist Fire Electrician Firefighter
75	619.31 1,342 16,102	848.32 1,838 22,056	Assistant Fire Equipment Mechanic Firefighter/Rescue
76	648.80 1,406 16,869	888.72 1,926 23,107	Fire Engineer Firefighter/Paramedic Fire Science Instructor Fire Prevention Inspector Fire Education Specialist
77	678.29 1,470 17,636	929.11 2,013 24,157	Fire Investigator Senior Fire Prevention Inspector
78	707.78 1,470 18,402	969.51 2,101 25,207	

*Monthly and Annual Salaries rounded to the nearest full dollar

Fire Department Salary Rate Shedule

Page 2

August 1, 1981

0233

CITY COMMISSION MINUTES AUGUST 19, 1981

SALARY GRADE	BI-WEEKLY RATE MONTHLY RATE* ANNUAL SALARY*		CLASSIFICATION
	Minimum	Maximum	
79	737.27	1,001.90	Assistant Fire Marshall
	1,597	2,188	Fire Captain
	19,169	26,257	Fire Captain/Assistant Drillmaster Fire Equipment Mechanic Supervisor of Fire Investigation
80	766.76	1,050.30	
	1,661	2,276	
	19,936	27,308	
81	799.94	1,095.75	Fire Liaison Officer
	1,733	2,374	Fire Alarm Supervisor
	20,798	28,490	
82	825.75	1,131.10	
	1,789	2,451	
	21,470	29,409	
83	860.75	1,179.04	Fire Battalion Chief
	1,865	2,555	Fire Marshal
	22,380	30,655	

*Monthly and Annual Salaries rounded to the nearest full dollar

APPOINTEE SALARY SCHEDULE
Current as of August 1, 1981

0234

SALARY GRADE	CITY COMMISSION MINUTES AUGUST 19, 1981		<u>CLASSIFICATION</u>
	HOURLY RATE	BI-WEEKLY RATE	
	MONTHLY RATE	ANNUAL SALARY	
	<u>Minimum</u>	<u>Maximum</u>	
A		22.84	City Attorney
		1,826.92	Deputy City Manager for Community Services
		3,958.33	Deputy City Manager for Supportive Services
		47,500.00	
B	12.02-	21.63	Chief Deputy City Attorney
	961.54-	1,730.77	City Clerk
	2,083.33-	3,750.00	City Veterinarian
	25,000.00-	45,000.00	Court Administrator
			Department Director
			Office Director
C	9.62-	18.03	Administrative Assistant
	769.23-	1,442.31	Assistant Director of Fire Services
	1,666.67-	3,125.00	City Engineer
	20,000.00-	37,500.00	Deputy City Attorney
			Deputy Department Director
			Division Chief
			Economic Development Coordinator
			Field Operations Engineer
			Golf Course Supervisor
			Sanitary Engineer
			Sports Office Supervisor
D	7.21-	14.42	Auditor II
	576.92-	1,153.85	Assistant Division Chief
	1,250.00-	2,500.00	Executive Aide to the Mayor
	15,000.00-	30,000.00	Financial Analyst II
			Internal Auditor
			Management Analyst II
			Program Services Coordinator
			Public Services Coordinator
			Senior Administrative Secretary
			Senior Systems Designer
			Substance Abuse Counselor
			Systems Designer
			Systems Software Specialist
			Treasurer

Grade E on page 2

0235

HOURLY RATE COMMISSION MINUTES AUGUST 19, 1981			
BI-WEEKLY RATE			
MONTHLY RATE			
ANNUAL SALARY			
SALARY GRADE	Minimum	Maximum	CLASSIFICATION
E	4.81-	10.82	Administrative Office Aide
	384.62-	865.38	Administrative Secretary
	833.33-	1,875.00	Assistant to Care Facilities Specialist
	10,000.00-	22,500.00	Auditor I
			Care Facilities Specialist
			Executive Office Aide
			Financial Analyst I
			Law Clerk
			Legal Support Technician
			License Investigator
			Management Analyst I
			Victim/Witness Counselor

END OF APPOINTIVE SALARY SCHEDULE

HOURLY EMPLOYEES SALARY SCHEDULE

August 1, 1981

(Arranged in alphabetical order)

1235

CITY COMMISSIONER MEMPHIS AUGUST 19, 1981

CLASSIFICATION

HOURLY RATE

Junior Clerk	3.35
Junior Recreation Assistant	3.75
Law Intern	7.40
Lifeguard	4.50
Park Attendant	4.00
Pet License Crew Leader	4.75
Pet License Crew Member	4.00
Pool Attendant	3.35
Pool Manager	5.00
Pool Supervisor	6.00
Program Coordinator	5.90
Recreation Aide	3.35
Recreation Assistant	4.25
Recreation Instructor	5.25
Senior Citizen Aide I	3.35
Senior Citizen Aide II	3.60
Senior Citizen Assistant I	3.85
Senior Citizen Assistant II	4.25
Senior Citizen Fire Aide	3.78
Senior Citizen Instructor	5.25
Senior Citizen Tour Coordinator	5.90
Senior Lifeguard	4.75
Senior Recreation Assistant	4.75

0237

CITY COMMISSION MEMBERS AUGUST 19, 1981

CLASSIFICATION

HOURLY RATE

Special Activities Assistant	4.75
Special Inspector (AWT)	6.00
Specialty Recreation Instructor	5.75
Sports Official	5.00
Student Intern	5.40
Utility Worker I	4.25
Utility Worker II	5.87
Veterinarian	25.00
Youth Affairs Aide	3.35

END OF HOURLY SALARY SCHEDULE

City of Las Vegas
Municipal Court Marshal* Salary Schedule
Current as of August 1, 1981
(Salary rates effective July 1, 1981, to July 1, 1982)

0238

CITY COMMISSION MINUTES AUGUST 19, 1981

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
B36	7.82	9.98	Municipal Court Marshal
	625.33	798.09	
	1,354.88	1,729.20	
	16,258.58	20,750.34	
B40	8.63	11.01	Senior Municipal Court Marshal
	690.25	880.95	
	1,495.54	1,908.73	
	17,946.50	22,904.70	

*Former title: Court Bailiff

CETA CONSORTIUM
ADMINISTRATIVE CLASSIFICATIONS
Current as of August 1, 1981

0239

CITY COMMISSION MINUTES AUGUST 19, 1981
HOURLY RATE
BI-WEEKLY RATE
MONTHLY RATE
ANNUAL SALARY

<u>SALARY GRADE</u>	<u>Minimum</u>	<u>Maximum</u>	<u>CLASSIFICATION</u>
APPOINTED TITLES			
B	12.02	21.63	Director of Human Resources
	961.54	1,730.77	
	2,083.33	3,750.00	
	25,000.00	45,000.00	
C	9.62	18.03	Program/Staff Services Coordinator
	769.23	1,442.31	Supervisor of Fiscal
	1,666.67	3,125.00	Supervisor of IMU
	20,000.00	37,500.00	Supervisor of Planning/Evaluation
D	7.21	14.42	Supervisor of MIS
	376.92	1,153.85	Training/Communications Officer
	1,250.00	2,500.00	
	15,000.00	30,000.00	
E	4.81	10.82	Administrative Secretary
	384.62	865.38	
	833.33	1,875.00	
	10,000.00	22,500.00	
CLASSIFIED TITLES			
25	6.03	7.33	Office Assistant
	482.63	586.65	
	1,045.70	1,271.08	
	12,548.38	15,252.90	
29	6.66	8.09	Data Control Clerk
	532.74	647.55	Senior Office Assistant
	1,154.27	1,403.03	Supply Clerk
	13,851.24	16,836.30	
31	6.70	8.50	Secretary
	559.71	680.33	
	1,212.71	1,474.05	
	14,552.46	17,688.58	

CETA CONSORTIUM
ADMINISTRATIVE CLASSIFICATIONS
Current as of August 1, 1981

0240

CITY COMMISSION MINUTES AUGUST 19, 1981

SALARY GRADE	HOURLY RATE BI-WEEKLY RATE MONTHLY RATE ANNUAL SALARY		CLASSIFICATION
	Minimum	Maximum	
36	7.91 633.27 1,372.09 16,465.02	9.62 769.73 1,667.75 20,012.98	Property Control Supervisor
37	8.11 649.10 1,406.38 16,876.60	9.86 788.98 1,709.46 20,513.48	Accountant II
39	8.52 681.96 1,477.58 17,730.96	10.36 828.92 1,795.99 21,551.92	Accountant III Human Resources Analyst
47	10.39 830.90 1,800.28 21,603.40	12.62 1,009.97 2,188.27 26,259.22	Senior Human Resource Analyst

HOURLY TITLES

CLASSIFICATION	HOURLY RATE
Summer Program Monitor	5.00
YETP Summer Clerk Typist	4.25
Youth Counselor YETP	6.50

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 18, 1981

TO: The Board of City Commissioners

FROM: *Russell W. Dorn*
Russell W. Dorn
City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE HIRING OF A NEW DETENTION ADMINISTRATOR AND AUTHORIZED TABLE OF ORGANIZATION FOR STAFFING THE CITY MISDEMEANANT DETENTION FACILITY.

PURPOSE/BACKGROUND

The purpose of this agenda item is to seek Commission approval for advertising, recruiting and hiring the necessary detention facility personnel.

The proposed City of Las Vegas Minimum Security Detention Facility will require 24-hour staffing, 365 days a year, for 96 inmates. Based on national standards for this type of facility, between 50 and 53 staff people would be required. The following staffing plan, which calls for 51 employees, is the number of employees necessary to meet federal requirements and national standards for inmate security, program services, and management of the facility. (SEE EXHIBIT A.)

The detention facility administrator will be responsible for the day to day, 24-hour operation of the facility including the four major operational areas of records and classification, facility support, detention and inmate security, and program services.

Records and Classification

Under the direction of a Business Manager, 7 staff will manage all inmate records, facility records, processing of inmates, and general support functions.

Facility Support/Contract Services

One employee will be responsible for managing contracted services such as food, medical, laundry, maintenance, and custodial. In conjunction with this, a full-time maintenance supervisor will be required to assure 24-hour maintenance, operating and custodial care of the facility.

Detention and Inmate Security

Thirty-six staff, including 28 detention specialists, supervisory staff, and 2 Marshals, will be responsible for all inmate supervision, transportation, and security.

Program Services

To meet national standards for inmate program support and services, 2 staff will be assigned to providing recreation programs, counseling, and educational services. In addition, these staff will supervise any inmate work programs as well as manage the library and commissary facilities.

These positions will be hired incrementally on a phased-in basis with all 51 positions filled and employees on board by June 30, 1982. Initial facility start-up is scheduled for January 1, 1982. (SEE EXHIBIT B.)

In addition to personnel costs, the facility will require funds to purchase supplies, equipment, and services (including contracted services for food, medical, maintenance, laundry, and custodial).

FISCAL IMPACT

The total annualized operating budget for personnel costs and other operating expenditures for the facility will be \$2,070,558, which includes \$1,254,058 in personnel salaries, fringes, benefits and other costs. These funds are currently budgeted as part of the city's contribution to the support of the Las Vegas Metropolitan Police Department.

The passage of SB386 which removed detention from the Metropolitan Police Department funding allowed the city to realize a significant savings. Under the previous provisions to NRS 280, the city would have had to pay \$4.7 million for detention services. This plan requires an annualized cost of approximately \$2 million or a direct savings of \$2.7 million.

Cont'd.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10

Agenda Item

IV(c) 3.

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 18, 1981

TO:

The Board of City Commissioners

FROM:

RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE HIRING OF A NEW DETENTION ADMINISTRATOR AND
AUTHORIZED TABLE OF ORGANIZATION FOR STAFFING THE CITY MISDEMEANANT DETENTION FACILITY

RECOMMENDATIONS

It is recommended that the City Manager be granted the authority to advertise, recruit and hire a city misdemeanor detention staff of 51 people to operate this facility on a 24-hour, 365 day basis.

If the Mayor and City Commissioners agree with the City Manager's recommendation, the motion in favor of this item should be subject to being granted final approval of a use permit.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-9-10

Agenda Item

IV(c) 3.

CITY COMMISSION MINUTES AUGUST 19, 1981
CITY FUNDED FULL TIME VACANCIES
AS OF 8/7/81

0243

<u>DEPARTMENT/DIVISION</u>	<u>CLASSIFICATION</u>	<u>NO.</u>
City Attorney	Deputy City Attorney	1
Municipal Court	Court Counselor I	1
	Municipal Court Marshal	2
	Junior Office Assistant	1
City Manager	Exec. Aide/City Manager	1
City Clerk	---	
Office of the Commissioners	---	
Funds Coordination	Administrative Assistant III	1
Personnel & Employee Relations	---	
Business Activity	Business Activity Control Clerk	1
	Office Manager	1
	License Inspector	1
Financial Management	---	
Community Planning	Chief, Zoning Division	1
	Planning Assistant	1
Architectural Services & Project Control	Chief, Architectural Design Division	1
	Special Design Technician	1
General Services		
Administration	Office Assistant	1
Facilities Support	Custodian	3
City Hall Warehouse	---	
Graphic Arts	Graphic Arts Supervisor	1
	Illustrator/Photographer Assistant	1
Automotive Services	Automotive Mechanic Helper	1
Purchasing	Buyer	1
Office of Budget & Management Services	Financial Analyst I	1
Fire Services	Firefighter	16
	Communications Specialist	2
	Fire Prevention Inspector	4
Management Information Services	Computer Operator	1
	Sr. Systems Designer	1
Senior Citizens	Administrative Secretary	1

<u>DEPARTMENT/DIVISION</u>	<u>CLASSIFICATION</u>	<u>NO.</u>
Building & Safety	---	
Public Services		
Administration	Management Analyst II	1
	City Engineer	1
Sanitation	Treatment Plant Operator	1
	Truck Driver	1
Streets	Street Maintenance Crew Leader	1
	Heavy Equipment Operator	1
Maintenance	Carpenter	1
Quality Control	Assistant Engineering Technician	2
	Sr. Engineering Technician	2
	Principal Engineering Technician	1
Engineering Design	Sr. Civil Engineer	1
Traffic Engineering	Traffic Signal Electrician	1
Animal Care & Control	Animal Control Officer	1
Electrical Services	---	
Recreation & Leisure Activity		
Administration	---	
Parks & Open Spaces	Grounds Keeper	2
Recreation	---	
Cultural Services & Fine Arts	Fine Arts Coordinator	1
Cemetary	---	
Youth Affairs	---	
	TOTAL	<u>66</u>

If these positions remained vacant for two (2) weeks, the savings, including fringes, would amount to \$49,754: \$107,800, if vacant for a month.

AGENDA*City of Las Vegas*

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

August 19, 1981

ITEM Commission Action Department Action

IV (g) DEPARTMENT OF GENERAL SERVICESDAN R. PILKINGTON, DIRECTOR***CONSENT AGENDA**

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

PURCHASING AND CONTRACTS DIVISION***A. AWARD OF BIDS**

1. Building Materials for Training Program
Department of Human Resources
2. Traffic Signal Controller - Replacement
Department of Public Services
3. Luminaires
Department of Public Services
4. Firefighters Helmets - Replacement
Department of Fire Services
5. Moving and Relocation of Housing and Administrative Units
Department of Public Services

Levy -
 APPROVED Items 1,
 2, 3 and 4.
 Unanimous

Item 5 to be on
 9/16/81 Agenda
 after hearing on
 use permit, U-42-81
 is acted upon by
 Board.

Staff to proceed

9/16/81 Agenda
 Afternoon Session

APPROVED AGENDA ITEM

Ashley Hall

AGENDA*City of Las Vegas*

Page 21

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

August 19, 1981

PHONE 386-6011

ITEM

Commission Action

Department Action

IV (g) DEPARTMENT OF GENERAL SERVICES CONT'DPURCHASING & CONTRACTS DIVISION CONT'D*B. PURCHASE ORDER APPROVAL

1. Oversize Sewer Line
Department of Public Services
2. Administrative Building Complex For Misdemeanant Detention Facility
Department of Architectural Services
3. Pest and Weed Abatement Program
Department of Public Services
4. Charleston Blvd. from Main St. to 10th St.
Department of Public Services
5. Charleston Blvd. from 10th St. to Eastern
Department of Public Services
6. Charleston Blvd. at Five Points Intersection
Department of Public Services
7. Torrey Pines Avenue
Department of Public Services

Lurie -
APPROVED Items 1,
3, 4, 5, 6 & 7.
Unanimous

Item 2 to be placed 9/16/81 Agenda
on 9/16/81 Agenda Afternoon Session
scheduled after
public hearing on
U-42-81.

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

0247

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: ASHLEY HALL
DEPUTY CITY MANAGERSUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - AUGUST 19, 1981
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

1. Building Materials for Training Program - Department of Human Resources.

- Recommend Award to Las Vegas Building Materials, Las Vegas, Nevada in the amount of \$5,343.00. Bid # 82.0081.1. Estimate: \$8,000.00. FUNDING: C.E.T.A.

2. Traffic Signal Controller - Replacement - Department of Public Services - Traffic Engineering Division.

- Recommend Award to Automatic Signal - LFE/TCD, Torrance, California in the amount of \$8,556.00. Bid # 81.1730.1. Estimate: \$12,000.00. FUNDING: GENERAL FUND

3. Luminaires - Department of Public Services - Electrical Services Division.

- Recommend Award to Amfac Electric, Las Vegas, Nevada in the amount of \$13,286.32. Bid # 82.1740.1. Estimate: \$15,000.00. FUNDING: CAPITAL PROJECTS

4. Firefighter Helmets - Replacement - Department of Fire Services - Combat Division.

- Recommend Award to L.N. Curtis & Sons, Oakland, California in the amount of \$12,266.18. Bid # 81.2100.12. Estimate: \$16,500.00. FUNDING: GENERAL REVENUE SHARING

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 81-81.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT ITEMS 1 THROUGH 4 ARE IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENDATION OF THE OFFICE OF THE CITY MANAGER THAT ITEMS 1 THROUGH 4 BE AWARDED.

DISPOSITION

Approved ☐
 Disapproved ☐
 Held ☐

Status Due: _____

79-2-10

Dan R. Pilkington
 Dan R. Pilkington, Director
 Department of General Services
 Agenda Item

SECTION A PAGE 1 OF 2
 IV (g) A 1

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 18, 1981

TO:
The Board of City CommissionersFROM:
ASHLEY HALL
DEPUTY CITY MANAGERSUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - AUGUST 19, 1981
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS CONTINUED

5. Moving and Relocation of Housing and Administrative Units - Department of Public Services - Engineering Design Division.

- Recommend Award, SUBJECT TO FINAL USE PERMIT APPROVAL, to Bland/Ford Inc., Las Vegas, Nevada in the amount of \$97,200.00. Bid # 82.3550.13.
Estimate: \$100,000.00.
FUNDING: GENERAL REVENUE SHARING

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 81-82.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT ITEM 5 IS IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENDATION OF THE OFFICE OF THE CITY MANAGER THAT ITEM 5 BE APPROVED.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10


Dan R. Pilkington, Director
Department of General Services
Agenda ItemSECTION A PAGE 2 OF 2
IV (g) A 2

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM:	Expendable Materials	
BID TITLE:	Concrete and other Building Materials	
BID NUMBER:	82.0081.1	
DEPARTMENT:	Human Resources	
INVITATIONS MAILED OUT:	8	
RESPONSES RECEIVED:	1	
BIDDERS:		
	Las Vegas Building Materials	\$5,343.00

STAFF RECOMMENDATION TO AWARD BID TO:

Las Vegas Building Materials, Las Vegas, Nevada	\$5,343.00

1-81

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: CONCRETE AND OTHER MATERIALS			LAS VEGAS BLDG. MATERIALS				
BID #: 82.0081.1			601 W. BONANZA				
			LAS VEGAS, NV 89106				
INVITATIONS SENT: 8			ESTIMATE: \$8,000.00				
			LIC# L07-01889 BOND:				
ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	LIC#	BOND:	LIC#
			U.P.	TOTAL	U.P.	TOTAL	U.P.
		BID GROUP I:					
1.	150 BAGS	CEMENT, TYPE II, 94# BAGS	\$ 6.10	\$ 915.00			
		DELIVERY: 75 BAGS UPON RECEIPT OF					
		NOTICE TO PROCEED. 75 BAGS 2 WEEKS					
		LATER.					
2.	50 BAGS	WHITE CEMENT, 100# BAGS	-0-	-0-			
3.	50 BAGS	MARBLE WHITE, 100# BAGS	-0-	-0-			
4.	50 EA.	2" x 4" x 18' (INTENDED USE: FORMS)	-0-	-0-			
5.	1 BX.	NAILS, 6d DOUBLE HEAD, 50# BOX	-0-	-0-			
6.	1 BX.	NAILS, 8d, DOUBLE HEAD, 50# BOX	-0-	-0-			
7.	50 BAGS	KOOL DECK, 15# BAG	-0-	-0-			
		TOTAL BID GROUP I:		\$ 915.00			
		ITEMS #2 THROUGH #7 WILL BE DELIVERED					
		WITHIN CALENDAR DAYS AFTER RECEIPT.					
		OF NOTICE TO PROCEED:					
		BID GROUP II:					
1.	30 CY	SAND - CONCRETE ASTM C-33	\$ 7.55	\$ 226.50			
		NOTE: 15 CY TO BE DELIVERED UPON					
		RECEIPT OF NOTICE TO PROCEED AND 15					
		CY DELIVERED 2 WEEKS LATER.					
2.	30 CY	GRAVEL, 3/4	6.45	193.50			
3.	10 CY	PEA GRAVEL, UNWASHED	5.80	58.00			
4.	100 CY	CONCRETE, TYPE II 5 SACK, 3/4 AGGREGATE	39.50	3,950.00			
		NOTE: CONCRETE WILL BE DELIVERED ON-CALL					
		BASIS ON WEDNESDAY OR THURSDAY IN 6-7					
		20 DAYS. ORDERS TO BE PLACED BY CEMENT					
		MASONS JAC LOCAL 797.					

[Signature]
 Purchasing and Contracts Date 8/4/81

[Signature]
 Department/Division Head Date 8-5-81

To: CETA
 CITY COMMISSION MINUTES AUGUST 19, 1981
 Please review and furnish your recommendation
 or comments prior to Aug 6, 1981
 for this item to appear on the Commission
 agenda for award on Aug. 19, 1981.

To: Purchasing and Contracts
Recommend award
0250

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM:	Electronic Equipment	
BID TITLE:	Traffic Signal Controller	
BID NUMBER:	82.1730.1	
DEPARTMENT:	Public Services	
INVITATIONS MAILED OUT:	12	
RESPONSES RECEIVED:	3	
BIDDERS:		
	Automatic Signal - LFE/TCD	\$8,565.00
	Control Traffic Corporation	\$9,686.00
	Econolite Controls	\$10,101.00

STAFF RECOMMENDATION TO AWARD BID TO:

Automatic Signal - LFE/TCD Torrance, California	\$8,556.00

Public Services

To: Purchasing and Contracts

Please review and furnish your recommendation
 comments prior to AUGUST 6, 1981
 or this item to appear on the Commission
 agenda for award on AUGUST 19, 1981.

The controller and cabinet bid by the
 three manufacturers meet the specifica-
 tions. Therefore, the bid should be
 awarded to the apparent low bidder

AUTOMATIC SIGNAL-LIFE/TCD
 in the amount of: \$ 8,556.00

[Signature]
 Purchasing and Contracts Date 7/29/81

[Signature]
 Department/Division Head Date 7-31-81

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: ONE (1) CONTROLLER AND CABINET

BID #: 82.1730.1

INVITATIONS SENT: 12 ESTIMATE: \$12,000.00

AUTOMATIC SIGNAL-LFE/TCD
35458 W. LOMITA BLVD.
TORRANCE, CA 90505

LIC# T10-04242 BOND: 5%

CONTROL TRAFFIC CORP.
1140 N. KRAEMER BLVD.#H
ANAHEIM, CA 92806

LIC# NONE BOND: CK

ECONOLITE CONTROL
3360 E. LAPALMA
ANAHEIM, CA 92806

LIC# T10-17625 BOND: 5%

ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	1 EA	CONTROLLER AND CABINET, AS PER TECHNICAL SPECIFICATIONS	\$	\$ 8,556.00	\$	\$ 9,686.00		\$ 10,101.00
		TOTAL:		\$ 8,556.00		\$ 9,686.00		\$ 10,101.00
		MFG./MODEL NO.:		LFE/TCD AUTOMATIC SIGNAL		TRACONEX INC. HMP 190		ECONOLITE KMC-8 CONTROLLER
				MODEL SERIES 218 CONTROLLER/R-1 CABINET				IN R CABINET
		THIS ITEM WILL BE DELIVERED TO THE CITY OF LAS VEGAS SIGNAL SHOP WITHIN 150 CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.	150		90		90	
		NO BID: INDICATOR CONTROLS C.E.D. CORP.						

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM: Electrical Supplies

BID TITLE: Luminaries

BID NUMBER: 82.1740.1

DEPARTMENT: Public Services

INVITATIONS MAILED OUT: 7

RESPONSES RECEIVED: 3

BIDDERS:

Amfac Electric \$13,286.32

TFI Electric Supply \$13,300.00

Graybar Electric \$13,528.00

STAFF RECOMMENDATION TO AWARD BID TO:

Amfac Electric,
Las Vegas, Nevada \$13,286.32

To: Purchasing and Contracts

Returned card to
Imperial Electric -
Augustine 7-31-81

Date

BID TITLE: LUMINAIRES			AMFAC ELECTRIC P.O. BOX 14700 LAS VEGAS, NV 89114 LIC/A08-00525 BOND:		TFI ELECTRIC SUPPLY P.O. BOX 1690 LAS VEGAS, NV 89101 LIC/B10-17493 BOND:		GRAYBAR ELECTRIC P.O. BOX 14630 LAS VEGAS, NV 89114 LIC/B10-09134 BOND:	
BID #: B2.1740.1								
INVITATIONS SENT: 7 ESTIMATE: \$28,000.00								
ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	76 EA.	LUMINAIRE, AS PER TECHNICAL SPECIFICATIONS	\$ 174.82	\$ 13,286.32	\$ 175.00	\$ 13,300.00	\$ 178.00	\$ 13,528.00
		TOTAL:		\$ 13,286.32		\$ 13,300.00		\$ 13,528.00
		MFG./MOOEL NO.:	HUBBLE SG-1500-H		HUBBELL S.G-1500H 1x5		G.E. FIXT BRACKET	
					1 CFB & 4090		X503 M1.5 A 5 G*	
		DELIVERY OF THESE LUMINAIRES TO THE ELECTRICAL SERVICES WILL BE MADE WITH-					35-110728A5	
		IN CALENDAR DAYS FROM DATE OF NOTICE TO PROCEED.	35		35		48	
							* CATALOG ATTACHED	
							MATERIAL SHOWN ON PAGES	
							C13 & C14	

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM:	Expendable Supplies	
BID TITLE:	Firefighters Helmets	
BID NUMBER:	81.2100.12	
DEPARTMENT:	Fire Services	
INVITATIONS MAILED OUT:	12	
RESPONSES RECEIVED:	2	
BIDDERS:		
	L.N. Curtis & Sons	\$12,266.18
	Thunderbird Sales	\$13,148.92

STAFF RECOMMENDATION TO AWARD BID TO:

L.N. Curtis & Sons, Oakland, California	\$12,266.18

BID ABSTRACT & AWORD RECOMMENATION

BID TITLE: FIRE SAFETY EQUIPMENT (HELMETS & ACCESSORIES)

BID #: 81.2100.12

INVITATIONS SENT: 12 ESTIMATE: \$ 16,500.00

L.N. CURTIS & SONS
4133 BROADWAY
OAKLAND, CA 94618

LIC# NONE

BOND: CK

THUNDERBIRD FIRE & SAFETY
2255 W. MCDOWELL RD.
PHOENIX, AZ 85009

LIC# T10-05616 BOND: 5%

LIC#

BOND:

ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	218 EA.	HA. HELMET, CAIRNS 660C METRO, YELLOW, AS	\$ 41.40	\$ 9,025.20	\$ 43.94	\$ 9,578.92		
		per TECHNICAL SPECIFICATIONS						
2.	40 EA.	HELMET, CAIRNS 660C METRO, ORANGE,	41.40	1,656.00	43.94	1,757.60		
		AS PER TECHNICAL SPECIFICATIONS						
3.	12 EA.	HELMET, CAIRNS, 660C METRO, WHITE	48.00	576.00	52.35	628.20		
		COMPLETE WITH STANDARD 4" HELMET						
		FRONTS AS PER TECHNICAL SPECIFICATIONS						
4.	18 EA.	FRONTAL DECALS, CAIRNS D112, CAPTAIN,	.99	17.82	1.14	20.52		
		AS PER TECHNICAL SPECIFICATIONS						
5.	60 EA.	FRONTAL DECALS, CAIRNS D110, CAPTAIN,	.99	59.40	1.14	68.40		
		AS PER TECHNICAL SPECIFICATIONS						
6.	140 EA.	FRONTAL DECALS, CAIRNS D116 (EMS), AS	.96	134.40	1.14	159.60		
		PER TECHNICAL SPECIFICATIONS						
7.	160 EA.	TITLE TAPES, CAIRNS D207, CAPTAIN,	.96	153.60	1.14	182.40		
		AS PER TECHNICAL SPECIFICATIONS						
8.	5 SH	REFLEXITE BARS, CAIRNS RP16, WHITE	3.25	16.25	3.76	18.80		
		1" x 4", 16 BARS PER SHEET, AS PER						
		TECHNICAL SPECIFICATIONS						
9.	3 SH	REFLEXITE BARS, CAIRNS RP16, RED,	3.25	9.75	3.76	11.28		
		1" x 4", 16 BARS PER SHEET, AS PER						
		TECHNICAL SPECIFICATIONS						
10.	36EA	REFLEXITE LETTERS, WHITE, CAIRNS	.29	10.44	.35	12.60		
		SERIES RP, AS PER TECHNICAL SPECIFI-						
		CATIONS						
11.	36 EA.	SCOTCHLITE LETTERS, WHITE WITH BLACK	.37	13.32	.35	12.60		
		OUTLINE, CAIRNS SERIES D300, AS PER						

TECHNICAL SPECIFICATIONS

CITY COMMISSION MINUTES AUGUST 19, 1981

0356

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: FIRE SAFETY EQUIPMENT (HELMETS & ACCESSORIES)		L.N. CURTIS & SONS 4133 BROADWAY OAKLAND, CA 94618		THUNDERBIRD SALES 2265 W. MCDOWELL RD. PHOENIX, AZ 85009			
BID #: 81.2100.12							
INVITATIONS SENT: 12		ESTIMATE: \$16,500.00		LIC# NONE BOND: CK		LIC# T10-05616 BOND: 5%	
ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	
12.	20 EA.	SWEATLINERS WITH ADJUSTABLE NOMEX EARLAPS, CAIRNS L6, AS PER TECHNICAL SPECIFICATIONS	\$ 5.10	\$ 102.00	\$ 5.94	\$ 118.80	
13.	20 EA.	FACESHIELD, WRAPAROUND, 4", COMPLETE w/MOUNTING HARDWARE, CAIRNS S-6, AS PER TECHNICAL SPECIFICATIONS	7.50	150.00	8.90	178.00	
14.	20 SETS	LENS MOUNTING HARDWARE, FACE SHIELD, COMPLETE WITH BRACKETS, AS PER TECHNICAL SPECIFICATIONS	4.60	92.00	5.43	108.60	
15.	20 EA.	LENS, CAIRNS S701, AS PER TECHNICAL SPECIFICATIONS	3.80	76.00	4.71	94.20	
16.	40 EA.	CHINSTRAPS, NYLON, TWO-PIECE, WITH POSTMANS SLIDE AND CHAIN CUP, CAIRNS C-7, AS PER TECHNICAL SPECIFICATIONS	4.35	174.00	4.96	198.40	
TOTAL:				\$ 12,266.18		\$ 13,148.92	
THESE ITEMS WILL BE DELIVERED TO THE CITY OF LAS VEGAS, RM. 18, 400 E. STEWART AVE., WITHIN CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.			60		60-75		
NO BID: NEVADA FIRST AID AFSECO INDUSTRIES -							
NO BID BOND - REJECTED WITHOUT CONSIDERATION							

CITY COMMISSION MINUTES AUGUST 19, 1981

From: Purchasing and Contracts

To: FIRE SERVICES

Please review and furnish your recommendation or comments prior to JULY 23, 1981 for this item to appear on the Commission agenda for award on AUGUST 5, 1981.

Purchasing and Contracts

Date 7/8/81

Department/Division Head

Date 7-9-81

To: Purchasing and Contracts

Recommendation of
J. H. Curtis & Sons, Inc.
written for all items.

0257

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM: Services
BID TITLE: Moving and Relocation of Housing and Administrative Units
BID NUMBER: 82.3550.13
DEPARTMENT: Public Services
INVITATIONS MAILED OUT: 9
RESPONSES RECEIVED: 1
BIDDERS:

Bland/Ford Inc. \$97,200.00

STAFF RECOMMENDATION TO AWARD BID TO:

Bland/Ford Inc.
Las Vegas, Nevada \$97,200.00

SUBJECT TO FINAL APPROVAL OF USE PERMIT

1-81

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: REMOVING, TRANSPORTING, AND SETTING
IN PLACE FOUR EACH 2-STORY WOODEN
DORMITORIES

BLAND FORD INC.
2151 GATEWAY RD.
LAS VEGAS, NV 89110

INVITATIONS SENT: 9 ESTIMATE: \$

LIC# C11-07359 BONDICK

ITEM#	QTY	DESCRIPTION	LIC# C11-07359 BONDICK		LIC#		BOND#		LIC#		BOND#	
			U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
		BASE BID										
1.	4 EA	REMOVE, TRANSPORT, AND SET IN PLACE, FOUR (4) EACH 2-STORY WOODEN DORMITORIES	\$24,300.00	\$ 97,200.00								
		TOTAL BASE BID:		\$ 97,200.00								
		ADDITIVE ITEM										
1A	2 EA	REMOVE, TRANSPORT, AND SET IN PLACE, TWO (2) EACH ONE-STORY WOODEN DORMI- TORIES 501 AND 909										
		501	\$14,500.00	\$ 31,600.00								
		909	\$17,100.00									
		TOTAL ADDITIVE ITEM:		\$ 31,600.00								
		STATE LICENSE NO.:	10050									

Purchasing and Contracts Date

8-19-81

Department/Division Head Date

8/19/81

CITY COMMISSION MINUTES AUGUST 19, 1981
From: Purchasing and Contracts
To: Gene DeBouan

Please review and furnish your recommendation
or comments prior to _____
for this item to appear on the Commission
agenda for award on 8-19-81.

RECOMMEND AWARDED AS BID TO
LOW BIDDER PROVISIONALLY
SUBJECT TO FINAL GRANTING
OF USE PERMIT BY BZA.

07359

City of Las Vegas

0260

AGENDA DOCUMENTATION

Date: August 13, 1981

TO: The Board of City Commissioners

FROM: ASHLEY HALL
DEPUTY CITY MANAGERSUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - AUGUST 19, 1981
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. PURCHASE ORDER APPROVAL

1. Recommend Purchase Order Approval to Sproul Homes of Nevada, Las Vegas, Nevada in the amount of \$20,837.41, for Oversizing of Sewer Line from 8" to 10".
Purchase Request # 1711-232.
FUNDING: SANITATION FUND
2. Recommend Purchase Order Approval to Tiberti/Sundt, Henderson, Nevada in the amount of \$35,808.00 for Three (3) Administrative Building Units For Misdemeanant Detention Facility. Purchase Request # 0800-36.
FUNDING: CAPITAL PROJECT FUND
3. Recommend Purchase Order Approval to Clark County Treasurer, Las Vegas, Nevada in the amount of \$6,595.12, for Pest and Weed Abatement Program. Purchase Request # 1762-1398.
FUNDING: GENERAL FUND
4. Recommend Purchase Order Approval to Regional Transportation Commission, Las Vegas, Nevada in the amount of \$80,243.44, for the City's Share for Charleston Boulevard from Main Street to 10th Street. Purchase Request # 3551-3250.
FUNDING: GENERAL REVENUE SHARING - \$24,414.21
SPECIAL IMPROVEMENT DISTRICT - \$56,129.23
5. Recommend Purchase Order Approval to Regional Transportation Commission, Las Vegas, Nevada in the amount of \$129,395.31, for the City's Share of Charleston Boulevard from 10th Street to Eastern Avenue. Purchase Request # 3551-3251.
FUNDING: GENERAL REVENUE SHARING

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 81-82.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT ITEMS 1 THROUGH 5 ARE IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENDATION OF THE OFFICE OF THE CITY MANAGER THAT ITEMS 1 THROUGH 5 BE APPROVED.

DISPOSITION

Approved ☐
 Disapproved ☐
 Held ☐

Status Due: _____

78-2-10


 Dan R. Pilkington, Director
 Department of General Services
 Agenda Item

SECTION B PAGE 1 OF 2
 IV (g) B 1

City of Las Vegas

0361

AGENDA DOCUMENTATION

Date: August 13, 1981

TO: The Board of City Commissioners

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - AUGUST 19, 1981
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. PURCHASE ORDER APPROVAL CONTINUED

6. Recommend Purchase Order Approval to Regional Transportation Commission, Las Vegas, Nevada in the amount of \$21,587.00, for the City's Share of Charleston Boulevard at Five Points. Purchase Request # 3551-3252.
FUNDING: GENERAL REVENUE SHARING
7. Recommend Purchase Order Approval to Regional Transportation Commission, Las Vegas, Nevada in the amount of \$9,425.55, for the City's Share of Torrey Pines Boulevard from West Charleston Boulevard to Casada Way.
FUNDING: GENERAL REVENUE SHARING

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 81-82.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT ITEMS 6 AND 7 ARE IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENDATION OF THE OFFICE OF THE CITY MANAGER THAT ITEMS 6 AND 7 BE APPROVED.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

78-2-10


Dan R. Pilkington, Director
Department of General Services
Agenda ItemSECTION B PAGE 2 OF 2
IV (g) B 2

PURCHASE REQUEST

CITY COMMISSION MINUTES AUGUST 19, 1981

0062

Sproul Homes of Nevada
P. O. Box 5547, Garside Sta.
Las Vegas, Nevada 89102

SHIP TO:

Donald E. Donovan
Director of Public Services
400 E. Stewart Ave.
Las Vegas, NV 89101

REQ. NO.

1711-232

P.O. NO.

REQ. DATE

April 30, 1981

ESTIMATES FROM:

☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☒ OTHER (SPECIFY) See attached

FUNDING:

☐ UNBUDGETED ☐ BUDGETED N/A
PAGE OBJECT CODE

REQUESTING DEPT. EST. _____ NOT TO EXCEED 20,964.11

REQUESTING DEPT/DIV

F.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

Public Services/San.

JUSTIFICATION FOR PURCHASE -

To serve areas beyond this development - Charleston Rainbow units

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
Lump Sum		Oversizing of sewer line from 8" to 10"		\$20,964.11 20,837.41

VENDORS CONTACTED

LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL
1	7114	8030				20,837.41

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

Donald E. Donovan
DEPT. DIR. HEAD 6/30/81
DATE
W. Turner
6/30/81
DATE
R. E. Turner
FINANCE
BUDGET & MANAGEMENT 7/2/81
DATE
W. P. Cook
DEPUTY CITY MANAGER 7/2/81
DATE

PURCHASING & CONTRACTS

DATE

FUNDING VERIFICATION

6/29/81

TO:

PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISION

FROM:

OFFICE OF BUDGET &
MANAGEMENT SERVICES

PROJECT/ITEM DESCRIPTION :

Payment to Sproul Homes
for Oversizing of Sewer line
from 8" to 10"

PURCHASE REQUEST NO. :

1711-232

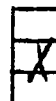
FUNDING SOURCE:

	Source	Dollars Budgeted	%	FUND/ORG	ACCT	TASK	OPT.	ACT/WA
☐	General Fund	.00						
☐	Special Assessment Fund	.00						
☐	Reg. Transportation Comm.	.00						
☐	General Revenue Sharing	.00						
☐	State:	.00						
☐	Federal:	.00						
☐	Vehicle Services Fund	.00						
☒	Sanitation Fund	20,837 .00	100%	7114	8030			
☐	C. D. Block Grant	.00						
☐	L.V.C. & V. Authority	.00						
☐	Capital Project Fund	.00						
☐		.00						
☐		.00						
TOTALS:		20837 .00	100%					

ESTIMATED COST (from Purchase Request):

\$ 20,837

Luke M. Sundahl
OBMS Authorized Signature



Recommend Permission to Receive Bids
Recommendation of Award
Disapproved

INTER-OFFICE MEMORANDUM

AUGUST 7, 1981

0264

TO:

RUSSELL DORN,
CITY MANAGER

FROM:


DAN R. PILKINGTON,
DIRECTOR OF GENERAL SERVICES

SUBJECT:

PURCHASE OF MOBILE OFFICE TRAILERS

COPIES TO:

ASHLEY HALL
DON SAYLOR
LOIS SOLOMON
TOM GRAHAM
GENE DONOVAN

RE: MINIMUM SECURITY FACILITIES - ADMINISTRATION COMPLEX

The City of Las Vegas has been approached by the joint venture firm of Tiberti/Sundt concerning our purchase, from them, of three (3) trailer units. A copy of a Purchase Request, issued by Architectural Services, details the type, size and price of each trailer. The unit prices are more than 50% below the trailers original purchase price. These trailers were purchased new by Tiberti/Sundt in 1979.

A review of N.R.S. 332 indicates the City may, if it desires, take advantage of such closeout sales without benefit of competitive bidding. The City Attorney's office has been consulted and has indicated the purchase of the trailers is within the framework of the Local Government Purchasing Act, N.R.S. 332, paragraph 146.

In following the recommendation of Architectural Services, the Department of General Services will place the item for the purchase of these trailers on the August 19, 1981 Commission Agenda for approval.

DRP:nso

City of Las Vegas PURCHASE REQUEST

TO:

TIBERTI/SONDT
P.O. BOX 2039
HENDERSON, NV 89015

P.O.

REQ. NO.

0800 - 36

DATE:

8/5/81

SHIP TO:

to await collection
by CLV contractor

FUNDING

☐ UNBUDGETED

☐ BUDGETED

PAGE

OBJECT CODE

REQUESTING DEPT.

TOTAL PRICE NOT TO

EST. \$37,300

EXCEED \$41,000

Buyer who can furnish information regarding this order:

REQUIRED DEL.

F.O.B. POINT

TERMS

September 15, 1981

REQUESTING DEPT/OIV

Gen. Cap. Proj.

Architectural Services (XXXXXX)

ESTIMATES FROM:

☐ FORMER P.O. #

DATE

☐ PURCHASING & CONTRACTS

XX OTHER (SPECIFY) Tiberti Construction

JUSTIFICATION

Purchase of trailers to provide accomodation
for administration staff of City's
misdemeanor jail facility.

CONSTRUCTION CONTRACT

SUPPLY CONTRACT

VERBAL QUOTE

INFORMAL BID

FORMAL BID

SINGLE SOURCE

SOLE SOURCE

COMPETITIVE

FUND/ORG	ACCT	TASK	OPT	ACT/WA	QTY	UNIT	MATERIALS & OESCRPTION	UNIT PRICE	TOTAL
5012	8030			WU7913	1	EA	1979 Cliff Trailer, 12 x 60 (used)		8352
Dur					1	EA	1979 Cliff Trailer, 24 x 60 (used)		14,208
					1	EA	1979 Cliff Trailer, 24 x 60 (used)		13,248
		</							

CITY OF LAS VEGAS

Date

FUNDING VERIFICATION

Aug. 5, 1981

TO:

PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISION

FROM:

OFFICE OF BUDGET &
MANAGEMENT SERVICES

PROJECT/ITEM DESCRIPTION :

*Purchase of trailers for
administration, modular
detention facilities*

PURCHASE REQUEST NO. :

0800-36

FUNDING SOURCE:

Revenue Sharing Allocation - City Jail Renovation

Source	Dollars Budgeted	%	FUND/ORG	ACCT	TASK	OPT.	ACT/WA
☐ General Fund	.00						
☐ Special Assessment Fund	.00						
☐ Reg. Transportation Comm.	.00						
☐ General Revenue Sharing	.00						
☐ State:	.00						
☐ Federal:	.00						
☐ Vehicle Services Fund	.00						
☐ Sanitation Fund	.00						
☐ C. D. Block Grant	.00						
☐ L.V.C. & V. Authority	.00						
☒ Capital Project Fund	<i>41,000</i> .00	<i>100%</i>	<i>5012</i>	<i>8030</i>			<i>W4713</i>
☐	.00						
☐	.00						
TOTALS:	<i>41,000</i> .00	100%					

ESTIMATED COST (from Purchase Request):

\$ *41,000**Kirk M. Lundahl*
OBMS Authorized SignatureRecommend Permission to Receive Bids
Recommendation of Award
Disapproved

TO:

0267

7/28/81

TO:

PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISION

FROM:

OFFICE OF BUDGET &
MANAGEMENT SERVICES

PROJECT/ITEM DESCRIPTION :

Annual Mosquito Abatement Contract
Clark County

PURCHASE REQUEST NO. :

1762-1378

FUNDING SOURCE:

	Source	Dollars Budgeted	%	FUND/ORG	ACCT	TASK	OPT.	ACT/WA
☒	General Fund	6,596 .00		1762	610			
☐	Special Assessment Fund	.00						
☐	Reg. Transportation Comm.	.00						
☐	General Revenue Sharing	.00						
☐	State:	.00						
☐	Federal:	.00						
☐	Vehicle Services Fund	.00						
☐	Sanitation Fund	.00						
☐	C. D. Block Grant	.00						
☐	L.V.C. & V. Authority	.00						
☐	Capital Project Fund	.00						
☐		.00						
☐		.00						
TOTALS:		6,596 .00	100%					

ESTIMATED COST (from Purchase Request):

\$ 6,596

Luk M. Sundahl
OBMS Authorized Signature

☐
☒
☐

Recommend Permission to Receive Bids
Recommendation of Award
Disapproved

City of Las Vegas

CITY COMMISSION MINUTES AUGUST 19, 1980

0271

FUNDING VERIFICATION

Date: Oct. 27, 1978

TO: Budget Officer Office of Budget & Management Services via Office of Purchasing & Contracts	FROM: DEPARTMENT OF PUBLIC SERVICES
SUBJECT: CASE I EAST CHARLESTON BLVD. - MAIN ST. TO 10TH ST.	PURCHASE REQUEST NO. 355-3035

PROJECT/ITEM DESCRIPTION: Reconstruction of East Charleston Blvd. from Main St. to 10th St.
Work to include installation of Assessment District.

FUNDING SOURCE:

☐ General Fund	☒ Revenue Sharing \$94,169.00 (W.O. 7719)
☒ Assessment \$63,975 (W.O. 4260, 4261, 4262)	☐ Federal: _____
☒ Regional Streets & Highways \$182,054 (W.O. 7719)	☐ Other: _____
☐ State: _____	

DESTINATION ACCOUNT/WORK ORDER NUMBER: W.O.'s 7719, 4260, 4261, 4262

FUNDS ARE BUDGETED IN THE AMOUNT OF: \$ See attached sheet

Richard D. Thomas
Department Head

Date

BUDGETED FUNDS ARE AVAILABLE IN THE AMOUNT OF: \$ 150,000.00

ADDITIONAL/ALTERNATIVE FUNDS ARE AVAILABLE

(A) From _____

(B) Amount \$ _____

ESTIMATED COST (from Purchase Request) \$ _____

- ☒ Recommend Permission to Receive Bids
☐ Recommendation of Award
☐ Disapproved

Richard D. Thomas
Budget Officer

10/30/78
Date

FUNDING VERIFICATION

0272
2/26/80TO: PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISIONFROM: DX Parks
OFFICE OF BUDGET & MANAGEMENT

PROJECT/ITEM DESCRIPTION :

E. Chas. Phase II

PURCHASE REQUEST NO. :

3530-3164

1. FUNDING DEPARTMENT:

FUND/ORG.: Reg. Term's Comm

FUND/ORG.: _____

FUND ORG.: _____

2. FMS CODING BLOCK :

FUND/ORG	ACCT	TASK	OPTION	ACT/WA
5061	5030			WA 7768

3. FUNDING SOURCE:

☐ GENERAL CITY REVENUES☐ ASSESSMENT DISTRICT☐ CONVENTION AUTHORITY☒ REVENUE SHARING \$192,700☒ REGIONAL TRANSPORTATION COMM.
\$3,371,700.00☐ STATE: _____☐ FEDERAL: _____☐ OTHER: _____

4. BUDGETED FUNDS ARE AVAILABLE IN THE AMOUNT OF:

\$ 356,400

5. ADDITIONAL/ALTERNATIVE FUNDS ARE AVAILABLE :

(A) From N/A

(B) Amount

\$

6. ESTIMATED COST (from Purchase Request) :

\$

356,400☒ Recommend Permission to Receive Bids☐ Recommendation of Award☐ Disapproved

OBM Authorized Signature

Date

2/26/80

FUNDING VERIFICATION

7/22/81

TO:

PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISION

FROM:

OFFICE OF BUDGET &
MANAGEMENT SERVICES

PROJECT/ITEM DESCRIPTION :

Payment to Clark County for
Freemont/Charleston/Eastern
Intersection (Five Points)

PURCHASE REQUEST NO. :

3551-3252

FUNDING SOURCE:

100% Revenue Sharing

	Source	Dollars Budgeted	%	FUND/ORG	ACCT	TASK	OPT.	ACT/WA
☐	General Fund	.00						
☐	Special Assessment Fund	.00						
☐	Reg. Transportation Comm.	.00						
☐	General Revenue Sharing	.00						
☐	State:	.00						
☐	Federal:	.00						
☐	Vehicle Services Fund	.00						
☐	Sanitation Fund	.00						
☐	C. D. Block Grant	.00						
☐	L.V.C. & V. Authority	.00						
☒	Capital Project Fund	110,000 .00	100%	5061	8030			
☐		.00						
☐		.00						
TOTALS:		110,000 .00	100%					

ESTIMATED COST (from Purchase Request):

\$ 21,587

Kirk M. Lundahl
OBMS Authorized Signature

☐
☒
☐

Recommend Permission to Receive Bids
Recommendation of Award
Disapproved

FUNDING VERIFICATION

7/22/81

TO:

PURCHASING & CONTRACTS OFFICER
PURCHASING & CONTRACTS DIVISION

FROM:

OFFICE OF BUDGET &
MANAGEMENT SERVICES

PROJECT/ITEM DESCRIPTION :

Payment to Clark County for
Torrey Pines - Charleston Boulevard

PURCHASE REQUEST NO. :

3551-3253

FUNDING SOURCE:

100% Revenue Sharing

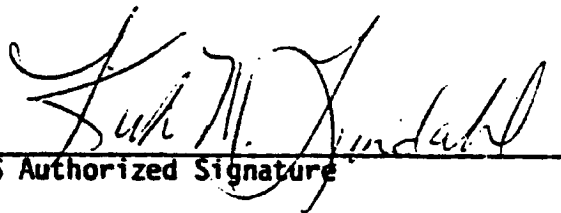
	Source	Dollars Budgeted	%	FUND/ORG	ACCT	TASK	OPT.	ACT/WA
☐	General Fund	.00						
☐	Special Assessment Fund	.00						
☐	Reg. Transportation Comm.	.00						
☐	General Revenue Sharing	.00						
☐	State:	.00						
☐	Federal:	.00						
☐	Vehicle Services Fund	.00						
☐	Sanitation Fund	.00						
☐	C. D. Block Grant	.00						
☐	L.V.C. & V. Authority	.00						
☒	Capital Project Fund	9,425 .00	100%	5061	8030			
☐		.00						
☐		.00						
TOTALS:		9,425 .00	100%					

ESTIMATED COST (from Purchase Request):

\$

9,425

OBMS Authorized Signature


☐
☒
☐

Recommend Permission to Receive Bids
Recommendation of Award
Disapproved

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICESDONALD E. DONOVAN, P.E., DIRECTOR*CONSENT AGENDA

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

*A APPROVAL OF SUBDIVISION MAPS

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

1. Oeste Villas Unit 1. (Villa Bonita Oeste - property generally located East of Michael Way, South of Lake Mead Blvd., No. of lots: 28, No. of acres: 7.63, R-1 zone)

Lurie -
APPROVED
Items 1 and 2.
Unanimous

Staff to proceed

2. New Country No. 6. (First Western Savings - property generally located North of Cheyenne Rd., East of Jones Blvd. No. of lots: 46, No. of acres: 11.4, R-1 zone)

Staff to proceed

*B. RELEASE OF BOND

All offsite improvements have been completed, inspected, and accepted. The bonds may be released.

1. Location: 1700 East Sahara Ave.
Use: Offsite improvements
Builder: Carson Construction Co., Inc.
Surety Co.: Safeco Insurance Co. of America
Amount: \$22,596.00
Bond No.: 4152660, CLV #7-81

Lurie -
APPROVED
Items 1 thru 4.
Unanimous

Clerk to notify &
Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)*B. RELEASE OF BOND (Continued)

2. Location: 1223 No. Nellis Blvd.
 Use: Offsite improvements
 (fire hydrant)
 Builder: Nellis Mini Storage
 South
 Surety Co.: The Continental Insurance
 Company
 Amount: \$1,100.00
 Bond No.: BND 215-25-41, CLV
 #12-80

APPROVED
 See Page 22

Clerk to notify &
 Staff to proceed

3. Location: 1405 & 1415 So. Arville
 St. (NE corner Arville
 St. & Del Rey Ave.)
 Use: Offsite improvements
 (curb & gutter, sidewalk
 and street paving)
 Builder: St. Anton Construction
 Inc.
 Surety Co.: First Western Savings &
 Loan Association
 Amount: \$13,000.00 (cash deposit)
 Bond No.: CLV - 12-81

Staff to proceed

4. Location: 1591 No. Nellis Blvd.
 Use: Offsite improvements
 (Paving, Curb & gutter,
 sidewalks, street lights)
 Builder: Southland Corporation
 Surety Co.: Safeco Insurance Co. of
 America
 Amount: \$27,000.00
 Bond No.: 2971829 CLV - 26-79

Clerk to notify &
 Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

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

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ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)*C. RELEASE OF CONTRACT RETENTION

All work has been completed in accordance with contract plans and specifications and the work has been inspected.

1. Bid No.: 81.3550.5
 Contractor: George Bernadot Company
 For: Drainage Installation - Jones Blvd. - Smoke Ranch Rd. Intersection

Notice of
 Completion: July 24, 1981
 Release Date: August 28, 1981

Lurie -
 APPROVED
 Items 1, 2 & 4.
 Unanimous

Clerk to notify &
 Staff to proceed

2. Bid No.: 81.3550.13
 Contractor: A & S Roofing
 For: Reroofing 5 City owned buildings - Las Vegas Metropolitan Police Department Garage Office area; Voluntary Action Center; Las Vegas Art Museum; and Art Classroom buildings

Notice of
 Completion: August 5, 1981
 Release Date: Sept. 9, 1981

Clerk to notify &
 Staff to proceed

3. Bid No.: 81.3550.20
 Contractor: J. R. Jacks Trucking
 For: Valley Gutter Installation, Carson Ave. and 3rd St. - South side

Notice of
 Completion: August 3, 1981
 Release Date: Sept. 7, 1981

Item No. 3
 STRICKEN FROM
 AGENDA. No action.

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)***C. RELEASE OF CONTRACT RETENTION (Continued)**

4. Bid No.: 81.3530.1
 Contractor: Slurry Seal of Arizona
 For: Slurry Seal program,
 various locations with-
 in the City limits

Notice of
 Completion: August 5, 1981
 Release Date: Sept. 9, 1981

APPROVED
 See Page 24

Clerk to notify &
 Staff to proceed

***D. RIGHT OF WAY ITEMS**

1. Grant Deed
 From: S.S.C. Investments, a
 General Partnership
 To: City of Las Vegas
 For: Portion SW-1/4, Sec. 33,
 T20S, R61E
 Goldring Ave.
 Dedication (7/1/81)

Lurie -
 APPROVED
 Items 1 thru 3.
 Unanimous

Staff to proceed

2. Grant Deed
 From: Hawaii-Las Vegas
 Investments, a Nevada
 Corporation
 To: City of Las Vegas
 For: Portion Lot 20, Block 1,
 Elstner Estates Sub-
 division
 S-1/2 Donnie Ave.
 (7/6/81)
 Recorded as Instrument
 No. 1394655 in Official
 Book 1435 in the office
 of the County Recorder
 on July 20, 1981

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 26

PHONE 386-6011

ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)*D. RIGHT OF WAY ITEMS (Continued)

3. Grant Deed
 From: Lawrence A. LaPenta
 To: City of Las Vegas
 For: Portion Lot 20, Block
 1, Elstner Estates Sub-
 division
 N-1/2 Donnie Ave.
 (6/30/81)
 Recorded as Instrument
 No. 1394657 in Official
 Book No. 1435 in the
 office of the County
 Recorder on July 20,
 1981

APPROVED
See Page 25

See Page 25

E. TRAFFIC AND PARKING ITEMS

1. Request by Richard N. Brand to allow joint-use driveways in the Northwind Development.
2. Resolutions to amend Title X (Traffic) of the City of Las Vegas Municipal Code as follows:
 2. a. Request to remove parking on both sides of Rancho Drive from Sahara Avenue to Oakey Boulevard.
 2. b. Request by Barry W. Stubbs for a 30 minute Commercial Vehicle Loading Zone at 2025 South Highland Avenue.
 2. c. Request by Top Notch Automotive at 24 West California Avenue to change parking restrictions on California Avenue between Commerce Street and South 4th Street.
 2. d. Request by Mathew Saari to change parking restrictions on Garces Avenue between Las Vegas Boulevard South and South 4th Street.

Levy -
APPROVED as recom-
mended by staff on
all items under E.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



City of Las Vegas

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST BY RICHARD N. BRAND TO ALLOW JOINT-USE DRIVEWAYS IN THE
NORTHWIND DEVELOPMENTPURPOSE/BACKGROUND

A request was received from Richard N. Brand of Sun Survey for the approval of joint-access driveways in the "Northwind" Subdivision, located on Owens Avenue and Northwind Court. The development is comprised of eight four-plex units with common parking areas in between every two units. The plans show only one driveway to each area, for a total of four joint-access driveways.

The use of joint-access driveways eliminates four unnecessary driveways and makes more on-street parking available to the public.

FISCAL IMPACT

None.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the joint-access driveways in the Northwind Subdivision. Staff concurs.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐
DONALD E. DONOVAN, P.E.
DIRECTOR OF PUBLIC SERVICES

Status Due: _____

Agenda Item 8/19/81

IV (h) E.1

0285

SUNNEY

5720 W. Charleston Suite F Las Vegas Nev 89102 870-1801 Beeper 381-3257

Ph. Brand

*City of Las Vegas***AGENDA DOCUMENTATION**Date: August 7, 1981

The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST TO REMOVE PARKING ON BOTH SIDES OF RANCHO DRIVE FROM SAHARA
AVENUE TO OAKLEY BOULEVARDPROPOSE/BACKGROUND

Presently, there are four lanes of traffic on Rancho Drive from Sahara Avenue to Oakley Boulevard. The removal of parking on both sides of Rancho Drive in the subject area will allow the installation of a center left turn lane in the future.

Major areas of this portion of Rancho Drive already have parking removed. At the intersection of Rancho Drive with Sahara Avenue there are four lanes of traffic and a left turn lane. The Trammell-Crow development, generally located on the northwest corner of the intersection of Sahara Avenue and Rancho Drive, was approved at the August 5, 1981 City Commission meeting. One of the conditions placed on that development is the installation of a center left turn lane on Rancho Drive along their frontage. The City would install the remainder of the center left lane north to Oakley Boulevard.

Notices were sent to 17 property owners of record in areas where parking was not removed already. There were five responses in favor of the removal of parking and one against. On the notice it was indicated that no response would be assumed to be an affirmative response.

SCAL IMPACT

The Traffic Engineering Division will paint the curb red to implement the removal of parking at a cost of \$155.00. Funds are available in the FY 1981-82 Division budget.

COMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the removal of parking on both sides of Rancho Drive from Sahara Avenue to Oakley Boulevard. A resolution is attached. Staff concurs.

POSITION

Approved ☐
Disapproved ☐
Held ☐


DONALD E. DONOVAN, P.E.
Director of Public Services

Status Due: _____

Agenda Item 8/19/81
IV (h). E. 2 a.

*City of Las Vegas***AGENDA DOCUMENTATION**Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR,
DEPUTY CITY MANAGERSUBJECT: REQUEST BY BARRY W. STUBBS FOR A 30 MINUTE COMMERCIAL VEHICLE LOADING ZONE
AT 2025 SOUTH HIGHLAND AVENUE.PURPOSE/BACKGROUND

A request (see attached letter) was received from Barry W. Stubbs, President of Stubbs Office Products, for a 30 minute commercial vehicle loading zone at 2025 South Highland Avenue. Parking is uncontrolled on Highland Avenue and occupancy is high. Due to the high occupancy it is difficult to load and unload customer deliveries to the warehouse at 2025 South Highland Avenue. The 30 minute commercial vehicle loading zone will solve the problem of deliveries.

FISCAL IMPACT

The Traffic Engineering Division will install the sign and paint the curb yellow at a cost of \$83.00 to implement the 30 minute commercial vehicle loading zone. Funds are available in the F.Y. 1981-82 Division Budget.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the 30 minute commercial vehicle loading zone at 2025 South Highland Avenue. A resolution is attached. Staff concurs.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐


DONALD E. DONOVAN
DIRECTOR OF PUBLIC SERVICES

Status Due: _____

Agenda Item 8/19/81

IV (h) E.2. b



June 15, 1981

Mr. Al Bossi
Traffic & Parking Commission
City of Las Vegas, Nevada
400 E. Stewart
Las Vegas, Nevada 89101

Dear Mr. Bossi,

Thank you for the time and information today on the telephone.

I'm writing to request a loading zone for thirty (30) curb side feet at the entry for warehouse space just leased at 2025 S. Highland Ave. We occupy the southern most section of the building and have limited access to rear doors. The requested loading zone will allow the required access for our warehouse/used furniture sales facility.

Thank you again for your assistance and please advise if anything further is required.

Sincerely,

Stubbs Office Products



Barry W. Stubbs, President

cc: Mr. Larry Larkin, Landlord

BWS:tg

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST BY TOP NOTCH AUTOMOTIVE AT 24 WEST CALIFORNIA AVENUE TO CHANGE PARKING RESTRICTIONS ON CALIFORNIA AVENUE BETWEEN COMMERCE STREET AND MAIN STREET

PURPOSE/BACKGROUND

A request (see attached letter) was received from Messrs. William McAlpine, Steven Hafen, and Gary L. Grady of Top Notch Automotive and the Cut Shop at 24 West California Avenue for the changing of the one hour time limited parking to two hour time limited parking, or the complete removal of all parking controls. Most of the parking in the subject block is controlled by one hour time limited parking signs.

A survey of the 5 tenants was conducted. Two wanted the time limit changed from one to two hours. Two requested removal of all restrictions and one indicated "no change". Four notices were sent to property owners of record. There were three responses. One wanted the time limit changed from one to two hours. One requested removal of all restrictions and one indicated "no change".

There was concern expressed that the removal of all parking restrictions would allow the automotive shop to store vehicles out in the street and monopolize on-street parking all day. The two hour limit would alleviate the problem of all day parking.

FISCAL IMPACT

The Traffic Engineering Division will install the signs needed to implement the two-hour time limited parking at a cost of \$190.00. Funds are available in the F.Y. 1981-82 Division budget.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the two-hour time limited parking on both sides of California Avenue between Commerce Street and Main Street. A Resolution is attached. Staff concurs.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐


DONALD E. DONOVAN
Director of Public Services

Status Due: _____

Agenda Item 8/19/81

IV. (h)
E. 2. c

8 July 1981

Las Vegas Commissioners' Office
400 Stewart Ave.
Las Vegas, Nevada 89101

To Whom It May Concern:

We at the Top Notch Automotive and the Cut Shop located on California Street are requesting a change in the signs from one (1) hour to two (2) hours or if at all possible remove the signs on California Street between Main Street and Commerce Street.

The problem being our customers have no where to park without receiving a ticket on their vehicle. Our employees have the same problem.

We would appreciate all the help you can give us. If any other information is needed it will be furnished upon request.

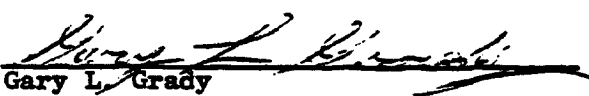
Sincerely,

Owners of Top Notch Automotive:
24 W. Calif. St.
Las Vegas, Nev. 89102
Ph: 386-8866


William McAlpine


Steven Hafen

Management of Cut Shop:
24 W. Calif. St.
Las Vegas, Nev. 89102
Ph: 384-3484


Gary L. Grady

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST BY MATHEW SAARI TO CHANGE PARKING RESTRICTIONS ON GARCES AVENUE
BETWEEN LAS VEGAS BOULEVARD AND SOUTH 4TH STREET.PURPOSE/BACKGROUND

A request was received from Mathew A. Saari, owner of apartments at 401 to 413 East Garces Avenue, to either remove the one hour time limit on parking on both sides of Garces Avenue from 4th Street to Las Vegas Boulevard South, or to completely control both sides with two-hour time limited parking.

Presently, parking is controlled on the entire block except in front of 401 to 413 East Garces Avenue where parking is not restricted. The uncontrolled section is heavily used by all-day parkers from nearby businesses and apartments. The two-hour time limit will eliminate all-day parking and will provide a longer time limit for visitors.

Four notices were sent out to property owners of record. Three responses were received. One requested no change, and two preferred changing the one-hour limit to two hours over the entire block.

FISCAL IMPACT

The Traffic Engineering Division will install the signs needed to implement the two-hour time-limited parking at a cost of \$170.00. Funds are available in the FY 1981-82 Division budget.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the two-hour time-limited parking on both sides of Garces Avenue between Las Vegas Boulevard South and South 4th Street. A resolution is attached. Staff concurs.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐
DONALD E. DONOVAN, P.E.
Director of Public Services

Status Due: _____

Agenda Item 8/19/81

IV (h) E.2. d

CITY COMMISSION MINUTES AUGUST 19, 1981
RESOLUTION

0290

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

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

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

Schedule 17-III, page 25, be amended to include the following as no parking zones:

Rancho Drive - both sides - from Sahara Avenue to Oakley Boulevard.

Schedule 18-V, page 46, be amended to include the following as a 30 minute commercial loading zone:

Highland Avenue - east side - in front of 2025 So. Highland Ave.

Schedule 17-VI, be amended to include the following as a two (2) hour parking zone:

Location	Zone	From	To	Side
California	2 hr	Commerce St.	Main St.	Both
Garces Ave.	2 hr	Las Vegas Blvd.	So. 4th St.	Both

Schedule 17-VII, be amended to include the following as Handicapped Zone:

3rd Street - in front of 215 South 3rd Street

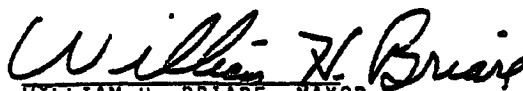
Schedule 14-II, page 9, be amended as stops required:

On Casada Way at Scholl Drive

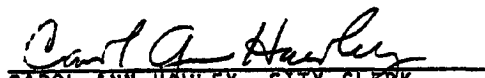
On Bannock Way at Scholl Drive

On Diamond Head Drive at Page Street

PASSED, ADOPTED AND APPROVED THIS 19th day of August, 1981.


WILLIAM H. BRIARE, MAYOR

ATTEST:


CAROL ANN HAWLEY, CITY CLERK

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)E. TRAFFIC AND PARKING ITEMS (Continued)

2. e. Request for Handicapped Zone on South 3rd Street, South of Carson Avenue.

APPROVED
See Page 26

See Page 26

3. Recommendations to install Stop and Yield signs at the following locations:

3. a. Casada Way and Scholl Drive

3. b. Bannock Way and Scholl Drive

3. c. Page Street and Diamond Head Drive.

F. REPORTS/ACTION

1. City Hall elevator facilities repair and modification.

Christensen -
APPROVED as recommended by staff.
Unanimous

Staff to proceed

2. Request by Las Vegas Convention Authority for an Encroachment Agreement to allow a wall and landscaping in Harris Ave. adjacent to the Cashman Field Complex.

Christensen -
APPROVED Agreement as recommended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

0292

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR HANDICAPPED ZONE ON SOUTH 3RD STREET SOUTH OF CARSON AVENUE

PURPOSE/BACKGROUND

Requests have been received from several citizens for a handicapped zone on the East side of South 3rd Street between Carson Avenue and Bridger Avenue.

The East side of South 3rd Street provides on-street parking for the First Interstate Bank Building, Masonic Temple, and the First United Methodist Church. There are six short term parking meters adjacent to the bank and one-hour parking meters on the remainder of the block. On-street parking on Carson Avenue is prohibited; therefore, the available parking is heavily used. The proposed handicapped space will serve this block and will have a 4 hour time limit as specified by State Law.

FISCAL IMPACT

The Traffic Engineering Division will install the sign and paint the curb blue at a cost of \$40.00 to implement the handicapped parking zone. Funds are available in the F.Y. 1981-82 Division budget.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of a handicapped zone on the East side of South 3rd Street from 222 to 242 feet South of Carson Avenue. A Resolution is attached. Staff concurs.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐


DONALD E. DONOVAN
Director of Public Services

Status Due: _____

Agenda Item 8/19/81

IV. (h)
E. 2 - e

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 7, 1981

0293

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: RECOMMENDATIONS FROM STOP AND YIELD SIGN STUDIES

PURPOSE/BACKGROUND

Several intersections within the City Limits were studied by conducting traffic counts, reviewing accident experience, and analyzing sight distance. This data was then compared to warrants established in the Manual on Uniform Traffic Control Devices which the City must follow according to Nevada Revised Statute 484.781. The following intersections were among those studied. It is recommended that stop signs be installed at these locations:

a. Casada Way and Scholl Drive

Stop signs are warranted to stop the Casada Way approaches at Scholl Drive. The intersections is presently uncontrolled.

b. Bannock Way and School Drive

Stop signs are warranted to stop the Bannock Way approaches at Scholl Drive. The intersection is presently uncontrolled.

c. Page Street and Diamond Head Drive

The intersection is presently uncontrolled and is located at Elbert B. Edwards Elementary School. Diamond Head Drive was recently extended through and meets warrants to be stopped at Page Street.

FISCAL IMPACT

The Traffic Engineering Division will install the stop signs at the three intersections at a cost of about \$340. Funds are available in the F.Y. 1981-82 Division budget.

RECOMMENDATIONS

At the August 6, 1981 Traffic and Parking Commission meeting, the Commission unanimously recommended approval of the installation of stop signs (A) on Casada Way at Scholl Drive, (B) on Bannock Way at Scholl Drive, and (C) on Diamond Head Drive at Page Street. A resolution is attached. Staff concurs.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐


DONALD E. DONOVAN
Director of Public Services

Status Due: _____

Agenda Item 8/19/81

IV. (h)
E. 3. a, b, c.

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 12, 1981

0094

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: CITY HALL ELEVATOR FACILITIES REPAIR AND MODIFICATION

PURPOSE/BACKGROUND

The City Hall elevators are in the need of upgrading and modernizing. There is much more sophisticated control equipment available at this time which will provide a better more efficient operational system.

At our request a list of proposed items of necessary work has been prepared by the architectural/engineering firm of Daniel, Mann, Johnson & Mendenhall (DMJM) of Las Vegas. DMJM was the firm that designed the present City Hall Complex and currently has a contract with the City of Las Vegas for the design of a Retrofit Sprinkler System for the City Hall Tower. The elevator work is closely related to the work they are presently doing for the City. We have negotiated a fee with DMJM for the necessary design services on an hourly basis not to exceed \$19,000.

FISCAL IMPACT

It is estimated this work will cost approximately \$19,000 for the architect's fee.

Funds are available.

RECOMMENDATION

It is recommended that the City Commission:

1. Authorize the expenditure of a maximum of \$19,000 for architectural services in conjunction with the design at this time.
2. Approve the amendment of the existing retrofit contract between the City of Las Vegas and DMJM to include architectural design services for the project with a fee not to exceed \$19,000.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____



DONALD E. DONOVAN, P.E.
Director of Public Agenda Item 9/18/81
Services IV (h). F. 1

SUPPLEMENTAL
CONSULTANT AGREEMENT

SUPPLEMENTAL AGREEMENT made this 19th day of August, 1981, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation and political subdivision of the State of Nevada (hereinafter referred to as the "CITY OF LAS VEGAS") and DANIEL, MANN, JOHNSON & MENDENHALL, a professional partnership in the State of Nevada (hereinafter referred to as "CONSULTANT").

W I T N E S S E T H :

WHEREAS, the parties hereto have previously entered into an agreement dated July 10, 1981 providing for the design of a retrofit sprinkler system for the City Hall Tower by the CONSULTANT; and

WHEREAS, the parties hereto desire to amend that agreement to provide for additional work as hereinafter described to be performed by the CONSULTANT.

NOW, THEREFORE, the parties hereto mutually agree to the following additional terms, conditions and covenants:

1. Section I of the July 10, 1981 agreement is hereby amended, altered and modified to provide after subsection (19) of that section the following:
 20. Extend Elevators #1 and #2 to provide service to the basement.
 21. Redesign both elevator hoistways venting systems, including cable slots.
 22. Replace existing relays with solid state equipment.
 23. Modify elevators to include controls, switches, emergency operation, and fireman's recall system.
 24. Draft an elevator maintenance contract, definitive enough in nature to insure that all competitive bidders will be bidding on identical optimum maintenance procedures.
 25. Re-evaluate residual capacity of existing emergency generator, in terms of additional loads to be imposed. Add additional generator if required.
2. The CONSULTANT agrees to provide all engineering designs, drawings and technical specifications, complete with "boiler plate", required to produce the bid documents necessary to enable the CITY OF LAS VEGAS to solicit construction bids for any and all of the above items (numbers 20 through 25) of work.
3. Section IV of the July 10, 1981 agreement is hereby deleted in its entirety with the following to be inserted in lieu thereof:
 - A. FEES

The CITY OF LAS VEGAS agrees to compensate the CONSULTANT on an hourly fee basis for those employees of the CONSULTANT utilized in the performance of the services required under Section I of this Agreement. Said compensation shall not exceed SIXTY-SIX THOUSAND AND 00/100 DOLLARS (\$66,000.00) without the prior written

8-27-81
2 Copies to
Daniel Mann
Johnson & Mendenhall

0296

approval of the CITY OF LAS VEGAS. Compensation shall be computed at 2.5 times the actual payroll expense.

Non-salary expenses incurred under this Agreement shall be compensated at actual cost plus ten percent (10%) of actual cost to cover overhead and administrative expenses. Subsistence expenses shall be at actual cost not to exceed the maximum limit of \$55.00 per day.

Travel expenses shall be paid at actual cost.

B. MANNER OF PAYMENT

1. Payment of the fee for basic services shall be due within thirty (30) days of monthly invoice for the work completed during the preceding month.
2. In order to defray carrying charges resulting from delayed payments, simple interest at the rate of ten percent (10%) per annum (but not exceeding the maximum rate allowed by law) will be added to the unpaid balance of each invoice. The interest period shall commence thirty (30) days after the date of the original invoice and shall be terminated upon date of payment.
3. Payments will be first credited to interest and then to principal. No interest charge will be added during the initial thirty (30)-day period following the date of invoice.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

CITY OF LAS VEGAS, NEVADA
a Municipal Corporation

By William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

Carol Ann Hawley
Carol Ann Hawley, City Clerk

DANIEL, MANN, JOHNSON &
MENDENHALL OF NEVADA

By Daniel Mann
Vice Pres.

*City of Las Vegas***AGENDA DOCUMENTATION**Date: August 12, 1981

TO: The Board of City Commissioners

FROM: *EJ* DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST BY LAS VEGAS CONVENTION AUTHORITY FOR AN ENCROACHMENT AGREEMENT
TO ALLOW A WALL AND LANDSCAPING IN HARRIS AVENUE ADJACENT TO THE
CASHMAN FIELD COMPLEX.PURPOSE/BACKGROUND

Harris Avenue between 9th Street and Maryland Parkway exists as a substandard, partially improved street with a substantial difference in grade between the north unimproved half and the south half. As part of the Cashman Field Complex, a wall, landscaping strip and sidewalk is proposed along the south side of the Cashman Field property. If the wall were constructed along the south property line, which would be the north right-of-way line of Harris Avenue, it would leave a strip of land unimproved without serving any purpose and would cause the elimination of some of the proposed parking lot. Therefore, it is proposed to utilize the unimproved portion of Harris Avenue for the wall, landscaping strip and sidewalk within the boundaries of the Cashman Field project. This would leave the present street for access to the properties that abut Harris Avenue, which are few in number.

FISCAL IMPACT

None.

RECOMMENDATIONS

Recommend approval of the Encroachment Agreement on the north 30' or less of Harris Avenue depending on the final design provided that arrangements are made to carry the drainage through to Maryland Parkway in accord with City of Las Vegas requirements and authorize the Mayor on behalf of the City Commission to execute the agreement.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item 8-19-81
IV(h) F.2.

AGENDA*City of Las Vegas*

0298

Page 28

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

August 19, 1981

PHONE 386-6011

ITEM

Commission Action

Department Action

V. GEORGE F. OGILVIE - CITY ATTORNEY

A. Solicitation Agreement Between the City of Las Vegas and the Unification Church

Christensen -
APPROVED
Unanimous

Staff to proceed

B. Resolution Determining the Costs to be Assessed and Ordering the City Engineer to Prepare Roll. S.I.D. No. 435

Christensen -
Resolution ADOPTED.
Unanimous

Staff to proceed

C. Resolution Directing the City Engineer to Prepare, Submit and File Certain Preliminary Plans, Estimates of Cost and Assessment Plats. S.I.D. No. 439

Lurie -
Resolution ADOPTED.
Unanimous

Staff to proceed

D. Parking Citation Collection Warrant Officer Contract Service

Christensen -
APPROVED contract
as recommended.
Unanimous

Staff to proceed

E. Service Agreement for Lock Box Services (Computer Automated Services), Between Valley Bank of Nevada and City of Las Vegas - Municipal Court

Christensen -
APPROVED Agreement.
Unanimous

Staff to proceed

F. Appeal of Work Card Denial:

Ulonda Foster
1312 McWilliams AvenueLurie -
Appeal DENIED
UnanimousClerk to notify
and staff to
proceed.Appellant not
present.

City of Las Vegas

0299

AGENDA DOCUMENTATION

Date: August 10, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY
August 10, 1981

SUBJECT: Solicitation Agreement between the City of Las Vegas and the Unification Church

PURPOSE/BACKGROUND

Under the proposed agreement between the City of Las Vegas and the Unification Church, the City has agreed to renew a solicitation permit to the Church for a six-month period ending February 19, 1982, and the Church has agreed to conduct their solicitations in accordance with certain restrictions set forth in the agreement. The terms of the agreement are identical to other agreements between the City and the Church for three-month periods that have been approved by the Mayor and Commissioners over the past year.

As stated to you previously, it is the opinion of this office that the City has greater control over the solicitation activities of the Unification Church by requiring them to sign a separate agreement concerning such activities in addition to requiring them to follow the normal procedures for the issuance of a solicitation permit.

The Unification Church has submitted an application to the Solicitation Review Board for the renewal of their solicitation permit for the six-month period covered by the agreement and the Board approved their application at its regular meeting.

FISCAL IMPACTRECOMMENDATIONS

It is the recommendation of the City Attorney's office that the Commission approve the proposed agreement.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10

Agenda Item

V-A

AGREEMENT

THIS AGREEMENT made and entered into this 19th day of August, 1981, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation (hereinafter referred to as "CITY") and the UNIFICATION CHURCH (hereinafter referred to as "CHURCH"). The term "CHURCH" shall include any and all members, representatives, or agents acting on behalf of or in furtherance of church activities.

W I T N E S S E T H:

WHEREAS, CHURCH is seeking approval from CITY for its representatives to solicit donations within the City of Las Vegas, Nevada during the period of August 19, 1981 to February 19, 1982; and

WHEREAS, CITY recognizes the constitutional right of CHURCH representatives to engage in such solicitation subject to reasonable restrictions; and

WHEREAS, CHURCH acknowledged CITY'S legitimate interest in protecting its citizens from fraudulent solicitations and from unwarranted interference with their movement on public streets and sidewalks; and

WHEREAS, CHURCH acknowledges that reasonable restrictions may be placed upon the time, place and manner of solicitations made upon its behalf;

NOW, THEREFORE, IT IS HEREBY AGREED by and between the parties hereto as follows:

1. The CITY shall issue a solicitation permit to CHURCH from the time period mentioned herein.
2. CHURCH representatives will limit their conduct to the distribution of literature, solicitation of donations, and distribution of flowers, literature and/or candy, bugs on a stick, pins, key rings. No

1 chanting, dancing or similar conduct will be included.

2 3. CHURCH representatives will not proselytize
3 within nine feet (9') of any doorway or street
4 corner unless they receive permission to do so
5 from the owner or operator of the premises.

6 4. CHURCH representatives will limit the total
7 number of their members per city block to a
8 maximum of two (2).

9 5. No more than one (1) CHURCH representative
10 will solicit donations from any member of the
11 public at any one time unless the member of the
12 public agrees to a greater number.

13 6. CHURCH representatives shall not unduly interfere
14 with the pedestrian and vehicular flow of traffic.

15 7. CHURCH representatives will advise the Las Vegas
16 Metropolitan Police Department and the Department of
17 Business Activity when they intend to carry on their
18 activities in the City and will designate a local
19 representative as their liaison with both Departments.

20 8. Each CHURCH representative must clearly display an
21 identification badge on his/her outer clothing, which
22 badge shall state the representative's name and the
23 full name of the church. Such badge shall be in
24 a form approved by the Department of Business Activity.

25 9. CHURCH representatives shall orally inform each
26 person being solicited that donations are being sought
27 for the Unification Church.

28 10. CHURCH representatives will furnish to the City
29 filed copies of the Certificate of Incorporation or
30 other documents evidencing the status of the organiza-
31 tion as a religious organization.

32 11. The total number of CHURCH representatives

0302

1 soliciting within the City at any given time shall
2 not exceed twelve (12) individuals.

3 12. CHURCH shall provide CITY with a detailed report
4 of the total amount of money raised in the City
5 during the period of this Agreement, together with
6 a statement of the disbursement of funds so raised.

7 13. CHURCH agrees to abide by the terms and con-
8 ditions of CITY'S solicitation ordinances set forth
9 in Title II, Chapter 7 of the Municipal Code of the
10 City of Las Vegas, Nevada, 1960 Edition.

11 14. CHURCH representatives who fail to abide by
12 these terms and conditions shall be subject to legal
13 sanctions, including criminal prosecution, if
14 appropriate.

15 15. Repeated violations of the terms and conditions
16 set forth in this Agreement shall be grounds for
17 revocation of the permit issued pursuant to this
18 Agreement.

19 DATED and SIGNED the day and year first hereinabove
20 written.

CITY OF LAS VEGAS, NEVADA

21
22
23 *William H. Briare*
24 BY WILLIAM H. BRIARE, MAYOR

ATTEST:

25
26
27 *Carol Ann Hawley*
28 Carol Ann Hawley, City Clerk

UNIFICATION CHURCH

29
30
31 By *Peter F. Brown*
32 DIRECTOR PETER BROWN

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: GEORGE F. OGILVIE
City AttorneySUBJECT: RESOLUTION DETERMINING THE COSTS TO BE ASSESSED & ORDERING THE CITY
ENGINEER TO PREPARE ROLL. S.I.D. NO. 435PURPOSE/BACKGROUND

S.I.D. NO.

435

STEP NO.

19 - Resolution determining the costs
to be assessed & ordering the
City Engineer to prepare roll.

LOCATION

In Block 5 of Clark Las Vegas Townsite,
bounded by Bridger Avenue, Lewis Avenue,
Main Street, and First Street.

IMPROVEMENTS

Installation of alley paving, alley
gutters and valley gutters.FISCAL IMPACTRECOMMENDATIONSIt is recommended that the Board take the appropriate steps to adopt
this Resolution.DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

78-3-10

Agenda Item

V-B

1 RESOLUTION DETERMINING THE COSTS TO BE ASSESSED IN LAS VEGAS,
2 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 435, AND ORDERING THE
3 CITY ENGINEER TO PREPARE THE ASSESSMENT ROLL.

4 WHEREAS, the City of Las Vegas, in the County of Clark
5 and State of Nevada, has taken requisite legal action preliminary
6 to and in the creation of Special Improvement District No. 435
7 consisting of:

8 The improvements include the installation of alley
9 paving consisting of two inches of A.C. pavement with fog seal
10 and prime coat over two inches of Type II aggregate and six
11 inches of Type I aggregate base and standard alley gutters and
12 valley gutters in the alley in Block 5 of Clarks Las Vegas
13 Townsite, bounded by Bridger Avenue, Lewis Avenue, Main Street,
14 and First Street, to include the necessary installation, removal
15 and relocation of any and all utilities and appurtenances that
16 are deemed necessary to complete same, as more particularly
17 shown on the plats, diagrams and plans of the work and the
18 locality improved, now on file in the Office of the City Clerk.

19 and to defray the entire costs and expense thereof-by
20 special improvements, according to benefits, against the taxable
21 lots and premises in said District; and

22 WHEREAS, pursuant to law, the said City has entered
23 into the following contracts, to-wit:

24 WEAVER CONSTRUCTION CO., Las Vegas, Nevada, for the
25 improvements in Assessment Unit No. I; and

26 WHEREAS, the costs, including administrative costs,
27 for installing the improvements in said District are as follows:

28 Assessment Unit No. 1 \$20,591.61

29 NOW, THEREFORE, BE IT RESOLVED by the Board of Com-
30 missioners of the City of Las Vegas, Nevada, at a regular meeting
31 thereof held on the 19th day of August, 1981 that the following
32 amount shall be assessed against and paid by the assessable

8-27-81
CC: GARY
HOLLER
P.S.

1 property in said District, to-wit:

2 Assessment Unit No. 1 \$\$20,591.61

3 all as designated in Ordinance No. 2134, passed, adopted and
4 approved on the 19th day of November, 1980.

5 BE IT FURTHER RESOLVED that the City Engineer is hereby
6 ordered to make an assessment roll containing, among other things:

7 1. The name of each last known owner of each lot or
8 parcel of property to be assessed; and

9 2. A description of each lot or parcel of property to
10 be assessed and the amount of the proposed assessment thereon,
11 apportioned upon a front foot basis, all as more particularly
12 set out in Section 4 of Ordinance No. 2134.

13 BE IT FURTHER RESOLVED that the City Clerk shall
14 furnish a copy of this Resolution to the City Engineer.

15 PASSED, ADOPTED AND APPROVED this 19th day of August,
16 1981.

17
18
19 
20 WILLIAM H. BRIARE, MAYOR

21 ATTEST:

22
23 
24 CAROL ANN HAWLEY, CITY CLERK

AGENDA DOCUMENTATION

Date: August 7, 1981

TO: The Board of City Commissioners

FROM: GEORGE F. OGILVIE
City Attorney

SUBJECT: RESOLUTION DIRECTING THE CITY ENGINEER TO PREPARE, SUBMIT AND FILE
CERTAIN PRELIMINARY PLANS, ESTIMATES OF COST AND ASSESSMENT PLATS.
S.I.D. 439

PURPOSE/BACKGROUND

S.I.D. NO.

439

STEP NO.

2 - Resolution directing the City Engineer to prepare, submit and file certain preliminary plans, estimates of cost and assessment plats and the estimated amount of benefits to each lot or parcel of property.

LOCATION

Installation of pavement and gravel shoulder on each side of Hammer Lane from the easterly line of Rainbow Boulevard to Rebecca Street; on Rebecca Street from Hammer Lane to Ann Road; on Tina Lane from the easterly line of Rebecca Street easterly 335 feet (more or less) to the point of termination.

FISCAL IMPACT

RECOMMENDATIONS

It is recommended that the Board take the appropriate steps to adopt this Resolution.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V-C

R E S O L U T I O N

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

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada is of the opinion that the interests of said City require the installation of certain street improvements within that certain area of said City hereinafter described; and

WHEREAS, said Board of Commissioners considers it necessary, desirable and for the best interests of said City to take steps pursuant to Chapter 271 of Nevada Revised Statutes for the organization of an improvement district and the construction therein of said improvements; and

WHEREAS, for the purpose of designation and identification, it is desirable that said proposed improvement district be known and identified as "Las Vegas, Nevada Improvement District No. 439.

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 19th day of August, 1981 as follows:

SECTION 1. That the City Engineer of the City of Las Vegas in the County of Clark and State of Nevada be, and he hereby is, directed to prepare, submit and file with the City Clerk of said City preliminary plans, showing typical sections the type or types of material, and the preliminary estimates of the cost of the installation of street improvements for said district, all as designated below:

1 The improvements include the installation of pavement,
2 24 feet in width, consisting of 2 inches of A.C. pavement with
3 fog seal and prime coat over 4 inches of Type II aggregate base
4 and 6 inches of Type I aggregate base with a 2 foot Type II gravel
5 shoulder on each side of Hammer Lane from the easterly line of
6 Rainbow Boulevard to Rebecca Street; on Rebecca Street from
7 Hammer Lane to Ann Road; on Tina Lane from the easterly line of
8 Rebecca Street easterly 335 feet (more or less) to the point of
9 termination, to include the necessary installation, removal and
10 relocation of any and all utilities and appurtenances that are
11 deemed necessary to complete same.

12 SECTION 2. The City Engineer is hereby directed to
13 estimate the cost of each of such types of construction in a
14 lump sum or by unit prices. Said preliminary estimates of the
15 cost shall also include, without limiting the generality of the
16 foregoing, the advertising, appraising, engineering, printing,
17 and such other expenses as in the judgment of such Engineer are
18 necessary or essential to the completion of such work of improve-
19 ment, and the payment of the costs thereof.

20 SECTION 3. The City Engineer is hereby directed to
21 submit and file with the City Clerk an assessment plat showing
22 the areas to be assessed, that is, the amounts to be assessed
23 shall be made upon all lots and parcels of property benefitted,
24 proportionately to the benefits received and shall be assessed
25 against the property abutting said improvements on an area basis,
26 i.e., on the basis that each lot or parcel of property to be
27 assessed in each assessment unit shall be assessed a portion of
28 the aggregate dollar amount being levied against that particular
29 entire assessment in the proportion that the area of said lot or
30 parcel bears to the area of all the assessable property in such
31 assessment unit, provided that the depth of a lot or parcel in
32 excess of 100 feet from the frontage facing the improvements shall

1 not be considered in computing the area of such lot or parcel
2 provided that in each assessment unit an equitable adjustment
3 will be made for assessments levied against any irregular lots
4 or parcels, so that the assessments according to benefits are
5 equal and uniform. The portion of the costs to be assessed
6 against, and the maximum amount of benefits estimated to be con-
7 ferred upon each lot or parcel of property shall be as stated in
8 the aforesaid assessment plat.

9 Regardless of the basis used by apportioning assess-
10 ments, in case of wedge or "V" or other irregularly shaped tracts,
11 an amount apportioned thereto shall be in proportion to the special
12 benefits derived.

13 SECTION 5. All resolutions or parts thereof in conflict
14 with the provisions of this resolution are hereby repealed.

15 INTRODUCED, PASSED, AND APPROVED, this 19th day of
16 August, 1981.

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18
19 
20 WILLIAM H. BRIARE, MAYOR

21
22 ATTEST:

23
24 
25 CAROL ANN HAWLEY, CITY CLERK

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 27, 1981

TO: The Board of City Commissioners

FROM: Kerry L. Miller,
Court Administrator

SUBJECT: Parking Citation Collection Warrant Officer (contract service)

PURPOSE/BACKGROUND

On October 1, 1981, the Municipal Court will assume responsibilities for the collection of all parking tickets. The automated collection process will include:

1. Direct entry of all parking citations issued onto the City's computer system.
2. Issuance within 10 to 20 days of a courtesy notice to the registered owner (this is required by state statute).
3. Issuance within 20 to 30 days of the Courts notice of an arrest warrant on those parking tickets that remain outstanding.

Approximately 36% of all parking tickets issued consistently remain uncompleted. On an annual basis this represents nearly 66,000 parking tickets. Most of these presently are uncollected because of lack of followup and personal notification to the registered owner. Not only does this inability to collect on outstanding tickets undermine the parking enforcement function, but it also represents a sizeable loss of revenue to the City of hundreds of thousands of dollars.

Beginning October 1, 1981, the Municipal Court would like to implement a parking warrant officer program. The prime responsibility of the parking warrant officer would be to personally contact registered owners, advise them of an issuance of an arrest warrant and encourage them to take care of their parking tickets by coming to the Court office or appearing in court. Based upon our experience serving traffic misdemeanor warrants, we conservatively estimate that nearly 25,000 tickets/warrants, representing in excess of \$500,000 can be collected. This is revenue that would otherwise go uncollected and remain delinquent.

The parking warrant officer will be employed under contract and be compensated entirely on a basis of a suggested \$4.00 for each parking warrant they complete. This means that they will have made contact with the registered owner and the registered owner takes appropriate action to clear their ticket and arrest warrant. No benefits will be provided under the terms of the contract. Their performance will be closely monitored and supervised by the Court Administrator and the Senior Field Marshal.

Realizing the fiscal and operational benefits by implementing a parking warrant collection program, our request at this time is to proceed with the assistance of the City Attorney's office and the Personnel Department to draft a formal contract(s) to be implemented on October 1, 1981.

FISCAL IMPACT

The parking warrant collection program will generate in excess of \$500,000 net revenue and clear approximately 50% of the delinquent parking tickets. This revenue will be credited to the parking enterprise fund and would otherwise remain delinquent.

RECOMMENDATIONS

Approve implementation of parking warrant program beginning October 1, 1981 on a contract basis with compensation based upon a permanent fee (suggested rate of \$4.00 per warrant completed) with specific contract language and terms to be drafted by the City Attorney's office.

DISPOSITION

Approved ||
Disapproved ||
Held ||

Status Due: _____

7-2-81

Agenda Item

V-D

City of Las Vegas

0311

AGENDA DOCUMENTATION

Date: July 27, 1981

TO: The Board of City Commissioners

FROM: Ashley Hall
Deputy City ManagerSUBJECT: SERVICE AGREEMENT FOR LOCK BOX SERVICES (COMPUTER AUTOMATED SERVICES),
BETWEEN VALLEY BANK OF NEVADA AND CITY OF LAS VEGAS - MUNICIPAL COURT.PURPOSE/BACKGROUND

Beginning October 1, 1981, parking ticket collections will be transferred from Business Activities to the Municipal Court. Approximately 60% of all payments of parking tickets are made by mail. Anticipating the great increase in mail volume, the Court has examined an alternative to handling this paperwork strictly inhouse.

Attached is an agreement with Valley Bank of Nevada reviewed and approved by the City Attorney's Office to service and process parking mail payments and complete same-day deposit of payments received to the City of Las Vegas account. This service agreement will eliminate the following inhouse work tasks:

1. Mail pickup and delivery of return payments to the Court.
2. Opening the envelopes and matching paperwork.
3. Key punching payment and system data.
4. Expanding security measures and personnel to handle these transactions.
5. Provide for transportation and manual reconciliation/deposit of the revenue remitted.

According to the service agreement, Valley Bank will process all return mail payments on parking citations and complete same-day deposit of remittances to the City account. The bank will also provide computer services to update the Court's automated parking system, providing a microfilm copy of all parking payments received and reconcile all accounts.

At the present time, approximately 5 persons are necessary to maintain the parking collection system (2 in Business Activities and 3 in MIS). We estimate that this lock box service will reduce that staffing requirement by 1/2 to one person or a cost savings of \$5,000 to \$10,000 annually by reducing our data entry requirements.

FISCAL IMPACT

The Lock Box Service cost is based upon the rate of 06¢ per citation for mail processing, 01¢ for microfilming and \$15.00 per day for computer tape transfer, including data entry. Assuming that an average of 200 mail-in payments are received daily, the cost of the service will be \$29.00 per day or approximately \$10,556 per year. This represents a savings of approximately \$5,000 to \$10,000 annually.

RECOMMENDATIONS

Approve Lock Box Service Agreement with Valley Bank for the collection, processing and records keeping for parking ticket payments made after October 1, 1981.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Kerry L. Miller
Court Administrator

Status Due: _____

Agenda Item

V-E



Valley Bank of Nevada

Business Services Division • P. O. Box 15427 • Las Vegas, Nevada 89114 • (702) 386-1302

VALLEY BANK OF NEVADA

LOCK BOX PROCEDURE

1. We will rent in our Customer's name a Post Office Box to which remittances would be directed. Our messenger service will pick up at regular intervals, all mail in the box and deliver it directly to our Central Vault for processing.
2. In processing remittances, the following operations would be performed:
 - a) Envelopes will be opened and all enclosures removed.
 - b) Check amount is compared to invoice amount, and if different, we will write amount received on invoice. If checks are received with no invoice, a copy of the check is taken. A tape is run on the checks, invoice (stubs) and journal for balancing.
 - c) All checks, if in order, would be endorsed using the "Payee Endorsement" stamp, and deposited into our customer's account.
 - d) Postdated checks will be forwarded to our customer, unless they are dated only four (4) days ahead. In the latter case we would handle them as they become current. Also, undated checks would be dated by us to agree with the postmark date.
 - e) Checks which bear the legend "Payment in Full" or a similar terminology, will not be processed, but instead, forwarded to our customer for handling unless the customer indicates to process.
 - f) Original "NSF" Checks, copies of NSF Advices, and daily exceptions will be forwarded to the customer.
 - g) A microfilm record will be maintained for each check included within a deposit. This film will be available to our customer should it be requested.
 - h) Unidentified payments will be forwarded to the Customer, i.e., a check received without remittance advice or a account number.
 - i) Checks returned unpaid because of uncollected funds or insufficient funds will be immediately redeposited. If returned a second time our Customer's account will be charged under advice. The advice will be mailed with the monthly statement to the Customer.

ADDENDUM A

VALLEY BANK
BUSINESS SERVICES DIVISION
PRICING SCHEDULE

CITY OF LAS VEGAS/MUNICIPAL COURT
LOCK BOX SERVICE

Items will be charged at a rate of .06 per item per month.

Microfilm per each item will be charged at a rate of .01 each item.

Daily Magnetic Tape will be provided for a rate of \$15.00 per day,
based upon 200 items per day requiring 11 keystrokes per item to
punch and 11 to verify.

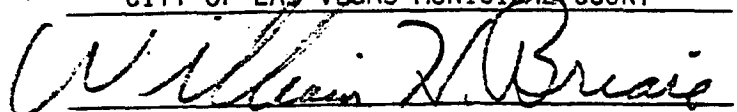
ANY ADDITIONAL REPORTS OR SERVICES WILL BE PRICED SEPARATELY

APPROVED

VALLEY BANK OF NEVADA

APPROVED

CITY OF LAS VEGAS-MUNICIPAL COURT



G. Robert Dykema, Vice President



Valley Bank of Nevada

BUSINESS SERVICES DIVISION

CITY COMMISSION MINUTES AUGUST 19, 1981

Sale No.

0314

Service Agreement for LOCK BOX SERVICES Computer Automated Services.

Dated 1981 between City of Las Vegas Municipal Court
and Valley Bank of Nevada.

The undersigned ("Customer") and Valley Bank of Nevada ("Bank") hereby agree that Bank will provide its services to Customer in the processing of data and the preparation of various reports in connection therewith as stated in the service description.

1. Bank will furnish Customer:
 - a) Bank's user manual, which detail the user procedures.
 - b) Bank's schedule of fees and charges as shown in Addendum A, attached hereto.
 - c) Bank's processing schedule as such schedule shall be agreed upon by Customer and Bank.
2. Prior to commencement of Bank's services, Customer will furnish Bank such data, authorizations and other information, forms and documents as Bank may request and will furnish the same in sufficient time to enable Bank to perform its services. All data and other information furnished to Bank by Customer, its agents and employees shall be in form acceptable to Bank and Bank shall be entitled to rely upon the accuracy thereof.
3. Bank agrees to perform the services agreed upon and to furnish the reports and other forms in accordance with the processing schedule exercising the same degree of care used in processing items and data and compiling reports for its own use except when prevented from doing so by strikes, mechanical or electrical breakdown or other causes beyond its control. Bank makes no warranty concerning the accuracy of any report or other form furnished to Customer or on Customer's behalf. In no event shall Bank be liable for any loss, destruction, mutilation or theft of any documents or items resulting from any cause whatsoever except those resulting from the willful misconduct or fraudulent act of Bank or its employees.
4. Bank agrees that all information concerning the affairs and accounts of Customers' employees which comes into possession pursuant to this agreement, will be treated in the same confidential manner as is information relating to accounts of its depositors.
5. All computerized media (magnetic tape, magnetic disc, etc.) required for the storage and maintenance of Customer's data shall be owned by Bank. Bank will act as custodian of Customer's data and upon cancellation notice from Customer, will furnish the Customer with any or all of said data within a reasonable period of time as agreed upon by Bank and Customer at a predetermined fee.
6. Customer agrees to open and maintain with Bank, a commercial bank account to which deposits, payments and disbursements herein described will be made. Customer agrees to maintain in said account good and sufficient funds to cover all payments and disbursements hereunder. In the event Customer fails to maintain sufficient funds in said account, Bank may terminate performance herein without notice to Customer. Bank shall have no obligation to make any payment or disbursement, if such payment or disbursement would result in an overdraft in said account. Customer further agrees to indemnify and keep and save Bank harmless against all loss, damage and expense which Bank may be or become liable for by reason of any claim or demand against Bank resulting from or by reason of Bank having released, refunded to or paid over to Customer, funds or monies which Bank has been unable to deliver or pay to persons or parties as theretofore directed by Customer, including funds resulting from uncashed checks theretofore issued by Bank. Customer agrees to furnish forms as necessary for tax deposits.
7. Customer agrees that all actions taken herein by Bank will be based upon information furnished by Customer and Customer hereby agrees to indemnify and hold Bank harmless against all liability, loss, damage or expense, including attorney's fees, to which Bank may be put or which Bank may incur by reason of Bank acting upon the information furnished by Customer.
8. Customer agrees to pay, upon demand, Bank's fees and charges, plus such additional fees charged by Bank for the performance of services beyond the terms of this agreement or resulting from increased expenses incurred by the failure of Customer to furnish data in form acceptable to Bank except as amended on Addendum "A". Bills are due and payable upon delivery of statement to Customer by Bank, and shall be considered past due at the end of thirty (30) days. Notwithstanding anything herein contained to the contrary, if Customer fails to pay fees within thirty (30) days, Bank shall have the right to discontinue service without notice. A late charge of one and one-half percent (1½%) per month will be added to accounts thirty (30) days or more past due.
9. This agreement, and the performance by Bank of its services herein shall not relieve Customer of any obligation imposed by law or contract regarding the maintaining of records or other matter nor from employing adequate audit, account and review practices customarily followed by similar business.
10. Bank's service and its fees shall commence on or about . The term of this contract shall be one (1) year, during which time the prices and terms of this contract shall be guaranteed. The contract will be automatically renewed at the end of one (1) year at the prices and terms then in effect, and shall continue after the initial contract period until terminated at the end of any calendar month, by either party giving the other party at least sixty (60) days prior written notice, stating the termination date. The contract may be terminated by either party upon default by the other party if default is not corrected within sixty (60) days after receipt of written notice, which notice shall set forth the particulars of the alleged default.
11. Early termination of this contract by the Customer will result in a penalty equal to ninety (90) days billing at the then current rates charged by Bank. ** Amended per attached Lock Box Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their officers thereunto duly authorized as of the day and year first written above.

VALLEY BANK OF NEVADA

By: G. Robert Dykema, Vice President

CITY OF LAS VEGAS MUNICIPAL COURT
By: William H. Breare

LOCK BOX AGREEMENT BETWEEN
VALLEY BANK OF NEVADA
AND
CITY OF LAS VEGAS MUNICIPAL COURT

1. CITY OF LAS VEGAS MUNICIPAL COURT, hereinafter referred to as Customer, hereby authorizes the Valley Bank of Nevada, hereinafter referred to as Bank, to rent Post Office Box 18901, Zip Code 89114, at Customer's expense, and Customer will direct payments from its clientele to said box.
2. The Bank shall have exclusive and unrestricted access to the Box, which shall be emptied at least twice on each business day. The remittances shall be deposited directly to the Customer's Account No. _____ at the _____ Branch.
3. Fees will be charged according to the attached addendum according to the number of items processed and procedures performed by Bank. Fees will be charged against balances from demand deposits maintained by Customer. The Account Number to be debited is _____ at the _____ Branch.
4. The Bank will process items received according to the specifications set forth in the Lock Box Service Procedure instructions.
5. Bank will credit Customer's Account on all cash payments received and Bank will advise Customer when cash amount received is different from invoice amount. Customer accepts sole responsibility to take necessary action to pursue discrepancies between amount remitted and invoice amount.
6. Notwithstanding the disclaimer language at page 1 (Service Agreement), paragraph 3, Bank further agrees to be liable for any loss, destruction, mutilation or theft of any documents or items resulting from the negligence of Bank or its employees.
7. In the event of early termination of this contract pursuant to page 1 (Service Agreement), paragraph 11, the penalty therein provided shall be the monthly average of the billing for the two months immediately preceding the termination.

ACCEPTED:

VALLEY BANK OF NEVADA

By: G. Robert Dykema
Vice President

CITY OF LAS VEGAS MUNICIPAL COURT

William H. Brear
By:

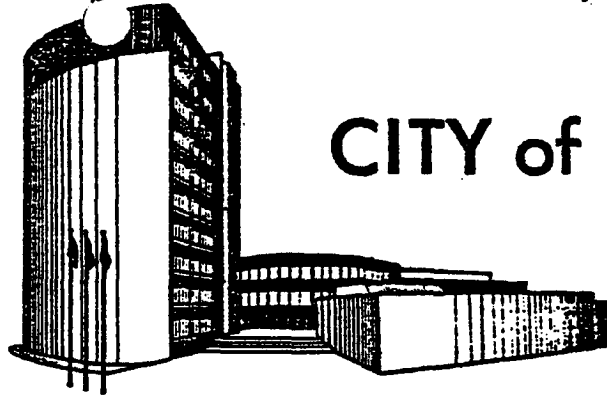
DATED: _____

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFER
AL LEVY

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL DORN



CITY of LAS VEGAS

August 11, 1981

Ms. Ulonda Foster
1312 McWilliams Avenue
West Las Vegas, NV 89106

Dear Ms. Foster:

The City Clerk's office is in receipt of your formal appeal to the Board of City Commissioners regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, August 19, 1981 at the regularly scheduled City Commission meeting. This matter will be heard sometime between 10 A.M. and 12 Noon. I would advise you to be present at 10 A.M. and await your turn. The meeting will be conducted in the Commission Chambers at 400 East Stewart Avenue.

Sincerely,

CITY OF LAS VEGAS

CAROL ANN HAWLEY
CITY CLERK

By: LINDA M. OWENS
DEPUTY CITY CLERK

cc. City Attorney
Metropolitan Police Dept.



AGENDA*City of Las Vegas*

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

August 19, 1981

ITEM

Commission Action

Department Action

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

- A. Bill No. 81-46 - An ordinance regulating armored car services and establishing a licensing category and business license fee therefor.

Sponsored by: Commissioner Ron Lurie

*First Reading and
 Referred -
 Lurie & Levy

City Clerk to
 proceed.

- B. Bill No. 81-50 - Provides for the licensing and regulation of businesses in the developing, promoting and selling of timesharing programs and projects.

Sponsored by: Commissioner Al Levy

*First Reading and
 Referred -
 Levy & Lurie

City Clerk to
 proceed.

- C. Bill No. 81-51 - An ordinance to establish the R-CL - Single Family Compact Lot zoning district and to provide the regulations therefor

Sponsored by: Commissioner Ron Lurie

WITHDRAWN FROM
 AGENDA at request
 of Commissioner
 Lurie.

9/2/81 Agenda

- D. Bill No. 81-52 - Provides that garbage collection charges are a debt to the City's contractor for garbage collection as well as the City itself. This would clarify that the garbage contractor may personally sue to collect delinquent accounts.

Sponsored by: Commissioner Ron Lurie

*First Reading and
 Referred -
 Lurie & Levy

City Clerk to
 proceed.

*These new Bills have been noticed for public comment at a meeting of the Recommending Committees to be held on Monday, August 24, 1981.

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss
CITY OF LAS VEGAS)

Mildred S. Edwards Ed Malton's, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 19th day of August, 1981, at the hour of 4:00 p.m. there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 P.M. on Monday, August 24, 1981, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

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

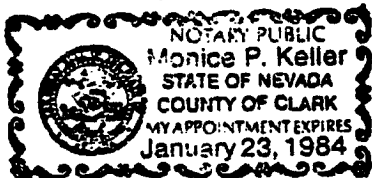
Mildred S. Edwards Ed Malton
SIGNATURE

AS 2 1223
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

20th day of August, 1981

Monice P. Keller
NOTARY PUBLIC in and for said County
and State. My Commission expires:



CITY COMMISSION MINUTES AUGUST 19, 1981
AFFIDAVIT OF MAILING

0319

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

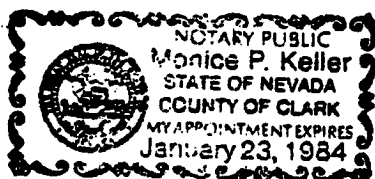
Linda M. Owens, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 19th day of August, 1981, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 P.M., on Monday, August 24, 1981, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, 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).

Linda M. Owens
SIGNATURE (an employee in the Office
of the CITY CLERK)

Subscribed and sworn to before me this

19th day of August, 1981

Monice P. Keller
NOTARY PUBLIC in and for said County
and State. My Commission expires:



AGENDA*City of Las Vegas*

August 19, 1981

Page 30

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VII. BOARDS AND COMMISSIONSA. ANIMAL ADVISORY COMMITTEE - 2 Year Term
(Term Expires 4/6/83)

1. Mary Hibbs - Resigned, 6/19/81

Levy -
Motion carried by
unanimous vote to
reject resignation
of Mary Hibbs.

City Clerk to
notify as to
reconfirmation
of appointment.

B. PARK & RECREATION ADVISORY COMMISSION -
3 Year Term (Term Expires 9/7/81)

1. Donald J. Romeo, M. D.
2. James N. Swain

Lurie -
Motion carried by
unanimous vote to
reappoint James N.
Swain to another
3-yr. term of office.
Appointment to term
of office expiring
for Donald J. Romeo,
held in abeyance.

Term expiring for
Romeo to be
back on 9/2/81
Agenda
Clerk to notify
Mr. Swain of
his appointment.

C. SENIOR CITIZENS ADVISORY BOARD
3 Year Term - (Term Expires 9/6/81)

1. Thalia Dondero

Item C -
ABEYANCE

M.D.

9/2/81 Agenda

D. PLANNING COMMISSION - 4 Year Term

1. Howard "Buzz" Jones - Term Expires 8/9/81
2. Fred Kennedy - Term Expires 8/22/81
3. Robert Guthrie - Term Expires 8/16/81
4. Tom Miller - Term Expires 9/12/81
5. Joe Johnston - Term Expires 8/16/81

Christensen -
APPROVED motion to
appoint members as
follows:

Robert Guthrie, for 1 year term
beginning 8/19/81 (Briare nominee)
Michael Mack, for 2 year term beginning
9/12/81 (Levy nominee)
Sherri Tracy, 2 year term beginning
8/19/81 (Lurie nominee)
Fred Kennedy, 4 year term beginning
8/22/81 (Christensen nominee)
Joe Johnston, 4 year term beginning
8/19/81 (Woofert nominee)

City Clerk to
notify.

AND that Planning to see Commission
provided proper orientation and plaques
be given to outgoing members and the
deceased member's family, Mr. Swessel.

Unanimous

SEE ATTACHED TRANSCRIPT FOR DETAIL.

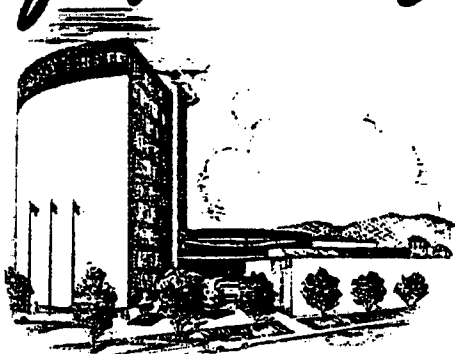
APPROVED AGENDA ITEM

Ashley Hall

CITY COMMISSION MINUTES AUGUST 19 1981
City of Las Vegas

0321

DON J. SAYLOR, AIP
DEPUTY CITY MANAGER



COMMUNITY SERVICES
BUSINESS ACTIVITY
COMMUNITY PLANNING
& DEVELOPMENT
FIRE SERVICES
PUBLIC SERVICES
RECREATION & LEISURE
ACTIVITIES
SENIOR CITIZEN'S
CENTER

July 29, 1981

Mrs. C. T. Hibbs
555 Canosa Avenue
Las Vegas, Nevada 89104

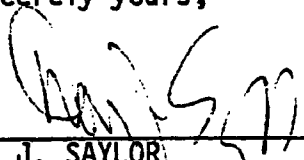
Dear Mrs. Hibbs:

Mayor Briare has referred your letter of June 19th to me for disposition. You are correct in concluding that the Animal Control Advisory Committee was constituted primarily to render recommendations in those situations involving court cases wherein a conclusion must be made as to whether or not an animal is vicious. Additionally, the City Commission has indicated that other matters would be referred to the committee from time to time such as the recently proposed amendment to the Animal Control Ordinance.

I believe that the Commission is satisfied with the makeup of the committee. I don't believe that there is any particular problem in view of the fact that it is an even number member committee. I don't know what you were referring to when you indicated there was no room for a quorum. Generally speaking, a quorum is more than one-half and in the case of a six-member committee, this would mean that at least four members would be necessary to constitute a quorum.

I have to conclude from your letter that you wish to resign and I will have this item placed on the August 19th City Commission agenda indicating your resignation and requesting that an appointment be made to fill your vacancy.

Sincerely yours,



DON J. SAYLOR
DEPUTY CITY MANAGER

DJS:kt

cc: Mayor William H. Briare

*Carol:
Please Agenda*

VII-A-1

Mrs. C.T. Hibbs (Mary)
555 Canosa Ave
Las Vegas, Nevada 89104

Hon. William Briare,
Mayor of the City of
Las Vegas, Nevada

June 19, 1981

Dear ~~Mr.~~ *Bill*:

(3) In light of the recent developments concerning what I consider inadequacies in the new Animal Advisory Committee which now consists of Dr. Phillipson, Dr. Church both veterinarians and Hans Klien an Animal regulation Officer under the jurisdiction of the City of Las Vegas, Mrs. J. Pemberton, a very nice member of Dog Fanciers and my self and possibly Cecilia Lebov of ARF. This would be six members of a committee which has no power to do any thing unless called on by the Court or appointed a Special committee on other matters. It is an inadequate committee because there is too much weight on the side of the people appointed who make their living from the care of animals. I feel these people could be swayed in their way of judging matters affecting their livelihood. In any case there is no room for a quorum and nothing providing a break of a tie vote.

I have served on this Board for the past six years and as you may know I wholeheartedly disagree with the precedent already established by the present board at the first meeting.

If the treatment I have recieved by the City Commissioners this past few weeks is indicative of treatment to be expected in the future I feel that my presence on this Board is not welcome and I hereby offer my resignation from the Animal Advisory Board. I shall be expecting a letter of either acceptance or ?.

May I take this opportunity to thank you for your courtesy when I came before the Commissioners on Wednesday last. For a reason that I am not aware of, I feel that I was ignored and insulted by one and/or more of the Commissioners. I Hadn't come to them to be laughed at or ridiculed, the subject matter is a serious one ^{and} will someday be recognized as such. At any rate it does not warrent being told "to tell my Asian friends to come and get a German Shepherd that visits my yard every morning". What a ~~thankless~~ disgusting remark!

Sincerely,

Mary
Mary Hibbs

CITY OF LAS VEGAS

CITY COMMISSION MINUTES AUGUST 19, 1981
INTER-OFFICE MEMORANDUM

Date

0323

August 14, 1981

TO:

City Clerk

FROM:

Richard L. Campbell, Director
Recreation & Leisure Activities

SUBJECT:

Parks & Recreation Advisory Board -
Dr. D. Romeo

COPIES TO:

Don J. Saylor

I have been unable to contact Dr. Romeo to determine if he wishes to continue to serve on the Las Vegas Parks and Recreation Advisory Board. He is on vacation until August 24, 1981. I am submitting his attendance record for your review.

	#of Meetings	Absent	Excused	Attended
1979	8	2	1	5
1980	7	6	1	0
1981	3	0	3	0

RLC/mm

CITY OF LAS VEGAS

CITY COMMISSION MINUTES AUGUST 19, 1981
INTER-OFFICE MEMORANDUM

Date

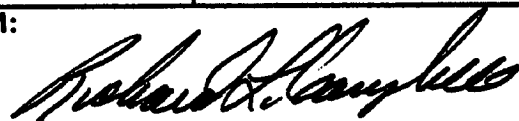
0324

August 14, 1981

TO:

City Clerk

FROM:



Richard L. Campbell, Director
Recreation & Leisure Activities

SUBJECT:

Parks and Recreation Advisory Board
Newt Swain

COPIES TO:

I have contacted Mr. Newt Swain and he has expressed a willingness to continue to serve on the Las Vegas Parks and Recreation Advisory Board. His attendance record is as follows:

	# of Meetings	Absent	Excused	Attended
1979	3	0	0	3
1980	7	2	0	5
1981	3	0	0	3

RLC/mm

INTER-OFFICE MEMORANDUM

August 10, 1981

TO:

DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

FROM:

HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

SUBJECT:

TERM EXPIRATIONS ON PLANNING COMMISSION -
CITY COMMISSION AGENDA ITEM FOR 8/19/81

COPIES TO:

- CITY CLERK

The attendance for the Planning Commission members whose terms expire as indicated below is as follows:

<u>NAME</u>	<u>NUMBER OF MEETINGS ABSENT</u>	<u>TOTAL NUMBER OF PC MEETINGS</u>
GUTHRIE, ROBERT Appointed 8/8/77 Term Expires 8/8/81	6	100
JONES, BUZZ Appointed 8/8/77 Term Expires 8/8/81	2	100
MILLER, TOM Appointed 8/17/77 Term Expires 9/12/81	15	100
*KENNEDY, FRED Appointed 6/7/78 Term Expires 8/22/81	13	61

*Mr. Kennedy filled a 3 year unexpired term

Cruz Olague
6517 Villa Mesa Dr.
Las Vegas, Nev. 89107
Home 878-4174 Office 457-3357



July 7, 1981

Dear Mayor Briare:

I would like to submit myself as a possible replacement for the vacancy on the Las Vegas Planning and Zoning Board.

My qualifications and references being, a combination of dedication, study and hard work coupled with experience. From 1971 to 1973 I served as the Council representative on the Henderson Planning Commission and continued in the same position as Mayor from 1973 to 1975.

During my four years with the Planning Commission I never missed a meeting, did complete research of all ordinances pertaining to the agendas and was always well prepared. I participated in the City's Master Plan consisting of 75 square miles, zone changes, flood control, expressway planning, updating ordinances as well as countless hearings.

I am 47 years of age and my family and I have resided in Las Vegas approximately five years. I am presently serving on the Trinity Temple School Board which consists of grades Kindergarten to ninth grade classes. For the past eight years I have been a part of Greyhound Exposition Services and Exhibit Group/Las Vegas. As an Executive I work directly with Major National Corporations such as General Electric, GMC and Sony just to name a few. Our business consists of coordination and servicing 80% of the LAS VEGAS Conventions. My position allows me to have the time required to attend meetings and because of the nature of our business there is absolutely no conflict of interest.

I sincerely thank you for your consideration and am available at your request for an interview.

Sincerely yours,

Cruz M. Olague

CO/ab

STU-MAR P HOLDER
511 FREMONT ST
LAS VEGAS NV 89101

CITY COMMISSION MINUTES AUGUST 19 1981

WESTERN UNION

Mailgram

327

4-829555S215 08/03/81 ICS IFMMTZZ CSP LSVA
7023951006 MGM TDMT LAS VEGAS NV 66 08-03 1216P EST

LAS VEGAS CITY MANAGER
RUSSELL DORN
402 STEWERT AVE
LAS VEGAS NV 89101

WOULD LIKE MY NAME SUBMITTED AS A POSSIBLE CANDIDATE FOR THE POST OF
PLANNING COMMISSIONER OR PARKING COMMISSIONER. I FEEL THAT I CAN BE
AN ASSET TO THE CITY OF LAS VEGAS AND WOULD APPRECIATE YOUR CON-
SIDERATION TO PLACE MY NAME IN NOMINATION. THANK YOU VERY MUCH
PAUL R HOLDER 385-1006 OR 384-5245

1218 EST

MGMCOMP MGM

VII-D

EXCERPT - CITY OF LAS VEGAS COMMISSION MEETING - AUGUST 19, 1981
RE: VII. BOARDS & COMMISSIONS - D. PLANNING COMMISSION APPOINTMENTS

Page 1

MAYOR BRIARE:

The next item is relating to the Planning Commission. I have a few comments I'd like to make on this, and then, I'm going to name some names and ask that the Commission concur in these appointments. I first of all want to emphasize, however, some of the responsibilities of the Planning Commission, and I have a copy of the State statute pertaining to planning and zoning commissions, and I was really quite surprised that it entailed so much. It involves community design, conservation plan, economic plan, housing, land use, population, public buildings, public service and facilities, recreation plan, and then there are some others that are taken care of by such organizations as the Regional Transportation Commission, which because this is a general law, I'm sure there are some areas where cities or since they also refer to counties might be taken care of as far as a board not like the Regional Transportation Commission. It's not an easy job. It's a real tough problem and I think the members of this Commission certainly agree that it is a very heavy job, and to those Commissioners that have served on it, not only the members who are still on it, and incidentally that's Mrs. Maggie Coleman and Mr. Frank Canul are still on the Planning Commission and their terms are not up, there are an awful lot of thanks due for a lot of hard work that's put in by the Commission, but from time to time, it is my feeling that changes should be made. I've got into the duties of the Planning Commission and I would like for this Commission to consider at an early date, the possibility of assigning very specific duties to the Planning Commission and emphasize that there's really a lot more to do than what in the past has been done by the Planning Commission, and I'm just reminded of the thing, you know, from day to day, we never know whether the MX is going to be here or if it is going to be here and what form is going to be here, and it seems like one thing after another. Public buildings, we have this morning -- we got snafued a little bit this morning because of the bureaucracy on the jail situation. I don't know that there's ever been an effort made by the Planning Commission. Now, I'm not talking about our Planning staff; I'm talking about the Planning Commissioners themselves -- to look into some of the problems that are facing the City of Las Vegas for the next five years, ten years and so forth, and I would really like to see the Planning Commissioners take a hard look at this kind of stuff and expand their areas of interest that they haven't had before.

With the Commission's support, I want to thank the members of the Planning Commission which at the present time consists of Mr. Howard Jones, Mr. Fred Kennedy, Mr. Robert Guthrie, Mr. Tom Miller and Mr. Joe Johnston, and I've already mentioned Mrs. Coleman and Mr. Canul, for a job well done.

EXCERPT - CITY OF LAS VEGAS COMMISSION MEETING - AUGUST 19, 1981
RE: VII. BOARDS & COMMISSIONS - D. PLANNING COMMISSION APPOINTMENTS

Page 2

MAYOR BRIARE:

So effective -- I'm going to name some names here and I'm going to ask at the end of naming these names for concurrence. Effective August the 19th, I wish to appoint Robert Guthrie; effective September the 12th, at the request of Commissioner Levy, Mr. Michael Mack to serve; at the request of Commissioner Lurie, effective August 19, for Mrs. Sherri Tracy. I'm sorry, I should have put terms. Mrs. Sherri Tracy would be for two years; Mr. Michael Mack would be for two years; Mr. Robert Guthrie would be for one year; and then at the request of Commissioner Christensen, effective August 22, Mr. Fred Kennedy for a four year term and effective August the 19th, at the request of Commissioner Woofter, or at the nomination of Commissioner Woofter, Mr. Joe Johnston.

COMMISSIONER LEVY:

For how long?

MAYOR BRIARE:

For four years. Those are my names that I'm requesting concurrence with.

COMMISSIONER CHRISTENSEN:

I move that we concur with those names, and I would also like to make a request along with that. A suggestion I made some time ago by myself quietly, and I don't think it was ever really followed through, and I would respectfully request the concurrence of the rest of the Board to -- when these new people are on board and our Planning Commission is whole, to immediately start some kind of a series of indoctrination sessions so that the Planning Commissioners are not completely in the dark, so that they have some indication, some training, from the City staff or whoever they designate to the responsibilities, the proper way to conduct meetings, the instructions they need for chairing a meeting and a proper quorum at the meeting and the things that are supposed to be considered by law that are not considered by law, and the proper manner to act as a Planning Commissioner. You have to recognize that these people are lay people and are not professionals in that field, and that is the way it should be. We need the citizen input, but by the same token, they need to have some instructions as to just what their duties are, what they consist of, what the responsibilities are, liabilities, all of those things, so that they are not forced to operate in a vacuum. It's also come to my attention along with this, that at the BZA hearings, which is not the Planning Commission, but they perform a similar function, they don't have a legal counsel present, and if the Planning Commission doesn't also have legal counsel present, they both should be assigned someone from the Attorney's Office so that they have legal counsel present to help them when legal questions come up. More and more those people are confronted with attorneys with extensive legal background representing clients and applicants at

EXCERPT - CITY OF LAS VEGAS COMMISSION MEETING - AUGUST 19, 1981
RE: VII. BOARDS & COMMISSIONS - D. PLANNING COMMISSION APPOINTMENTS

Page 3

COMMISSIONER CHRISTENSEN: the Planning Commission and they have no attorney and it puts them at a handicap. That's kind of a big motion -- a little motion with a lot of instructions with it, but I move we concur with your appointments.

MAYOR BRIARE: Any questions or comments on the motion to concur?

COMMISSIONER LURIE: I have one comment that the two members that are being replaced, Buzz Jones and Tom Miller, be given a Certificate of Appreciation by this body at one of our meetings.

COMMISSIONER CHRISTENSEN: I'll make that part of the motion.

COMMISSIONER WOOFER: Don't forget, I already asked at the last meeting in regards to the late Mr. Swessel.

COMMISSIONER LURIE: Yes.

MAYOR BRIARE: Further comments? Cast your votes. Post. The motion is approved; the appointments are concurred with and the new Planning Commission is as stated. Oh, one other thing, Mr. Dorn, relative to the Planning Commission. Would you instruct Mr. Foster to solicit comments and suggestions, if any, from each of the members of the Commission as to the -- as a suggested list of responsibilities that we would like to have the Planning Commissioners address themselves to for the next one, two, three, four years.

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

VII. BOARDS AND COMMISSIONS (CONT'D)E. EIGHTH YEAR COMMUNITY DEVELOPMENT BLOCK
GRANT CITIZEN ADVISORY REVIEW BOARD -
1 Year Term (Term Expires 6/3/82)

1. Bobby McRoy

2. Eddie White

F. CLARK COUNTY LIBRARY DISTRICT BOARD OF
TRUSTEES - 3 Year Term (New Board)Two Trustees to be appointed to
represent the City of Las Vegas.

Lurie -

APPROVED motion to
follow recommenda-
tions and appoint
Mrs. Beverly Pinjuv
and Mrs. Susan
Minor by unanimous
vote.

Clerk to notify

Levy -

APPROVED motion to
appoint Alice I.
Culbertson, 1513
James, LV 89101 to
Board by unanimous
vote.

Clerk to notify

Note: Consideration
of second position
on Board to be
considered at the
9/2/81 Meeting

9/2/81 Agenda

City Manager's
staff to present
recommendations
to Board on this
matter.

APPROVED AGENDA ITEM

Ashley Hall

INTER-OFFICE MEMORANDUM

August 12, 1981

TO:

CAROL ANN HAWLEY, CITY CLERK
OFFICE OF THE CITY CLERK

FROM:

Richard B. Blue
RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION

SUBJECT:

EIGHTH YEAR COMMUNITY DEVELOPMENT
BLOCK GRANT CITIZEN ADVISORY REVIEW
BOARD

COPIES TO:

On July 1, 1981, Mr. Bobbie McRoy and Mr. Eddie White resigned as members of the Eighth Year Community Development Block Grant Citizen Advisory Review Board due to prior commitments and a change in domicile respectively.

Mrs. Beverly Pinjuv and Mrs. Susan Minor are the staff recommended appointments to fill the vacancies created by the resignations.

Both Mrs. Pinjuv and Mrs. Minor applied for positions on the Citizen Advisory Review Board following a newspaper campaign initiated by this Department and were interviewed by staff prior to selection.

Please include the appointment of these two members in the Boards and Commissions portion of your August 19, 1981, Commission Agenda.

RBB:clm

CITY OF LAS VEGAS

CITY COMMISSION MINUTES AUGUST 19, 1981
INTER-OFFICE MEMORANDUM

Date

July 29, 1981

0333

TO:

MAYOR WILLIAM H. BRIARE
COMMISSIONER RON LURIE
COMMISSIONER PAUL J. CHRISTENSEN
COMMISSIONER ROY A. WOOFER

FROM:

COMMISSIONER AL LEVY

SUBJECT:

RECOMMENDATION FOR CLARK COUNTY
LIBRARY DISTRICT BOARD OF TRUSTEES
APPOINTMENT

COPIES TO:

CAROL HAWLEY, CITY CLERK/

I would like to recommend the appointment of Alice I. Culbertson, 1513 James, Las Vegas 89101 as a City representative to the Clark County Library District Board of Trustees.

Thank you for your consideration.

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

VIII. REPORTS FROM RECOMMENDING COMMITTEES

- A. BILL NO. 81-41 - ADOPTS 1981 NATIONAL ELECTRICAL CODE AND SUPPLEMENT THERETO.
Committee: Commissioners Lurie and Christensen

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission meeting as per First Amendment.

ABEYANCE

9/2/81 Agenda

- B. BILL NO. 81-45 - SPECIAL IMPROVEMENT DISTRICT NO. 437, STEP NO. 11-B, LOCATION: PAINTED DESERT DRIVE FROM THE EASTERLY LINE OF LORENZI BOULEVARD TO A POINT 870 FEET, MORE OR LESS EASTERLY, THENCE NORTHERLY 128 FEET, MORE OR LESS, TO THE POINT OF TERMINATION.

Committee: Commissioners Christensen and Lurie

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission meeting.

Christensen -
Second Reading and
ADOPTED
UnanimousClerk to proceed
with second
publication

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 24, 1981

TO:

The Board of City Commissioners

FROM:

GEORGE F. OGILVIE
City AttorneySUBJECT: ORDINANCE CREATING SPECIAL IMPROVEMENT DISTRICT NO. 437 (Painted
Desert Drive) BILL NO. 81-45PURPOSE/BACKGROUND

S.I.D. NO.

437

STEP NO.

11-B - Ordinance creating district

LOCATION

Painted Desert Drive from the
easterly line of Lorenzi Boulevard
to a point 870 feet, more or less
easterly, thence northerly 128 feet,
more or less, to the point of termi-
nation.

IMPROVEMENTS

The improvements include the instal-
lation of pavement, AC pavement with
fog seal and prime coat over Type II
aggregate base and Type I aggregate
base.FISCAL IMPACTRECOMMENDATIONSIt is recommended that the Board of City Commissioners adopt this
Ordinance.DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

**VIII. REPORTS FROM RECOMMENDING COMMITTEES
(CONT'D)**

- C. BILL NO. 81-47 - ANNEXATION NO. A-8-81(A),
PROPERTY LOCATED: SOUTH SIDE OF CHARLESTON
BOULEVARD, APPROXIMATELY 1000 FEET WEST OF
TENAYA WAY, PETITIONED BY: JAY ORLANDO AND
DONNA ORLANDO AND JAYNEE SHAW. ACREAGE:
APPROXIMATELY 5 ACRES, ZONED R-E (COUNTY
CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Commissioners Lurie and
Christensen

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission
meeting.

Lurie -
Second Reading and
ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

- D. BILL NO. Z-81-2 - REZONES THOSE PROPERTIES
IN THE CITY OF LAS VEGAS THAT HAVE BEEN
APPROVED FOR REZONING IN THE LAST SIX (6)
MONTHS BY THE CITY COMMISSION.

Committee: Commissioners Lurie and
Woofter

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission
meeting.

Lurie -
Second Reading and
ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

0337

AGENDA DOCUMENTATION

Date: July 20, 1981

TO: The Board of City Commissioners

FROM: Christopher G. Gellner
Deputy City AttorneySUBJECT: Bill No. 81-47
Annexation No. A-8-81(A)PURPOSE/BACKGROUND

The proposed ordinance annexes certain real property located on the south side of Charleston Boulevard, approximately 1000 feet west of Tenaya Way. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 28, 1981) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-8-81(A)
Property Located:	South side of Charleston Boulevard, approximately 1000 feet west of Tenaya Way
Petitioned By:	Jay Orlando and Donna Orlando Jaynee Shaw 3028 Calle de Laredo Las Vegas, Nevada 89102
Acreage:	Approximately 5 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACTRECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item
VIII. C

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 27, 1981

TO: The Board of City Commissioners

FROM: City Attorney

SUBJECT: Bill No. Z-81-2

PURPOSE/BACKGROUND

The purpose of the proposed ordinance is to rezone those properties in the City of Las Vegas that have been approved for rezoning in the last six (6) months by the City Commission, either pursuant to a Resolution of Intent where the conditions have been satisfied or pursuant to an unconditional approval. Approximately twice a year, the Commission adopts a comprehensive rezoning ordinance covering all rezonings that have occurred since the last ordinance rather than adopting ordinances for each rezoning on an individual basis.

FISCAL IMPACTRECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners for final action.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

79-2-10

Agenda Item

VIII. D

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VIII. REPORTS FROM RECOMMENDING COMMITTEES
(CONT'D)

- E. BILL NO. 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN ONE LICENSE FOR BUS TRANSPORTATION SERVICE.

Committee: Commissioners Lurie and Woofter

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission meeting.

Lurie -
Second Reading
and ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

- F. BILL NO. 81-49 - INCLUDES ADULT PAPER RACKS WITHIN THE ORDINANCE REGULATING THE LOCATION OF SEXUALLY ORIENTED BUSINESSES.

Committee: Commissioners Lurie and Christensen

1st Publication: Las Vegas Sun, 8/12/81

Committee Recommendation:

Adoption at 8/19/81 City Commission meeting as per First Amendment.

Lurie -
Second Reading
and ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

APPROVED AGENDA ITEM

Ashley Hall

AGENDA DOCUMENTATION

Date: August 4, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY
Robert T. Quinn

SUBJECT: Bill No. 81-48 Repeals prohibition against granting more than one license for bus transportation service

PURPOSE/BACKGROUND

At the present time, Section 5-1(A)-3 of the Las Vegas City Code provides that only one license for a public bus transportation service shall be issued within the City of Las Vegas. Since there is one public bus transportation service which is presently licensed in the City, this provision would prevent any other bus service from becoming licensed.

At least one other company is proposing to establish a bus service both within and without the corporate boundaries of the City, and is at the present time in the process of applying to the Nevada Public Service Commission for the necessary certificate. However, unless the provision of the City Code is repealed, that company would not be eligible for a City license.

Bill No. 81-48 merely repeals the prohibition against the granting of two public bus transportation service licenses within the City and leaves intact the requirement that applicants for such a license still must satisfy all of the Nevada Public Service Commission's rules and regulations.

FISCAL IMPACT

RECOMMENDATIONS

It is recommended that this Bill be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

AGENDA DOCUMENTATION

Date: August 4, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY
James L. Quinn

SUBJECT: Bill No. 81-49 Includes adult paper racks within the ordinance regulating the location of sexually oriented businesses

PURPOSE/BACKGROUND

The Department of Business Activity recently received an application for a business license to operate paper racks throughout the City of Las Vegas for the distribution of certain periodicals. After a review of these periodicals, it was concluded by the City Attorney's office and the Department of Business Activity that the materials proposed to be distributed by the applicant were of the type which are regulated by the City's sexually-oriented businesses ordinance and should also be regulated as such.

Bill No. 81-49 includes adult paper racks within the definition of sexually-oriented businesses and makes them subject to the regulations contained in the sexually-oriented businesses ordinance.

FISCAL IMPACT

RECOMMENDATIONS

It is recommended that this Bill be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981
RE: BILL NO. 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN
ONE LICENSE FOR BUS TRANSPORTATION SERVICE

Page 1

MAYOR BRIARE: Bill 81-48. Commissioner Lurie.

COMMISSIONER LURIE: I'd like it read.

MAYOR BRIARE: Mr. Ogilvie.

CITY ATTORNEY OGILVIE: Bill 81-48 - Ordinance Number blank - An ordinance relating to public bus transportation, amending Title V, Chapter 1-A, Section 3 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, by repealing the prohibition against the granting of more than one license for public bus transportation service, providing other matters properly relating thereto.

COMMISSIONER LURIE: I move for the adoption of Bill No. 81-48.

MAYOR BRIARE: Commissioner, would you make a comment on this.

COMMISSIONER LURIE: Yes, Mayor. This bill was requested by Bob Star who would like to apply for a license to provide additional service in the City of Las Vegas, and this changes the ordinance to allow him to apply, but it still has to be approved under need and necessity to the Public Service Commission.

MAYOR BRIARE: Is Mr. Star present?

COMMISSIONER LEVY: He was.

COMMISSIONER LURIE: He was here. I think he had to go to work.

CITY ATTORNEY OGILVIE: He had to be back at work at one o'clock. His General Manager is here.

COMMISSIONER LURIE: This ordinance in no way gives them or grants them a franchise to operate a service.

MAYOR BRIARE: My question, Commissioner, and I think I understand what you're driving at, if you would excuse the pun -- what I hope that the Commission doesn't get involved in would be a little Public Service Commission where now that this restriction, you know, if this ordinance is passed, that we will be flooded with applications from everybody that has a four-wheeled vehicle to come and want to be in the bus business. Am I safe in not being concerned about this?

COMMISSIONER LURIE: I believe you're safe in that respect that you mentioned.

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981
RE: BILL NO 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN
ONE LICENSE FOR BUS TRANSPORTATION SERVICE

Page 2

CITY ATTORNEY OGILVIE: The ordinance still requires that they get the appropriate certificates from the Public Service Commission before they could be licensed.

COMMISSIONER LEVY: Do we have any standards on our part?

CITY ATTORNEY OGILVIE: No. It's just a garden variety type business license. If it happened to have a prohibition against more than one license --

COMMISSIONER LEVY: Well, I'd like to ask some questions.

MAYOR BRIARE: Yes, excuse me, Commissioner.

COMMISSIONER LEVY: I'll ask of you, George. I still feel we need some control to develop any other type of mini transportation services to our community in the way of buses, and I certainly do not want to open the door no matter what the PSC does, and therefore, I certainly hope that when the first application comes in, we can sit down, rather than either having to approve or reject this application or whoever it may be -- that we can sit down and work out some direction in which we're going. If I'm not mistaken, I feel the RTC has been making some moves in bringing in a person who will give us some good direction in mass transportation, as we passed that money allocation last meeting and I hope that we will be able to move again in that direction.

MAYOR BRIARE: It would seem to me that Bob Star -- or does he have a company name?

COMMISSIONER LEVY: Yes.

OLIN BELLETTINI: Yes. Let me state my name. My name is Olin Bellettini and I am associated with Bob Star and this mini bus transportation system. Bob has been doing this for almost two years now.

MAYOR BRIARE: Here?

OLIN BELLETTINI: That's right. He's been doing this for almost two years.

COMMISSIONER LURIE: What he's saying is he's been trying to get the necessary documents changed so he could apply for the certificate

MAYOR BRIARE: Do you -- oh, excuse me, sir.

OLIN BELLETTINI: Right. Like Commissioner Levy has mentioned the fact and you yourself, Mayor, that this may open a door to many others, well, possibly that could be true. It could open the door, but I don't think they're going to come in hoards

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981
RE: BILL NO 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN
ONE LICENSE FOR BUS TRANSPORTATION SERVICE

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OLIN BELLETTINI: or anything else like that. I believe that Mr. Bob Star and myself have been the only ones who have been going into this endeavor and I think we could be of lots of public service.

COMMISSIONER LEVY: I'm not anxious to have you guys jumping in too fast either, sir. Until we can -- I'm not real anxious to have you jumping in too -- you and Mr. Star jumping in too fast either, until we can sit down with some people like who we're trying to hire -- and I'm pretty sure Commissioner Lurie who's Chairman of the RTC could expound on hiring somebody who knows something about mass transportation, who will be working for the RTC, who can help direct and maybe point Mr. Star and your company in a better direction.

OLIN BELLETTINI: That's true, but we're a private company and we still have to go to the Public Service Commission before we get approval.

MAYOR BRIARE: Has the Public Service Commission said to you, "Well, we can't even consider your application because the City has an ordinance prohibiting any more than one bus company"?

OLIN BELLETTINI: No, but the City -- this is more or less of a stumbling block here in the City because we want to operate in the City. Let's say perhaps we get the approval from the Public Service Commission, we still have to get approval from you to operate in the City and this would open the door, God willing.

MAYOR BRIARE: My only concern is I don't think I've ever met Mr. Star, but I kind of gather he's got some pretty good ideas and pretty good plans in mind. In fact, I'm looking at the part of our agenda here -- our backup material -- that says that this will allow Mr. Star to make an application to the Public Service Commission if there is a proven necessity for additional bus transportation service in the City of Las Vegas. Well, let me tell you something, I can assure you that there's a need for additional bus transportation in the City of Las Vegas, so he doesn't have to go all the way up to Carson City to convince me of that. But what I do have a little concern about -- in fact, I think I can resolve my concern right now, Commissioner. There's no one at this hearing to speak in opposition to this.

OLIN BELLETTINI: That's true.

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MINUTES - AUGUST 19, 1981
RE: BILL NO 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN
ONE LICENSE FOR BUS TRANSPORTATION SERVICE

Page 4

MAYOR BRAIRE: Was Las Vegas Transit Company notified?

COMMISSIONER LURIE: Yes, they were, and I did mention at the meeting that Mr. Barry Perea did call me and had some comments to make and felt that the ordinance could be passed or it could be delayed and let the application go to the Public Service Commission, but either way, somebody had to take initiative to make the move, one way or another, so this basically is the one step needed to get the application before the Public Service Commission.

COMMISSIONER LEVY: But we don't lose control do we, Ron?

COMMISSIONER LURIE: Oh, no.

MAYOR BRIARE: Depending on what we want to do, I think, and I'm going to vote in favor of Commissioner Lurie's motion here because I would love to see someone get in there and try to improve a little bit.

OLIN BELLETTINI: May I add to --

MAYOR BRIARE: If you'll let me finish first.

OLIN BELLETTINI: Oh, I'm sorry.

MAYOR BRIARE: I have already indicated my concern, but what I don't want to have happen is to go ahead and remove this restriction and then Bob Star goes up to the Public Service Commission and the Public Service Commission, I'm confident, would have to agree that we do need some more bus transportation, then have Mr. Star come back before this Commission and say, "I have my approval from the Public Service Commission, subject to your granting permission," and we then turn around and say, "I'm sorry. We have a franchise agreement with Las Vegas Transit Company." And we're going to find ourselves perhaps in an identical situation that we have with the ambulance contract, and I'm not looking for any more lawsuits. But in any event, I'm going to vote in favor of the motion to repeal this because I'm very anxious that something be done to, if anything, through the Regional Transportation Commission incidentally, to improve the bus --

COMMISSIONER LEVY: Well, we hope to get there.

MAYOR BRIARE: Commissioner Levy, do you have any further comments?

COMMISSIONER LEVY: No.

MAYOR BRIARE: Any other comments? The motion is to adopt the ordinance. Cast your votes. Post. Motion's approved. Tell Mr. Star that he should have waited around for a few more hours.

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

VIII. REPORTS FROM RECOMMENDING COMMITTEES
(CONT'D)G. DISCUSSION AND POSSIBLE ACTION ON REQUEST OF
THE HOUSING AUTHORITY TO ACQUIRE STEARNS
PARK FOR DEVELOPMENT AS A SENIOR CITIZEN
PARK.Real Estate Committee: Commissioners Levy
and WoofterCommittee Recommendation:

Stearns Park be deeded to the Housing Authority for use as a senior citizen park, subject to condition that property will revert back to the City of Las Vegas in the event the park ceases to be used as a public park for seniors or in the event the Housing Authority agency ceases to exist.

Woofter -
APPROVED request as
recommended by
Committee.
Unanimous

Staff to proceed

H. DISCUSSION AND POSSIBLE ACTION ON THE REQUEST
OF OPERATION LIFE FOR TWELVE (12) URBAN
RENEWAL LOTS.Real Estate Committee: Commissioners Levy
and WoofterCommittee Recommendation:

Lots be made available to Operation Life for appraised value. Deeds to be released by the City as construction financing is made available on a per lot basis.

Woofter -
APPROVED request
as recommended
by Committee.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 30, 1981

TO: The Board of City Commissioners

FROM: RUSSELL W. DORN
CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON REQUEST OF THE HOUSING AUTHORITY
TO ACQUIRE STEARNS PARK FOR DEVELOPMENT AS A SENIOR CITIZEN PARK.PURPOSE/BACKGROUND

Stearns Park is a small playground area (.32 acres) located north of Mesquite on the east side of 10th Street which was given to the City in 1950 for utilization as a park. The character of the neighborhood has changed considerably over the last few years to the extent wherein there is very little, if any, playground age children in the neighborhood. This change in character will be further influenced by the development of additional senior housing units within the near future.

The Housing Authority has requested that they be allowed to acquire the parcel to be developed for a senior citizen park facility in conjunction with a proposed senior citizen housing project. They would prefer title but would accept a long-term lease if title is not available.

I have referred this matter to the City Attorney's Office for an opinion as to whether or not under the terms of the grant we could deed it to the Housing Authority and/or lease it to them for their proposed use.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that this matter be referred to the Real Estate Committee with a recommendation of approval predicated upon whatever legal opinion is given by the City Attorney as to how this transaction can be consummated.

DISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

VIII. G

*City of Las Vegas***AGENDA DOCUMENTATION**Date: July 30, 1981

TO: The Board of City Commissioners

FROM: Russell W. Dorn
RUSSELL W. DORN
CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE REQUEST OF
OPERATION LIFE FOR TWELVE (12) URBAN RENEWAL LOTS.PURPOSE/BACKGROUND

Operation Life (Ruby Duncan, President) is requesting permission to acquire 12 single family lots, the remainder of the single family urban renewal area. The lots are to be utilized for the construction of single family homes as part of the Operation Life's in-fill housing program. Our most recent appraisal (done about two months ago by an outside appraiser) reflects a value of \$5,500 per lot. It is possible that if we decide to advertise the lots on the open market, we may be able to get more than the appraised value, however, by utilizing this program, it will mean that the houses will be sold at cost with no profit factor involved.

FISCAL IMPACT

All funds derived from the sale of this urban renewal property must go back into the Community Development Block Grant Program; consequently, there is no general fund impact.

RECOMMENDATIONS

The City Manager recommends that the lots be sold to Operation Life at the appraised value on a release clause basis wherein title is made available for each particular lot when construction funding has been acquired by Operation Life.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

VIII. H

INTER-OFFICE MEMORANDUM

August 11, 1981

TO:

FILE

FROM:

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

MEETING OF RECOMMENDING COMMITTEE
PROPOSED NEW BILLS
AUGUST 10, 1981

COPIES TO:

All Agenda Books for 8/19/81 City
Commission Meeting
Business Activity Department
Community Planning & Development Dept.
Building & Safety Division
Public Services Department

MEETING HELD:

4:00 P.M., August 10, 1981, City Manager's Conference Room,
10th Floor, City Hall. Meeting adjourned at 4:25 P.M.

PRESENT:

Commissioner Ron Lurie
Commissioner Roy Woofter
Russell W. Dorn, City Manager
Don Saylor, Deputy City Manager
George Ogilvie, City Attorney
Ila Britt, Director, Department of
Business Activity
Richard Blue, Director, Department of
Funds Coordination
Clay Hymer, Supervisor, Building &
Safety Division
Bob Wagner, Building & Safety Division
Jerry Cahill, Department of Business Activity
Charles Askew, N. E. C. A.
Keith Galliher, American Electric Corporation
George Whitney, Bongberg & Whitney, Inc.
David Hoggard, Economic Opportunity Board
of Clark County
H. Copeland, United Shuttle Agency, Inc.
Virginia Fry, United Shuttle Agency, Inc.
Patrick Pelletier, Sr., United Shuttle Agency, Inc.
Linda Owens, Deputy City Clerk
Shell Kizerian, Deputy City Clerk

EXCUSED:

Commissioner Paul J. Christensen
Commissioner Al LevyA. BILL NO. 81-41 - ADOPTS 1981 NATIONAL ELECTRICAL CODE AND SUPPLEMENT THERETO.
Committee: Commissioners Lurie and Christensen

Mr. Hymer outlined the proposed amendments to the National Electrical Code and Supplement. Mr. Galliher and Mr. Askew voiced their support of the amendments. Commissioner Lurie on behalf of the Committee recommended adoption at 8/19/81 City Commission meeting as per First Amendment. No one spoke in opposition.

Recommending Committee Meeting
August 10, 1981
Page Two

- B. BILL NO. 81-45 - SPECIAL IMPROVEMENT DISTRICT NO. 437, STEP NO. 11-B, LOCATION: PAINTED DESERT DRIVE FROM THE EASTERLY LINE OF LORENZI BOULEVARD TO A POINT 870 FEET, MORE OR LESS EASTERLY, THENCE NORTHERLY 128 FEET, MORE OR LESS, TO THE POINT OF TERMINATION.

Committee: Commissioners Christensen and Lurie

Commissioner Lurie on behalf of Committee recommended that bill be adopted at 8/19/81 City Commission meeting. No one spoke in opposition.

- C. BILL NO. 81-47 - ANNEXATION NO. A-8-81(A), PROPERTY LOCATED: SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 1000 FEET WEST OF TENAYA WAY, PETITIONED BY: JAY ORLANDO AND DONNA ORLANDO AND JAYNEE SHAW, APPROXIMATELY 5 ACRES, ZONED R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Commissioners Lurie and Christensen

Commissioner Lurie on behalf of Committee recommended that bill be adopted at 8/19/81 City Commission meeting. No one spoke in opposition.

- D. BILL NO. Z-81-2 - REZONES THOSE PROPERTIES IN THE CITY OF LAS VEGAS THAT HAVE BEEN APPROVED FOR REZONING IN THE LAST SIX (6) MONTHS BY THE CITY COMMISSION.

Committee: Commissioners Lurie and Woofter

Commissioner Lurie on behalf of Committee recommended that bill be adopted at 8/19/81 City Commission meeting. No one spoke in opposition.

- E. BILL NO. 81-48 - REPEALS PROHIBITION AGAINST GRANTING MORE THAN ONE LICENSE FOR BUS TRANSPORTATION SERVICE.

Committee: Commissioners Lurie and Woofter

Commissioner Lurie noted the request for a change in the ordinance was requested by Bob Star to provide a means for him to make application to the Public Service Commission if there is a proven necessity for additional bus transportation service in the City of Las Vegas. Attorney George Ogilvie stated the amendment does not remove any of the requirements with respect to the Public Service Commission and only permits licensing upon satisfaction of those requirements. Commissioner Lurie on behalf of Committee recommended adoption of bill at 8/19/81 City Commission meeting. No one spoke in opposition.

F. BILL NO. 81-49 - INCLUDES ADULT PAPER RACKS WITHIN THE ORDINANCE REGULATING THE LOCATION OF SEXUALLY ORIENTED BUSINESSES.

Committee: Commissioners Lurie and Christensen

Comments on this bill were presented by Ila Britt and City Attorney Ogilvie. The bill limits the location of adult paper racks to within 1000 ft. of each other and from sexually-oriented businesses, schools, churches and parks. Mr. Ogilvie stated this bill was prepared from the code book and a prior amendment dealing with nude shows was omitted in error from that document which should be included as an amendment to the bill prior to second reading and adoption. Commissioner Lurie on behalf of the Committee recommended 2nd reading and adoption at 8/19/81 City Commission meeting as per First Amendment. No one spoke in opposition to this bill.

G. DISCUSSION AND POSSIBLE ACTION ON REQUEST OF THE HOUSING AUTHORITY TO ACQUIRE STEARNS PARK FOR DEVELOPMENT AS A SENIOR CITIZEN PARK.

Real Estate Committee: Commissioners Levy and Woofter

Comments on this proposal were presented by Deputy City Manager Saylor and City Attorney Ogilvie. Commissioner Woofter on behalf of Committee recommended Stearns Park be deeded to the Housing Authority upon condition that property will revert to the City of Las Vegas in the event the property ceases to be used as a public park for seniors or in the event the Housing Authority agency ceases to exist. No one spoke in opposition.

H. DISCUSSION AND POSSIBLE ACTION ON THE REQUEST OF OPERATION LIFE FOR TWELVE (12) URBAN RENEWAL LOTS.

Real Estate Committee: Commissioners Levy and Woofter

Mr. Hoggard was present representing Operation Life (Ruby Duncan, President). Deputy City Manager Saylor stated the City is in the process of disposing of urban renewal property and there are some single family lots which have not yet been developed. Operation Life has a program for in-fill housing and has requested twelve single family lots be made available to them at the appraised value of \$5,500 per lot. He noted that twelve lots are available but recommended that all twelve deeds not be released at once; that the deeds be released lot by lot as construction financing is made available. Harriett Copeland inquired as to the source of financing for the lots. Mr. Blue explained funding has been made available to Operation Life through the Federal Community Block Grant Program for land acquisition. Commissioner Woofter on behalf of the Committee recommended twelve urban renewal lots be made available to Operation Life for the appraised value with deeds to be released upon receipt of construction financing on a per lot basis. No one spoke in opposition.

AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

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

- A. V-44-81 - Appeal filed by LAMAR MARCHESE to the action of the Board of Zoning Adjustment in approving the request of Wendell M. and Mary A. Crosby for a variance to allow a professional office at 606 South 9th Street in Zoning District R-1 (Single Family Residence).

Lurie -
Appeal DENIED.
Motion carried with
Christensen voting
"no" and Levy
excused.

(NOTE: An earlier
motion by
Christensen to
allow the appeal
was defeated with
Woofter, Lurie &
Briare voting "no";
Levy excused.)

Clerk to notify
and Planning to
proceed.

Appearances in
favor of appeal:

Lamar Marchese
Joe Theriot

Appearances
against appeal:

Lee Shrum repre-
senting Wendell
and Mary Crosby
and Hugh Ellis,
representing law
firm who planned
to locate on
property.

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 19, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGERSUBJECT: PUBLIC HEARING AGENDA ITEM
AUGUST 19, 1981 CITY COMMISSION AGENDAPURPOSE/BACKGROUND

Item A - Appeal Filed by Lamar Marchese on Variance Application V-44-81 (see backup material)

FISCAL IMPACT No Funding RequiredRECOMMENDATIONS See Attached
Harold P. Foster, DirectorDISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

IX.

To: The Board of City Commissioners
 Re: Public Hearing Agenda Item
 August 19, 1981 City Commission Agenda

A. APPEAL FILED BY LAMAR MARCHESE ON VARIANCE APPLICATION V-44-81 TO THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN APPROVING THE REQUEST OF WENDELL M. AND MARY A. CROSBY

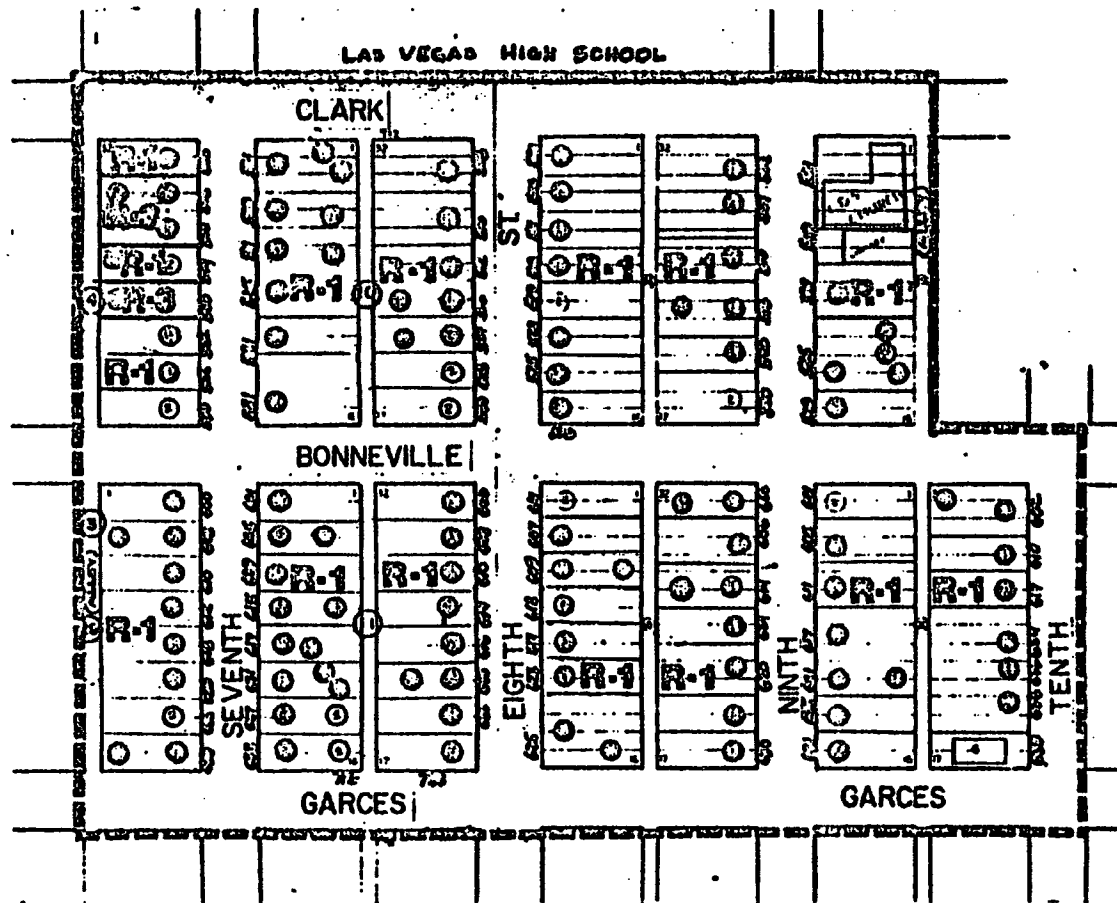
This is an appeal to the approval of the office use on this property in an R-1 zone by means of a variance. You will remember the applicant applied for P-R zoning on this property and the City Commission held that request in abeyance and suggested the office use be considered in the form of a variance application. The property is located in the center portion of the R-1 area to the south of Las Vegas High School that was previously considered for a new restricted office zone to maintain the residential character of the neighborhood. Several variances have been approved for office uses and for a commercial advertising agency on South 7th Street to the west; and P-R was approved one block to the east on 10th Street on the property with a church on it. The approved variances and P-R zoning are on the fringe of this R-1 area and it was on this basis that the changes were allowed. The applicants propose to retain the existing residence in its present condition except to provide some additional parking off the alley.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL - Compatible with the office transition taking place in this general area.

STAFF RECOMMENDATION: DENIAL - Because the transition of this neighborhood should commence on the periphery and move towards the center.

PROTESTS: 14





SURVEY AREA FOR PROPOSED P-RR
(PROFESSIONAL OFFICES, RESTRICTED) ZONING

EXISTING ZONING
 WARDIE ADDITION
 STUDY AREA

LEGEND

- R-1 Single-Family Residence
- R-2 Two-Family Residence
- R-3 Limited Multiple Residence
- R-4 Apartment Residence
- P-R Professional Offices & Parks

CITY COMMISSION MINUTES AUGUST 19, 1981

0355

AGENDA

CITY COMMISSION MINUTES AUGUST 19, 1981

0356

City of Las Vegas

August 19, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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ITEM

Commission Action

Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
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 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

APPROVED AGENDA ITEM

AGENDA

CITY COMMISSION MINUTES AUGUST 19, 1981

0357

City of Las Vegas

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

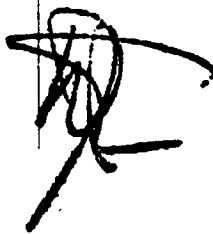
with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (B) Final Maps - Conformance with the tentative map.

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

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

ITEMS START ON NEXT PAGE

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)****A. ABEYANCE ITEM - ZONE CHANGE - Z-36-81 -
WENDELL M. AND MARY A. CROSBY**

Reclassification of property located at 606
South 9th Street.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Law Offices

Planning Commission recommends DENIAL (4-2
vote).

If approved, following are the recommended
conditions:

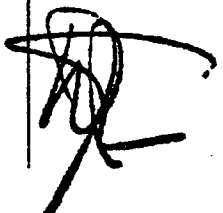
1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Provide parking as required by the
Department of Community Planning and
Development.
3. Conformance to the plot plan amended to
reflect the above conditions.
4. Conformance to the existing elevations.
5. Install sidewalks on 9th Street and
enter into an Assessment District
Agreement for street lighting on 9th
Street and paving of the alley.

Staff Recommendation: DENIAL

PROTESTS: 14

Christensen -
DENIED.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM

City of Las Vegas

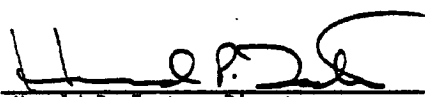
AGENDA DOCUMENTATION

Date: August 19, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGERSUBJECT: COMMUNITY PLANNING AND DEVELOPMENT AGENDA ITEMS
AUGUST 19, 1981 CITY COMMISSION AGENDAPURPOSE/BACKGROUND

- Item A - Abeyance Item - Zone Change - Z-36-81 - Wendell M. and Mary A. Crosby
(see backup material)
- Item B - Abeyance Item - Zone Change - Z-46-81 - Velma Bondley (see backup material)
- Item C - Variance - V-33-81 - John W. and Donna C. Swartz, Et Al (see backup material)

FISCAL IMPACT No Funding RequiredRECOMMENDATIONS See Attached
Harold P. Foster, DirectorDISPOSITIONApproved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

X.

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
August 19, 1981 City Commission Agenda

A. ABEYANCE ITEM - ZONE CHANGE - Z-36-81 - WENDELL M. AND MARY A. CROSBY

This is the rezoning application which involves the same property as variance application V-44-81 that is on the public hearing portion of this agenda. If the variance application is approved, then this application should be denied. If the variance application is denied, then you still have before you for consideration this request for P-R zoning to allow an office use at this location.

PLANNING COMMISSION RECOMMENDATION: DENIAL - Because the center portion of this neighborhood is all residential and any transition should first occur on the periphery.

STAFF RECOMMENDATION: DENIAL - The transition of the exterior portion of the neighborhood should occur first.

PROTESTS: 14



APPROVALS

0361
Z-36-81

90

SUBMITTED AT 5:26 PM MTC.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

HAROLD P. FOSTER, DIRECTOR

As a property owner within the affected 9th Street area, I would like to go on record as being in favor of rezoning the property at 606 South Ninth Street from residential to professional (PR) zoning.

	NAME	ADDRESS
1.	Thomas Rudolph	605 S 9th Street
2.	Rosemary Walker	609 So. 8th Street
3.	Thomas J. Daly	623 S. 8th St.
4.	Joseph Nosanowski	625 S. 8th St.
5.	Bruno J. Suezynski	616 South 8th St.
6.	Kathleen L. Suezynski	616 South 8th St.
7.	Kathleen Holmes	614 South 8th St.
8.	Robert L. Hohner	614 South 8th St.
9.	Richard R. Miller	528 So 8th St
10.	Chin Rodriguez Miller	610 S 10 ST
11.		
12.		
13.		
14.		
15.		

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
HAROLD P. FOSTER, DIRECTOR

As a property owner within the affected 9th Street area, I would like to go on record as being in favor of rezoning the property at 606 South Ninth Street from residential to professional (PR) zoning.

<u>NAME</u>	<u>ADDRESS</u>
1. Larry S. Engstrom	631 S. 9th St.
2. Jerry Lyle	800 E. Beaverville Ave
3. Milton C. Clark	525 S. 8th Street
4. Louise Landham	625 So. 9th St.
5. R. P. Moss	617 So. 9th St.
6. Mildred Moss	617 So. 9th St.
7. Sig and Ed Engich	600 So 9th St.
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	

TO: LAS VEGAS CITY COMMISSIONERS

We, the undersigned, wish to indicate that we are in favor of rezoning the property at 606 So. 9th St., from a residence to a professional office, for use as attorneys offices. We would appreciate your favorable vote when this item comes before you at the City Commission meeting on June 19, 1981.

NAME	ADDRESS
<u>Don Rick Jones</u>	<u>605 S 9th Street</u>
<u>2. Kathryn Petersen</u>	<u>714 S. 9th Street</u>
<u>3.</u>	<u></u>
<u>4.</u>	<u></u>
<u>5.</u>	<u></u>
<u>6.</u>	<u></u>
<u>7.</u>	<u></u>
<u>8.</u>	<u></u>
<u>9.</u>	<u></u>
<u>10.</u>	<u></u>

Dear City Commission—

It has come to our attention that Mr. and Mrs. Crosby of 606 So. 9th have applied for Professional Zoning.

As a concerned neighbor we are in favor of this type of Zoning in our area.

We feel that it would be to the mutual benefit of ourselves and neighbors to have a Professional Office on the block rather than see the property sold to an investor and become a rental until such time as Commercial Zoning is permitted.

In the 500 block of So. 9th residential properties have become rentals and we have noted a deterioration in the appearance of said properties, and obviously the value.

Therefore we hope the Commission will look favorably upon Mr. Crosby's application.

L. P. Moss

Mildred E. Moss

617 So. 9th St.

Las Vegas, Nev. 89101

June 12, 1981

Commissioner Ron Lurie
400 E. Stewart
Las Vegas, Nevada 89101

Dear Commissioner Lurie:

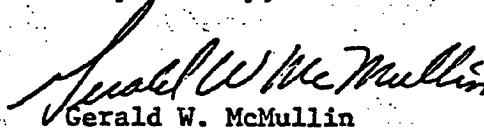
I am the owner of the property at 520 South 9th Street and with my family reside at this address at this time.

We are in favor of the property located at 606 South 9th being rezoned for Professional Offices for several reasons:

- (1) The neighborhood is changing. It is no longer a quiet, safe area for a single family residence. Residents are beginning to move out of this area in order to find a better area in which to live, and it seems are welcoming a chance to sell their property to attorneys or other professional groups who are equally as anxious to buy the property for their business.
- (2) Attorney's offices would be a good addition to the neighborhood, as it seems that professional offices in this area are well maintained and attractive and are really an asset to the neighborhood, rather than an eyesore.

So, again, we ask that you consider this matter and vote in favor of the majority who are in favor of having the property at 606 South 9th rezoned for a professional office.

Respectfully,


Gerald W. McMullin

I request that this letter
of approval be read at the
re-zoning hearing on 6/17/81
B.L.

I believe that the home
on 606 S. 9th St. should be
approved for PR1 zoning. I also
would like to stress to the
City Commissioners that I feel
professional offices of this type
will protect the beauty of
this neighborhood from speculators.
Speculators will buy these homes
in anticipation of future zoning
changes and rent them until
these zoning changes occur.
This will destroy the character
of this neighborhood because
there will be no restrictions
on the upkeep of these rental
homes.

My thanks to the City Commissioners,
Bery Lyle
800 E. Bonnevill Ave.
Las Vegas, Nev.

May 26, 1981

Dept. of Community Planning
and Development

Harold P. Foster, Director

I am the owner of the
property at 520 South 9th
Street and am in favor
and approve of rezoning
of property located at 606
South 9th Street from
R-1 to P.R.

Respectfully

Donald W. McMullen

June 12, 1981

Dear Commissioners

I Louise Lankam live at 625
So. 9th. I have lived here for 11 years.
I feel that professional zoning would
be advantageous in this neighborhood.
I would like to go on record as
being in favor of rezoning 606 So 9th.
from residential to professional office
Thank you

Sincerely
Louise Lankam
625 So. 9th St.
Las Vegas Nevada 89101.

June 12, 1981

Mayor Bill Briare
400 E. Stewart
Las Vegas, Nevada 89101

Dear Mayor Briare:

I am the owner of the property at 520 South 9th Street and with my family reside at this address at this time.

We are in favor of the property located at 606 South 9th being rezoned for Professional Offices for several reasons:

- (1) The neighborhood is changing. It is no longer a quiet, safe area for a single family residence. Residents are beginning to move out of this area in order to find a better area in which to live, and it seems are welcoming a chance to sell their property to attorneys or other professional groups who are equally as anxious to buy the property for their business.
- (2) Attorney's offices would be a good addition to the neighborhood, as it seems that professional offices in this area are well maintained and attractive and are really an asset to the neighborhood, rather than an eyesore.

So, again, we ask that you consider this matter and vote in favor of the majority who are in favor of having the property at 606 South 9th rezoned for a professional office.

Respectfully,



Gerald W. McMullin

June 13, 1981

This will serve to certify
that Donald E. Boranek,
owner of property at 610
S. 9th, is in favor and
approves of property at
606 S. 9th to be rezoned
from residential to commercial
property.

Donald E. Boranek

INTER-OFFICE MEMORANDUM AUGUST 19, 1981

Date

August 5, 1980 0371

COMMISSIONER LEVY

FROM:

HAROLD P. FOSTER, DIRECTOR
COMMUNITY PLANNING & DEVELOPMENT

SUBJECT:

PROPERTY OWNER SURVEY
FOR P-RR ZONE

COPIES TO:

DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

The survey for the proposed P-RR (Professional Offices, Restricted) Zone for the area shown on the attached map has been completed and the results are as follows:

Total Property Owners Contacted	-	98	
Questionnaires Returned	-	68	(69%)
No Reply	-	26	(31%)

SURVEY RESULTS

	<u>No. Property Owners</u>	<u>Percent</u>
Transition to P-RR	33	49%
Remain R-1	26	38%
Prefer Area to Transition to Commercial	<u>9</u>	<u>13%</u>
TOTAL	68	100%

It appears a substantial majority, 62% of the property owners, would like to see the area change from its present R-1 zoning. This information will be transmitted to the Planning Commission at their meeting on August 14, 1980 when the proposed P-RR zoning classification is to be considered.

HPF/sk

attachment

AGENDA

CITY COMMISSION MINUTES AUGUST 19, 1981

0372

City of Las Vegas

August 19, 1981

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

B. ABEYANCE ITEM - ZONE CHANGE - Z-46-81 - VELMA BONDLEY

Reclassification of property located at 719
South 6th Street.

From: R-4 (Apartment Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Office

Planning Commission recommends DENIAL (3-2
vote).

If approved, following are the recommended
conditions:

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Enter into a Special Assessment District
Agreement for installation of street
lighting and alley paving.
3. The parking and driveway plans be approved
by the Traffic Engineer.
4. All existing improvements in the street
which are not in good condition be
improved as required by the Department
of Public Services.

Staff Recommendation: APPROVAL

PROTESTS: 0

Christensen -
APPROVED as recom-
mended by Planning
Commission.
Unanimous

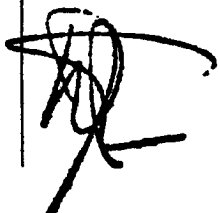
Clerk to notify
and Planning to
proceed.

Applicant repre-
sented by her son,
Atty. George
Bondley of Boulder
City.

No protestants.

Levy requests that
Planning staff when
receiving requests
from applicants in
this area basically
east of Las Vegas
Blvd., that they
ask them to apply
for use permits
rather than zone
changes.

APPROVED AGENDA ITEM



To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
August 19, 1981 City Commission Agenda

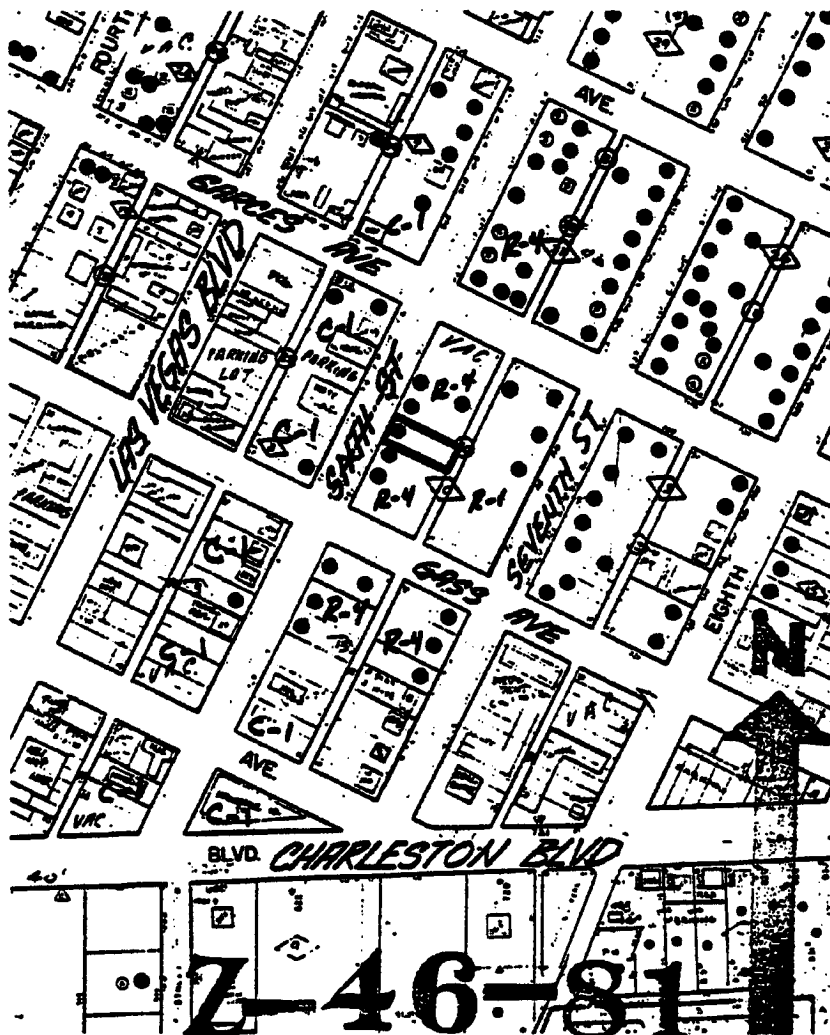
B. ABEYANCE ITEM - ZONE CHANGE - Z-46-81 - VELMA BONDLEY

This request was held in abeyance because there was some discussion whether this office use should have been applied for by means of a use permit rather than a rezoning and also, the applicant was not present to answer questions of the Commission. The application involves property located in the middle of the block that is zoned R-4 but developed primarily with single family homes. On the west side of South 6th Street is C-1 zoning that is developed for commercial use. There are offices in the block to the south in the R-4 zone by means of a use permit and several blocks to the north a P-R pattern is evolving on the east side of 6th Street. The applicant is proposing to convert the existing residence to an office and will have adequate parking and landscaping.

PLANNING COMMISSION RECOMMENDATION: DENIAL - Because there was only one parking space in front of the property and all remaining parking and access was from the alley to the rear.

STAFF RECOMMENDATION: APPROVAL - Compatible with the transition to office use that is taking place along 6th Street.

PROTESTS: 0



AGENDA*City of Las Vegas*

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)C. VARIANCE - V-33-81 - JOHN W. AND DONNA C.
SWARTZ, ET AL

To allow outdoor activity in conjunction with a child care facility where no outdoor activity areas are permitted on property located at 3301 W. Charleston Boulevard in Zoning District C-D.

Board of Zoning Adjustment unanimously recommends APPROVAL, subject to the following conditions:

1. A maximum of 10 children shall be permitted outdoors at any one time.
2. Hours of the outdoor recreation activity shall be limited to 8:00 A.M. to 6:00 P.M.
3. Parking and driveway plan shall conform to the requirements of the Traffic Engineer.
4. All existing off-site improvements which are not in good condition shall be repaired as required by the Department of Public Services.
5. Construction of a 6' masonry wall along the south side of the play area.
6. Conformance to the plot plan amended to provide paved parking spaces off the alley.
7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
9. Securing all necessary permits and licenses, and satisfaction of City Code requirements and design standards of all City departments.

Staff Recommendation: APPROVAL

PROTESTS: 37

Woofter -
APPROVED as recom-
mended by BZA.
Unanimous with
exception that
Levy abstained.

Clerk to notify
and Planning to
proceed.

Sandy McFarland
appeared on behalf
of application.

No protestants.

APPROVED AGENDA ITEM

To: The Board of City Commissioners
 Re: Community Planning and Development Agenda Item
 August 19, 1981 City Commission Agenda

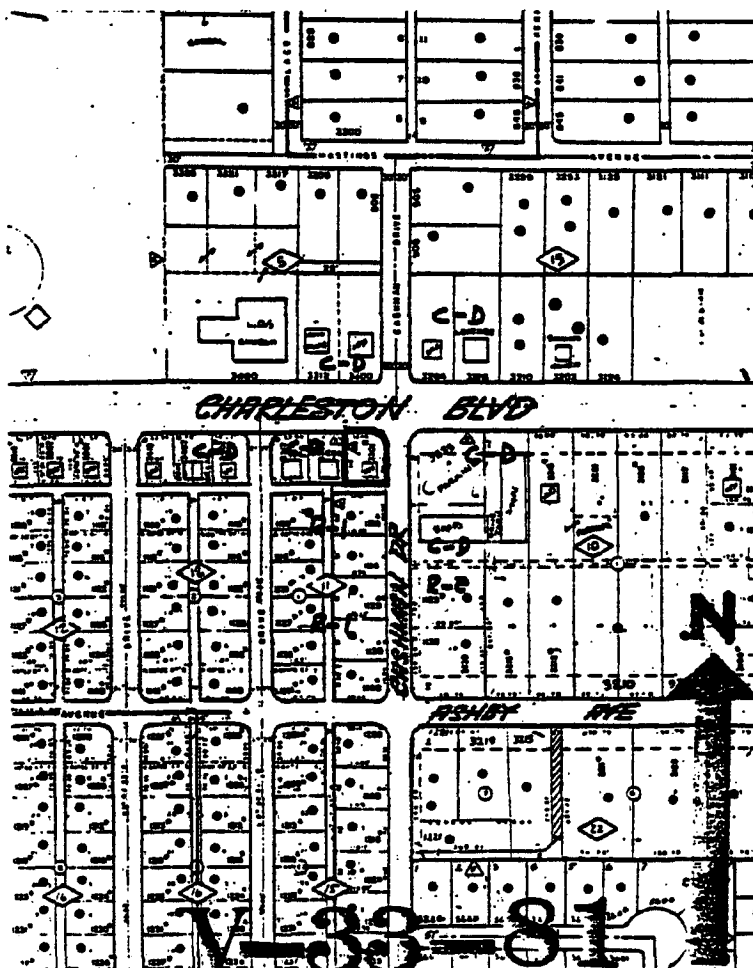
C. VARIANCE - V-33-81 - JOHN W. AND DONNA C. SWARTZ, ET AL

This request is before you for final decision because it involves a variance in the C-D zone for an outdoor activity in connection with a child nursery operation. Child care facilities have been approved as a permitted use in this zone, however, the City Code requires an outdoor play yard for this use and the C-D zone indicates all uses shall be conducted within an enclosed building. There have been variances approved for two other nursery uses with outdoor operations, one being at Rancho and W. Charleston and the other at 3020 W. Charleston. There is existing C-D zoning to the east and west and R-1 zoning to the south across a 20' alley. The proposed play area will be between the existing building and a row of parking spaces off the alley.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL - Subject to a maximum of ten children being permitted outdoors at any one time, the hours of outdoor activity be limited to 8:00 A.M. to 6:00 P.M. and a 6' block wall be constructed along the south side of the play area.

STAFF RECOMMENDATION: APPROVAL - Subject to the above conditions.

PROTESTS: 37



July 22, 1981

Mr. Harold P. Foster, Director
Department of Community Planning and Development
Las Vegas City Hall
400 East Stewart Avenue
Las Vegas, NV 89101

Dear Mr. Foster,

Reference is made to the application of John W. and Donna C. Swartz for a variance to allow outdoor activity in conjunction with a child care facility on property located at 3301 West Charleston Boulevard.

We the following tenants of "The Arches", an office complex on the southeast corner of West Charleston and Cashman Drive, wish to express our concern over the proposal.

The lot at 3301 West Charleston is in our belief too small to adequately provide for parking space for employees, a driveway for loading and unloading children which we assume would be required, and a play area. Parking in the area is already inadequate.

We request that the present character of C-D zoning for West Charleston be maintained.

[Handwritten signatures: Bob Solomon, Rick D., and others]

[Handwritten signature: Gloria Chatterton]
Capital Nevada Mortgage, Inc.

CITY COMMISSION MINUTES AUGUST 19, 1981

July 22, 1981

Mr. Harold P. Foster, Director
 Department of Community Planning and Development
 Las Vegas City Hall
 400 East Stewart Avenue
 Las Vegas, NV 89101

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We request that the present character of C-D zoning for West Charleston be maintained.

Paul J. [unclear]
[Signature]

[Signature]
[Signature]

John Salinas
Karen Hignstedt
E. L. [unclear]

[Signature]
Luc Kampfer

Respectfully, Ben J. [unclear]

Chunmache Phystem

[Signature]
[Signature]

Steven Lee
Gerrie [unclear]

Yvonne Martine

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)D. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE PLANNING COMMISSION AT ITS
AUGUST 13, 1981 MEETING.

VAC-9-81

9/2/81 Agenda

VAC-11-81

9/2/81 Agenda

E. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD AUGUST 17, 1981.

U-42-81

9/16/81 Agenda at
hour of 1:30 PM

APPROVED AGENDA ITEM



AGENDA

City of Las Vegas

August 19, 1981

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XI. ADDENDUM ITEMS

NONE

APPROVED AGENDA ITEM

Ashley Hall

AGENDA*City of Las Vegas*

August 19, 1981

BOARD OF CITY COMMISSIONERS

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COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

XII. CITIZEN PARTICIPATION

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

Harriet Copeland, 221 S. 10th Street appeared and requested to go on record as opposing the City's approving the request on Item VIII-H making 12 lots available to Operation Life. She opposed this because of the manner in which federal funds to pay for same was transitioned through the management of Ruby Duncan.

MEETING ADJOURNED AT APPROXIMATELY 3:45 P.M.

MOVED AGENDA ITEM

Henry Hall