EXCEPT - CITY COMMISSION MEETING - OCTOBER 7, 1981 - PAGE 1
IV.(d). - DEPARTMENT OF FUNDS COORDINATION, ITEM A - A RESOLUTION REQUESTING THE CLARK COUNTY BOARD OF COMMISSIONERS TO IMPOSE AN ADDITIONAL TWO CENTS (2¢) PER GALLON TAX ON MOTOR VEHICLE FUEL TO BE APPLIED TOWARDS PENDING AND FUTURE STREET AND HIGHWAY PROJECTS.

MAYOR BRIARE: The next under Funds Coordination, Mr. Blue. We have a Resolution requesting the Clark County Board of Commissioners to impose an additional 2¢ per gallon on motor vehicle fuel. What kind of a time element are we involved with here as far as whether this be approved right away or --

COMMISSIONER LURIE: Mayor, let me address that. The Regional Transportation Commission has adopted a Resolution asking the County Commission to consider adopting an ordinance adding the additional 2¢ a gallon on motor vehicle fuel so that we can continue to provide the needed street construction in Southern Nevada. The Legislature, at the last session, with Bill 701, modified the N.R.S. 373.030 and provides that the Board of County Commissioners may impose a tax on motor vehicle fuel sold in the County not to exceed 4¢ per gallon. They are already collecting the 2¢, so what all of the cities are doing is requesting that the County Commission consider adopting the ordinance allocating the additional 2¢. That 2¢ would generate 4.8 million dollars worth of buying capacity, which we need to continue construction of our streets and highways in Southern Nevada. As you know, we have approximately $166,000,000 worth of projects on a priority list. The bond issue that was passed, if you subtract that $56,000,000, it still leaves $110,000,000 worth of projects that we feel have to be started within the next five to ten years in order to meet the normal growth that we anticipate. So all of the entities are putting these Resolutions before their Boards and then we're going to submit them to the County Commission and they are going to have to make a decision.

MAYOR BRIARE: Do you want to make a motion, Commissioner?

COMMISSIONER LURIE: I would make a motion to APPROVE the Resolution.

COMMISSIONER LEVY: Mr. Mayor.

MAYOR BRIARE: Commissioner Levy.

COMMISSIONER LEVY: I'm not for taxes, raising taxes, but I honestly feel that gasoline tax for our roads is probably one of the most fairest fair user pay type of taxes we could have within our government because the people when they pay that are using the streets and are buying gasoline. I just think it's probably one of the most fairest situations we have, and certainly there is no doubt in anybody's mind in our community that our streets are -- we're way behind, especially when 007 is driving them and he knows, and we need to get these streets improved.

IV.(d). - DEPARTMENT OF FUNDS COORDINATION. ITEM A.- A RESOLUTION REQUESTING THE CLARK COUNTY BOARD OF COMMISSIONERS TO IMPOSE AN ADDITIONAL TWO CENTS (2¢) PER GALLON TAX ON MOTOR VEHICLE FUEL TO BE APPLIED TOWARDS PENDING AND FUTURE STREET AND HIGHWAY PROJECTS.

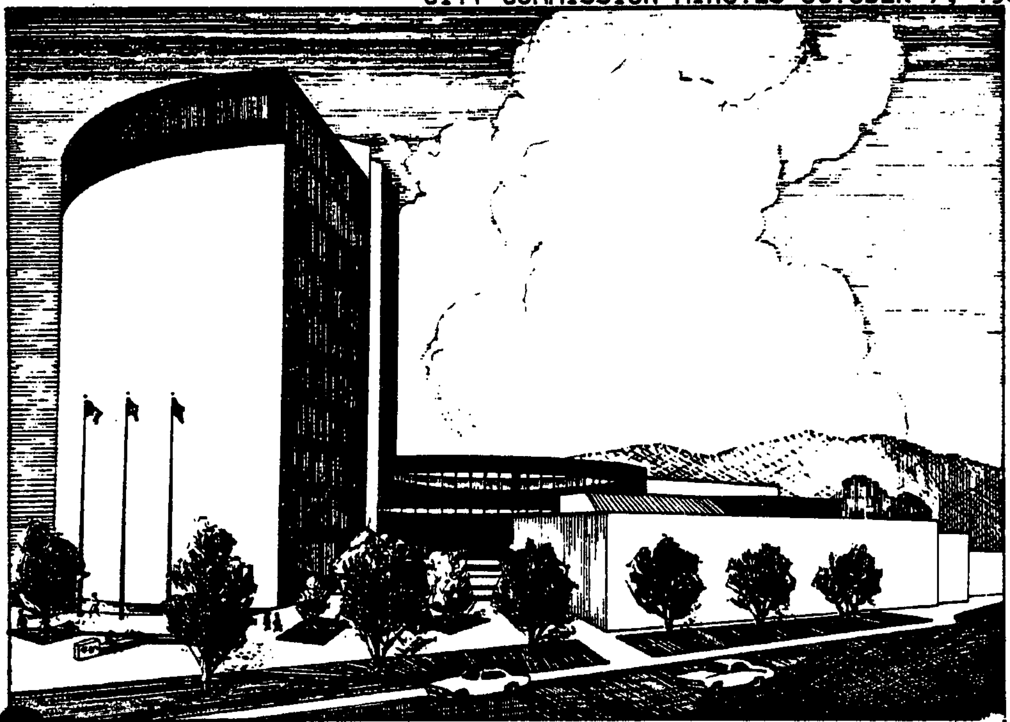
COMMISSIONER CHRISTENSEN: I can't support this. I'm not in favor of higher taxes and this City Commission has seen fit to pave County streets, so we must have plenty of money, if we're going to go ahead and pay for paving in the County and tax our residents to pave streets in the County. I don't see any need for a gas tax to go further beyond that.

MAYOR BRIARE: Any other comments? Cast your votes. Post. Motion is APPROVED.

VOTING WAS AS FOLLOWS:

"AYES" Lurie, Levy, and Mayor Briare.

"NOES" Christensen and Woofter



MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: October 7, 1981

TIME: 10:00 A.M.

INVOCATION: Reverend Joel Rivers, Southside Christian Church

PLEDGE OF ALLEGIANCE:

BOARD OF CITY COMMISSIONERS	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	X		
COMM. PAUL J. CHRISTENSEN	X		
COMM. RON LURIE MAYOR PRO-TEM	X		
COMM. AL LEVY	X		
COMM. ROY WOOFTER	X		
CITY ATTORNEY			
GEORGE F. OGILVIE	X		

APPROVED BY REFERENCE ______________, 19___

ATTEST:

Carl A. Hawley — CITY CLERK

William H. Briare — MAYOR

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

October 7, 1981

ITEM	Commission Action	Department Action
I. 9:45 A.M.	FULL BOARD PRESENT.	
A. COMMUNITY RELATIONS	NO ITEMS	
B. SPECIAL EVENTS	NO ITEMS	
II. 10:00 A.M.		
A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW	ANNOUNCEMENT MADE	
B. INVOCATION Reverend Joel Rivers Southside Christian Church	INVOCATION GIVEN BY REV. RIVERS	
C. PLEDGE OF ALLEGIANCE	PLEDGE GIVEN	
D. APPROVAL OF CITY COMMISSION MEETING MINUTES Meetings of 8/06/80, 8/20/80, 9/03/80 and 9/17/80.	Lurie - APPROVED Unanimous	Clerk to proceed

APPROVED AGENDA ITEM

Ashley Hall

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

Joanne Jerry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 2nd day of October, 81, at the hour of 930 am there were posted copies of AGENDA and ADDENDUM NO. 1 (NOTICE), the attached of which are true and correct coies, of a REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 7th day of October, 81, 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).

Joanne Jerry
SIGNATURE

Clerk
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this
2nd day of October, 1981

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

MONICE P. KELLER
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Jan. 23, 1984

AFFIDAVIT OF MAILING

(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 2nd day of October, 81, copies of an AGENDA and ADDENDUM NO. 1 (NOTICE), the attached of which are true and correct copies, of a REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF CITY OF LAS VEGAS, NEVADA, to be held on the 7th of October 81, 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 2nd day of October, 1981

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

MONICE P. KELLER
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Jan. 23, 1984

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY JERRY J. CAHILL, DIRECTOR		
*CONSENT AGENDA All matters listed under Items A, B and C are considered to be routine by the City Commission and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.		
*A. CHILD CARE FACILITY APPLICATIONS (Approved by the Child Welfare Board) Family Child Care Homes 1. ELIZABETH WAITS 6324 Vista Verde North 4 children days/2 nights 3 before/after school 2. DALENE WISER 4621 Amherst Lane 3 children days 3 before/after school 3. PATRICIA KUEPPER 5613 Evergreen 5 children days 4. MARILYN QUEEN 6205 Espinosa Avenue 4 children days/2 nights 3 before/after school	Lurie - APPROVED Family Child Care Homes, Nos. 1 through 8, and Child Care Center No. 1. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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)		
*A. CHILD CARE FACILITY APPLICATIONS (cont'd)		
5. BONNIE WILLIAMS 3920 Costa Mesa 6 children days 3 before/after school	APPROVED See Page 2	See Page 2
6. KARLA SMITH 4419 Parkchester 6 children days/2 nights 2 before/after school		
7. SHERRYE IVY 6221 Lawton Avenue 4 children days/4 nights 3 before/after school		
8. JUDY BOWERS 2320 Jansen 6 children days/2 nights 2 before/after school		
Child Care Center		
1. RAINBOW BRIDGE CHILD CARE CENTER 3301 West Charleston 21 children days only	APPROVED See Page 2	See Page 2

APPROVED AGENDA ITEM

City of Las Vegas October 7, 1981

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. GAMING -- Additional		
1. EXBER, INC. El Cortez Hotel & Casino 600 East Fremont 1 slot	Lurie - APPROVED Items 1 thru 13. Unanimous except that Lurie abstained from voting on Item No. 10.	Staff to proceed
2. FOXY'S JACKPOT CITY, INC. Foxy's Firehouse Casino 2423 Las Vegas Blvd South 8 slots		
3. WESPAC, INC. Gold Spike 400 East Ogden 10 slots		
4. RAINBOW VEGAS HOTEL, A PARTNERSHIP Rainbow Vegas Hotel 401 South Casino Center 1 slot		
5. SCOTT PLAZA, INC. Union Plaza Hotel & Casino #1 Main Street 1 Poker Table		

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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. GAMING -- Additional (cont'd)		
6. EXBER, INC. Western Hotel & Bingo Parlor 899 East Fremont 3 slots	APPROVED See Page 4	See Page 4
7. VRANESH & VRANESH, INC. Brothers Market 1221 East Sahara 1 slot		
8. JACOBY, INC. Desert Inn Liquor 1503 Las Vegas Blvd South 4 slots		
9. AUTOMATIC AMUSEMENTS OF L. V. Blue Heaven Cocktail Lounge 2025 East Charleston 1 slot The Cutty Sark 2002 East Charleston 1 slot		

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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. GAMING -- Additional (cont'd)		
10. CASINO SERVICES Four Queens Hotel & Casino 202 East Fremont 6 slots Foxy's Firehouse Casino 2423 Las Vegas Blvd South 8 slots Gold Spike 400 East Ogden 5 slots Las Vegas Club 18 Fremont 1 slot Orbit Inn Casino 707 East Fremont 1 slot	APPROVED See Page 4	See Page 4
11. GOLDEN GAMES, INC. El Cholo Mexican Cafe 625 Las Vegas Blvd South 1 slot El Cid Hotel 233 South Sixth 6 slots The Zodiac 6136-6140 West Charleston 8 slots		

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
*B. GAMING -- Additional (cont'd)		
12. J & T, INC. Golden Hotel 200 South First Street 4 slots	APPROVED See Page 4	See Page 4
13. MILLS NOVELTY COMPANY The Roaring Twenty's 530 South Highland 3 slots		
*C. RETAIL TOBACCO -- Additional		
1. VEGA VENDING, INC. B.J.'s Pub 1111 South Decatur	Lurie - APPROVED Items 1 and 2. Unanimous	Staff to proceed
2. VILLAGE CATERING Central Telephone Company 601 Fremont Street Central Telephone Company 125 Las Vegas Blvd South		

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
D. LIQUOR -- Change of Ownership		
1. From: jojos Restaurants of California, Inc. -- James F. Guthrie, Pres, Dir; Harold F. McGrath, V. P., Secy, Dir; Marcia A. Weiner, Treas TO: *LKS ENTERPRISES, INC. dba JOJOS #160 1531 Las Vegas Blvd So Beer/Wine On-Sale (LKS Enterprises, Inc., a wholly-owned subsidiary of jojos Restaurants, Inc.) LKS Enterprises, Inc. -- James O. Lee, Pres, Dir Adam Storch, V. P. James F. Guthrie, V. P., Treas, Dir Steven A. Butler, Dir jojos Restaurants, Inc. -- Steven A. Butler, Pres, Dir James F. Guthrie, V.P. - Finance, Treas James O. Lee, V.P. - Development *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

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
E. LIQUOR -- Change of Ownership/ Change of Business Name		
1. From: Canton Restaurant Sui Y. Lee, 100% TO: *CHON LEE & JUNG LEE dba DAE DONG CHINESE RESTAURANT 324 West Sahara Avenue Beer/Wine On-Sale Chon Su Lee and Jung Ae Lee, 100%, jointly as husband and wife *Subject to the provisions of the Planning, Building, and Fire codes and Health Department regulations	Lurie - APPROVED Items 1 and 2, subject to provisions. Unanimous	Staff to proceed
2. From: Play Pen Frankie Jane McIntosh, Executrix of the Estate of Arnold David McIntosh TO: *RAYMOND MEDRANO dba VEGAS LOUNGE 2216 East Fremont General On-Off Sale Raymond Manuel Medrano, 100% *Subject to the provisions of the Planning, Building, and Fire codes and Health Department regulations		

APPROVED AGENDA ITEM

City of Las Vegas

October 7, 1981

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)		
F. LIQUOR -- Request for Extension of Inactive Status		
1. VEGAS VILLAGE SHOPPING CORPORATION 1717 South Decatur General Off-Sale License W. Chapman Wooten, Trustee in Bankruptcy for Vegas Village Shopping Corporation (Closed 7/16/81. Request for extension of inactive status for 3-month period: 10/16/81 to 1/16/82.)	Lurie - APPROVED Unanimous	Staff to proceed
G. LIQUOR -- Requests for Waiver of 1500' Distance Requirement and Preliminary Approval on Change of Location/Change of Business Name		
1. From: The Wait'n Room 208 Las Vegas Blvd No TO: JOSEPH & ANNA ASHBY dba ASHBY'S SALOON 130 North 11th Street General On-Sale Joseph Ashby, 50% Anna May Ashby, 50%	Lurie - APPROVED Waiver subject to the construction of a 56-unit hotel. Motion carried with Levy voting "no". (An earlier motion by Levy to deny the request was defeated with a 4-1 vote, with Levy voting "yes".)	Staff to proceed Atty. Brent Heggie represented applicants. Ron Ashby spoke in favor of request. Opposed: Robert W. Keck, Pres., NV Food & Beverage Assn.

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: October 1, 1981

TO:
The Board of City Commissioners

FROM:
DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- OCTOBER 7, 1981 CITY COMMISSION AGENDA
LIQUOR -- Request for Extension of Inactive Status

PURPOSE/BACKGROUND

Item "F" under the Department of Business Activity agenda is a request for extension of inactive status on the General Off-Sale liquor license held by Vegas Village Shopping Corporation, 1717 South Decatur.

Vegas Village Shopping Corporation has filed bankruptcy, and the Federal Bankruptcy Court has appointed W. Chapman Wooten as Trustee in Bankruptcy for Vegas Village Shopping Corporation.

Attached is a copy of a letter dated September 24, 1981, from Lenard E. Schwartzer, attorney representing Mr. W. Chapman Wooten, requesting inactive status of the liquor license.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

States Due: ________________

79-3-10

Agenda Item
III. F 1.

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 28, 198

TO: The Board of City Commissioners

FROM: DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- OCTOBER 7, 1981 COMMISSION AGENDA LIQUOR -- Requests for Waiver of 1500' Distance Requirement and Preliminary Approval on Change of Location/ Change of Business Name

PURPOSE/BACKGROUND

Item III, "G", 1

Appearing on the Department of Business Activity agenda under item "G" is an application for a change of location and change of business name on the license currently held under the name Wait 'N Room at 208 Las Vegas Boulevard North, whereby Joseph and Anna Ashby have made application to relocate to 130 North 11th Street under the name Ashby's Saloon.

In conjunction with this application there are two requests made pursuant to the Liquor Control Ordinance which must be taken into consideration by the Board.

1. Request for Waiver of the 1500' Distance Requirement pursuant to Title 5, Chapter 18, Section 17 (I):

   Upon receipt of the application a survey of the proposed location and surrounding area was made by the Department of Business Activity. This survey revealed that there are six (6) establishments which hold either General On-Sale or General On-Off Sale liquor licenses within 1,500' of the proposed location. The six establishments are:

Name	Address	Approximate Distance
Orbit Inn	707 E. Fremont	1,450
Western Hotel	899 E. Fremont	950
Ambassador	916 E. Fremont	550
Peyton Place	124 South 11th	700
Mayfair Liquors	1201 E. Stewart	860
Atomic Liquor	917 E. Fremont	660

2. Request for Preliminary Approval made pursuant to Title 5, Chapter 18, Section 4 (E)

   The Liquor Control Ordinance specified that the Board may grant preliminary approval of an application when such approval is requested by the applicant for any good and sufficient reason. Requirements may be imposed and all requirements must be satisfied and the license issued within six (6) months after the date of preliminary approval, unless a longer or shorter period is specified by the Board.

   If the Board grants the waiver of the 1,500' distance requirement and further grants preliminary approval of this application, it is recommended that the following requirements be imposed.

   1. That preliminary approval be granted for a period of one year. If the business is not open and operating within the one year period, the preliminary approval of the Change of Location shall be rescinded.

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item: III. G 1.

Agenda Documentation
Department of Business Activity -- October 7, 1981
Requests for Waiver of 1500' Distance Requirement
and Preliminary Approval on Change of Location/
Change of Business Name
Page 2

2. The license shall be subject to compliance with Title 5, Chapter 18, Section 4(F) regulating non-operational status during the one year Preliminary Approval period.

3. The licensee shall submit to the Department of Business Activity a copy of the Lease Agreement on the new premises for approval by the Department prior to opening.

4. Licensee must obtain all necessary approvals from the Planning, Building, and Fire Departments of the City of Las Vegas, and the Clark County Health Department and must be in compliance with all provisions of the Liquor Control Ordinance prior to opening.

5. Notwithstanding granting of Preliminary Approval and/or non-operational status by the Board, licensee shall pay all semi-annual liquor license fees due within the one-year preliminary approval period as provided for under Title 5, Chapter 18, Section 16.

Attached for your review regarding this application are the following:

1. Letter dated September 2, 1981, from G. Brent Heggie, Attorney for the Ashbys setting forth their requests for waiver of the 1500' distance requirement and for preliminary approval.

2. Map setting forth the proposed location and affected liquor license establishments within 1500'.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

Marge

GIBSON & SCHWARTZER
ATTORNEYS AT LAW
316 EAST BRIDGER AVENUE, SUITE 200
LAS VEGAS, NEVADA 89101
(702) 386-0030

JAMES B. GIBSON
LENARD E. SCHWARTZER *
GEORGE R. CARTER

GARY B. GELFAND *
OF COUNSEL

*ALSO ADMITTED IN CALIFORNIA

HENDERSON OFFICE
30 WATER STREET
HENDERSON, NEVADA 89015
(702) 564-2448

BEVERLY HILLS OFFICE
161 SOUTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA 90211
(213) 272-6361

September 24, 1981

Jerry J. Cahill
Department of Business Activity
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Re: Vegas Village Shopping Corporation, General Off-Sale Liquor License LO 100-4-00420

Dear Mr. Cahill:

Reference is made to your letter of September 22, 1981.

This firm represents the trustee in bankruptcy for Vegas Village, W. Chapman Wooten. Under the Bankruptcy Code, all assets of Vegas Village were automatically assigned to the trustee, including the liquor license. The corporate officers have no authority with regard to the license or any other asset. Therefore, the corporate structure is, simply stated, Mr. Wooten.

As you know, the Vegas Village store has been closed since August 22, 1981. Mr. Wooten intends to sell the liquor license. On behalf of Mr. Wooten we request that the City Commission approve extending the inactive status of the license for a period of six months.

Very truly yours,

Lenard E. Schwartzer

LES:pw

RECEIVED
BUSINESS ACTIVITY
SEP 23 11 45 AM '81

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date September 25, 1981

TO:

CAROL HAWLEY
City Clerk

FROM:

JERRY J. CAHILL, Director
Department of Business Activity

SUBJECT:

PUBLICATION OF LEGAL NOTICE

COPIES TO:

Attached is a copy of a "notice" which relates to an item this Department has scheduled for the City Commission meeting of October 7, 1981.

The Liquor Control Ordinance in regard to this matter provides that "notice of the time and place of the Board's consideration of the request for waiver shall be given by a published announcement in a newspaper of general circulation in the City not less than five days or more than 10 days prior to the date of the hearing." (Emphasis added)

Will you please take the necessary steps to ensure that this notice is published no later than Thursday, October 1, 1981.

Marjorie Hether

Marjorie Hether, Supervisor
Privilege License Division

JJC/MH/kas
Attachment

CITY of LAS VEGAS

September 28, 1981

NOTICE

October 7, 1981

Notice is hereby given that on October 7, 1981, commencing at 10:00 a.m., in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of City Commissioners will hear the following:

REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT AS PROVIDED UNDER TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (I), LAS VEGAS CITY CODE, LIQUOR CONTROL ORDINANCE, SUBMITTED ON BEHALF OF JOSEPH AND ANNA ASHBY, DBA WAIT N ROOM, 208 LAS VEGAS BLVD. NORTH, LAS VEGAS, NEVADA, IN CONJUNCTION WITH AN APPLICATION FOR CHANGE OF LOCATION AND CHANGE OF BUSINESS NAME OF ITS GENERAL ON SALE LIQUOR LICENSE TO ASHBY'S SALOON, 130 NORTH 11TH STREET, LAS VEGAS, NEVADA.

Any and all interested persons may appear before the Board of City Commissioners either in person or by representative and object to or express approval of the request for waiver; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.

Carol Hawley
CAROL HAWLEY
City Clerk

LAS VEGAS DIAMOND JUBILEE 1905-1980

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101 • (702) 386-6011

NOTICE TO PUBLISH

Las Vegas, Nevada

Date: September 29, 1981

TO: LAS VEGAS SUN

FROM: CITY CLERK

SUBJECT: PUBLICATION OF NOTICE OF A HEARING REQUESTED BY THE DEPARTMENT OF BUSINESS ACTIVITY FOR A REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT AS PROVIDED UNDER TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (I), LAS VEGAS CITY CODE, LIQUOR CONTROL ORDINANCE, SUBMITTED ON BEHALF OF JOSEPH AND ANNA ASHBY, DBA WAIT N ROOM, 208 LAS VEGAS BLVD., NO., LAS VEGAS, NEV. IN CONJUNCTION WITH AN APPLICATION FOR CHANGE OF LOCATION AND CHANGE OF BUS.NAME OF ITS GEN'L ON SALE LIQ. LIC. TO ASHBY'S ALOON, 130 N. 11th ST., LAS VEGAS, NV.

Please publish the attached NOTICE

ON THE FOLLOWING DATES: Thursday, October 1, 1981 (One Time Only)

and send me five (5) copies of the Affidavit of Publication at your earliest convenience. (No later than seven (7) days following final publication.)

Carl A. Hawley

CITY CLERK

cc: Finance Department - Accounts Payable
City Attorney - (on Ordinances only)
Business Activity

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK } ss.

REX TAYLOR, being first duly sworn, deposes and says: That he is COMPOSING ROOM FOREMAN of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from Oct. 1 to Oct. 1

inclusive, being the issues of said newspaper for the following dates, to-wit:

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Rex Taylor

Subscribed and sworn to before me this 1st day of Oct, 1981

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires

RUTHE V. DESKIN
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Expires Apr. 14, 1985

NOTICE
October 7, 1981

Notice is hereby given that on October 7, 1981, commencing at 10:00 a.m., in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of City Commissioners will hear the following:

REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT AS PROVIDED UNDER TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (I), LAS VEGAS CITY CODE, LIQUOR CONTROL ORDINANCE, SUBMITTED ON BEHALF OF JOSEPH AND ANNA ASHBY, DBA WAIT N ROOM, 208 LAS VEGAS BLVD. NORTH, LAS VEGAS, NEVADA, IN CONJUNCTION WITH AN APPLICATION FOR CHANGE OF LOCATION AND CHANGE OF BUSINESS NAME OF ITS GENERAL ON SALE LIQUOR LICENSE TO ASHBY'S SALOON, 130 NORTH 11TH STREET, LAS VEGAS, NEVADA.

Any and all interested persons may appear before the Board of City Commissioners either in person or by representative and object to or express approval of the request for waiver; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.

/s/ Carol Hawley
CAROL HAWLEY
City Clerk

Pub: October 1, 1981
Las Vegas SUN

Archie & Heggie
ATTORNEYS AT LAW
431 SOUTH SIXTH STREET
LAS VEGAS, NEVADA 89101

ROBERT ARCHIE
G. BRENT HEGGIE

TELEPHONE
AREA CODE 702
382-4512

September 2, 1981

Marjorie Hether, Supervisor
Privileged License Division
Department of Business Activities
400 East Stewart
Las Vegas, Nevada 89101

Re: General On-Sale License transfer
Joseph and Anna Ashby

Dear Ms. Hether:

Please be advised that by this letter, as attorney for Joseph and Anna Ashby and on their behalf, I hereby request preliminary approval of the transfer of their General On-Sale License from their present location at 208 L.V.B.N. to the Southwest corner of Ogden and 11th Streets.

Furthermore, we are requesting preliminary approval of the necessary business licenses which will be needed. These requests are made pursuant to Section 5-18-14 (E) of the City Liquor Ordinance.

The proposed operations to be conducted at the new location are a hotel with a restaurant and lounge contained therein. The property located at the new location is presently owned by Ronald Ashby, who proposed to sell said land to Mr. Guy W. Jones, who is President of Guy W. Jones Corporation. Mr. Jones then proposes to construct at least a three-story hotel on the land with a restaurant and lounge on the first floor. Mr. Jones will then lease the restaurant and lounge area to Joseph and Anna Ashby.

The approximate construction cost of the premises will be in the area of $500,000. The approximate lease-back price to the Ashbys will be $3,000 for the restaurant and lounge operation.

Marjorie Hether, Supervisor
Privileged License Division
September 2, 1981
Page Two

By this letter the Ashbys are also requesting a waiver of the 1500-ft. variance requirement as contained in Section 5-18-17 (I) of the City Liquor Ordinance. The reasons that they feel this waiver should be granted are as follows:

(a) The property where the new location is proposed was purchased in 1975, long before the new ordinance was passed. At that time the Ashbys were informed that a license could be secured for that location.

(b) In 1978 proposed plans were drawn up for the building to be constructed, and Mr. Jones received tentative verbal approval of said plans.

(c) In 1978 the Ashbys began paying $100 a month to A.C. Therma-Seal, the business located directly across from the proposed location. Said payments were made to secure and guarantee adequate parking facilities

(d) In late 1978, Joseph Ashby became seriously ill with cancer and the proposed construction was put off until the present time.

(e) The nature of the proposed establishment is such that it will not be in direct competition with other licensees in the immediate area.

(f) In the past ten years, numerous licensees have left the general downtown area, but at the same time the growth of the downtown area has expanded rapidly. There have been hundreds of new hotel rooms constructed, causing a large increase in both guest occupancy and employees in the area. Furthermore, the Ashbys presently hold a license within six blocks of their proposed new location, so any threat to the other licensees in the area is minimal.

Marjorie Hether, Supervisor
Privileged License Division
September 2, 1981
Page Three

Thank you for your consideration of this matter.

Kindest regards,

G. Brent Heggie

G. BRENT HEGGIE, ESQUIRE

GBH/cal

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
H. LIQUOR -- Approval of Additional Corporate Officer/Stockholder		
1. J.A.M., INC. dba T.K. CHRISTY'S 300 South Fourth Street General On-Sale License J.A.M., Inc. -- From: Chris Karamanos, Pres, Secy, Treas, Dir, 100% TO: Chris Karamanos, Pres, Secy, Treas, Dir, 51% Charles Eugene Thompson, V. P., Dir 49%	Lurie - APPROVED Unanimous	Staff to proceed
I. LIQUOR -- Approval of Manager		
1. CANUL & ESCOTO dba LAS VEGAS TROUBADOR 2112 Western Avenue General On-Off Sale Manager: Tomas Canul	Lurie - APPROVED Unanimous	Staff to proceed

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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)		
J. LIQUOR & RETAIL TOBACCO -- Approval of Additional Stockholder/Deletion of Stockholder		
1. EL JARDIN WEST, INC. dba EL JARDIN WEST 5720 West Charleston Blvd General On-Sale License From: Francisco Canul, Pres, 25% George Duane La Grange, V. P., 18% Joyce N. Gearin, Secy, 9% Kenneth Kesterson, 10%, Stockholder Pete Hernandez Escoto, 18%, Stockholder Ottavio Ronca, 10%, Stockholder Donald Lee Moore, 10% Stockholder TO: Francisco Canul, Pres, 25% George Duane La Grange, V. P., 18% Joyce N. Gearin, Secy, 9% Pete Hernandez Escoto, 18%, Stockholder Ottavio Ronca, 10%, Stockholder Donald Lee Moore, 10%, Stockholder Tomas Canul, 10%, Stockholder	Lurie - APPROVED Unanimous	Staff to proceed

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
K. LIQUOR & RETAIL TOBACCO -- Approval of District Manager		
1. SOUTHLAND CORPORATION dba 7-ELEVEN FOOD STORES District # 2052 Beer/Wine Off-Sale Licenses Southland Corporation -- District Manager: Gary Richard Kirk	Lurie - APPROVED Unanimous	Staff to proceed
L. LIQUOR, GAMING & RETAIL TOBACCO -- Approval of Additional Corporate Officers		
1. TRANS-STERLING, INC. dba FREMONT HOTEL & CASINO 200 East Fremont General On-Off Sale Unrestricted Gaming From: Allan D. Sachs, Pres, Secy, Treas, Dir, 100% TO: Allan D. Sachs, Pres, Dir, 100% Herbert L. Tobman, V.P. Jay E. Hechtman, Secy, Treas	Lurie - APPROVED Unanimous	Staff to proceed Atty. John Moran represented applicants.

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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)		
M. GAMING -- Transfer of Interest Among Licensees/Change of Location		
1. BUCKEYE ENTERPRISES From: 3325 Las Vegas Blvd So Buckeye Enterprises, Inc. -- Gilbert Cohen, Pres, Dir, 50% Sigmund Rogich, Secy, Treas, Dir, 50% TO: 3110 Polaris, #1 Slot Operator License Buckeye Enterprises, Inc. -- Gilbert Cohen, Pres, Dir Sigmund Rogich, V.P., Secy, Treas, Dir, 100%	Lurie - APPROVED Unanimous	Staff to proceed
N. RETAIL TOBACCO -- New		
1. EXPRESSWAY EXXON 101 North Jones Maria Scoccimara, 50% Joseph F. Scoccimara, 50%	Lurie - APPROVED Items 1 and 2. Unanimous	Staff to proceed
2. THE OKLAHOMA KITCHEN 23 North Mojave Road The Oklahoma Kitchen, Inc. -- Edward J. Bellerose, Pres, and Juanita K. Bellerose, Secy, Treas, 75%, jointly as husband and wife Alice Jeanine Swenson, V.P., 25%		

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

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)		
O. ARMORED CAR LICENSE -- New		
1. NEVADA ARMORED TRANSPORT, INC. 1427 Gragson Avenue Nevada Armored Transport, Inc., a wholly-owned subsidiary of Purolator Armored, Inc. Nevada Armored Transport, Inc. -- Daryl Lee Harmon, V. P., General Manager *Subject to the provisions of the Planning, Building, and Fire codes	Lurie - APPROVED subject to provisions. Unanimous	Staff to proceed
P. BURGLAR ALARM LICENSE -- New		
1. *BETTER HOME SECURITY 820 West Bonanza, Suite L Joseph Mitchell Corbin, 100% *Subject to the provisions of the Planning, Building, and Fire codes	Lurie - APPROVED subject to provisions. Unanimous	Staff to proceed
Q. SPECIAL EVENT LIQUOR LICENSE		
1. ITALIAN AMERICAN CLUB OF SOUTHERN NEVADA Location: 2333 East Sahara Dates: November 11 - November 15, 1981 Responsible Licensee: Nick Fiore	Lurie - APPROVED Unanimous	Staff to proceed

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
ABEYANCE ITEMS -- Tabled 8/5/81 and 9/2/81 (At the request of the applicant's attorney)		
R. SECONDHAND LICENSE -- New 1. ODYSSEY VIDEO 1600-1610 Las Vegas Blvd So No Name Record Corporation -- Suzanne Ruth Beck, Pres, Dir Lawrence Martin Bensky, V. P., Dir William Russell Robbins, Secy, Treas, Dir, 100% General Manager: Steven John Wilchinski	ABEYANCE at request of Atty. Harry Reid representing applicants.	10/21/81 Agenda
2. RECYCLED RECORDS 1600-1610 Las Vegas Blvd So No Name Record Corporation -- Suzanne Ruth Beck, Pres, Dir Lawrence Martin Bensky, V. P., Dir William Russell Robbins, Secy, Treas, Dir, 100% General Manager: Steven John Wilchinski	ABEYANCE	10/21/81 Agenda

APPROVED AGENDA ITEM

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 28, 1981

TO: The Board of City Commissioners

FROM: DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- OCTOBER 7, 1981 COMMISSION AGENDA ABEYANCE ITEMS -- Secondhand License - New

PURPOSE/BACKGROUND

Items "R", 1 and 2.

The abeyance items appearing on the Department of Business Activity agenda are requests for new secondhand licenses filed by No Name Record Corporation, doing business under the fictitious firm names Odyssey Video and Recycled Records at 1600-1610 Las Vegas Boulevard South.

The applications previously appeared on both the August 5, 1981 and September 2, 1981 commission agendas, and were tabled at the request of the applicant's attorney.

These items have received "unfavorable" police reports.

Confidential reports will be furnished to the Mayor and Commissioners prior to the meeting.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________.

79-3-10

Agenda Item
III. R. 1 and 2

AGENDA

City of Las Vegas

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. DISCUSSION AND POSSIBLE ACTION ON THE REQUEST OF THE LAS VEGAS HOUSING AUTHORITY TO WAIVE THE REQUIREMENT OF LANDSCAPING. PROPERTY LOCATED WEST OF BRUSH STREET, NORTH OF ALPINE.	Item A Christensen - Motion to refer this item to Real Estate Committee carried by unanimous vote.	10/12/81 Real Estate Committee Agenda.
B. DISCUSSION AND POSSIBLE ACTION REGARDING FOUNTAIN BUILDING LOCATED AT THE NORTH-EAST CORNER OF STEWART AND LAS VEGAS BOULEVARD.	Item B Christensen - Motion carried by unanimous vote to terminate lease, giving notice to Clark County to vacate on 11/1/81 with actual vacation by 1/1/82.	Staff and Attorney to proceed.
C. DISCUSSION AND POSSIBLE ACTION ON THE REQUEST OF JIMMY EASON TO PURCHASE TWO URBAN RENEWAL LOTS ON IVY LANE.	Item C Christensen - Motion carried by unanimous vote to refer item to Real Estate Committee.	10/12/81 Real Estate Committee Agenda.
D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY.	Item D Woofter - Motion to refer Stewart/Mojave site to Planning Commission for public hearing on 10/27/81 and refer Rehab Farm site to County Planning Commission. City Manager to identify funding source for Rehab Farm proposal. Motion carried with Briare & Christensen voting "no".	City Manager directed to take all appropriate action to accomplish the referrals.
ITEM D NOTE: Earlier motions were as follows: Christensen moved to follow City Manager's recommendations endorsing the Stewart/Mojave site and having same reviewed by the Planning Commission. This motion was approved with Woofter and Lurie voting "no". After a brief recess, Christensen moved for reconsideration of his earlier motion and that motion was approved with Briare voting "no".	(A verbatim transcript on Item D to be made a part of Clerk's Minutes.)	

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 30, 1981

TO: The Board of City Commissioners

FROM: RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION REGARDING THE FOUNTAIN BUILDING.

PURPOSE/BACKGROUND

The property in question is located at the northeast corner of Las Vegas Boulevard and Stewart. It has been leased to Clark County since October of 1973, as a maintenance building for the Metropolitan Police Department vehicles. The lease is on a month-to-month basis and when entered into, it was understood to be a temporary use.

The City Attorney's Office has advised us that the lease can be terminated by giving 30 days notice to the County.

The City has a substantial need for the facility to use it for Graphic Arts, warehousing, and light automotive maintenance. Utilization of this building for these purposes would preclude the expenditure of a substantial amount of City funds if these facilities had to be located elsewhere.

Although the lease calls for a 30 day termination period with an additional 30 days for the removal of any fixtures, equipment, etc., placed therein by Metro, staff would recommend that the County be given notice to vacate by January 1, 1982, which would then give them until the end of January to remove any fixtures and equipment.

FISCAL IMPACT

The lease involves 9,226 sq. ft. of enclosed ground floor area for which the City is paid $14,973.48 per year; however, the City pays all utilities which is approximately $5,500 per year leaving a net rental of approximately $9,400 per year which is slightly over $1.00 per sq. ft. per year. In addition, the City is responsible for all maintenance improvements which recently involved redoing the roof at a cost of $1,363.00.

RECOMMENDATIONS

The City Manager recommends that the County be given notice of the intent of the City to terminate the lease effective January 1, 1982.

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item 10-7-81
IV (a) B.

City of Las Vegas
AGENDA DOCUMENTATION

Date: October 5, 1981

TO:
The Board of City Commissioners

FROM: Russell W. Dorn
City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY.

PURPOSE/BACKGROUND

At their meeting of August 18, 1981, staff presented to the Board of Commissioners a plan to construct a City Misdemeanant Detention Facility with military housing units donated by Nellis Air Force Base. This plan was both cost effective and able to meet the Federal Court imposed time frame. At that time, the city yard site was proposed for locating the facility. As a result of potential litigation, the city yard site was removed from consideration at the September 15, 1981 Commission Meeting. At that same meeting, the Commission requested that a public meeting be held to invite community suggestions for a site to locate the detention facility.

After advertising in the three major newspapers, the city received 14 suggestions and proposals which were reviewed by staff. At the September 30th public meeting none of these submittals were recommended by a staff screening committee because each was either not compliant with required standards, not cost effective or other problems existed with the proposal. (See attached for specifics.)

After reviewing all options, the city-owned property at Stewart and Mojave again surfaces as the best solution for a site to locate the detention facility. It meets all applicable detention standards. The proposed plan utilizing military housing can be placed there, well screened from public view. The project can be accomplished in an expeditious time frame ensuring public safety in our community.

FISCAL IMPACT

The cost of this project is estimated to be $2 million.

RECOMMENDATIONS

The City Manager recommends that the Board of Commissioners endorse the Stewart/Mojave site for locating an interim Misdemeanant Detention Facility and request a review by the Planning Board at their meeting on October 22, 1981.

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item
IV(a) D.

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 1
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

MAYOR BRIARE: The next item, Mr. Dorn.

CITY MANAGER DORN: Item D, Your Honor. Discussion and possible action relating to alternate sites for the detention facility. At a previous meeting the City staff presented to the Board of City Commissioners a plan to construct a City nonviolent misdemeanant detention facility with military housing units donated by Nellis Air Force Base. This plan was both cost-effective and able to meet the Federal Court imposed timeframe and standards. At the September 16 meeting the City Commission requested that a public hearing be held to invite community suggestions for a site to locate the City detention facility. After advertising in the three major newspapers, the City received 14 suggestions and proposals which were reviewed by staff. At the September 30 public hearing none of these submittals were recommended by a staff screening committee because each was either not compliant with the required standards, not cost-effective or other problems existed with the proposal. After reviewing all options, the City-owned property at Stewart and Mojave again surfaced as the best solution for a site to locate the City misdemeanant detention facility. It meets all the applicable detention standards. The proposed plan utilizing military housing can be placed there, well screened from public view. The project can be accomplished in the expeditious timeframe ensuring public safety in our community and meeting the wishes of the Federal Court. The cost of the project is estimated to be Two Million Dollars. The City Manager recommends that the Board of City Commissioners approve the Stewart and Mojave site for locating a nonviolent misdemeanant detention facility and requests that the City Planning Board at their meeting on October 22 approve the use of the property located at Stewart and Mojave for a nonviolent misdemeanant facility.

COMMISSIONER CHRISTENSEN: Your Honor.

MAYOR BRIARE: Yes, Commissioner.

COMMISSIONER CHRISTENSEN: I move we follow the recommendations of the Manager and that this Board approve the use of the Stewart/Mojave site and request the Planning Commission at their meeting of October 22, 1981 to approve the plot plan of the property for an adult nonviolent misdemeanant detention facility.

COMMISSIONER LURIE: Mayor.

MAYOR BRIARE: Commissioner.

COMMISSIONER LURIE: I requested a letter from the Manager. Yesterday, I went out to Nellis Air Force Base and toured the barracks and I requested a letter from staff that if we were to follow Commissioner Christensen's motion, that the courts would accept this recommendation and agree to approve the facility on a temporary basis, and so far, I have not received that correspondence saying the courts would accept it, and I think that's important we have that since we're going to be spending upwards of Two Million Dollars for a misdemeanant facility. I think that we should have the assurance from the courts that by spending this money that we can be assured that we are going to be able to use it after we move the barracks. Now, where is that correspondence?

CITY MANAGER DORN: I agree with your request, Commissioner Lurie, to get the approval by the plaintiffs and the court and our City Attorney, Mr. Ogilvie, pursued that yesterday and talked to the plaintiffs. George, would you like to report to the Board?

CITY ATTORNEY OGILVIE: I'd like Mr. Roethel to respond to it because he had the direct conversation with the District Attorney.

COMMISSIONER CHRISTENSEN: Your Honor, before we get into that, there's one correction. It has been pointed out to me that the Planning Commission meets on the 27th, not the 22nd. They meet on a Tuesday night.

MAYOR BRIARE: Okay, the 27th then.

COMMISSIONER CHRISTENSEN: Is that correct, Mrs. Hawley?

COMMISSIONER LEVY: Whatever date that is.

COMMISSIONER CHRISTENSEN: The next Planning Commission meeting, I believe, is the 27th, not the 22nd --

CITY ATTORNEY OGILVIE: There's one further thing I'd like to add, Commissioner Christensen.

COMMISSIONER CHRISTENSEN: -- and I'd like to correct that.

CITY ATTORNEY OGILVIE: You asked the Planning Commission to approve the plot plan. They also should specifically approve the use because under the C-V, they have to approve the use of the facility.

COMMISSIONER CHRISTENSEN: Okay, I have no fight with that.

COMMISSIONER LEVY: That's Planning Commission, not BZA?

CITY ATTORNEY OGILVIE: Planning Commission, yes.

COMMISSIONER CHRISTENSEN: Okay, I'll amend to put the use in there also.

MAYOR BRIARE: Do you wish to make further comment, counselor?

DEP. CITY ATTY. ROETHEL: Yes. In response to Commissioner Lurie's question, I spoke with Mr. Markoff who is the Federal Public Defender representing the plaintiffs in the lawsuit and he indicated to me that he has also toured the barracks and he does not anticipate any problems with regard to those facilities. He certainly is not in any position representing his clients where he wants to put that in writing on a piece of paper. I tried to speak to Mr. Barrick who is also plaintiffs' counsel in the Justice Department in Washington, but he wasn't in his office. He was out on other business. So it's a little difficult to operate on a one-day notice with regard to trying to get anything approved.

COMMISSIONER CHRISTENSEN: Isn't it unusual for a -- you know, a suit of this nature -- for them to stipulate to something like that in writing until it's completed?

DEP. CITY ATTY. ROETHEL: Yes, you're right, Commissioner. They're going to want to take a tour of the facilities.

COMMISSIONER LEVY: Subject to.

DEP. CITY ATTY. ROETHEL: Well, we have a Court Order from the Judge and the Court Order tells us exactly what it is we have to do. As long as we do that, there's no way they can come in and say we're not doing what we're supposed to be doing. So it's not a type of situation where you can go before Judge Foley and say, "Your Honor, here's our plan. Is it okay if we go ahead and do it?" What we have to do is go ahead and do it and then the position we're in is saying, "Here's what we've done, Your Honor." As long as the plaintiffs don't have any objection to it, we're alright. So --

COMMISSIONER LURIE: Well, you see, I disagree with you on that. I signed the Consent Decree and I think that everything should be documented and I don't feel that it's necessary to spend Two Million Dollars of taxpayers money not knowing whether or not when it's completed in six months that it's going to be approved for use by the courts. I personally believe there's been a breakdown in our criminal justice system

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 4
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

COMMISSIONER LURIE: and everything is one sided. Now, I'd just like to --

COMMISSIONER CHRISTENSEN: Do you have a site that you can get prior approval on?

COMMISSIONER LURIE: I'd like to just be able to have some assurance that this site and this removal and relocation of these barracks is going to be approved.

DEP. CITY ATTY. ROETHEL: Commissioner, at the September 14 hearing before Judge Foley, the City presented the same presentation that this Commission has seen with regard to what the alternate detention facility is going to look like. We gave the presentation before the court. The plaintiffs were there. A very elaborate one-hour discussion of exactly the layout of the facility and how it was going to be used was presented. We've heard nothing from the court or from the plaintiffs with regard to any objections to that. So all we can do is presume that it's alright and proceed.

MAYOR BRIARE: I think too, though, you know, from a very, very practical standpoint I can understand Commissioner Lurie's concern and actually, I'm quite confident, it's the concern of everybody on this Commission and the City Manager and everyone else. But I also know this. That -- or at least I am informed -- that the Public Defender's office has been -- is familiar with this type of a project and I think that before the actual dollars are spent, that there's going to be a hearing before the Federal Court, and the Public Defender's office is going to come forward and say, "Yes, this is an acceptable plan and all the criteria has been met, etcetera, etcetera, etcetera." Now, Mr. Dorn, I'm not representing that because I don't have the authority to do it, but I'm confident that you're going to make sure that that does take place, and I think it would be a matter of a motion or two -- I mean a motion before the court, not a motion here. Is that correct, Mr. Ogilvie? That's about the procedure that we'd follow?

CITY ATTORNEY OGILVIE: Well, I don't think that there's much possibility that Judge Foley is going to put his stamp of approval on something down the road. I think I agree with Mr. Roethel that it's our burden to comply with what we said we were going to do in the Consent Decree and if we do, we're home free.

MAYOR BRIARE: The Public Defender's Office is very likely to stipulate that this plan, if it's followed, is in conformance with the Consent Decree.

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 5
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

CITY ATTORNEY OGILVIE: One thing that I would like to point out. In addition to the tour that the Public Defender's office made, the Justice Department's attorney flew out an expert from Washington and the two of them went through the facility, or the barracks, with Mr. Graham and we have heard nothing from them and this was on the 16th of September. So both of the plaintiffs' attorneys, the Public Defender and the Justice Department's attorney, have toured the barracks and an expert in the field of life safety toured the barracks with the Justice Department's attorney. And I have to assume that since this is a month later and that we have heard nothing from them, that they have no objections to it.

MAYOR BRIARE: Well, these are only kind of obvious details which I'm sure that will be completed before we proceed, but in the interim time between now and the Planning Commission meeting, I'm sure that all of these documents can be gathered so that we don't go off half-cocked. Commissioner Levy.

COMMISSIONER LEVY: Well, I just wondered if we were through with that point.

MAYOR BRIARE: Well, unless you wanted us to pursue it further.

COMMISSIONER CHRISTENSEN: Well, Your Honor, I've got a real problem with this line of reasoning. I'm a little tired of all the rhetoric and so forth and I think we all know what the situation is. We all signed this Consent Decree. I think the bottom line is a site's got to be chosen. I think we're beating our gums, beating around the bush. If somebody's got a site that meets it -- meets all the requirements -- that we can get that kind of a letter on, then so be it. You know, I'd be willing to go along with that. But to raise a red herring like that letter in this particular meeting and trying to get a judge to agree to something that he hasn't seen completed and so forth. And I object to the -- to the kind of a slap in the face to our staff. Constantly, we go through this same routine and it would indicate that our staff doesn't know what the heck they're doing. And as a matter of fact, we have a very competent staff that has gone over these things umpteen times and they've come with a recommendation twice, and they've explained the exact problems that we have with some of the other sites. They've explained exactly what's in the Consent Decree. We've gone over this so many times that I'm frankly tired of going over

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 6
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

COMMISSIONER CHRISTENSEN: it. And if all we're looking for is a public forum for all this rhetoric -- "I'm going to protect the public" -- and all this hooplah, that's fine. Then go ahead and have a press conference outside, but let's get on with the meeting, and I'd like to call for the question.

MAYOR BRIARE: The question's been called. Cast your votes.

COMMISSIONER WOOFTER: Mayor, I think --

COMMISSIONER LEVY: I've got a comment to make.

COMMISSIONER WOOFTER: -- we all have a couple of comments to make --

COMMISSIONER LEVY: Yes, I sure do.

COMMISSIONER WOOFTER: -- and I agree with Commissioner Christensen. I'm not going to belabor the point. I've already expressed my reservations on Stewart/Mojave. I recommended the farm. My opinion hasn't changed, and I won't go into the reasons why I differ with staff, and I agree with Commissioner Christensen that staff has done a thorough job, and I certainly cannot object to their recommendation, but I still have those inner feelings. Also, I'd like to make mention that staff had advised us that a certain motel representative came up with a good suggestion, but there's no question the Two Million Dollars was the figure that we had to work with, and it hasn't changed, and everybody was advised of that figure. I've been assured of that, so I don't think anybody was misled in thinking that we had more money to spend than the Two Million Dollars. So I commend the motel. I mean, there's certain motel sites that I would have seriously considered if we had the money, but we can't. Also, I'd like to take a slap -- when we talk about slaps as Commissioner Christensen mentioned -- I'd like to take a slap at some of the editorials that have been expressed in our news media in respect saying that 450 citizens that's protesting to certain sites don't know what they're talking about. By God, they say, well, there was some 50 and they'll forget about it in two weeks. You know, those people live in those areas, and I think they've got a lot more sense, common sense, than somebody picking up a pen and making a little comment in the editorial saying that 450 citizens don't know what they're talking about. That's all I have.

COMMISSIONER LEVY: Mr. Mayor.

MAYOR BRIARE: Further comments?

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 7
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

COMMISSIONER LEVY: Yes, I have a further comment. I'd like to comment regarding the meeting we had last Wednesday. It was basically my idea, and I think it was a very good idea that we were able to go to our citizens and say, "People, here's our criteria. This is what we have to work with. What do you think?" And in your backup, you'll find the locations that were presented to us last week. I feel -- I'm sorry that they were not acceptable in our thinking in our problems that we have. They certainly had some good ideas and some suggestions and particularly, if we were -- had the funding, I think that I could have gone for some of them if we had the Three to Five Million Dollars to work with. I know that our City Manager is working very diligently to make this a very cost-effective situation and the bottom line when we are able to build our premanent facility. And I just feel that there was not a waste of time on my part to come last Wednesday night. I really appreciate our citizens thoughts and considerations and, Commissioner Christensen, I know you were here. I didn't see that piece of property that would have given us the complete approval of the judge either.

COMMISSIONER CHRISTENSEN: Well, I came for a public hearing and was disappointed because what we had was real estate proposals. I think there were three people that didn't have a real estate proposal that came to tell us what they thought about placing a jail in any particular neighborhood.

COMMISSIONER LEVY: Maybe it's my background.

COMMISSIONER CHRISTENSEN: I thought the hearing was a total bust because it wasn't what we asked for at all. What we got was real estate proposals, and I don't think that's what we asked for.

COMMISSIONER LEVY: Well, that's what we --

COMMISSIONER CHRISTENSEN: It wasn't my impression anyway.

COMMISSIONER LEVY: That's what we got, and maybe I'm just used to real estate proposals.

COMMISSIONER LURIE: I just have one more thing. I'd just like to add that I don't think that some of the comments Commissioner Christensen made were good. I think -- if he referred that I was taking some kind of a shot at the staff, I think staff has done an excellent job, but I think it's time that we take a look at our complete system. There's been a breakdown. And I personally like the site at the Rehabilitation Farm and I keep -- I'm told that we can't use the Rehabilitation Farm because it doesn't belong to us any more and because there's no bus route out there, which we can request a bus route, that there's a smell from the Sanitation District that's right next door. But

COMMISSIONER LURIE: how about the people who live out there in Winterwood that have to smell it every day that aren't criminals? And that facility was used for many years when we had our Police Department, you know, so I think --

COMMISSIONER CHRISTENSEN: Vote against my motion then and make a motion to that.

COMMISSIONER LURIE: I think -- I think a lot of things that we said --

MAYOR BRIARE: Now, now, now. Let's proceed orderly here.

COMMISSIONER LURIE: I think that a lot of things that were said earlier this morning by Commissioner Christensen we have to discuss these in public forum. We can't go in the back room and discuss these. These are public issues that we have to discuss and bring out and make our comments known. If I had to do it over again, as I mentioned before, in '77 or '78, I wouldn't have signed that Consent Decree because I think we should have fought it. We've spent millions of dollars and so far, we haven't got one inch on this --

COMMISSIONER CHRISTENSEN: Your Honor, this is germane to the location, whether we signed the Consent Decree or not.

MAYOR BRIARE: Commissioner, Commissioner Lurie can make his comments the same as anybody on the Commission and in order to maintain the decorum that we always try to follow, I think a person should be --

COMMISSIONER LURIE: I apologize if I took too long, Mayor. I won't --

MAYOR BRIARE: There's no apologies necessary. If we didn't have -- if this were not a forum for debate, then we'd better change the makeup of the manner in which we do business. Are there further comments? Cast your vote on the motion to follow the recommendation. Post. Motion's approved.
(VOTE: Mayor Briare, Commissioners Christensen and Levy voted "Yes"; Commissioner Lurie and Woofter voted "No".)
Mr. Dorn, you know how to proceed.

CITY MANAGER DORN: Yes, Your Honor.

MAYOR BRIARE: In order --

DEP. CITY MGR. SAYLOR: Mayor, excuse me. The Planning Commission is not obligated to have a public hearing on this issue. I presume the Mayor and Commissioners would like the property owners in the area notified of the planning action?

COMMISSIONER LEVY: Absolutely.

DEP. CITY MGR. SAYLOR: Okay.

MAYOR BRIARE: We'll be in recess for five minutes.

(RECESS)

COMMISSIONER CHRISTENSEN: Your Honor, I would like to move for reconsideration of the last question on the jail site.

MAYOR BRIARE: Comments by the Commission?

COMMISSIONER LEVY: Yes. Maybe I'm -- do we want to consider that now, or do you want to hold it up until -- ?

COMMISSIONER CHRISTENSEN: Whatever.

MAYOR BRIARE: No, what Commissioner Christensen is moving is that the vote by which the City Manager's recommendation was followed would be reconsidered and if that motion were to be approved and the matter is back before us, just as if no previous action had been taken. Now, that's the way --

COMMISSIONER LEVY: Fine.

MAYOR BRIARE: That's what the status would be. So if the motion is approved, then the whole matter is back before us just as if no vote had been taken in the first place. I'm asking now for further comment on the motion. The motion has been made. I have to presume that there are going to be two members of the Commission to my right that are going to be all in favor of that since they voted negatively the first time and since we have the Commissioner that made the motion in the first place has moved, I think this is going to pass, but I'm telling you, you're all making a big mistake. Further comments? Cast your vote. Post. Motion is approved. The matter is before us. (VOTE: Commissioners Lurie, Christensen, Woofter and Levy voted "Yes"; Mayor Briare voted "No".)

COMMISSIONER WOOFTER: Mayor, I'd like to make a motion and, of course, Mr. Ogilvie is going to have to advise us if it's entirely legal. I would make a motion that we approve pursuant to Commissioner Christensen's motion that we approve and refer the Stewart/Mojave site to further consideration at a public hearing before the Planning Commission. If it's at all possible, I would make the motion to refer both sites that were discussed today, the Stewart/Mojave site and the Prison Rehab Farm, to the Planning Commission for

COMMISSIONER WOOFTER: public hearing reconsideration. That way, it narrows it down to the two sites that we have before us and we go from here on out.

COMMISSIONER LEVY: The other one would go before the County Planning Commission. That's not ours. That's the County Planning Commission.

COMMISSIONER WOOFTER: That's correct. Because the County's got to approve that.

COMMISSIONER LEVY: I think that what you're saying, if I'm not mistaken, Commissioner, is that we're going to narrow it down to those two sites, and you're going to find out all the legal ramifications of the --

COMMISSIONER CHRISTENSEN: That's where the problem lies.

COMMISSIONER LEVY: -- of the other site.

COMMISSIONER CHRISTENSEN: That's right. You see, nobody understands the other site because they don't pay attention to staff work. I'd like to have Mr. Dorn explain to us what's required with the Rehab Farm site that everyone seems to like so well.

COMMISSIONER WOOFTER: Commissioner Christensen, not to belabor it. I think Mr. Dorn has explained it thoroughly to all of us and most of the audience is gone in regard to the question and that we all know the problems with the farm. We also know the concerns with Stewart/Mojave and rather than go through a spiel, I'd just as soon we do that, because we know the legal ramifications of the farm and let's just get off of that.

COMMISSIONER CHRISTENSEN: The question that was just asked doesn't indicate it because it doesn't have anything to do with the County Planning Commission.

COMMISSIONER LEVY: Well, it has to go to County Planning now to operate it.

COMMISSIONER WOOFTER: It has to go before the County Planning Commission to approve that.

COMMISSIONER CHRISTENSEN: Why?

COMMISSIONER LEVY: Because it's in the County.

COMMISSIONER WOOFTER: It's City property in the County.

COMMISSIONER CHRISTENSEN: Well, that's the last step. It's got to go before the Police Commission first.

COMMISSIONER LEVY: There is no --

COMMISSIONER CHRISTENSEN: Then it's got to go to the Police Department to find out if they need the property. Then it's got to go to the Police Commission to find out if they can relinquish the property.

COMMISSIONER LEVY: There is no Police Commission.

COMMISSIONER CHRISTENSEN: Then it's got to go to the County Planning Commission.

COMMISSIONER LEVY: There is no Police Commission.

COMMISSIONER CHRISTENSEN: Well, somebody has got to release the property because it belongs to the Police Department right now.

MAYOR BRIARE: Mr. Saylor, that obviously is an island that belongs to the people of the City of Las Vegas, but it happens to be not contiguous with any other part of the City limits.

DEP. CITY MGR. SAYLOR: Right.

MAYOR BRIARE: That's kind of an interesting question as to whether it has to go before the County Planning Commission.

DEP. CITY MGR. SAYLOR: It is not in the City, so any question on zoning would have to go before the County.

MAYOR BRIARE: I see.

COMMISSIONER LEVY: We were right then. It does go before the County Planning Commission and their Boards.

COMMISSIONER CHRISTENSEN: Yes, but that's the last step. That's the step that takes place. Judging from the last time we got a piece of that City-owned property back from the Police Department is a good eight months down the road.

COMMISSIONER LEVY: But that was before -- there is no more Police Commission, Commissioner, so I don't know. I'm not telling you that I know all the answers and I think Mr. Ogilvie is certainly going to have to tell us who can give us approval of that site. But I think what Commissioner Woofter is suggesting is that we follow those steps and take both sites and find out where in the hell we're going.

MAYOR BRIARE: During the discussion earlier, remarks were made about the comments in the newspapers and those comments had my support too, but I'm beginning to think that the editorials in the newspapers -- incidentally, I want to make sure that you all understand, Commissioners, what my

MAYOR BRIARE: feeling is towards editorials. I'm very impressed with them because supposedly, they reflect the feeling of the community. And in this instance, I happen to agree with the editorials which were critical of this Commission and being a member of the Commission, the criticism went to me as well as to you others, and I took the criticism because I can take criticism just as well as the next person. I'd much prefer praise. But I think we're acting now, if we were to pursue this course that we're on, in a manner which is going to very much justify the feeling as interpreted by the media. And I know that the Commissioners in whose district these properties lie are a little bit more sensitive perhaps than the others, but I can see that we're going to continue this and continue it and continue it, and I'm all in favor of public hearings and I thought that we had, you know, a pretty sufficient number of them.

COMMISSIONER LEVY: Mr. Mayor?

MAYOR BRIARE: Yes.

COMMISSIONER LEVY: I'm not quite sure that this is the case as to what you're indicating to us today. I think that if there was no doubt, if we could take a vote, and we'd all like to go back to the Rehabilitation Farm. I mean -- well, I'm talking for Al Levy and I think the same goes for this Board. If it was feasible. In other words, when I say "feasible", I'm talking about not only the costs, but all these other problems that we have with this Consent Decree that I didn't sign because I wasn't on the Board at the time. But I felt that we had that out of the way, but there is indication that we don't have it out of the way, and I'd like to have that run its course but not stop our other situation at Stewart/Mojave at the same time, and that's basically what I think Commissioner Woofter is saying.

MAYOR BRIARE: In the course of events, sometimes the majority has to rule, and we're seeing a demonstration here on our own Commission that the majority does not rule. That the minority, as grieved as they are, are victorious today in the event that the matter should be changed from the action we originally took. And I compliment them on it if that's the case. Sometimes you have to bite the bullet and stay with it. But I have a feeling that my conversation here is worthless because I have an indication as to what the votes are going to be on this matter. But, Commissioner Woofter, your motion, once again, is that -- and please correct me if I'm not stating it right --

COMMISSIONER CHRISTENSEN: Your Honor, you'll have to pardon me for interrupting, but I can't see any reason why we can't hear what the staff found wrong with that particular site because to my way of thinking, there's nobody on this Commission that's going to spend money we don't have for a site that doesn't fill the bill for this jail. If that's the case then, you know, you're violating your oath of office. And I think we really should hear the problems with this site before we vote on this motion.

COMMISSIONER WOOFTER: Well, Russ, correct me if I'm wrong. There's three major problems with the site. It's going to cost us an additional $500,000 for extra sewage. There's question of the odor, and there's a question of public transportation which would cost the taxpayers possibly $50,000 a year. Now, if there's any others --

COMMISSIONER CHRISTENSEN: Availability of the site.

COMMISSIONER WOOFTER: Availability of the site, and we don't know that until we go through the legal steps to determine whether it's approved by the County and the Metropolitan Police Department. However, we have -- Commissioner Lurie and myself have reviewed all of those concerns and we -- and look. Staff has done a good job in preparing it, but still sometimes you have to disagree with staff. And it's nothing political, nothing in that regard. I agree with Commissioner Lurie, thank God. If it's good enough for those citizens that live at Winterwood and that whole area, and the golfers that play golf out there and they never complain, and my Labrador dog that I take out there and let him run through the Mormon Farm, you know, to get in his retrieving training, and we haven't detected that bad of an odor.

COMMISSIONER LEVY: Wait a minute. Wait a minute. (Laughing)

COMMISSIONER WOOFTER: Other than that -- I mean, sure, it's going to be an expenditure, but maybe to the satisfaction of all, maybe we should stand that expense. That's my feeling and I just can't go -- there's been points brought out on Stewart/Mojave. It's also a child care center as well as a recreation center to be close to, you know. That's my main objection.

MAYOR BRIARE: Well, gentlemen, the --

COMMISSIONER WOOFTER: We're going into more than the motion I mean and I'm sorry.

MAYOR BRIARE: Now, Commissioner, don't let anybody kid anybody. Each of us know exactly what the good points are and what the bad points are. And to rehash and restate them, it's just going to be taking a lot of time and I don't know that we're going to end up accomplishing anything this morning.

COMMISSIONER CHRISTENSEN: Well, Your Honor, the whole purpose of a lot of this rhetoric is for public record, and I'd like that in the public record.

MAYOR BRIARE: I know, yes. How about stipulating --

UNIDENTIFIED MAN FROM AUDIENCE: Sir, I'd like to --

MAYOR BRIARE: Sir, I know that you've been wanting to get up here, and even though you think I've been ignoring you, I'm not. This is not a public hearing in the sense that we're calling for comments from the public on a matter which is now before the Commission. All of the public hearings have been had on the discussion we're having at this moment. Now, if we're not going to take action on this matter, and I think we're going to find out in a few minutes, then I'm sure that other public hearings will be held and everybody then that's interested, can come forward and make comments about this site that was acted on this morning, or as Commissioner Woofter has requested, that we add on the Rehab Farm site. But when a matter is taken before the Commission, it's strictly up to the Commission unless they were to direct a question to someone in the audience. That's the standard procedure that we follow.

UNIDENTIFIED MAN FROM AUDIENCE: Well, I'd like to be heard -- about two or three different items. Either now or later. It don't make any difference to me, but I want to be heard.

MAYOR BRIARE: Very good, sir. At the last item on the agenda, because of our Open Meeting Laws and the requirements to post agendas indicate an area where citizens could be heard on any subject; however, no action can be taken unless it's posted for a future meeting, and by all means, you'd be more than welcome at that time, sir. Further comments by the Commissioners?

COMMISSIONER LURIE: I have just one item and I think this would start a whole discussion. I would like staff to still pursue with the people that went out there and viewed the barracks, that they did go out there and view them and that they didn't see any problems with moving those barracks. Now, I don't

COMMISSIONER LURIE: think my request is out of order and I think they can at least assure us that they did look at them, and I would like that statement in writing from them. And you assured me yesterday, Mr. Dorn, that I could get that from these people.

CITY MANAGER DORN: Commissioner, we tried. We talked to them verbally and they testified and they told us that.

COMMISSIONER LURIE: Well, let them come here and tell me that they went out there so I have it on this record that they did go out there and look at them.

CITY MANAGER DORN: We will pursue that as directed from the last motion.

MAYOR BRIARE: You know, Commissioners, it's very bad to try to anticipate or to try to judge as to how one person's going to vote on this Commission because the more you try to do that, the more you find out you haven't got anybody figured out. But I just had the -- I could tell by your comments that I thought that had you had those assurances that you're requesting, that you might have voted for the Stewart/Mojave site. But in any event, we can't --

COMMISSIONER LEVY: What is the motion, Mayor?

MAYOR BRIARE: Pardon?

COMMISSIONER LEVY: What motion do we have before us?

MAYOR BRIARE: We have a motion Commissioner Woofter made to -- in addition to referring the Stewart/Mojave site to the Planning Commission for the purpose of a hearing, that also the Rehab Farm site be referred to the Planning Commission for a hearing.

COMMISSIONER LEVY: The County Planning Commission.

MAYOR BRIARE: Is that correct, Commissioner?

COMMISSIONER WOOFTER: Yes, that's correct.

COMMISSIONER CHRISTENSEN: Could I have an explanation of just exactly what that does as far as timeframe is concerned? Does that mean that we have to wait on the Stewart/Mojave site until such time as we run the course on the Rehab Farm site to find out if it's available to us and so forth? Is that what this motion does? I think the motion's a little unclear in that respect.

COMMISSIONER LEVY: Commissioner Woofter.

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981 Page 16
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

MAYOR BRIARE: Roy, would you like to -- or, Commissioner Woofter, would you like to elaborate on what your intent is?

COMMISSIONER WOOFTER: Well, my intent is -- I think we've narrowed it down, outside of Commissioner Lurie's concern on the barrack aspect, to the two sites, the Farm and the Stewart/Mojave and to proceed with both so we will avoid a time delay as far as arriving at the final decision.

COMMISSIONER CHRISTENSEN: Okay, well, that's what the discussion told me, because if you proceed with both, the time delay is automatic in one far and away more than the other. So do we hold the one up until the other one runs it course or what? That's my question.

MAYOR BRIARE: I think that's inevitable, Commissioner. I don't know -- if you're addressing your question to whoever wishes to take a stab at it, I'll take a stab at it, and in view of the complications of the Rehab Farm, which incidentally, and I've stated it publicly prior to today's meeting, that if all was well, I would have preferred the Rehab Farm, but in view of all of the barriers that we have against the Rehab Farm, then I was happy to support this morning what I considered to be the next best site. None of them are any good. I think we've all established that. In fact, it would be --

COMMISSIONER CHRISTENSEN: Well, what we effectively do, if that motion is approved, then we've effectively delayed this until we can run the whole --

MAYOR BRIARE: I don't think anybody's going to argue that, Commissioner. and that's why I made the comment.

COMMISSIONER CHRISTENSEN: And that's looking like --

MAYOR BRIARE: In this instance here, the minority has prevailed, as opposed to the majority, but that's what -- listen. Anybody --

COMMISSIONER LEVY: I'm not sure we're going to have a delay, Commissioner.

COMMISSIONER CHRISTENSEN: Well, if this motion carries, you'll have a delay because you automatically, to recapture some of that site before, it took us, what, seven months?

COMMISSIONER LEVY: Well, before, we had a Board that made that decision. It was a City and County Board. We do not have that Board any more and I'm not sure if the Sheriff himself can make that decision. And if he's --

COMMISSIONER CHRISTENSEN: Somebody has to make it.

COMMISSIONER WOOFTER: I think -- it's going to the Planning Commission. I think --

COMMISSIONER LEVY: Let's find out.

COMMISSIONER WOOFTER: And we'll get a decision there. They'll come out with a recommendation, and like I say, if we hold up one, the question is -- like the Mayor's mentioned. We don't have a consensus of opinion here, and it might be a longer delay. We send just the Stewart/Mojave down there to be reviewed and so forth and that the ultimate it comes back and all of a sudden we find that the decision is we're not going to go for Stewart/Mojave, then we have to go back to the Farm. So let's get them both going at the same time.

CITY ATTORNEY OGILVIE: Could I ask a question. Commissioner Woofter, are you referring the Rehabilitation Farm to the City Planning Commission --

COMMISSIONER LEVY: No.

CITY ATTORNEY OGILVIE: -- for an advisory opinion or are you --

COMMISSIONER WOOFTER: Yes, I would like that first of all.

COMMISSIONER LEVY: What is that?

COMMISSIONER WOOFTER: Just an advisory opinion from the City Planning Commission, you know, to review both of them at the same time. That allows the --

COMMISSIONER LEVY: I disagree with that completely. Number One, I don't care what our County Planning -- our City Planning Commission thinks about an item in the County. I would like to go there, and as the Mayor's indicated and I think this whole Board has indicated, we'd grab that if everything was all, and I'd like to talk about if everything was all, and that's what I want to go before the County Planning Commission, have our City Attorney find out who can give us that if there is a facility. He could do the research on that. If it's going to take eight months, we're knocked out of the box. If the Sheriff can say "yes" or "no" in ten minutes, then we're not knocked out of the box, and I think these things have to be finally decided on while we're going through the steps of both facilities, and I don't see anything wrong with that. I mean, it may be a little bit extra work, but I think we owe it to some people in the audience who have fought very hard and who have dedicated themselves in some areas, and I think that they still will be reasonable and find that when we've gone through these motions and gone through the areas who

COMMISSIONER LEVY: decides on what, and if the County Commission -- we're up before the County Planning Commission. We put up our $100. We can always withdraw it if we find that we can't get that step. I don't think it's a big deal.

COMMISSIONER CHRISTENSEN: It's a big deal. You just added eight months time to it.

CITY ATTORNEY OGILVIE: With respect to the question you just asked me, Commissioner Levy, the statute with respect to the return of property which has been occupied by the Police Department, one of the criteria is that it is no longer needed for law enforcement purposes. So in that sense, the Sheriff does have the right to say, "Yes, we still need this for law enforcement" --

COMMISSIONER LEVY: Or "we don't".

CITY ATTORNEY OGILVIE: What?

COMMISSIONER LEVY: Or "we don't".

CITY ATTORNEY OGILVIE: Yes. Once that hurdle has been crossed, then it goes to the Fiscal Affairs Committee and they have to -- that Committee has to take a vote on whether in fact it will be returned. Now, during our negotiations with the Police Department last summer with respect to the property we used for the sludge beds, one of their concerns was that the location of sludge beds there might destroy the remaining property the department was still using for its uses and at that time the City agreed if that came about -- if the odor from the sludge beds interfered with the department's use of the remaining property, that the City would relocate the department's facilities to some other location. If that is done then, the property would -- we would remove the first hurdle of whether it's used for law enforcement purposes or not. We would remove the law enforcement purpose.

COMMISSIONER LEVY: You're surmising too, George. You're not -- I don't want any surmises. I think that's what Commission --

COMMISSIONER CHRISTENSEN: What do you mean "surmising"?

COMMISSIONER LEVY: Well -- in other words, he's surmising in the fact that will the County or won't the County, will the Sheriff; won't the Sheriff.

COMMISSIONER CHRISTENSEN: They use it as a police pistol range and a shooting range right now. If they do relinquish the property, we have to build them another one somewhere else.

COMMISSIONER LEVY: That's not a big cost.

MAYOR BRIARE: Further comments?

COMMISSIONER CHRISTENSEN: I'd also like, Mayor, to have included in the motions somewhere where the money's going to come from. We've identified Two Million of it. I want to know where the Half Million's going to be cut -- from what service?

MAYOR BRIARE: I think probably the City Manager will take his instructions in the event this motion passes that all of these details would have to be put forth so that as many details in addition to what we already have can be included for the review of the various boards.

COMMISSIONER CHRISTENSEN: I think that's only fair for the rest of the Board though to know where those Commissioners that want this other Half Million Dollars spent want it spent from.

MAYOR BRIARE: Sure. I know --

COMMISSIONER WOOFTER: I have no objection to that as part of the motion. I would go back to satisfy Commissioner Levy that initially, this be referred to the County.

MAYOR BRIARE: Now, you'd satisfy the Mayor if you'd just forget the whole thing. (Laughter) I don't say that, you know, trying to make any factitious remarks here, but this Commission made a decision earlier this morning and it was a decision of some nature. Some decision had to be made and now, we are moving toward the possibility of being indecisive, and it might be that if this motion that Commissioner Woofter has offered is passed by a majority, that maybe the minority will make a motion or hope to get a motion to reconsider and we'll be back in the indecisive position we were before. That proposal, according to the City Manager, at Stewart and Mojave was to be a temporary. Now, "temporary" depends on how many years you want to talk about, but I'm convinced that it's temporary in nature because of the way it's to be constructed. But I think that we made a decision this morning. We should stick to it and for that reason, I'm going to vote against Commissioner Woofter's motion. It's time we made some decisions. Any further comments? Cast your --

COMMISSIONER CHRISTENSEN: Yes. I still want to know from the guy who made the motion where he wants the Half Million Dollars cut from.

MAYOR BRIARE: Well, he's going to tell you that at the next time we have this before us in the event his motion's approved.

EXCERPT - CITY COMMISSION MEETING MINUTES - OCTOBER 7, 1981
IV(a) - D. DISCUSSION AND POSSIBLE ACTION RELATING TO ALTERNATE SITES FOR DETENTION FACILITY

COMMISSIONER CHRISTENSEN: Well, how can we vote on a motion when we don't know the fiscal impact?

MAYOR BRIARE: Well. Any other questions?

COMMISSIONER CHRISTENSEN: What you're saying is that we don't have to have the fiscal impact.

MAYOR BRIARE: No, I don't think anybody's said that. You're asking that that be determined and I indicated the City Manager surely is going to try his best to determine what the fiscal impact is.

COMMISSIONER CHRISTENSEN: There's no question if the motion passes, he's got to determine it, but I want to know where they want it taken from because those who would impact this Commission and the citizens of this community with an extra Half Million Dollars ought to be able to stand up and say where they're going to take it from.

MAYOR BRIARE: And I think that would be a good thing for the City Manager to include in his report. Further comments? Cast your votes. Post. The motion is approved.

(VOTE: Commissioners Lurie, Woofter and Levy voted "Yes"; Mayor Briare & Commissioner Christensen "No.")

Now, then, is there any question in anybody's mind as to where we are?

COMMISSIONER LEVY: I know exactly where we are.

COMMISSIONER CHRISTENSEN: They're going to put me in jail in three months.

MAYOR BRIARE: We're in a mass state of confusion. Where are we, Mr. Dorn? Are we ready to go on to the next item on the agenda?

CITY MANAGER DORN: If it so pleases the Commission, we are.

(END OF DISCUSSION ON THIS ITEM)

ITEM	Commission Action	Department Action
IV(a) ADMINISTRATIVE AGENDA RUSSELL W. DORN, CITY MANAGER		
E. DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT OF A NEW MEMBER TO THE WATER QUALITY STUDY BOARD.	Item E Levy - APPROVED motion to appoint Ashley Hall as the new member of the Water Quality Study Board to represent the City. Unanimous	Clerk to notify Water Quality Study Board of this appointment.
F. DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION REGARDING MX AND ITS ANTICIPATED IMPACT ON THE CITY OF LAS VEGAS AND ITS RESIDENTS.	Item F STRICKEN FROM AGENDA	
G. DISCUSSION AND POSSIBLE ACTION ON FREMONT STREET TILES.	Item G Levy - Motion to proceed with City Manager's Alternative A, replacing the 8 intersections with concrete at an estimated City cost of $40,000 and estimated Contractor cost of $40,000; however, if Downtown Progress Association wants to retain 5 tiled intersections, they would have to agree to pay for any costs over the $40,000 estimated City cost. Motion carried with Briare and Christensen voting "no". (See recommendations of City Manager for additional detail.)	Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

Date: October 5, 1981

TO:
The Board of City Commissioners

FROM: Russ Dorn
Russell W. Dorn
City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT OF A NEW MEMBER TO THE WATER QUALITY STUDY BOARD.

PURPOSE/BACKGROUND

As a result of the U.S. District Court Consent Decree, the Water Quality Study Program is being performed under the direction of a Water Quality Study Board. This Board consists of representatives from the county, cities, state and EPA. At the March 7, 1979 City Commission Meeting, when a resolution was approved regarding the Consent Decree for the Advanced Wastewater Treatment Plant, a motion was carried to designate the City Manager to represent the city on the Water Quality Board.

Due to active participation in various time involved projects and issues such as the implementation of the City Misdemeanant Detention Facility, the City Manager has not been afforded sufficient time to devote to this highly complicated and difficult issue. It is therefore suggested that Ashley Hall, Deputy City Manager, represent the City of Las Vegas on the Water Quality Study Board.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that the Board of City Commissioners approve Ashley Hall as the new member of the Water Quality Board representing the City of Las Vegas.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item
IV(a) E.

City of Las Vegas

AGENDA DOCUMENTATION

Date: October 1, 1981

TO: The Board of City Commissioners

FROM: RUSSELL W. DORN CITY MANAGER

SUBJECT: FREMONT STREET TILE

PURPOSE/BACKGROUND

July 15, 1981, the City Commission approved the Compromise and Settlement Agreement with Stewart Construction, Inc., relative to the removal of the tile at the intersections on Fremont and replacement with concrete with the exception of Main Street intersection which will be replaced with asphalt. The agreement contains wording to the affect that if the City can change the means or method of replacement or repair of the tile, the City will pay for any additional cost involved therein.

Shortly after the City entered into this agreement, Downtown Progress indicated that they would be willing to abide by any decision the City made; however, they desired that, if at all possible within the realm of practicality, the tile motifs on 5 of the 8 intersection be preserved. This matter has been discussed with the City Attorney's Office and with Mr. Stewart and cost estimates have been provided. The present agreement calls for the removal of all of the tile and replacement with concrete at a cost of approximately $80,000 with the City paying half and the contractor the remainder. If you wish to preserve the gaming motifs on the 5 intersections (First, Casino Center, Third, Fourth and Sixth), it would cost the City approximately $25,000 to have the missing tiles installed. This would be in addition to the City's share of redoing the 3 remaining intersections by replacing the tile with concrete. This is estimated to cost $22,000 which totals $47,000 as opposed to the $40,000 under alternate A. Additionally, if at the end of a one-year period the tiled intersections show enough damage to conclude that the tile simply will not work, it would cost us an additional $18,000 to have these intersections redone with concrete.

Staff cannot advise you with any degree of accuracy as to whether or not replacement of the broken tile would assure the continued longevity of the tiled intersections. There is simply no way to make this determination except through a trial basis.

FISCAL IMPACT

Alternate A - approximately $40,000 City and $40,000 contractor.

Alternate B - approximately $47,000 City and $22,000 contractor (unless after the end of one year the tiles need to be replaced with concrete, the cost would then be $65,000 City and $18,000 contractor).

RECOMMENDATIONS

Recognizing the benefit to the appearance of downtown by maintaining the gaming motif and in anticipation that the trial period will be successful, the City Manager recommends that Alternate B be approved.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-8-10

Agenda Item 10/7/81
IV(a) G.

AGENDA

City of Las Vegas

0057

October 7, 1981

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 AND INVESTMENTS 1. Service and Material Warrants In the amount of $4,306,050.30 2. Payroll Warrants In the amount of $701,959.87 3. Other Warrants and Investments In the amount of $8,222,671.12	Lurie - APPROVED Unanimous (Christensen excused)	Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

CITY of LAS VEGAS
WARRANT REGISTER SUMMARIES RECAP

SERVICE & MATERIAL WARRANTS

No.	Thru	AMT. $	DESCRIPTION
H405451	-0-	(3.00)	VOID
H406074	-0-	(504.23)	VOID
I406349	-0-	(17,500.00)	"
I406912	-0-	(223.20)	"
I406996	-0-	(32.70)	"
I407082	-0-	513,360.30	SERVICE & MATERIAL
I407113	-0-	221,612.66	" "
I407118	-0-	230,459.79	" "
I407137	-0-	16,151.50	" "
I407142	-0-	600,000.00	" "
J407170	J407688	2,742,729.18	" "

Total Service & Material $4,306,050.30

PAYROLL WARRANTS

No.	Thru	AMT. $	DESCRIPTION
035242	036729	701,959.87	PE 9/12/81

Total Payroll $701,959.87

OTHER WARRANTS

No.	Thru	AMT. $	DESCRIPTION
I120996	I120998	1,300,000.00	BANK TRANSFERS
I407083	I407085	5,043.75	BOND & INTEREST
I407086	-0-	50.00	CETA
I407087	I407111	51,642.69	"
I407112	-0-	450,000.00	BANK TRANSFER
I407114	I407116	2,820.00	BOND & INTEREST
I407117	-0-	2,000,000.00	INVESTMENTS
I407119	-0-	212.50	BOND & INTEREST
I407120	I407136	223,314.72	CETA
I407138	I407141	53,406.25	BOND & INTEREST
J407143	J407166	108,197.26	CETA
I912011	I912012	111,994.51	INSURANCE REIMBURSEMENT
I943862	I943865	3,033,000.00	INVESTMENTS
I1861	-0-	382,989.44	C D B G

Total Other $8,222,671.12

TOTAL NET AMOUNT $13,230,681.29

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.

Maurice Bennett
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED: R Dom
CITY MANAGER

On Oct 10, 1981, The Board of City Commissioners ordered the above warrants paid and the City Treasurer is hereby ordered to disperse the warrants as presented.

William H. Briare
MAYOR

ATTEST: Carol A. Hawley
CITY CLERK

1/81

AGENDA

City of Las Vegas

October 7, 1981 0039

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 AUTHORIZATION TO FILL BUDGETED VACANCIES - CRITICAL HIRES - CITY FUNDED - FULL TIME		

Dept/Class	Monthly Salary	Justification	Commission Action	Department Action
PS/Sanitation Treatment Plant Operator (Replacement)	$1213.	Responsible for inspection and maintenance of all plant equipment	Lurie - APPROVED as per recommendations. Unanimous (Christensen excused)	Staff to proceed
PS/Traffic Engineering Parking Collection Officer (Replacement)	$1183.	Responsible for collecting money from parking meters and ticket collection boxes		
GS/Facilities Support Custodian (Three Positions) (Replacements)	$1046.	Responsible for the custodial maintenance of specified areas in City Hall complex		
Municipal Court Lower Court Counseling Secretary (Replacement)	$1213.	Responsible for a variety of secretarial duties		
GS/Automotive Services Equipment Service Worker (Two Positions) (Replacements)	$1154.	Responsible for fueling, lubricating and servicing light and heavy equipment		

APPROVED AGENDA ITEM

Ashley Hall

ITEM	Commission Action	Department Action
IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS GARY DONALD OGG, DIRECTOR (continued)		

Dept/Class	Monthly Salary	Justification	Commission Action	Department Action
PS/Maintenance Plumber Crew Leader (Replacement)	$1552.	Leads a crew and participates in skilled plumbing repair work involving City-owned buildings and property	APPROVED See Page 20	See Page 20
Business Activity Deputy Director (Replacement)	$1667.	Assists in planning and directing activities in the enforcement of City ordinances governing business, gaming and liquor licenses, child care facilities and sewer service fees		
Financial Management Jr. Office Assistant (New Position)	$ 902.	Responsible for microfilming all financial documents on a timely basis		
PS/Animal Care & Control Animal Health Technician (Two Positions) (Replacements)	$1154.	Assists in performing routine diagnostic, medical and surgical procedures and in the maintenance of records and inventory control		

APPROVED AGENDA ITEM

Ashley Hall

ITEM	Commission Action	Department Action
IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS GARY DONALD OGG, DIRECTOR (continued)		

Dept/Class	Monthly Salary	Justification	Commission Action	Department Action
GS/Graphic Arts Sr. Reprographic Operator (Replacement)	$1274.	Responsible for the operation of multi-lith, bindery equipment, and litho camera, and performing a variety of related shop work	APPROVED See Page 20	See Page 20
Funds Coordination Project Admin. Radio Communication Aide (Three Positions) (New Positions)	$ 759.	Receives and transmits telephone emergency alarms in conjunction with NET and provides crime prevention assistance to volunteer citizens in cooperation with Metro		
R&LA/Admin. Sr. Citizen Assistant (New Position)	$ 704.	Performs a variety of clerical functions including receptionist duties for the department		
Fire Services Firefighter (Replacement)	$1278.	To maintain full minimum manning requirements at all City stations		

APPROVED AGENDA ITEM

Ashley Hall

AGENDA

City of Las Vegas

October 7, 1981 0062

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)				
Dept/Class	Monthly Salary	Justification		
Fire Services Fire Prevention Inspector Trainee (Three Positions) (New Positions)	$1214.	Assists in performing investigations and inspections of public buildings and industrial or commercial establishments for the enforcement of fire prevention laws and ordinances	APPROVED See Page 20	See Page 20

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 30, 1981

TO:
The Board of City Commissioners

FROM:
Ashley Hall
Deputy City Manager

SUBJECT:
DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS - AUTHORIZATION TO FILL BUDGETED VACANCIES

PURPOSE/BACKGROUND

The following information is submitted with reference to Items 1 - 14 under Agenda Item IV. (c).

Treatment Plant Operator - to replace employee who resigned

Parking Collection Officer - to replace employee who resigned

Custodian (Three Positions) - to replace one employee who was terminated, one who retired, and one who resigned

Secretary - to replace employee who resigned

Equipment Service Worker (Two Positions) - to replace one employee who was terminated and one who was promoted

Plumber Crew Leader - to replace employee who retired

Deputy Director, Business Activity - to replace employee who was promoted

Junior Office Assistant - This position is required in order to be in compliance with State law and general fire code regulations governing the microfilming of all financial documents

Animal Health Technician (Two Positions) - to replace two employees who are resigning

Senior Reprographic Operator - to replace employee who was promoted

Radio Communications Aide (Three Positions) - to replace temporary positions with full time budgeted positions

Senior Citizen Assistant - to replace temporary position with full time budgeted position

Firefighter - to replace employee who was promoted

Fire Prevention Inspector Trainee (Three Positions) - These trainee positions are to underfill budgeted inspector positions to provide for a one year training program geared to certify the candidates as full-fledged inspectors.

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 [signature]
Gary Donald Ogg, Director
Personnel & Employee Relations

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item
IV. (c) 1 - 14

CITY COMMISSION MINUTES OCTOBER 7, 1981

CITY FUNDED FULL TIME VACANCIES
AS OF 9/25/81

DEPARTMENT/DIVISION	CLASSIFICATION	NO.
City Attorney	Deputy City Attorney	1
Municipal Court	Senior Office Assistant	1
	Court Counselor I	1
	Secretary	1
	Data Entry Operator	1
	Office Assistant	3
City Manager	Exec. Aide/City Manager	1
City Clerk	---	
Office of the Commissioners	---	
Funds Coordination	Administrative Assistant III	1
Personnel & Employee Relations	---	
Business Activity	Deputy Director, Business Activity	1
	Office Manager	1
	Office Assistant	1
Financial Management	Secretary	1
Community Planning & Development	Chief, Zoning Division	1
Architectural Services & Project Control	Chief, Architectural Design Division	1
General Services		
Administration	---	
Facilities Support	Custodian	4
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	Chief, Budget Division	1
Fire Services	Firefighter	17
	Fire Prevention Inspector	4
Managment Information Services	Programmer	1
Senior Citizens	---	

DEPARTMENT/DIVISION	CLASSIFICATION	NO.
Building & Safety	---	
Public Services		
Administration	Management Analyst II	1
	City Engineer	1
Sanitation	Treatment Plant Operator	1
	Treatment Plant Operator Trainee	1
Streets	Heavy Equipment Operator	1
Maintenance	Carpenter	1
	Carpenter Crew Leader	1
	Plumber Crew Leader	1
Quality Control	Assistant Engineering Technician	2
	Engineering Technician	1
	Principal Engineering Technician	1
	Chief, Quality Control Division	1
	Sr. Engineering Designer	1
Engineering Design	Sr. Civil Engineer	1
Traffic Engineering	Traffic Signal Electrician	1
	Parking Collection Officer	1
Animal Care & Control	Animal Control Officer	1
Electrical Services	---	
Recreation & Leisure Activity		
Administration	---	
Parks & Open Spaces	Grounds Keeper	1
Recreation	---	
Cultural Services & Fine Arts	Fine Arts Coordinator	1
Cemetery	---	
Youth Affairs	--- TOTAL	67

If these positions remained vacant for two (2) weeks, the savings, including fringes, would amount to $51,568; $111,731, if vacant for a month.

ITEM	Commission Action	Department Action
IV. (d) DEPARTMENT OF FUNDS COORDINATION RICHARD B. BLUE, JR., DIRECTOR		
A. A RESOLUTION REQUESTING THE CLARK COUNTY BOARD OF COMMISSIONERS TO IMPOSE AN ADDITIONAL TWO CENTS (2¢) PER GALLON TAX ON MOTOR VEHICLE FUEL TO BE APPLIED TOWARDS PENDING AND FUTURE STREET AND HIGHWAY PROJECTS.	Item A Lurie - APPROVED Resolution. Woofter & Christensen voted "no".	Staff to proceed. Clerk directed to send letter with Resolution which indicates vote on this matter.
B. AUTHORIZATION TO AWARD THREE (3) PROFESSIONAL SERVICE CONTRACTS FOR THE SENIOR CITIZENS LAW PROJECT: PROJECT ATTORNEY, PARALEGAL AND SECRETARY.	Item B Lurie - Contracts APPROVED as recommended. Unanimous	Staff to proceed
C. REQUEST PERMISSION FOR STAFF TO NEGOTIATE A LEASE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE MARION BENNETT YOUTH PROGRAM/OIC FOR USE OF THE JEFFERSON RECREATION CENTER (CITY OWNED FACILITY).	Item C Lurie - APPROVED request. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 29, 1981

TO:
The Board of City Commissioners

FROM:
ASHLEY HALL, DEPUTY CITY MANAGER

SUBJECT: A RESOLUTION REQUESTING THE CLARK COUNTY BOARD OF COMMISSIONERS TO IMPOSE AN ADDITIONAL TWO CENTS (2¢) PER GALLON TAX ON MOTOR VEHICLE FUEL TO BE APPLIED TOWARDS PENDING AND FUTURE STREET AND HIGHWAY PROJECTS.

PURPOSE/BACKGROUND

The bonding capacity of the Regional Transportation Commission is limited by the amount of gas tax revenue available for debt service. Revenues currently available have reached bonding limitations, and are insufficient to complete upcoming priority projects. The additional two cents (2¢) per gallon will generate approximately $4,800,000 per year which can be applied towards pending and future projects.

FISCAL IMPACT

None.

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that this resolution be approved.

Richard B. Blue

RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________.

79-3-10

Agenda Item
IV. (d) A.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS REQUESTING THE CLARK COUNTY BOARD OF COMMISSIONERS IMPOSE AN ADDITIONAL TWO (2¢) CENTS PER GALLON TAX ON MOTOR VEHICLE FUEL

WHEREAS, the Regional Transportation Commission was established to plan, build and maintain a system of major streets and highways for the Las Vegas Valley; and

WHEREAS, the Regional Transportation Commission has recommended priority improvements totalling $166,479,700 in 1981 dollars; and

WHEREAS, further delay in commencing work on the projects will result in further inflationary increases to the project development costs; and

WHEREAS, the capacity to issue bonds to finance the aforesaid improvements is dependent upon the tax revenues received; and

WHEREAS, the revenues available have reached bonding limitations; and

WHEREAS, the Nevada State Legislature approved Assembly Bill 701 which modified N.R.S. 373.030 and provides that the Board of County Commissioners may impose a tax on motor vehicle fuel sold in the County in an amount not to exceed four (4) cents per gallon; and

WHEREAS, the Clark County Board of Commissioners have previously imposed a two (2) cents per gallon tax on motor vehicle fuel; and

WHEREAS, the levy of the additional tax will generate approximately $4,800,000 per year which can be applied toward projects; and

WHEREAS, the recommended priority projects will greatly benefit the citizens of the City of Las Vegas.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas to request the Board of County Commissioners to impose an additional two (2) cents per gallon tax on motor vehicle fuel in order that work on needed transportation projects may commence.

PASSED, APPROVED AND ADOPTED this 7th day of October, 1981.

Ron Lurie

RON LURIE, MAYOR PRO-TEM

ATTEST:

Carol A. Hawley

Carol Ann Hawley, City Clerk

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 29, 1981

TO: The Board of City Commissioners

FROM: ASHLEY HALL, DEPUTY CITY MANAGER

SUBJECT: AUTHORIZATION TO AWARD THREE (3) PROFESSIONAL SERVICE CONTRACTS FOR THE SENIOR CITIZENS LAW PROJECT: PROJECT ATTORNEY, PARALEGAL AND SECRETARY.

PURPOSE/BACKGROUND

The City has applied for and successfully been awarded funding to continue the Senior Citizens Law Project from the State of Nevada, Division of Aging Services.

The Project, which is in the fourth year, ensures that citizens 60 years of age and older who live on fixed or low-to-moderate incomes within the City of Las Vegas, Clark County and Pahrump, Nevada are afforded the opportunity to maintain maximum independence through legal assistance. The Project offers the following services free to Seniors:

1. Preparation of simple wills
2. Preparation and termination of real property agreements
3. Preparation of powers of attorney
4. Preparation of cases concerning government benefits in appeal process
5. Advice and referral on age discrimination cases
6. Servicing of simple adoption processes
7. Investigation of housing issues
8. Servicing of probate set-aside

During 1981, 1,450 Seniors utilized the services offered by the Project.

In order for the Project to proceed, it is necessary for the following professional service contracts to be executed:

1. Mr. Richard Donaldson, Project Attorney
   Contract Amount: $27,300 per year
2. Ms. Jean Parrott, Paralegal
   Contract Amount: $14,400 per year
3. Ms. Dorothy Gordon, Project Secretary
   Contract Amount: $14,400 per year

FISCAL IMPACT

The three (3) contracts are funded in total by the State of Nevada, Division of Aging Services.

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that the Mayor be authorized to execute these contracts in behalf of the City.

Richard B. Blue

RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item
IV. (d) B.

CITY COMMISSION MINUTES OCTOBER 7, 1981

AGREEMENT BETWEEN THE CITY OF LAS VEGAS

and

RICHARD E. DONALDSON

for

ATTORNEY/PROJECT DIRECTOR OF THE SENIOR CITIZENS LAW PROJECT

THIS AGREEMENT, entered into this ________ day of October, 1981, by and between the City of Las Vegas (hereinafter called the "Sponsor") and Richard E. Donaldson, 4210 Fairbanks Circle, Las Vegas, Nevada (hereinafter called the "Attorney").

PART I

WITNESSETH:

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

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

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

a. The "Project" shall mean the Senior Citizens Law Project.

b. The "Agreement shall mean this written agreement between the Sponsor and the Attorney, and any amendments thereto, to perform the work detailed in this Project.

c. The "Grant" shall mean the grant awarded the Sponsor under Title III of the Older Americans Act.

SECTION 2. EMPLOYMENT OF ATTORNEY. The Sponsor hereby agrees to engage the Attorney and the Attorney agrees to perform the services set forth, as follows:

The Attorney will administer the Senior Citizens Law Project in accordance with the guidelines and provisions established in the Grant awarded by the State of Nevada, Division for Aging Services under Titile III of the Older Americans Act of 1965 as amended P. L. 91.135). Under the Grant, the Attorney will render legal service to citizens 60 years and older residing within Clark County and Pahrump, Nevada, who fall within the Grant guidelines.

Under the guidance of the Sponsor, the Attorney will perform the following duties:

(1) Assume responsibility for the daily administration of the Project.

(2) Assume responsibility for hiring, training, supervising and termination of Project personnel who have contracts with the Sponsor or are CETA personnel.

(3) Assume responsibility for the hiring of Project staff in accordance with established EEO and Affirmative Action guidelines.

(4) Ensure the quality of legal services rendered by reviewing all cases for proper documentation and compliance with legal requirements.

(5) Ensure the confidentiality of case and record information by instituting safeguards.

(6) Ensure the confidentiality and quality of legal services rendered by operating the program according to the Canons, Considerations and Rules of the American Bar Association and other applicable tenants of professional responsibility.

(7) Represent Project clients at the bar.

(8) Represent the program to the community.

(9) Prepare required monthly, quarterly and annual reports.

(10) Serve as liaison to the Senior Citizens Law Project Advisory Board.

(11) Attend gerontology training sessions or seminars where appropriate.

(12) Conduct outreach efforts.

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

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

SECTION 5. INSURANCE. The Sponsor will provide at Project or Sponsor expense all appropriate insurance coverage necessary to meet the obligations set forth in Section 4.

SECTION 6. PERIOD OF PERMFORMANCE. The Period of Performance shall have commenced October 1, 1981, and shall terminate September 30, 1982.

SECTION 7. COMPENSATION. The Attorney shall be compensated for services in such amount and in such manner as detailed in Attachment 1, Schedule of Compensation.

SECTION 8. TERMINATION OF AGREEMENT FOR CAUSE. If the Attorney shall materially breach any of the agreements or stipulations of the Agreement, the Sponsor shall thereupon have the right to terminate this Agreement by giving written notice to the Attorney of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In such event, all finished or unfinished legal documents prepared by the Attorney under this Agreement shall be the property of the Sponsor.

SECTION 9. TERMINATION FOR CONVENIENCE OF SPONSOR. The Sponsor may terminate this Agreement at any time funds are unavailable under the Grant due to suspension or termination of the Grant by giving written notice to the Attorney of such termination and specifying the effective date thereof at least fourteen (14) days prior to the effective date of such termination. In that event, all finished or unfinished documents and other materials remain as property of the Sponsor.

SECTION 10. TERMINATION OR SUSPENSION BY ATTORNEY. The Attorney may suspend work when funds are not available to the Sponsor for payment of services rendered under terms of the Compensation Schedule (Attachment 1) or in the event of a material breach of this Agreement by the Sponsor, or in the event the Attorney shall provide ninety (90) days notice to the Sponsor in writing. In such event, all finished or unfinished documents and records prepared under the Project shall remain as property of the Sponsor.

SECTION 11. EQUAL EMPLOYMENT OPPORTUNITY. (a) The Attorney will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Attorney shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex or national origin. The Attorney agrees to post in conspicuous places available to employees notices to be provided setting forth the provisions of this non-discrimination clause. The Attorney will in all solicitations or advertisements for employees placed by or on behalf of the Attorney, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin. (b) The Attorney shall keep such records and submit such reports concerning the racial and ethnic origin of applicants for employment and employees as may be required. (c) The Attorney agrees to comply with such rules, regulations or guidelines as the Secretary may issue to implement these requirements.

SECTION 12. PROFESSIONAL LIABILITY INSURANCE. The Attorney agrees to secure professional liability and malpractice insurance for the Project through the National Legal Aid and Defenders Association at Project expense.

SECTION 13. INTEREST OF MEMBERS OF THE SPONSOR AND OTHERS. No officer, member, or employee of the Sponsor and no members of its governing body, and no other public official of the governing body of the locality or localities in which the Project is situated or being carried out who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this Project shall participate in any decision related to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or have any personal or pecuniary interest, direct or indirect, in this Contract or the proceeds thereof.

SECTION 14. ASSIGNABILITY. The Attorney shall not assign any interest in this Contract, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Sponsor.

SECTION 15. INTEREST OF ATTORNEY. The Attorney covenants that he presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Contract. The Attorney further covenants that in the performance of this contract no person having any such interest shall be employed. The Attorney further covenants that he will accept no fee-generating cases for senior citizens age 60 or older, nor will he accept any fee, gift or benefit of any kind for the referral of any fee-generating case.

SECTION 16. OFFICIALS NOT TO BENEFIT. No members of or delegates to the Congress of the United States of America, and no resident commissioner, shall be admitted to any share or part hereof or to any benefit to arise herefrom.

SECTION 17. AUDITS AND INSPECTIONS. At any time during normal business hours and as often as the Sponsor, State Administration on Aging, HEW and/or the Comptroller General of the United States may deem necessary and for three (3) years after final payment on this Agreement there shall be made available to the Sponsor, State Administration on Aging, HEW and/or representatives of the Comptroller General for examination all of its records with respect to all matters covered by this Contract and will permit the Sponsor, State Administration on Aging, HEW and/or representatives of the Comptroller General to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Contract, except where the access to client records would constitute a clearly unwarranted invasion of personal privacy.

SECTION 18. ATTACHMENT INCORPORATED AS PART. One attachment is incorporated as part of this Agreement: Attachment 1, Schedule of Compensation.

SECTION 19. PROVISIONS REQUESTED BY LAW DEEMED INSERTED. Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to be ensured herein and the Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, the Contract shall forth-with be physically amended to make such insertion or correction.

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

CITY OF LAS VEGAS (SPONSOR)

By ______________________________
WILLIAM H. BRIARE, MAYOR

____
RICHARD E. DONALDSON (ATTORNEY)

ATTEST:

____
CAROL ANN HAWLEY, City Clerk

ATTACHMENT 1: SCHEDULE OF COMPENSATION

The Attorney shall receive compensation per the following schedule:

October 23, 1981	$ 1,137.50
November 6, 1981	1,137.50
November 20, 1981	1,137.50
December 4, 1981	1,137.50
December 18, 1981	1,137.50
January 8, 1982	1,137.50
January 22, 1982	1,137.50
February 5, 1982	1,137.50
February 19, 1982	1,137.50
March 5, 1982	1,137.50
March 19, 1982	1,137.50
April 9, 1982	1,137.50
April 23, 1982	1,137.50
May 7, 1982	1,137.50
May 21, 1982	1,137.50
June 4, 1982	1,137.50
June 18, 1982	1,137.50
July 9, 1982	1,137.50
July 23, 1982	1,137.50
August 6, 1982	1,137.50
August 20, 1982	1,137.50
September 3, 1982	1,137.50
September 17, 1982	1,137.50
October 8, 1982	1,137.50
TOTAL	$27,300.00

AGREEMENT BETWEEN THE CITY OF LAS VEGAS

and

JEAN PARROTT

for

PARALEGAL OF THE
SENIOR CITIZENS LAW PROJECT

THIS AGREEMENT, entered into this ____ day of October, 1981, by and between the City of Las Vegas (hereinafter called the "Sponsor") and Jean Parrott, Las Vegas, Nevada (hereinafter called the "Paralegal").

PART I

WITNESSETH:

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

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

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

a. The "Project" shall mean the Senior Citizens Law Project as described in Attachment 1, Statement of Work.

b. The "Agreement" shall mean this written agreement between the Sponsor and the Paralegal, and any amendments thereto, to perform the work detailed in this Project.

c. The "Grant" shall mean the grant awarded the Sponsor under Title III of the Older Americans Act.

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

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

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

SECTION 5. SERVICES TO BE PERFORMED BY PARALEGAL. The Paralegal shall perform all necessary services as described in Attachment 1, Statement of Work.

SECTION 6. PERIOD OF PERFORMANCE. The Period of Performance shall have commenced October 1, 1981, and shall terminate September 30, 1982. The parties agree that the performance of the Paralegal shall be reviewed by the Sponsor and the Senior Citizens Law Project Advisory Board on March 1, 1982 and that following such evaluation, this Agreement may be terminated with or without cause with the approval of the Sponsor and the Advisory Board jointly.

SECTION 7. COMPENSATION. The Paralegal shall be compensated for services in such amount and in such manner as detailed in Attachment 2, Schedule of Compensation.

SECTION 8. TERMINATION OF AGREEMENT FOR CAUSE. If, through any cause, the Paralegal shall fail to fulfill in timely and proper manner his obligations under this Agreement, or if the Paralegal shall violate any of the covenants, agreements or stipulations of the Agreement, the Sponsor through the direction of the Senior Citizens Law Project shall there upon have the right to terminate this Agreement by giving written notice to the Paralegal of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In such event, all finished or unfinished legal documents prepared by the Paralegal under this Agreement shall be the property of the Sponsor.

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

SECTION 9. TERMINATION FOR CONVENIENCE OF SPONSOR. The Sponsor may terminate this Agreement at any time funds are unavailable under the Grant due to suspension or termination of the Grant by giving written notice to the Paralegal of such termination and specifying the effective date thereof at least fourteen (14) days prior to the effective date of such termination. In that event, all finished or unfinished documents and other materials remain as property of the Sponsor.

SECTION 10. TERMINATION OR SUSPENSION BY PARALEGAL. The Paralegal may suspend work when funds are not available to the Sponsor for payment of services rendered under terms of the Compensation Schedule (Attachment 2) of this Agreement. In such event, all finished or unfinished documents and records prepared under the Project shall remain as property of the Sponsor.

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

CITY OF LAS VEGAS (SPONSOR)

By ______________________
WILLIAM H. BRIARE, MAYOR

ATTEST:

____
JEAN PARROTT (PARALEGAL)

____
CAROL ANN HAWLEY, City Clerk

ATTACHMENT 1: SCOPE OF SERVICES

1. Conduct Client interviews.

2. Perform assigned case services including negotiations, drafting of Wills and other documents where applicable, preparing homesteads, real estate transfers and affidavits. Advising and negotiating in landlord-tenant problems. Representing clients in Social Security Disability hearings and any Social Security problems. Preparing probate documents to settle small estates. Preparing all paper work on Termination of Parental Rights and Adoptions. Preparing all paper work on Termination of Guardianships. Advising clients how to proceed in the Small Claims Court. Advising clients of eligibility of social programs, such as: Title XIX, food stamps, rent subsidies, Section 8 Program, Developmental Program, S.S.I., County Medical Assistance, Home Health Care and many more. Advising clients where they might go to receive service in areas that are outside our guideline category.

3. Represent the program to the public upon request.

4. Conduct home visits and assist in outreach efforts.

5. Assist the Project Director.

6. Maintain client records.

7. Represent the Project Director at Board Meetings when his schedule precludes him from being present.

8. Perform related duties as required.

ATTACHMENT 2: SCHEDULE OF COMPENSATION

The Para-Legal shall receive compensation per the following schedule:

October 23, 1981	$ 600.00
November 6, 1981	600.00
November 20, 1981	600.00
December 4, 1981	600.00
December 18, 1981	600.00
January 8, 1982	600.00
January 22, 1982	600.00
February 5, 1982	600.00
February 19, 1982	600.00
March 5, 1982	600.00
March 19, 1982	600.00
April 9, 1982	600.00
April 23, 1982	600.00
May 7, 1982	600.00
May 21, 1982	600.00
June 4, 1982	600.00
June 18, 1982	600.00
July 9, 1982	600.00
July 23, 1982	600.00
August 6, 1982	600.00
August 20, 1982	600.00
September 3, 1982	600.00
September 17, 1982	600.00
October 8, 1982	600.00
TOTAL	$14,400.00

AGREEMENT BETWEEN THE CITY OF LAS VEGAS

and

DOROTHY B. GORDON

for

SECRETARIAL SERVICES OF THE
SENIOR CITIZENS LAW PROJECT

THIS AGREEMENT, entered into this ____ day of ________, 1980, by and between the City of Las Vegas (hereinafter called the "Sponsor") and DOROTHY B. GORDON, Las Vegas, Nevada (hereinafter called the "Secretary").

PART I

WITNESSETH:

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

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

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

a. The "Project" shall mean the Senior Citizens Law Project as described in Attachment 1, Statement of Work.

b. The "Agreement" shall mean this written agreement between the Sponsor and the Secretary, and any amendments thereto, to perform the work detailed in this Project.

c. The "Grant" shall mean the grant awarded the Sponsor under Title III of the Older Americans Act.

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

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

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

SECTION 5. SERVICES TO BE PERFORMED BY SECRETARY. The Secretary shall perform all necessary services as described in Attachment 1, Statement of Work.

SECTION 6. PERIOD OF PERFORMANCE. The Period of Performance shall have commenced the ______ of ______________, 1981, and shall terminate the ______ of ______________, 1982. The The parties agree that the performance of the Secretary shall be reviewed by the Sponsor and the Senior Citizens Law Project Advisory Board on March 1, 1982 and that following such evaluation, this Agreement may be terminated with or without cause with the approval of the Sponsor and the Advisory Board jointly.

SECTION 7. COMPENSATION. The Secretary shall be compensated for services in such amount and in such manner as detailed in Attachment 2, Schedule of Compensation.

SECTION 8. TERMINATION OF AGREEMENT FOR CAUSE. If, through any cause, the Secretary shall fail to fulfill in timely and proper manner his obligations under this Agreement, or if the Secretary shall violate any of the covenants, agreements or stipulations of the Agreement, the Sponsor through the direction of the Senior Citizens Law Project shall there upon have the right to terminate this Agreement by giving written notice to the Secretary of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In such event, all finished or unfinished legal documents prepared by the Secretary under this Agreement shall be the property of the Sponsor.

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

SECTION 9. TERMINATION FOR CONVENIENCE OF SPONSOR. The Sponsor may terminate this Agreement at any time funds are unavailable under the Grant due to suspension or termination of the Grant by giving written notice to the Secretary of such termination and specifying the effective date thereof at least fourteen (14) days prior to the effective date of such termination. In that event, all finished or unfinished documents and other materials remain as property of the Sponsor.

SECTION 10. TERMINATION OR SUSPENSION BY SECRETARY. The Secretary may suspend work when funds are not available to the Sponsor for payment of services rendered under terms of the Compensation Schedule (Attachment 2) of this Agreement. In such event, all finished or unfinished documents and records prepared under the Project shall remain as property of the Sponsor.

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

CITY OF LAS VEGAS (SPONSOR)

By ______________________
WILLIAM H. BRIARE, MAYOR

ATTEST:

____
BARBARA S. FALLS (SECRETARY)

____
CAROL ANN HAWLEY, City Clerk

ATTACHMENT 1: SCOPE OF SERVICES - SECRETARY

Perform all duties as secretary to the Director of the Senior Citizens Law Project, indluding the following:

1. Making all appointments and keeping the Director's appointment calendar, including Court appearances, etc.

2. Handling all correspondence for Director, including dictation and preparing routine correspondence for Director's signature.

3. Preparing legal documents for Court and/or Social Security hearings.

4. Perform all secretarial duties as required by the Director.

5. Serve as Secretary to the Advisory Board of the Senior Citizens Law Project, and record all minutes of meetings thereof and perform other duties as required.

6. Attend training sessions and/or seminars, as required.

ATTACHMENT 2: SCHEDULE OF COMPENSATION

The Secretary shall receive compensation per the following schedule:

October 23, 1981	$ 600.00
November 6, 1981	600.00
November 20, 1981	600.00
December 4, 1981	600.00
December 18, 1981	600.00
January 8, 1982	600.00
January 22, 1982	600.00
February 5, 1982	600.00
February 19, 1982	600.00
March 5, 1982	600.00
March 19, 1982	600.00
April 9, 1982	600.00
April 23, 1982	600.00
May 7, 1982	600.00
May 21, 1982	600.00
June 4, 1982	600.00
June 18, 1982	600.00
July 9, 1982	600.00
July 23, 1982	600.00
August 6, 1982	600.00
August 20, 1982	600.00
September 3, 1982	600.00
September 17, 1982	600.00
October 8, 1982	600.00
TOTAL	$14,400.00

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 29, 1981

TO: The Board of City Commissioners

FROM: ASHELY HALL, DEPUTY CITY MANAGER

SUBJECT: REQUEST PERMISSION FOR STAFF TO NEGOTIATE A LEASE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE MARION BENNETT YOUTH PROGRAM/OIC FOR USE OF THE JEFFERSON RECREATION CENTER (CITY OWNED FACILITY).

PURPOSE/BACKGROUND

The Department has received three proposals for use of the Jefferson Recreation Center. Proposals were submitted by:

1. The Economic Opportunity Board of Clark County (E.O.B.)
2. Marion Bennett Youth Program/OIC
3. Mission Possible (Reverend Billy Gillmore)

All the proposals have common elements, in that they all address critical community needs and all have no committed funding for the renovation of the facility.

In order that this facility can be put back into meaningful service in the near future, I would suggest that a lease be negotiated between the City and the Marion Bennett Youth Program. Although they indicated a need for funding, they also indicated that it would be possible to undertake reasonable renovation activities through their Youth Involvement Program.

FISCAL IMPACT

None

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that permission be granted for staff to negotiate a lease agreement between the City of Las Vegas and the Marion Bennett Youth Program/OIC.

Richard B. Blue

RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item
IV. (d) C.

CONTRACT AMENDMENT 6271.1

The purpose of the Contract Amendment 6271.1 is to modify the Scope of Services for the Westside Community Development Commission contract between the City of Las Vegas Community Development Block Grant Program and the Westside Community Development Commission.

WHEREAS, the City of Las Vegas Community Development Block Grant Program entered into a formal contract July 1, 1981 with the Westside Community Development Commission; and

WHEREAS, the City of Las Vegas Community Development Block Grant Program has determined that it is in the best interest of the community that the Westside Community Development Commission continue to operate at its present level of service to the community; and

WHEREAS, the City of Las Vegas Community Development Block Grant Program has determined that it is necessary to modify the Scope of Services in order to better serve the community.

NOW, THEREFORE, in consideration of the covenants and conditions hereinafter set forth, the parties hereby agree to the modification as follows:

1. That Section 2, Scope of Services, be modified to read:

2. SCOPE OF SERVICES

The Operating Agency shall perform all the necessary services provided under this Contract Amendment in accordance with and respecting to the following project and project area:

The Westside Community Development Commission will be a part of the neighborhood revitalization plans and efforts in the Block Grant Program's NSA's I and II.

The Operating Agency shall do, perform and carry out in a timely, satisfactory, and proper manner the following activities within the program year July 1, 1981 to June 30, 1982.

GOAL:

To improve the housing stock in NSA's I and II through rehabilitation, preservation and education.

OBJECTIVES:

A. Provide minor carpentry and painting rehabilitation to fifty-four (54) homes in NSA's I (15) and II (39) between July 1, 1981 and June 30, 1982.

B. Train sixty (60) Organizational Industrialization Center (OIC) youths in painting and minor carpentry repair through classroom and on-the-job training between July 1, 1981 and June 30, 1982.

. . . .

. . . .

. . . .

. . . .

Funds -10-9-81

IN WITNESS WHEREOF, the parties hereto have executed this Contract Amendment on this _____ day of _________, 1981.

COMMUNITY DEVELOPMENT PROGRAM

BY ______________________________
RICHARD B. BLUE, JR.
DIRECTOR

DATE ______________________________

CITY OF LAS VEGAS

BY ______________________________
WILLIAM H. BRIARE, MAYOR

DATE ______________________________

ATTEST:

____
Carol Ann Hawley, City Clerk

APPROVAL AS TO FORM ONLY:

BY ______________________________
GEORGE OGILVIE, CITY ATTORNEY

DATE ______________________________

WESTSIDE COMMUNITY
DEVELOPMENT COMMISSION

____
NAME

____
TITLE

____
DATE

BY ______________________________
AGENCY OFFICER (TITLE)

DATE ______________________________

CONTRACT AMENDMENT 6284.2

The purpose of Contract Amendment 6284.2 is to modify the Scope of Services and extend the Time of Performance for the Operation Life Outpatient Medical Center contract between the City of Las Vegas Community Development Block Grant Program and the Operation Life Community Development Corporation (OLCDC).

WHEREAS, the City of Las Vegas Community Development Block Grant Program entered into a formal contract July 1, 1980 with Operation Life, CDC, Inc.; and

WHEREAS, the City of Las Vegas Community Development Block Grant Program has determined that it is in the best interest of the community that the Operation Life Outpatient Medical Center be constructed; and

WHEREAS, the City of Las Vegas Community Development Block Grant Program has determined that it is necessary to modify the Scope of Services in order to better serve the community; and

WHEREAS, the City of Las Vegas Community Development Block Grant Program has determined that it is necessary to extend the Time of Performance to accomplish the goals and objectives of the Outpatient Medical Center Project.

NOW, THEREFORE, in consideration of the covenants and conditions hereinafter set forth, the parties hereby agree to the modifications as follows:

1. That Section 2, Scope of Services, be modified to read:

2. SCOPE OF SERVICES

The Operating Agency shall perform all the necessary services provided under this Contract Amendment in accordance with and respecting to the following project and project area:

The Operation Life Community Development Corporation (OLCDC) project, Outpatient Medical Center building, will be a part of the neighborhood revitalization plans and efforts in the Block Grant Program's NSA's.

The Operating Agency shall do, perform and carry out in a timely, satisfactory and proper manner the following activities within the Program Year July 1, 1981 to June 30, 1982.

GOAL:

To implement neighborhood revitalization efforts in NSA II area that will provide permanent jobs for area residents, assist in creating a viable environment which will result in more effective health-related service to NSA residents.

OBJECTIVES:

A. OLCDC will construct or cause to be constructed a facility of approximately 8,400 square feet to house several of OLCDC's programs serving low-moderate income persons, including a comprehensive community health center, the Women, Infants and Children (WIC) Program, and the Committee of Low Income Women.

B. OLCDC will construct said building on a two and one-half (2½) acre parcel owned by OLCDC at Owens Avenue between "F" Street and "D" Street on the North side of Owens.

C. Prepare bid contract for architectural and design services which meet approval of Department's Project Administration Division.

D. Prepare a contract document for construction of facility, and conduct a Pre-Bid Conference prior to December, 1981.

E. Initiate and maintain a labor standards system which meets the approval of the Department's Project Administration Division prior to December, 1981.

F. Construct facility no later than November 15, 1981 - February 15, 1982.

G. Begin health services by March 1, 1982.

2. That Section 3, Time of Performance, be modified by deleting June 30, 1981, and inserting the date: June 30, 1982.

. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .
. . . .

IN WITNESS WHEREOF, the parties hereto have executed this Contract Amendment this ______ day of ____________, 1981.

COMMUNITY DEVELOPMENT PROGRAM

BY Richard B. Blue
RICHARD B. BLUE, JR., DIRECTOR

DATE____________________

OPERATION LIFE, CDC, INC.

____
NAME

____
TITLE

____
DATE

CITY OF LAS VEGAS

BY William H. Briare
WILLIAM H. BRIARE, MAYOR

DATE____________________

BY____________________
AGENCY OFFICER

____
TITLE

____
DATE

ATTEST:

Carol A. Hawley
Carol Ann Hawley, City Clerk

APPROVAL AS TO FORM ONLY:

BY George F. Ogilvie
GEORGE OGILVIE, CITY ATTORNEY

DATE____________________

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

October 7, 1981

ITEM		Commission Action	Department Action
IV(f)	DEPARTMENT OF RECREATION AND LEISURE ACTIVITIES - RICHARD CAMPBELL, DIRECTOR		
	A. RATIFICATION OF CONTRACT ADDENDUM BETWEEN THE NEVADA STATE DEPARTMENT OF HUMAN RESOURCES AND THE CITY OF LAS VEGAS FOR ADDITIONAL GRANT MONIES IN THE AMOUNT OF $7,575.00 TO BE USED TO PROVIDE RECREATIONAL SERVICES FOR THE HANDICAPPED.	Lurie - APPROVED Contract Addendum. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 28, 1981

TO:
The Board of City Commissioners

FROM:
DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: RATIFICATION OF CONTRACT ADDENDUM BETWEEN THE NEVADA STATE DEPARTMENT OF HUMAN RESOURCES AND THE CITY OF LAS VEGAS FOR ADDITIONAL GRANT MONIES ($7,575.00).

PURPOSE/BACKGROUND

On July 1, 1981, the Board of City Commissioners approved a contract from the Department of Human Resources which provided $39,439.00 to the Department of Recreation and Leisure Activities to be used to purchase equipment and supplies for adaptive recreation programming for handicapped persons.

Recently, the Department of Recreation and Leisure Activities was contacted by the Department of Human Resources indicating they would provide an additional $7,575.00 in grant monies for the program if the City would submit a contract addendum indicating how the additional monies would be used; however, it was indicated that the contract addendum had to be received by the Department of Human Resources by October 1, 1981.

This matter is now being placed on the agenda for ratification. A copy of the contract addendum is attached.

FISCAL IMPACT

Additional grant monies in the amount of $7,575.00.

RECOMMENDATIONS

Recommend that the Commission ratify the contract addendum.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

States Due: ______________

79-3-10

Agenda Item 10-7-81
IV(f) A.

CONTRACT ADDENDUM

THIS Addendum is hereby made to the Contract made and entered into on the 30th day of June, 1981, by and between the NEVADA STATE DEPARTMENT OF HUMAN RESOURCES, REHABILITATION DIVISION, as "PRINCIPAL," and the CITY OF LAS VEGAS, as the "CITY."

Page one, lines 17-21 are hereby changed to read as follows:

Subject to the availability of funds and subject to all the terms and conditions as herein specified, PRINCIPAL shall pay the CITY, upon written request from the CITY, a total sum not to exceed FORTY-SEVEN THOUSAND FOURTEEN DOLLARS ($47,014.00) for the term of this Contract. Said payment shall be expended according to the following line item detail.

Page one, line 27, is hereby changed to read as follows:

f. Field Trips (in-State) $11,125

Page two, line one, is hereby changed to read as follows:

1. Total $47,014

Page two, line 6 is hereby changed to read as follows:

. . . FORTY-SEVEN THOUSAND AND FOURTEEN DOLLARS ($47,014.00).

Page two, lines 8-9 are hereby changed to read as follows:

. . . not encumbered by September 15, 1982, and all encumbered funds which are not expended by November 15, 1982.

Page two, line 30, is hereby changed to read as follows:

. . . September 15, 1982. However, if the CITY is in default of any of the terms and . . .

Except for the changes herein specified, all other terms and conditions of the original Contract shall remain in full force and effect.

Upon approval, this Addendum shall be incorporated and made a part of the original Contract.

APPROVED BY:

A. R. MARTELLE, DIRECTOR
Nevada State Department of
Human Resources

DELBERT E. FROST, ADMINISTRATOR
Rehabilitation Division
Nevada State Department of
Human Resources

APPROVED AS TO FORM ONLY:

City of Las Vegas

ATTEST:

Carol Ann Hawley

CAROL ANN HAWLBY, CITY CLERK

By

RON LURIE, MAYOR PRO-TEM

RICHARD BRYAN
ATTORNEY GENERAL

By___________________________
Deputy Attorney General

Date___________________________

ACL-2099

WJH:ks
09/22/81

ITEM	Commission Action	Department Action
IV (g) DEPARTMENT OF GENERAL SERVICES DAN R. PILKINGTON, DIRECTOR *CONSENT AGENDA All items listed under Item *A are considered to be routine by the City Commission, and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.		
PURCHASING AND CONTRACTS DIVISION		
*A. AWARD OF BIDS		
1. Moving and Relocation of Housing and Administrative Units Department of Public Services (Abeyance Item from September 16, 1981 Commission Agenda.)	ABEYANCE	ABEYANCE

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 25, 1981

TO:
The Board of City Commissioners

FROM:
ASHLEY HALL
DEPUTY CITY MANAGER

SUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - OCTOBER 7, 1981
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF BIDS

1. Moving and Relocation of Housing and Administrative Units - Department of Public Services - (Abeyance Item from September 16, 1981 Commission Agenda).

- 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 1 IS IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENDATION OF THE OFFICE OF THE CITY MANAGER THAT ITEM 1 BE AWARDED.

Dan R. Pilkington
Dan R. Pilkington, Director
Department of General Services

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ________________.

79-3-10

Agenda Item
SECTION A PAGE 1 OF 1
IV (g) A 1

SUMMARY

BID ABSTRACT AWARD RECOMMENDATION

ITEM:	Capital Project
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. $97,200.00
Las Vegas, Nevada

BID ABSTRACT & AWARD RECOMMENDATION

BID TITLE: REMOVING, TRANSPORTING, AND SETTING IN PLACE FOUR EACH 2-STORY WOODEN DORMITORIES

BID #:

INVITATIONS SENT: 9   ESTIMATE:$

BLAND FORD INC.
2151 GATEWAY RD.
LAS VEGAS, NV 89110
LIC# C11-07359 BOND:CK

ITEM#	QTY	DESCRIPTION	U.P.	TOTAL	LIC# U.P.	BOND: TOTAL	LIC# U.P.	BOND: TOTAL
		BASE BID						
1.	4 EA	REMOVE, TRANSPORT, AND SET IN PLACE,	$24,300.00	$ 97,200.00				
		FOUR (4) EACH 2-STORY WOODEN DORMITORIES						
		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					

CITY COMMISSION MINUTES OCTOBER 7, 1981

From: Purchasing and Contracts

To: GENE DOUGAN

Please review and furnish you recommendation or comments prior to ____ for this item to appear on the Commission agenda for award on 8-19-81.

Purchasing and Contracts 8-14-81 Date

From: DEPT. OF PUBLIC SERVICES

To: Purchasing and Contracts

RECOMMEND AWARD OF BID TO LOW BIDDER PROVISIONALLY SUBJECT TO FINAL GRANTING OF USE PERMIT BY BZA.

Department/Division Head 8/18/81 Date

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
IV (h). DEPARTMENT OF PUBLIC SERVICES DONALD 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. Monroe Manor II. (D & R Investments - property generally located at the Southeast corner of Lamb Blvd. and Monroe Ave. - No. of acres: 1.04, No. of lots: 14) 2. Tonopah Plaza. (Tonopah Plaza Partners - property generally located on the Southwest corner of Cheyenne Ave. and Rancho Drive. No. of acres: 10, No. of lots: 10, 1 lot C-2 Zone)	Lurie - APPROVED Items 1 and 2. Unanimous	Staff to proceed
*B. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS All offsite improvements on the following subdivisions have been completed in accordance with agreements and City standards except for the final correction list. 1. Atrium Gardens I. (Bivins Construction - property generally located at the Southeast corner of Pecos St. and Washington Ave. - No. of acres: 4.1, No. of lots: 42, Zoned RPD-12)	Lurie - APPROVED as recommended, Items 1 thru 3. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

INTER-OFFICE MEMORANDUM

October 16, 1981

0102

TO:	FROM:
CITY CLERK	CITY ENGINEER
SUBJECT:	COPIES TO:
RELEASE OF SUBDIVISION BOND	CHUCK TURK DON DEACON DOUG PETERSON

On October 7, 1981 the City Commission accepted the improvements for Atrium Gardens I subject to the completion of the improvement correction list items for this subdivision. Please be notified that these items have now been completed to the satisfaction of the department of Public Services. It is recommended that the Cash Deposit with Lomas & Nettleton Company be released to the subdivider.

CHARLES KAJKOWSKI, P.E.
City Engineer

RECEIVED
OCT 16 12 58 PM '81
CITY CLERK

IV (h) B-1

AGENDA

City of Las Vegas

Oct. 7, 1981

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)		
***B. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS (Continued)**		
2. Washington Square 7. (A.G. & H. Enterprises - property generally located at the Northwest corner of Washington Ave. and Sandhill Rd., No. of acres: 33.65, No. of lots: 146, zoned R-1)	APPROVED See Page 27	See Page 27
3. Charleston Rainbow 8. (Sproul Homes - property generally located on the North side of W. Charleston Blvd., East of Antelope Way - No. of acres: 2.26, No. of lots: 8, Zoned R-1)		
***C. RELEASE OF BOND**		
All offsite improvements have been completed, inspected, and accepted. The bonds may be released.		
1. Location: 1625 Kenyon Place Use: Offsite improvements, driveway, sidewalk, and street lights Builder: Sherwood Bldg. Co. Surety Co.: SAFECO Insurance Co. of America Amount: $2,128.00 Bond No.: 4152781 CLV #21-81	Lurie - APPROVED Items 1 thru 4. Unanimous	Clerk to notify & Staff to proceed
2. Location: 2001 West Bonanza Rd. Use: Offsite improvements, sidewalk and driveway Builder: U-Haul Co. of Las Vegas Inc. Surety Co.: St. Paul Fire and Marine Insurance Co. Amount: $2,600.00 Bond No.: 400 GC 1739 CLV #25-81		same as above

APPROVED AGENDA ITEM

INTER-OFFICE MEMORANDUM

Date: October 14, 1981

TO: CITY CLERK

FROM: CITY ENGINEER

SUBJECT: RELEASE OF SUBDIVISION BOND

COPIES TO:
CHUCK TURK
RALPH W. BECK
DOUG PETERSON

On October 7th 1981 the City Commission accepted the improvements for Washington Square #7 subject to the completion of the improvement correction list items for this subdivision. Please be notified that these items have now been completed to the satisfaction of the department of Public Services. It is recommended that the Cash Deposit with Lomas & Nettleton Company be released to the subdivider.

for WILLIAM J. PURVIS, P.E.

INTER-OFFICE MEMORANDUM

OCTOBER 13, 1981

0105

TO: CITY CLERK	FROM: CITY ENGINEER
SUBJECT: RELEASE OF SUBDIVISION BOND	COPIES TO: CHUCK TURK DON DEACON DOUG PETERSON

On October 7, 1981 the City Commission accepted the improvements for Charleston Rainbow #8 subject to the completion of the improvement correction list items for this subdivision. Please be notified that these items have now been completed to the satisfaction of the department of Public Services. It is recommended that the Surety Bond #606318 with General Insurance Company be released to the subdivider.

Nancy Dela Barre
for CHARLES KAJKOWSKI, P.E.
City Engineer

ITEM	Commission Action	Department Action
IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)		
*C RELEASE OF BOND (Continued)		
3. Location: Redwood St. - Holmby Ave. to Del Rey Ave. Use: Offsite improvements, curb & gutter, sidewalks, street paving, and street lighting Builder: Valley Contractors Surety Co.: Cash deposit with Home Savings Association Amount: $68,500 Bond No.: CLV # 6-81	APPROVED See Page 28	Staff to proceed
4. Location: 2000 Goldring Ave. Use: Offsite improvements, curb & gutter, sidewalks, street lighting, and street paving Builder: SSC Investments Surety Co.: Fidelity and Deposit Company of Maryland Amount: $5,640.00 Bond No.: 9383527 CLV #20-81		Clerk to notify & Staff to proceed
*D RIGHT OF WAY ITEMS		
1. Grant Deed From: Charles L. Painter, an unmarried man To: City of Las Vegas For: Portion of Block 1, Boulder Dam Homesite Addition, Tract No. 1 Radius Bonanza Rd. and Bruce St. (8/31/81)	Lurie - APPROVED Items 1 thru 3. Unanimous	Staff to proceed
2. Grant Deed From: Capital Holding Co., a Nevada Corporation, Trustee To: City of Las Vegas For: Portion of Block 13, Tankels North Addition No. 2 Radius Bonanza Rd. and Shelby St. (9/15/81)		

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)		
*D. RIGHT OF WAY ITEMS (Continued)		
3. Grant Deed From: Jerald D. Malone, an unmarried man To: City of Las Vegas For: Portion of SE-1/4, Sec. 31, T20S, R62E Sacramento St. (9/14/81)	APPROVED See Page 29	See Page 29
E. REPORTS/ACTION		
1. Approval of consultant agreement for repair of City of Las Vegas parking structures.	Levy - APPROVED Agreement as recommended. Motion carried with Christensen voting "no".	Staff to proceed
2. Resolution transferring rights of way for the I-515 Freeway.	Lurie - APPROVED Resolution as recommended. Unanimous (Christensen excused)	
3. Quitclaim Deed to Clark County for a portion of Sloan Lane.	Levy - APPROVED as recommended. Unanimous (Christensen excused)	
4. Nevada Department of Transportation Resolution of Consent relinquishing a portion of the State Highway System.	Levy - APPROVED as recommended. Unanimous (Christensen excused)	
5. Request for an Encroachment Agreement to allow landscaping and canopies in the right of way at 401 S. Casino Center Blvd.	Lurie - APPROVED as recommended. Unanimous (Christensen excused)	
6. Request for an Encroachment Agreement to allow landscaping in the right of way at 600 South Third Street.	Lurie - APPROVED as recommended. Unanimous (Christensen excused)	

APPROVED AGENDA ITEM

City of Las Vegas
AGENDA DOCUMENTATION

Date: September 23, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: APPROVAL OF CONSULTANT AGREEMENT FOR REPAIR OF CITY OF LAS VEGAS PARKING STRUCTURES

PURPOSE/BACKGROUND

During recent inspections of the Carson Street and Ogden Avenue Municipal Garages and the original portion of the City Hall Complex Parking Garage, it has come to our attention that the expansion joints of the parking structures are in need of repair.

We have negotiated with the consulting firm of Daniel, Mann, Johnson and Mendenhall to prepare plans, specifications, estimates and construction inspection for a fee not to exceed the sum of $26,400.

It is estimated the total project cost for this repair work will be $200,000.

FISCAL IMPACT

Funds for this contract are available in:

1. Municipal Garages - Parking Fund
2. City Hall Garage - City Hall Capital Improvements Fund

RECOMMENDATIONS

It is recommended that the City Commission authorize the expenditure of $26,400 for the above consultant agreement and authorize the Mayor, on behalf of the City Commission, to execute the agreement with Daniel, Mann, Johnson and Mendenhall.

Donald E. Donovan

DONALD E. DONOVAN, P.E.
Director of Public Services

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item 10/7/81
IV (h) E. 1

CONSULTANT AGREEMENT

THIS AGREEMENT, made and entered into as of the ____ day of __________, 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 AND 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 CITY OF LAS VEGAS recognizes its responsibility to maintain public buildings and facilities in a safe and serviceable condition for those who use these buildings; and

WHEREAS, the CITY OF LAS VEGAS desires the services of a Consultant, Daniel, Mann, Johnson and Mendenhall, for the purpose of designing and supervising the construction of structural repair work on three municipal parking garages, to-wit: the City Hall Complex parking garage and the municipal parking facilities located on Carson Avenue and Ogden Avenue.

NOW, THEREFORE, in consideration of the terms, conditions and covenants herein set forth the parties hereto agree to the following:

SECTION I: SERVICES OF CONSULTANT

A. DESIGN PHASE

During the design phase of this project, the CONSULTANT agrees to do and perform the following service in connection with the structural repair of the Las Vegas Municipal Parking Garages on Ogden Avenue and Carson Avenue, and the City Hall Complex Parking Garage:

1. Conduct a field survey of all existing faults at the expansion joints to procure the information necessary for the design of repairs;

2. Using the best current engineering knowledge, devise and design optimum schemes to correct the faults;

3. Prepare detailed plans and drawings on standard 24" x 36" sheets clearly indicating each proposed method of repair;

4. Prepare complete technical specifications on 8 1/2" x 11" paper for each item indicated on the drawings in a form ready for printing;

5. Prepare a detailed final cost estimate for the work;

6. Prepare complete bid documents and make necessary copies;

7. Issue addenda as appropriate;

8. Assign a licensed project engineer to the project at the outset of the work to keep the CITY OF LAS VEGAS informed of all developments as work progresses, to be present at the Pre-Bid Conference and to assist the CITY OF LAS VEGAS with evaluating bids.

B. CONSTRUCTION PHASE

During the construction phase of this project, the CONSULTANT agrees to do and perform the following services:

1. Attend Pre-Construction Conference with contractors and the staff of the CITY OF LAS VEGAS concerning the construction repair of these municipal parking facilities;

2. Provide full-time field supervision and engineering inspection of any construction repair performed upon these municipal parking facilities, using experienced personnel familiar with this type of work;

3. Review all plans and specifications, or any other working drawings or documents submitted by the contractor for substantial compliance with the requirements of the construction repair contract;

4. Provide assistance in the interpretation of any and all plans and specifications as requested by the CITY OF LAS VEGAS;

5. Attend meetings and negotiations involving changes in the estimated costs of the construction repair contracts or changes in the design previously approved;

6. Make recommendations regarding change orders;

7. Complete compliance reports, certification of completion, warrantee reviews and assist in final audit;

8. Approve periodic pay estimates;

9. Certify that all construction has been completed in substantial compliance with the plans and specifications as approved by the CITY OF LAS VEGAS;

10. Provide one set of reproducible mylar "as-built" drawings.

SECTION II: RESPONSIBILITIES OF THE CITY OF LAS VEGAS

In addition to the compensation to be provided the CONSULTANT in accordance with the provisions of Section IV, the CITY OF LAS VEGAS shall:

1. Provide all maps of the City Hall Complex as requested by the CONSULTANT which are within the possession of the CITY OF LAS VEGAS.

2. Provide access to the City Hall Complex necessary to perform the services of the CONSULTANT.

3. Provide to, or give access to, the CONSULTANT any and all other pertinent information not previously described which is in the CITY OF LAS VEGAS' possession.

SECTION III: TIME OF PERFORMANCE

The basic services as provided in Section I of this Agreement shall be commenced by the CONSULTANT immediately upon receipt of Notice to Proceed from the CITY OF LAS VEGAS and shall terminate with the acceptance of the repairs to the municipal parking facilities; provided, however, that one set of reproducible mylar "as-built" drawings shall be provided to the CITY OF LAS VEGAS for each of the municipal parking facilities within thirty (30) calendar days after the date that the repairs to each facility are accepted by the CITY OF LAS VEGAS.

SECTION IV: COMPENSATION AND MANNER OF PAYMENT

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 THREE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS ($3,800.00) for each municipal parking facility with the prior written approval of the CITY OF LAS VEGAS. CONSULTANT agrees to segregate the cost, expenses and compensation on each municipal parking facility so as to allow the CITY OF LAS VEGAS to ascertain that the expenditures have not exceeded the contract maximums provided under this Section. Compensation shall be computed as 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.

SECTION V: TERMINATION

Throughout the existence of this Agreement, CITY OF LAS VEGAS reserves the right to terminate the services of CONSULTANT immediately upon written notification of the CONSULTANT. Notification of the CONSULTANT is deemed to have occurred upon that date the written notice is received by the CONSULTANT or his representative.

SECTION VI: CITY'S REPRESENTATIVE

The Director of Public Services or his authorized representative is hereby designated as the CITY OF LAS VEGAS' representative with respect to the work to be performed under this Agreement. Said representative shall have complete authority to transmit instructions, receive information, interpret and define CITY OF LAS VEGAS' policies and decisions with respect to the services of the CONSULTANT.

SECTION VII: STANDARD OF PROFESSIONAL SERVICES

All of the professional services herein provided shall conform, where applicable, to the requirements of the following standards:

1. The Uniform Building Code and amendments as published by the International Conference of Building Officials (Latest Edition).

2. The National Electrical Code, as published by the National Fire Protection Association International (Latest Edition).

3. The Uniform Plumbing Code, as published by the Western Plumbing Officials Conference (Latest Edition).

4. The State of Nevada Industrial Commission Codes of Safety Orders.

5. The regulations of the Division of Public Health Engineering, Nevada State Department of Health.

6. Municipal Ordinances in effect at the locations of the work.

7. Regulations of the Fire Department serving the area of construction.

8. Regulations and requirements of the Pacific Coast Fire Underwriters Bureau and International Conference of Building Officials.

9. National Fire Protection Association Pamphlet No. 13.

10. State Fire Marshall's Regulations.

SECTION VIII: CONSULTANT'S EMPLOYEES

The CONSULTANT agrees to employ a certified Fire Safety Engineer throughout the term of this Agreement.

The CONSULTANT shall be responsible for maintaining satisfactory standards of employee competency, conduct and integrity and shall be responsible for taking such disciplinary action with respect to its employees as may be necessary. In the event the CONSULTANT fails to remove any employee from the contract work whom the CITY OF LAS VEGAS deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the CITY OF LAS VEGAS to be contrary to the public interest, the CITY OF LAS VEGAS reserves the right to require the CONSULTANT to remove the employee as a condition for the continuation of this Agreement.

SECTION IX: INSURANCE

A. CONSULTANT shall provide and maintain, and it will require its subcontractors to provide and maintain, in force and effect during the existence of this Agreement to protect himself and the CITY OF LAS VEGAS the following insurance coverage:

1. Nevada Industrial Insurance or equivalent coverage acceptable to the CITY OF LAS VEGAS.

2. Architect & Engineer's Professional Liability Insurance in the amount of FIVE MILLION AND 00/100 DOLLARS ($5,000,000.00) for any one claim and in the aggregate, with a deductible of ONE HUNDRED THOUSAND AND 00/100 DOLLARS ($100,000.00) to be paid by the CONSULTANT.

3. Automobile Liability Insurance in the amount of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS ($500,000.00).

B. Prior to the commencement of this Agreement and as a condition precedent thereto, the CONSULTANT will obtain the insurance coverage required hereunder and will furnish Certificates of Insurance to the CITY OF LAS VEGAS demonstrating the procurement of such insurance.

C. The insurance coverage required herein must be written by a company acceptable to the CITY OF LAS VEGAS and which is licensed to do business in the State of Nevada. The Certificates of Insurance sent to the CITY OF LAS VEGAS must contain a clause to the effect that cancellations, reductions or restrictions shall not be made until thirty (30) days after written notice to the CITY OF LAS VEGAS. In the event that any of the insurance coverage required hereunder is cancelled, reduced or restricted, the CITY OF LAS VEGAS reserves the right to terminate this Agreement.

SECTION X: INDEMNITY

Notwithstanding any of the insurance requirements hereinabove set forth or limits of liability set forth therein, CONSULTANT shall protect, indemnify and hold harmless the CITY OF LAS VEGAS, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the CITY OF LAS VEGAS, its officers or employees may suffer, or which may be sought against, recovered from or obtainable against the CITY OF LAS VEGAS, its officers or employees as a result of, or by reason of, or arising out of the negligent acts or omissions of the CONSULTANT, its subcontractors or agents or anyone directly or indirectly employed by the subcontractor or agent, in fulfillment or performance of the terms, conditions or covenants of this Agreement.

It is expressly agreed that the CONSULTANT shall, at its own cost, defend any and all suits or actions that may be brought against the CITY OF LAS VEGAS, its officers or employees by reason of any act or omission against which the CONSULTANT has indemnified the CITY OF LAS VEGAS. If the CONSULTANT shall fail to do so, the CITY OF LAS VEGAS shall have the right to defend same and to charge all direct and incidental costs of such defense to the CONSULTANT, including court costs and counsel fees.

SECTION XI: ARBITRATION

All claims, disputes and other matters in question between the parties to this Agreement, arising out of or relating to this Agreement or the breach thereof, may, at the option of the aggrieved party be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise. No arbitration, arising out of or relating to this Agreement, shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Agreement except by written consent containing a specific reference to this Agreement and signed by the CITY OF LAS VEGAS and the CONSULTANT, and any other person sought to be joined. Any consent to arbitration involving an additional person or persons shall not constitute consent to arbitration of any dispute not described therein or with any person not named or described therein. This agreement to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the parties to this Agreement shall be specifically enforceable under the prevailing arbitration law.

Notice of the demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. The demand shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

In the event that either party demands arbitration, it is agreed by the parties hereto that all means of discovery, including, but not limited to, depositions and interrogatories will be afforded to the parties involved in the arbitration, with the appointed arbitrator having all authority to impose sanctions against either party for failing to comply with the rules for discovery provided under the Nevada Rules of Civil Procedure.

The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

SECTION XII: INDEPENDENT CONTRACTOR

It is hereby expressly agreed and understood that in the performance of the services provided herein, the CONSULTANT and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the CITY OF LAS VEGAS.

SECTION XIII: OWNERSHIP OF DOCUMENTS

Any reports, plans, information, data, or other documents given, prepared or assembled by the CONSULTANT or any subcontractors with the exception of the original plans and specifications under this Agreement are deemed the property of the CITY OF LAS VEGAS and shall not be made available to any individual or organization without prior written agreement of the CITY OF LAS VEGAS. The original plans and specifications, reproducibles of which are to be provided to the CITY OF LAS VEGAS, are to remain the property of the CONSULTANT, however the CITY OF LAS VEGAS shall have the exclusive right to use and rely upon such originals.

SECTION XIV: ASSIGNMENT

The CITY OF LAS VEGAS and the CONSULTANT each bind itself and its partners, successors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this Agreement, except neither the CITY OF LAS VEGAS nor the CONSULTANT shall assign, sublet or transfer its interest in this Agreement without the written consent of the other. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto.

SECTION XV: PROHIBITION AGAINST CONTINGENT FEES

The CONSULTANT warrants that no person or entity has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee. For breach or violation of this warranty, the CITY OF LAS VEGAS shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

SECTION XVI: PUBLICITY

All publicity concerning the services of CONSULTANT shall be approved by the CITY OF LAS VEGAS.

SECTION XVII: NOTICES

Any notice required under this Agreement shall be sent to the following addresses:

CITY:

CITY OF LAS VEGAS
Director of Public Services
400 East Stewart Avenue
Las Vegas, Nevada 89101

CONSULTANT:

DANIEL, MANN, JOHNSON &
MENDENHALL OF NEVADA
3555 Sough Highland Drive
Las Vegas, Nevada 89109

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

CITY OF LAS VEGAS,
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 ______________________

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 23, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: RESOLUTION TRANSFERRING RIGHTS OF WAY FOR THE I-515 FREEWAY

PURPOSE/BACKGROUND

The State of Nevada Department of Transportation has requested certain rights of way be transferred to the State for the approved extension of I-515 from Eastern Avenue to Charleston Boulevard. (See attached maps)

As indicated on the maps, portions of the requested rights of way will:

1) become a permanent part of the freeway
2) be relinquished to the City upon completion of the project
3) be maintained by the City
4) be developed as roadway by Nevada Department of Transportation to City of Las Vegas Standards and relinquished to the City upon completion of the project.

Staff has no objections to this transfer. The Resolution has been reviewed by the City Attorney's office.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the Commission adopt the Resolution and authorize the Mayor, on behalf of the City Commission, to execute the Resolution.

DONALD E. DONOVAN, P.E.
Director of Public Services

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

States Due: ________

79-3-10

Agenda Item 10/7/81
IV (h) E. 2

RESOLUTION RELATIVE TO TRANSFERRING
RIGHTS-OF-WAY FOR THE I-515 FREEWAY

WHEREAS, the State of Nevada, Department of Transportation, in conjunction with the United States Department of Transportation, Federal Highway Administration, has adopted alignments for construction of the I-515 Freeway between Charleston Boulevard and Eastern Avenue, Clark County, State of Nevada, Project QI-515-1(4)1, E.A. 70789, which alignment has been previously approved by the City Commissioners of Las Vegas, Nevada; and

WHEREAS, the City of Las Vegas owns or controls certain rights-of-way for streets and road purposes; and

WHEREAS, portions of said rights-of-way owned or controlled by the City for street and road purposes will be occupied by the proposed alignment and construction of the I-515 Freeway, said portions being depicted in orange and purple on the attached maps marked EXHIBITS "A1" through "A6", and identified as Parcels 072.604; 072.624; 072.715; 072.964; 073.197; 073.305; 073.721; 073.827; 074.300.

WHEREAS, that portion of streets and alleys as described and delineated in light blue on the attached maps marked "A1", "A5", and "A6", and identified as Parcels 072.732 and 072.752 and portions of Parcels 072.625; 072.744; 074.094; 074.215; 074.227; and 074.268, property and maintenance responsibilities to be transferred to the City at completion of construction; and

WHEREAS, that portion of streets and alleys as described and delineated as brown on the attached set of maps marked EXHIBITS "A1" through "A6" to be occupied during the period of construction only and to be rehabilitated to original condition on portions affected and to be transferred to the City on completion of construction.

WHEREAS, the City believes that alignment and construction of the I-515 Freeway will be of great benefit to the general public.

NOW, THEREFORE, BE IT RESOLVED that the City Commissioners of Las Vegas, Nevada, acting for and on behalf of the citizens of Las Vegas, do hereby grant, transfer, and relinquish to the State of Nevada, Department of Transportation, their right and title and right to occupy the streets and roads and portions thereof as described and delineated in orange and purple on the attached set of maps marked EXHIBIT "A1" through

"A6" and more particularly described as Parcels 072.604; 072.624; 072.715; 072.964; 073.197; 073.305; 073.721; 073.827; 074.300, containing an area of 8.18 acres, more or less.

BE IT FURTHER RESOLVED that the City Commissioners of Las Vegas, Nevada, acting for and on behalf of the citizens of Las Vegas, do hereby grant, transfer, and relinquish to the State of Nevada, Department of Transportation, their right, title and right to occupy the streets and roads and portions thereof as described and delineated in brown on the attached maps marked as EXHIBITS "A1" through "A6", property to be occupied during the period of construction only and to be rehabilitated to original condition on portions affected and property and maintenance responsibilities to be transferred to the City at completion of construction.

BE IT FURTHER RESOLVED that this resolution does not grant, transfer, or relinquish to the State of Nevada, Department of Transportation, any right, title, and interest in and to any utility improvements located thereon whether of record or not.

BE IT FURTHER RESOLVED that the Commissioners of the City hereby authorize the Mayor of Las Vegas to execute any and all documents necessary to grant, transfer, and relinquish all rights, title and interest in the property of the City of Las Vegas to be conveyed to the State of Nevada, Department of Transportation, for the purpose of the alignment and construction of I-515 Freeway all as more fully described above.

Dated this _____ day of __________________, 1981.

APPROVED FOR LEGALITY AND FORM:

____
City Attorney

S
E
A
L

CITY COMMISSIONERS OF THE CITY OF LAS VEGAS

By: ______________________________
WILLIAM A. BRIARE
Mayor

ATTEST:

____
CAROL A. HAWLEY
City Clerk

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 23, 1981

TO:
The Board of City Commissioners

FROM:
DON J. SAYLOR -
DEPUTY CITY MANAGER

SUBJECT: QUITCLAIM DEED TO CLARK COUNTY FOR A PORTION OF SLOAN LANE

PURPOSE/BACKGROUND

The attached Quitclaim Deed to Clark County is to dedicate a radius corner on Sloan Lane and Vegas Valley Drive to the County. (see drawing)

The City of Las Vegas has petitioned Clark County for the vacation of 40 feet of dedicated right of way along the easterly boundary of the Wastewater Treatment Plant to facilitate location of the floodproofing wall which will be built around the Wastewater Treatment Plant.

The County Planning Commission recommended approval of the vacation at their September 17, 1981 meeting, subject to the dedication of a radius corner at Sloan Lane and Vegas Valley Drive. The requested radius corner does not interfere with the proposed floodproofing wall.

Staff has no objections to the dedication.

The City Attorney's office has reviewed the Quitclaim Deed.

FISCAL IMPACT

None

RECOMMENDATIONS

That the City Commission approve the dedication and authorize the Mayor, on behalf of the Commission, to execute the Quitclaim Deed.

DONALD E. DONOVAN, P.E.
Director of Public Services

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

States Due: ______

79-3-10

Agenda Item 10/7/81
IV (h) E. 3

Affix I.R.S. $__________

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That CITY OF LAS VEGAS, a Municipal Corporation

in consideration of $ 1.00, the receipt of which is hereby acknowledged, do hereby remise, release and forever quitclaim to COUNTY OF CLARK

all that real property situate in the __________ County of CLARK
State of Nevada, bounded and described as follows:

That portion of the Southwest Quarter (SW¼) of Section 10, Township 21 South, Range 62 East, M.D.M., in the County of Clark, State of Nevada, described as:

A triangular parcel of land bounded as follows: On the North by the South line of the North 40.00 feet of the Southwest Quarter (SW¼) of said Section 10; on the West by the East line of the West 50.00 feet of the Southwest Quarter (SW¼) of said Section 10; and on the Southeast by the arc of a circle concave Southeasterly, having a radius of 30.00 feet and being tangent to the South line of said North 40.00 feet and to the East line of said West 50.00 feet.

32-25-01

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness their hand s this ______ day of __________, 19___.

CITY OF LAS VEGAS

BY:
WILLIAM H. BRIARE, MAYOR

ATTEST:
CAROL ANN HAWLEY, CITY CLERK

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

On __________
personally appeared before me, a Notary Public
WILLIAM H. BRIARE, MAYOR
CAROL ANN HAWLEY, CITY CLERK

who acknowledged that t he y executed the above instrument.

(SEAL)

Notary Public in and for said County and State

WHEN RECORDED MAIL TO: CITY CLERK
400 E. Stewart Ave., Las Vegas, NV 89101

SPACE BELOW FOR RECORDER'S USE ONLY

City of Las Vegas

AGENDA DOCUMENTATION

Date: Sept. 23, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: NEVADA DEPARTMENT OF TRANSPORTATION RESOLUTION OF CONSENT RELINQUISHING A PORTION OF THE STATE HIGHWAY SYSTEM

PURPOSE/BACKGROUND

The State of Nevada, Department of Transportation has prepared two Resolutions of Consent which will transfer a portion of Harmony Avenue and a portion of Silverstream Avenue to the City of Las Vegas (see Exhibit "A" attached). The right of way for these streets was acquired by the State in preparation for the Las Vegas Expressway construction. The streets are built and have been inspected by City personnel.

The City Attorney's office has reviewed the Resolutions.

FISCAL IMPACT

None.

RECOMMENDATIONS

It is recommended that the City Commission accept these streets and authorize the Mayor, on behalf of the City Commission, to execute the Resolution of Consent to Relinquish.

DONALD E. DONOVAN, P.E.
Director of Public Services

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ____________

79-3-10

Agenda Item 10/7/81
IV (h) E. 4

Parcel #1 EX-F-006-CL-081.457
Parcel #2 EX-F-006-CL-081.757
E.A. 70640

Silver Stream Avenue
Parcel #1 EX-F-006-CL-081.457; Parcel #2 EX-F-006-CL-081.757
E.A. 70640

RESOLUTION OF RELINQUISHMENT

WHEREAS, the Nevada Department of Transportation presently holds all of that certain right-of-way for a portion of Silver Stream Avenue lying within the City of Las Vegas, County of Clark, State of Nevada, extending from the east boundary of the W 1/2 of the W 1/2 of the SW 1/4 of Section 26, T. 20 S., R. 60 E., M.D.M. to the west section line of said Section 26, being a portion of the west 1/2 of the west 1/2 of the southwest 1/4 of said Section 26, and shown as Parcel Number 1 and Parcel Number 2 and delineated by shading on the map, identified as Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, said right-of-way, as shaded on Exhibit "A", is of no further use to the Nevada Department of Transportation; and

WHEREAS, the State of Nevada, Department of Highways entered into a certain occupancy agreement with the City of Las Vegas, namely: Document Number 667024, recorded in Book 708, dated February 15, 1977; and

WHEREAS, one of the conditions of said occupancy agreement was that said streets and alleys as located or relocated and constructed or reconstructed by the State of Nevada, Department of Highways would become part of said City's street and road system upon completion of the contract; and

WHEREAS, said project is now complete.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Department of Transportation, of the State of Nevada, that the following described right-of-way and incidents thereto, being all that land as delineated by shading on Exhibit "A", be and hereby is relinquished to the City of Las Vegas, a political subdivision of the State of Nevada.

Being two parcels of land situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, located across portions of the W 1/2 of the SW 1/4 of Section 26, T. 20 S., R. 60 E., M.D.M., said two parcels more particulary described as follows, to wit:

Parcel No. 1

Being a parcel or strip of land 60 feet in width, being 30 feet wide on each side of the following described centerline, to wit:

> COMMENCING at the northwest corner of the SW 1/4 of Section 26, T. 20 S., R. 60 E., M.D.M.; thence S. 0° 23' 12" E. along the westerly line of said Section 26, a distance of 857.89 feet to the TRUE POINT OF BEGINNING; thence N. 89° 36' 47" E. along the centerline of Silver Stream Avenue, a distance of 100.00 feet to a point; thence from a tangent which bears the last described course curving to the right along said centerline, with a radius of 200.00 feet, through an angle of 59° 03' 35", an arc distance of 206.16 feet to a point; thence S. 31° 19' 38" E. along said centerline, a distance of 355.45 feet to a point; thence from a tangent which bears the last described course, curving to the left along said centerline, with a radius of 200.00 feet, through an angle of 57° 49' 23", an arc distance of 201.84 feet to a point; thence S. 89° 09' 01" E. along said centerline, a distance of 49.39 feet to the point of ending, said point of ending being further described as bearing S. 26° 40' 32" E., a distance of 1514.79 feet from the northwest corner of the SW 1/4 of said Section 26.
>
> The sidelines of said 60 foot right-of-way to be extended or shortened to terminate at the west line of said Section 26 and to terminate at the east line of the W 1/2 of the W 1/2 of the SW 1/4 of said Section 26.

Parcel No. 2

Being a spandrel of land having a radius of 25 feet concave southwesterly; being tangent to and bounded on the east by the east line of the W 1/2 of the SW 1/4 of the SW 1/4 of Section 26, T. 20 S., R. 60 E., M.D.M.; and being tangent to and bounded on the north by the southerly right-of-way line of said 60 foot right-of-way as described above in Parcel Number One. Said parcels being conveyed contain a net area of 1.26 acres, more or less.

It is the intent of this instrument to convey and does convey all of that parcel of land as acquired by the Nevada Department of Transportation, formerly known as Department of Highways, by Document Number 683218, recorded April 4, 1977, in the Official Records, Clark County, Nevada, together with a portion of that parcel of land acquired by the Nevada Department of Transportation, formerly known as Department of Highways, by Document Number 430591, recorded November 1, 1974, and by Document Number 421620, recorded September 24, 1974, in Official Records, Clark County, Nevada.

The above described parcels shall have no access in and to the US-95 Expressway (Project RF-TQF-006-2(10)).

This document is intended to convey and does convey to the City of Las Vegas, pursuant to relinquishment, any and all of the State of Nevada, Department of Transportation's right, title, and interest in and to that portion of Silver Stream Avenue.

ADOPTED this 21 day of August, 1981.

APPROVED AS TO LEGALITY AND FORM:

Deputy Attorney General
Chief Counsel
Department of Transportation
William M. Raymond

$55

ATTEST:

Secretary to the Board
Garth Dull

Director of Transportation
A. E. Stone

BOARD OF DIRECTORS, STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION

Chairman
Robert List

Member
Richard H. Bryan

Member
Wilson McGowan

RESOLUTION OF CONSENT TO RELINQUISH

WHEREAS, the State of Nevada desires to relinquish a portion of the state highway system as shown on Exhibit "A" attached hereto and made a part hereof as if set forth herein; and

WHEREAS, the City of Las Vegas desires that the aforesaid portion of said highway be relinquished to the City of Las Vegas.

NOW THEREFORE BE IT RESOLVED by the City Commission of the City of Las Vegas, County of Clark, State of Nevada, that the City of Las Vegas does hereby consent to the State of Nevada, Department of Transportation, through its Board of Directors, relinquishing to the City of Las Vegas that portion of highway more fully set forth and shaded on Exhibit "A" attached hereto.

DATED this 7th day of October, 1981.

ATTEST:

THE CITY COMMISSION
OF THE CITY OF LAS VEGAS

Carol A. Hawley
City Clerk, Carol Ann Hawley

William H. Briare
William H. Briare, Mayor

CLARK COUNTY NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF

OCT 19 11 24 AM '81

FEE ____ DEPUTY ____
OFFICIAL RECORDS
BOOK INSTRUMENT

1476 1135863

IV (h)
F-1

Harmony Avenue
Portion of Parcels
CL-0006-00430, 00431,
00432, 00433, 00434
EA 70493; 70576

RESOLUTION OF RELINQUISHMENT

WHEREAS, the Nevada Department of Transportation presently holds all that certain right-of-way for a portion of Harmony Avenue lying within the city of Las Vegas, county of Clark, state of Nevada, and shown as parcel number 1, and being 51 feet in width and delineated by shading on the map, identified as Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the State of Nevada, Department of Transportation entered into a certain occupancy agreement with the city of Las Vegas, namely, document number 264247, recorded in book 305, dated February 27, 1973; and

WHEREAS, one of the conditions of said occupancy agreement was that said streets and alleys as located or relocated and constructed or reconstructed by the state of Nevada, Department of Transportation would become part of said city's street and road system, one of which is Harmony Avenue depicted on Exhibit "A", upon completion of the contract; and

WHEREAS, said project is now complete and said right-of-way, as shaded on Exhibit "A" is of no further use to the Nevada Department of Transportation.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Department of Transportation of the state of Nevada, that the following described right-of-way and incidents thereto, being all that land as delineated by shading on Exhibit "A" and identified as parcel number 1, be and hereby is relinquished to the city of Las Vegas, a political subdivision of the state of Nevada.

This document is intended to convey and does convey to the city of Las Vegas, pursuant to relinquishment, any and all of the state of Nevada, Department of Transportation's right, title, and interest in and to that portion of Harmony Avenue, as depicted on attached Exhibit "A".

ADOPTED this 31 day of August, 1981.

APPROVED AS TO LEGALITY AND FORM:

Deputy Attorney General
Chief Counsel
Department of Transportation
Melvin L. Beauchamp

ATTEST:

Secretary to the Board
Garth Dull

Director of Transportation
A. E. Stone

BOARD OF DIRECTORS, STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Chairman
Robert List

Member
Richard H. Bryan

Member
Wilson McGowan

CLARK COUNTY NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF

OCT 19 11 24 AM '81

FEE ____ DEPUTY ____
OFFICIAL RECORDS
BOOK INSTRUMENT

1476 1435864

RESOLUTION OF CONSENT TO RELINQUISH

WHEREAS, the State of Nevada desires to relinquish a portion of the state highway system as shown on Exhibit "A" attached hereto and made a part hereof as if set forth herein; and

WHEREAS, the City of Las Vegas desires that the aforesaid portion of said highway be relinquished to the City of Las Vegas.

NOW THEREFORE BE IT RESOLVED by the City Commission of the City of Las Vegas, County of Clark, State of Nevada, that the City of Las Vegas does hereby consent to the State of Nevada, Department of Transportation, through its Board of Directors, relinquishing to the City of Las Vegas that portion of highway more fully set forth and shaded on Exhibit "A" attached hereto.

DATED this 7th day of October, 1981.

ATTEST:

THE CITY COMMISSION
OF THE CITY OF LAS VEGAS

Carol A. Hawley
City Clerk, Carol Ann Hawley

William H. Briare
William H. Briare, Mayor

CLARK COUNTY NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF

OCT 19 11 23 AM '81

FEE _____ DEPUTY _____
OFFICIAL RECORDS
BOOK INSTRUMENT
1476 1135862

IV-(h)

CONTRACT ADDENDUM

THIS Addendum is hereby made to the Contract made and entered into on the 30th day of June, 1981, by and between the NEVADA STATE DEPARTMENT OF HUMAN RESOURCES, REHABILITATION DIVISION, as "PRINCIPAL," and the CITY OF LAS VEGAS, as the "CITY."

Page one, lines 17-21 are hereby changed to read as follows:

Subject to the availability of funds and subject to all the terms and conditions as herein specified, PRINCIPAL shall pay the CITY, upon written request from the CITY, a total sum not to exceed FORTY-SEVEN THOUSAND FOURTEEN DOLLARS ($47,014.00) for the term of this Contract. Said payment shall be expended according to the following line item detail.

Page one, line 27, is hereby changed to read as follows:

f. Field Trips (in-State) $11,125

Page two, line one, is hereby changed to read as follows:

1. Total $47,014

Page two, line 6 is hereby changed to read as follows:

. . . FORTY-SEVEN THOUSAND AND FOURTEEN DOLLARS ($47,014.00).

Page two, lines 8-9 are hereby changed to read as follows:

. . . not encumbered by September 15, 1982, and all encumbered funds which are not expended by November 15, 1982.

Page two, line 30, is hereby changed to read as follows:

. . . September 15, 1982. However, if the CITY is in default of any of the terms and . . .

Except for the changes herein specified, all other terms and conditions of the original Contract shall remain in full force and effect.

Upon approval, this Addendum shall be incorporated and made a part of the original Contract.

APPROVED BY:

A. R. MARTELLE, DIRECTOR
Nevada State Department of
Human Resources

DELBERT E. FROST, ADMINISTRATOR
Rehabilitation Division
Nevada State Department of
Human Resources

APPROVED AS TO FORM ONLY:

ATTEST:

Carol Ann Hawley

CAROL ANN HAWLEY, CITY CLERK

City of Las Vegas

By Ron Lurie
RON LURIE, MAYOR PRO-TEM

RICHARD BRYAN
ATTORNEY GENERAL

By_______________
Deputy Attorney General

Date_______________

ACL-2099

WJH:ks
09/22/81

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 23, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR AN ENCROACHMENT AGREEMENT TO ALLOW LANDSCAPING AND CANOPIES AT 401 S. CASINO CENTER BLVD.

PURPOSE/BACKGROUND

We have received a request from Paul Richard Goodman on behalf of the Rainbow Vegas Hotel, to allow the existing landscaping and planter in the public right a way, and to permit 2 overhanging entrance canopies in the public right-of-way at 401 South Casino Center Drive.

There is 8' of public right-of-way between the back of curb and the property line, with an existing concrete sidewalk, 5½' in width, adjacent to the back of curb. The applicant proposes to maintain the existing landscape in the remaining right-of-way. The applicant also requests permission to install two entrance canopies, 6' 4" wide, which will encroach 6' into the right-of-way, ending 2' back of curb. The bottom of the canopy will be 8' above the walk. The canopies will be supported by 1½" diameter pipes set 5' back of curb.

Staff has no objection to the encroachment agreement.

The applicant has signed the standard encroachment agreement which has conditions of liability, maintenance, and removal.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Commission approve the encroachment agreement and authorize the Mayor, on behalf of City Commission, to execute the agreement.

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

States Due: ____________

79-3-10

DONALD E. DONOVAN, P.E.
Director of Public Services

Agenda Item 10/7/81
IV (h) E. 5

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 23, 1981

TO:
The Board of City Commissioners

FROM:
DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR AN ENCROACHMENT AGREEMENT TO ALLOW LANDSCAPING IN THE RIGHT-OF-WAY AT 600 SOUTH THIRD STREET

PURPOSE/BACKGROUND

We have received a request from Peter L. Flangas to allow the existing landscaping to remain in the Parkway area, between the curb and sidewalk and between the sidewalk and the property line on 3rd Street and on Bonneville Avenue.

There is 17' of existing public right of way between the back of curb and the property line, with a 5' concrete sidewalk located 9' back of curb. The remaining area is planted in grass and contains 6 mature elm trees.

Staff has no objections to the encroachment agreement.

Applicant agrees to maintain the landscaping and has signed the standard encroachment agreement which has conditions of liability, removal, and maintainance.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Commission approve the encroachment agreement and authorize the Mayor, on behalf of City Commission, to execute the agreement.

DONALD E. DONOVAN, P.E.
Director of Public Services

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item 10/7/81
IV (h) E. 6

AGENDA

City of Las Vegas

Oct. 7, 1981

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

ITEM	Commission Action	Department Action
IV (h). DEPARTMENT OF PUBLIC SERVICES (Continued)		
E. REPORTS/ACTION (Continued)		
7. Nevada Department of Transportation Agreement No. NM281-81-012 for the installation of traffic signals and intersection lighting at two locations. a. Sahara Ave. at Paseo Del Prado/ Teddy Dr. b. Rancho Rd. at Cheyenne Ave.	Lurie - APPROVED Agreement as recommended. Unanimous (Christensen excused)	Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 23, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, DEPUTY CITY MANAGER

SUBJECT: NEVADA DEPARTMENT OF TRANSPORTATION AGREEMENT NO. NM281-81-012 FOR THE INSTALLATION OF TRAFFIC SIGNALS AND INTERSECTION LIGHTING AT TWO LOCATIONS

PURPOSE/BACKGROUND

To minimize danger to pedestrian and vehicular traffic, the City of Las Vegas proposes to cause the construction of traffic signals and intersection lighting in the intersection of Sahara Avenue and Paseo Del Prado/Teddy Drive; and the intersection of Rancho Road (SR599) and Cheyenne Avenue. Since Sahara Avenue and Rancho Road are State controlled roads, an agreement is required to delineate the maintenance responsibilities of the State of Nevada and the City of Las Vegas.

The construction of the traffic signals and intersection lighting at the intersection of Sahara Avenue and Paseo Del Prado/Teddy Drive and the intersection of Rancho Road and Cheyenne Avenue will be accomplished at no cost to the City.

The Sahara Avenue and Paseo Del Prado/Teddy Drive traffic signal and lighting will be paid for by the developer (First Western Savings and John Midby and Associates) of the property Northwest of the intersection.

The Rancho Road and Cheyenne Avenue intersection traffic signal and lighting is being funded by the Regional Transportation Commission of Clark County.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Commission approve the Integrated Cooperative Agreement and authorize the Mayor, on behalf of the City Commission, to execute the Agreement

DISPOSITION

Approved ☐

Disapproved ☐

Held ☐

Status Due: ______________

79-3-10

DONALD E. DONOVAN, P.E.
Director of Public Services

Agenda Item 10/7/81

IV (h) E. 7

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
V. GEORGE F. OGILVIE - CITY ATTORNEY	MEETING RECESSED AT 12:07 NOON AND RESUMED AT 1:30 P.M.	
A. Resolution making a provisional order and notice of hearing on Special Improvement District No. 403 S.I.D. No. 403 Step No. 5-A and 6-A Location: Both sides of Bonanza Road from Eastern Avenue to Pecos Drive Improvements: Installation of parking lanes, curbs and gutters and street lighting and sidewalks.	Item A Lurie - Resolution ADOPTED Unanimous (Woofter excused)	Staff to proceed
B. Selection of Bond Counsel re: S.I.D. No. 438 (Peccole Property)	Item B Lurie - APPROVED as recommended by Attorney. (Retain law firm of Sherman & Howard of Denver, Colorado) Motion carried with Levy abstaining and Christensen excused.	Staff to proceed
C. Annexation Resolution A-5-81 Property Located: 6665 West Del Rey Petitioned by: Thurman White, Associate Superintendent School Facilities Division Clark County School Dist. Acreage: Approximately 40 acres Zoned: R-E (County classification) N-U (City equivalent)	Item C Lurie - Resolution ADOPTED Motion carried with Christensen voting "No".	Staff to proceed
D. Annexation Resolution A-6-81 Property Located: 2480 Maverick Street Petitioned by: Thurman White Associate Superintendent School Facilities Division Clark County School Dist. Acreage: Approximately 18.82 acres Zoned: R-E (County classification) N-U (City equivalent)	Item D Lurie - Resolution ADOPTED Unanimous	Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 25, 19

TO: The Board of City Commissioners

FROM: GEORGE F. OGILVIE
City Attorney

SUBJECT: RESOLUTION MAKING A PROVISIONAL ORDER AND NOTICE OF HEARING ON SPECIAL IMPROVEMENT DISTRICT NO. 403

PURPOSE/BACKGROUND

S.I.D. NO.	403	
STEP NO.	5-A	Resolution making a Provisiona Order to the effect that the work of improvement of certain streets and parts thereof.
	6-A	Notice of Hearing on the imprc ment of certain streets and parts thereof.
LOCATION	Both sides of Bonanza Road from Eastern Avenue to Pecos Drive.	
IMPROVEMENTS	Installation of parking lanes, curbs and gutters and street lighting and sidewalks.	

FISCAL IMPACT

RECOMMENDATIONS

It is recommended that the Board of City Commissioners adopt this Resolution and the Notice.

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ____________

79-3-10

Agenda Item
V-A

R E S O L U T I O N

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT THE WORK OF IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 403 SHALL BE DONE.

WHEREAS, the Board of Commissioners of the City of Las Vegas, in the County of Clark and State of Nevada, has directed the City Engineer to file with the City Clerk, who is also the Clerk of said Board of Commissioners, certain preliminary estimates of costs, and estimates of maximum benefits; all in connection with the installation of street improvements within that certain area of said City hereinafter described; all pursuant to Chapter 271 of Nevada Revised Statutes, and all laws supplemental thereto; and

WHEREAS, the City Engineer, on the 1st day of October, 1981 filed at the office of the Clerk of said City and of said Board of Commissioners, in connection with said improvements and with its proposed Las Vegas, Nevada, Special Improvement District No. 403 the following:

A. Preliminary plans showing typical sections of the contemplated improvements, the type or types of material, and preliminary estimates of the costs of such improvements;

B. Preliminary estimates of the total cost of each type of construction, said estimates being made in a lump sum or by unit prices, and, further, including in said estimates without limiting the generality of the foregoing, the advertising, appraising, engineering, printing, and such other expenses as in the judgment of said Engineer are necessary or essential to the completion of such work of improvement, and the payment of the costs thereof;

. . .

. . .

C. Assessment plats showing the areas to be assessed and the amount of maximum benefits estimated to be assessed against each lot or parcel or property in the assessment district, such estimates being computed on an areas basis, as heretofore designated by said Board of Commissioners; proved that an equitable adjustment will be made for assessments to be levied against any irregular lots or parcels, so that assessments according to benefits will be equal and uniform; and

WHEREAS, the Board of Commissioners has examined said plans, assessment plats, typical sections of contemplated improvements, preliminary estimates of costs, and estimates of maximum benefits, so filed with said Clerk, and has found, and does hereby declare the same to be satisfactory in all respects;

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 7th day of October, 1981 at 10:00 A.M., that the Board of Commissioners shall and hereby does accept said plans, assessment plats, typical sections of contemplated improvements, preliminary estimates of costs, and the estimates of maximum benefits to be assessed against each tract or parcel of land in the assessment areas.

BE IT FURTHER RESOLVED that said Board of Commissioners shall, and hereby does PROVISIONALLY ORDER THAT:

SECTION 1. That street improvements shall be installed within that certain area of the City hereinafter described, all as more particularly hereinafter set forth and as described in said plans herein accepted, reference to which is hereby made and which are available for public examination at the office of the said City Clerk, and at a total estimated cost of $400,804.00 including engineering, legal and incidental expenses.

SECTION 2. The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to the benefits received and shall be assessed against the property abutting said improvements on an area basis, i.e., on the basis that each lot or parcel of property to be assessed in each such assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment in the proportion that the area of said lot or parcel bears to the area of all assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing the area of such lot or parcel; provided that in each assessment unit an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum benefits estimated to be conferred upon each lot or parcel of property shall be as stated in the aforesaid assessment plat.

Regardless of the basis used by apportioning assessments, in case of wedge or "V" or other irregularly shaped tracts, an amount apportioned thereto shall be in proportion to the special benefits to be derived.

SECTION 3. The area comprising said streets to be improved and said property to be assessed (i.e., all of said assessment units), shall be designated "Las Vegas, Nevada, Special Improvement District No. 403".

SECTION 4. On Wednesday, the 4th day of November, 1981 at the hour of 2:00 P.M., at the Commission Chambers in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, or any time prior to said date and time at the Office of the City Clerk in City Hall in said City, the owners of the property to be assessed, or any other person interested therein, may file written protests or objections, and may appear before the Board of Commissioners at said time and place and be heard as to the propriety of making such improvements, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against the property to be so improved. Twenty (20) day's notice in writing of such time and place shall be given to such property owners, which shall be served by the City Clerk by mailing a copy of such notice, postage prepaid, as first-class mail, to the last known address of each last known owner of property within each assessment unit whose property will be assessed for the costs of such improvements, such names and addresses of such property owners being those appearing on the local property assessment rolls for general (ad valorem) taxes on file in the Office of the County Assessor of Clark County, Nevada, wherein said property is located. Notice shall also be given by the City Engineer by posting a copy of such notice in three public places at or near the site of the proposed work in each assessment unit at least twenty (20) days prior to said hearing. Proof of such mailing and posting shall be made by the affidavit of the City Clerk or of the City Engineer as the case may be, such proof to be filed with the City Clerk; provided, however, that the fact that the person to whom any such notice is addressed does not receive the same shall not invalidate or affect the legality of the notice given thereby and shall not invalidate or affect the legality of of any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publishing a copy of such notice in the Las Vegas Review Journal, a newspaper published in the City of Las Vegas, Nevada, and of general circulation in said City of Las Vegas, once each week for three consecutive weeks, by three weekly insertions, the first publication to be at least fifteen (15) days prior to the date of the protest hearing. Not less than fourteen (14) days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher and filed with said City Clerk. Said notice shall be in the form as indicated in Exhibit "B", attached hereto and by reference made a part hereof.

SECTION 5. That the City Clerk and the City Engineer are hereby authorized to advertise for bids on the contemplated work by advertising at least once a week for three consecutive weeks by three weekly insertions in the Las Vegas Review Journal, a newspaper of general circulation in the City of Las Vegas; provided that not less than fourteen (14) days shall intervene between the first publication and the last publication; provided that the last publication shall be at least five (5) days prior to the receipt of bids; and provided that no contract shall be awarded until after the aforesaid hearing and until after the creation of said District by ordinance.

INTRODUCED, PASSED AND ADOPTED this 7th day of October, 1981.

APPROVED:

Ron Lurie

RON LURIE, MAYOR PRO-TEM

ATTEST:

Carol A Hawley

CAROL ANN HAWLEY, CITY CLERK

CITY COMMISSION MINUTES OCTOBER 7, 1981

City of Las Vegas

AGENDA DOCUMENTATION

Date: Oct. 5, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY

SUBJECT: Selection of Bond Counsel re: S.I.D. No. 438 (Peccole Property)

PURPOSE/BACKGROUND

It is estimated that the costs to be incurred in the Special Improvement District which is proposed to be created for the installation of the off-site improvements during the development of the newly annexed property which is owned by William Peccole and his associates will be somewhere between $3,500,000.00 and $4,500,000.00. Since a project of this size dictates that special improvement district bonds be sold to finance the construction of the improvements, and since such bonds cannot be marketed without the approving opinion of a recognized bond counsel, it is my recommendation that bond counsel be retained at the very outset of this project.

I feel that the counsel who has the ultimate responsibility to pass upon the legality of the bond issue should also be involved in the legal decisions with respect to the many questions which will be encountered during the course of the project. Otherwise, bond counsel, after it has been retained, may disagree with the previous advice of this office on a particular question and refuse to approve the bonds. In such event, the money which the City would have advanced up to that point would not be recoverable. On the other hand, since bond counsel's fees are based upon a percentage of the principle amount of the bonds sold, retaining a bond counsel at the outset of the project will not increase the amount of its fee in this matter.

It is my further recommendation that the law firm of Sherman and Howard of Denver, Colorado, be retained as such bond counsel. This firm has done extensive bonding work in the State of Nevada and was bond counsel for the City on approximately 20 special improvement districts, the parking facility bonds and the City Hall bonds which I handled during my tenure as chief deputy city attorney during the 1960s. I also worked closely with it on bond matters when I was county counsel and county manager. Although I have had experience with several other bond counsel, I have always felt more comfortable in dealing with Sherman and Howard and have been more confident in relying upon its advice.

I have discussed the question of fees with Mr. Robert M. Johnson of that firm, and he advises me that its fee for a special assessment district bond issue of this magnitude would be somewhere in the range of $27,000.00 to $29,000.00. Additionally, if the City chooses to retain that firm to do the disclosure work in the preparation of an offering statement in connection with the proposed issue, its fee for the disclosure work would be somewhere in the the range of $15,000.00 to $30,000.00.

Since the work on the assessment district will be entirely unrelated to the disclosure work, the City could make a decision to retain the firm to do the assessment district work at this time and delay making a decision concerning whether or not it also wishes the firm to do the disclosure work until a later date. Incidentally, the fees for both the assessment district work and the disclosure

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

States Due: ____________

79-3-10

Agenda Item: V-B

City of Las Vegas

AGENDA DOCUMENTATION

Date: Oct. 2, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY

SUBJECT: Selection of Bond Counsel re: S.I.D. No. 438 (Peccole Property)

PURPOSE/BACKGROUND

work will be properly chargeable against the project, as any other expense, and will be paid out of the proceeds of the bond sale.

FISCAL IMPACT

$27,000.00 to $29,000.00 to be paid out of the proceeds of the sale of the Special Assessment District bonds.

RECOMMENDATIONS

It is recommended that the Board of Commissioners approve the retention of the law firm of Sherman and Howard of Denver, Colorado, to act as bond counsel in connection with the proposed Special Improvement District No. 438.

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ____________

79-3-10

Agenda Item

V-B

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 30, 1981

TO: The Board of City Commissioners

FROM: City Attorney
Christopher H Gellner

SUBJECT:
Annexation Resolution A-5-81

PURPOSE/BACKGROUND

The attached resolution begins the annexation process for certain real property, directs the City Clerk to give notice of public hearing, sets public hearing and directs the Director of Public Services and Director of Community Planning and Development to prepare certain maps.

The following is pertinent information:

Annexation No.:	A-5-81
Property Located:	6665 West Del Rey Las Vegas, Nevada
Petitioned By:	Thurman White, Associate Superintendent School Facilities Division Clark County School District 2832 East Flamingo Road Las Vegas, Nevada 89121
Acreage:	Approximately 40 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACT

RECOMMENDATIONS

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

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item
V - C

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 30, 1981

TO: The Board of City Commissioners

FROM: City Attorney Christopher D. Neller

SUBJECT: Annexation Resolution A-6-81

PURPOSE/BACKGROUND

The attached resolution begins the annexation process for certain real property, directs the City Clerk to give notice of public hearing, sets public hearing and directs the Director of Public Services and Director of Community Planning and Development to prepare certain maps.

The following is pertinent information:

Annexation No.:	A-6-81
Property Located:	2480 Maverick Street Las Vegas, Nevada
Petitioned By:	Thurman White, Associate Superintendent School Facilities Division Clark County School District 2832 East Flamingo Road Las Vegas, Nevada 89121
Acreage:	Approximately 18.82 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACT

RECOMMENDATIONS

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

DISPOSITION

Approved ☐

Disapproved ☐

Held ☐

Status Due: __________

73-3-10

Agenda Item

V - D

ITEM	Commission Action	Department Action
V. GEORGE F. OGILVIE - CITY ATTORNEY		
E. Discussion and Possible Action on the Resolution Setting Forth the City of Las Vegas' Criteria for the Potential Establishment of a Valley-Wide Flood Control District. (Addendum Item No. 2) NOTE: To be acted upon after 3:30 P.M. due to time of posting.	Christensen APPROVED Resolution Unanimous (Note: this item heard at end of meeting.)	Staff to proceed

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
VI. REPORTS FROM RECOMMENDING COMMITTEES		
A. BILL NO. 81-50 - FIRST AMENDMENT - PROVIDES FOR THE LICENSING AND REGULATION OF BUSINESSES IN THE DEVELOPING, PROMOTING AND SELLING OF TIMESHARING PROGRAMS AND PROJECTS. Committee: Commissioners Levy and Lurie 1st Publication: SUN 9/30/81 Committee Recommendation: Adoption, as amended, at 10/7/81 meeting.	Woofter - ABEYANCE until 10/21/81. Motion carried with Levy & Christensen voting "no".	10/21/81 Agenda
B. BILL NO. 81-62 - FIRST AMENDMENT - REVISES THE CHAPTER REGULATING GAMING AS A PART OF RECODIFICATION AND TO CONFORM TO STATE LAW. Committee: Commissioners Lurie and Woofter 1st Publication: SUN 9/21/81 Committee Recommendation: Adoption, as amended, at 10/7/81 meeting. No action to be taken until after 2 PM Public Hearing on this Bill.	Lurie - Second Reading and ADOPTED as per Third Amendment. Unanimous (NOTE: This action is what transpired on this Bill at 2:00 P.M. Public Hearing. See also Page 39.)	Clerk to proceed with second publication.
C. BILL NO. 81-63 - FIRST AMENDMENT - AN ORDINANCE RELATING TO SECONDHAND DEALERS: REQUIRING A LICENSE TO ENGAGE IN BUSINESS AS A SECONDHAND DEALER: PROVIDING EXCEPTIONS THERETO: CLASSIFYING DEALERS ACCORDING TO VARIOUS KINDS OF GOODS DEALT WITH: RESTRICTING LOCATIONS OF SAID BUSINESSES; REQUIRING REPORTS AND RECORDS: REGULATING THE OPERATION OF SUCH BUSINESSES, PROVIDING FOR LICENSE FEES: REPEALING ORDINANCES IN CONFLICT HEREWITH AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. Committee: Commissioners Lurie and Woofter 1st Publication: SUN, 9/30/81 Committee Recommendation: Adoption, as amended, at 10/7/81 meeting.	Lurie - Second Reading and ADOPTED as per First Amendment. Motion carried with Christensen abstaining.	Clerk to proceed with second publication.

APPROVED AGENDA ITEM

Ashley Hall

ANNOTATED MINUTES

BILL NO. 81-50

RECOMMENDING COMMITTEE MEETING

September 8, 1981

COMMITTEE: Commissioner Lurie
Commissioner Levy

PRESENT: Don Saylor, Deputy City Manager
George Ogilvie, City Attorney
Jan Stewart, Deputy City Attorney
Jerry Cahill, Director, Business Activity
Marge Hether, Chief of Privilege License Division
Lois Solomon, Management Analyst
Kathleen England, Deputy City Attorney
Paul M. Nutter, Better Business Bureau of Southern Nevada
Dave Cook, Tourex Corporation
Philip A. Murphy, Jr., American International Vacations
Attorney Harry Reid, Reid & Alverson
Attorney Robert Bilbray, Bilbray & Gibbons, Chartered
James Friese, Sunward Sales
James DiFiore, Licensing
E. George Triphon, Holiday Clubs International
Kermitt J. Waters, First American Travel Club
M. P. Dyer, Grand Flamingo Club
Charles Fleming, Las Vegas Chamber of Commerce
Linda Owens, Deputy City Clerk
Carol Ann Hawley, City Clerk

BILL NO. 81-50 - PROVIDES FOR THE LICENSING AND REGULATION OF BUSINESSES IN THE DEVELOPING, PROMOTING AND SELLING OF TIMESHARING PROGRAMS AND PROJECTS.

Attorney Harry Reid addressed the Committee. He and Attorney Phil Murphy were present to represent American International Vacations. That firm has approximately 500 suites on timesharing in the Las Vegas area and as a result, brings a potential of 70,000 people to visit Las Vegas each year and Mr. Reid emphasized the sizeable contribution this many people makes to the economy. Mr. Reid related his concerns with the bill which were that unlike the County ordinance, the City's draft required one-half of one-precent of gross sales as a tax. He indicated this would be a nightmare to account for. Commissioner Levy asked Mr. Reid what properties his client operated and he replied those were the Carriage House, Cambridge Towers and Racquet Club in Las Vegas; All Seasons Resort in Lake Tahoe; a number in Hawaii and Florida. Their office is located at 1820 W. Sahara. Mr. Reid also was concerned with the bill's seven-day "cooling off" period and indicated the normal was 3 days and that Hawaii at present had the most stringent timesharing ordinance and even that contained only a 5 day "cooling off/rescinding" period. He recommended that the City change the bill to a 3 day period as was Clark County's. Mr. Reid also expressed concern over the ordinance governing sales made in the City for properties outside the city and indicated the bill as written would be a bureaucratic nightmare to comply with.

The Committee then heard from Dave Cook, Vice-President of Tourex Corporation. (Dave was formerly employed by the State of Nevada's Division of Consumer Affairs.) He was concerned with the $50,000 bonding provision of the bill and felt that the consumer could be better protected by such wording in the bill as: "until collected or the end of the rescission period or until the time that there's enough money to guarantee any incumbrances against subject property." He also disagreed with the 7 day provision for "cooling off" and preferred the standard 3 days. He also expressed the disclosure provision in the bill posed great difficulty in compliance.

The Committee then heard from Attorney Robert Bilbray. He went through with the Committee all the criticism of the bill he had formerly expressed to them in his letter of September 4. He emphasized the contribution timesharing made to the tourist economy. He expressed concern over the ordinance's control over sales made in the City that were for properties out of the City and the licensing requirements. He also felt the rescission period was entirely too long, stating that in some cases counting weekends, it would add up to 11 days. He was concerned that the disclosure statement would have to be on every piece of advertisement. He also was concerned that there was no news media exemption on the disclosure portion of the bill. He was concerned also about the bonding requirement. He said that both the Clark County and Hawaii's bonding requirements provided bonding during the period of time allowed for refunds. He said the City's bill had that bond but in addition another bond, a bond basically to indemnify the City, and that he was not at all sure this type of bond was available and additionally, he felt it was a duplication of bonding. He said the offering disclosure requirements of Paragraph 10 on a multi-location and multi-state project would require almost daily amendments in order to comply and have the adequate disclosures. He also questioned whether the City would have adequate staff to regulate and enforce these provisions, i.e. product review and property site inspections and monitoring. Commissioner Levy affirmed his position stating he felt the City should be aware of a company's changes through monitoring. Bilbray also recommended the City consider a land use ordinance in conjunction with the timesharing ordinance and also the potential effect of a transient occupant room tax income, all at the same time, in order to have a comprehensive set of ordinances. Commissioner Levy said the City also had need to look at its zoning ordinances, i.e. converting an apartment complex into timesharing.

Commissioner Lurie directed City Attorney Ogilvie to draft an ordinance whereby when an apartment complex is converted to a timesharing program that that would have to come before the Board of City Commissioners for review and approval. Commissioner Levy said in conjunction that the City might want to add to an ordinance requirements for conversion of a single family residence as well.

Discussion was then held amongst the Committee, City staff and Paul Nutter, Dave Cook, Attorneys Bilbray and Reid and James Friese, Sunward Sales regarding the rescission period. The citizens all supported a three-day rather than seven-day period.

City Attorney Ogilvie then addressed some of the concerns expressed by the public. He advocated leaving the owners of timesharing projects to be licensed in that it was very important for the City to have this control, i.e. experiences the City had had in vacation certificates in recent years. Attorney Bilbray asked if the City could live with the bill applying to only owners of projects located within the City of Las Vegas. Ogilvie stated his feelings were not entirely limited to that situation. Commissioner Levy stated he had rather leave this language in the bill and allow for waivers.

City Attorney Ogilvie then addressed Mr. Reid's complaint regarding 1/2 of 1% gross sales as a license fee. He said he did not know if it was the amount of tax that was his concern or the accounting of same. Mr. Reid stated the County did not have this provision and that if the City was concerned about costs of investigation, that this should be borne by the applicant and that this should not be a revenue-generating ordinance. Mr. Reid said it would be a nightmare accounting-wise. Mr. Reid was apprised by Mr. Bilbray and members of the Committee that the County did have a tax, that being 1% gross sales tax and that the City's proposal was less. It was pointed out that the proposed ordinance perhaps should be more specific as to what was indeed the gross sales, i.e. accounting for refunds, etc. Phillip Murphy of American International Vacations stated that timesharing plans are normally purchased on a deferred basis and asked if under this bill they entire purchase was taxed or only that portion of money that was collected and Commissioner Levy stated it would be on the total purchase price. Discussion was then held about cancellations of timesharing and the effect on the tax paid. Bilbray stated that the County made adjustments on the tax for cancellations as much as two years later and that the County issued a credit and that the City's tax in actuality would be higher than 1% if they were to be taxed on unrecognizable receivables. Commissioner Levy stated his strong feelings that tax credit refunds should be made only on rescissions and cancellations, those being transactions prior to actual closing, but not on cancellations after the close of sale.

City Attorney Ogilvie next addressed 5-47-6 and 5-47-17, the refunds, registration fees and bonding. Mr. Bilbray had expressed concern over the duplication of bonding, the $5,000 bond on page 8 and the $50,000 bond on page 14. Mr. Ogilvie agreed with his concerns and stated he felt the $5,000 bond on page 8 and references thereto should be removed in that the $50,000 (page 14) really covered what the City was striving for. Ogilvie stated that on Line 13, Page 8, after the letters "t i o n" he would recommend putting a period (.) and then strike thebalance of that section with reference to the $5,000 bond.

Dave Cook asked if changes could be made to the ordinance in regarding to bonding as it relates to out of city sales. After discussion the Committee requested the City Attorney to change the language to require a copy be filed of whatever bonds are filed and require the insurance company to give the City notice of any cancellation.

BILL 81-50
Page 4

City Attorney Ogilvie then addressed the degree of disclosure as concerned Mr. Bilbray on page 9, section 10, and stated he felt it was important to keep this language and that it was not too onerous. Harry Reid stated that 5-47-11 and 5-47-10 were duplicates and confusing. Commissioner Levy stated these were important in that he wanted the public informed at the time they were offered "freebies" as well as at the time of sale.

Next was discussed the "cooling off" period. Ogilvie was directed after discussion by Commissioner Lurie to amend the bill from 7 days to 3 days.

The next Recommending Committee meeting on this bill was set for 3 P.M., Monday, September 21, 1981.

City of Las Vegas

AGENDA DOCUMENTATION

Date: Oct. 5, 1981

TO: The Board of City Commissioners

FROM: ~~CITY ATTORNEY~~

SUBJECT: Bill No. 81-62 Revises the chapter regulating gaming as a part of recodification and to conform to State law

PURPOSE/BACKGROUND

Bill No. 81-62 revises the chapter regulating gaming. This bill is submitted as a part of the recodification effort. Amendments to the chapter were made to correspond with the new chapter 4 of our code which is applicable to all privileged businesses.

Some definitions in the chapter were changed to more clearly follow state law. Gaming fees were not increased. However, penalties for delinquent payments were added to the chapter. These are not new. They have been imposed by the Department of Business Activity for years. They will merely be codified by this ordinance.

The Recommending Committee approved amendments which retain a special public hearing on all amendments to the section that sets up special districts for nonrestricted gaming. The amendment appears in 5-17-7 (p. 6) and requires a public hearing by the entire board, the same as has been in our code for many years. The procedures for notice have been slightly changed for clarification purposes. The amendment requires that the City Clerk mail to each nonrestricted licensee a notice of the hearing. Under the old procedure several alternative methods for notice were provided; such as publication of a legal notice. The notice provided in the amendment is the one that will most likely give notice to the people concerned. We have not required "certified" mail because of the expense and extra staff time involved.

The Recommending Committee also approved an amendment that provides for the City to accept a suitability finding by the State for all gaming licenses except one which is limited to 35 or fewer slot machines and no other gaming devices. The Board, however, may make a determination that an investigation is required in a particular case and request that one be made not withstanding a finding of suitability by the State. This amendment is found in Section 5-17-12 and is substantially the same as that which is now in our code.

FISCAL IMPACT

RECOMMENDATIONS

It is recommended that this Bill be adopted by the Board of City Commissioners

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ________________

79-2-10

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 14, 1981

TO:
The Board of City Commissioners

FROM: [signature]
CITY ATTORNEY

SUBJECT: Bill No. 81-63 Revises the Chapter on secondhand dealers as a part of recodification

PURPOSE/BACKGROUND

Bill No. 81-63 revises the chapter regulating secondhand dealers. It is submitted as a part of the recodification effort and contains the changes required in order to conform with the new Chapter 4 which applies to all privileged businesses. The amount of the bond has been increased from $1,000 to $5,000 for Class I and II secondhand dealers. This amount is more consistent with that which we require of pawnshops and auctioneers. The location of secondhand stores is regulated by the zoning chapter, however this ordinance specifies that no new secondhand stores can be located on Fremont Street or on Las Vegas Boulevard South between Charleston and Sahara.

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 for final action.

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item
VI-C

ITEM	Commission Action	Department Action
VI. REPORTS FROM RECOMMENDING COMMITTEES (Continued)		
D. BILL NO. 81-64 - FIRST AMENDMENT - REVISES THE CHAPTER REGULATING AUCTIONS AS A PART OF RECODIFICATION. Committee: Commissioners Lurie and Woofter 1st Publication: SUN, 9/23/81 Committee Recommendation: Adoption at 10/7/81 City Commission meeting as amended.	Lurie - Second Reading and ADOPTED as per First Amendment. Unanimous	Clerk to proceed with second publication.
E. BILL NO. 81-65 - REVISES THE CHAPTER ON HEARING EXAMINERS AS A PART OF RE-CODIFICATION. Committee: Commissioners Lurie and Woofter 1st Publication: SUN, 9/23/81 Committee Recommendation: Adoption at 10/7/81 City Commission meeting.	Lurie - Second Reading and ADOPTED. Unanimous	Clerk to proceed with second publication.
F. BILL NO. 81-66 - FIRST AMENDMENT - REVISES THE CHAPTER ON PAWNBROKERS AS A PART OF RECODIFICATION. Committee: Commissioners Lurie and Woofter 1st Publication: SUN, 9/23/81 Committee Recommendation: Adoption at 10/7/81 City Commission meeting as amended.	Lurie - Second Reading and ADOPTED as per First Amendment. Unanimous	Clerk to proceed with second publication.

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: Sept. 11, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY Jan Stewart

SUBJECT: Bill No. 81-64 Revises the chapter regulating auctions as a part of recodification

PURPOSE/BACKGROUND

Bill No. 81-64 revises the chapter which regulates auctions. This bill is a part of recodification and amends the chapter to correspond with the new chapter 4 of our code which pertains to all privileged businesses.

Other changes were made at the suggestion of a holder of a city auction license to make the regulations more streamlined. Such as, in the past a person had to get a new license for every auction. Under Bill No. 81-64 a person does not have to be re-licensed for every auction, but merely obtains a permit which is approved by the Director of Business Activity.

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 for final action.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item
VI-D

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 11, 198

TO:
The Board of City Commissioners

FROM:
CITY ATTORNEY
Jan Stewart

SUBJECT: Bill No. 81-65 Revises the chapter on hearing examiners as a part of recodification

PURPOSE/BACKGROUND

Bill No. 81-65 amends the chapter pertaining to hearing examiners. This ordinance is submitted as a part of the recodification effort. The old ordinance contemplated a permanent appointnent of a hearing examiner along with a deputy hearing examiner. By practice, hearing examiners have been appointed on a case by case basis. Bill No. 81-65 conforms the chapter to our normal practice. You should also be aware that the hourly fee to be paid the examiner has been increased from $25.00 per hour to $35.00 per hour.

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 for final action.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item
VI - E

City of Las Vegas

AGENDA DOCUMENTATION

Date: Sept. 11, 1981

TO:
The Board of City Commissioners

FROM:
CITY ATTORNEY

SUBJECT: Bill No. 81-66 Revises the chapter on pawnbrokers as a part of recodification

PURPOSE/BACKGROUND

Bill No. 81-66 revises the chapter regulating pawnbrokers. This bill is submitted as a part of the recodification effort. Amendments to the chapter were made to correspond with the new chapter 4 of our code which is applicable to all privileged businesses. In addition, changes were made to conform with State law which now allows a pawnbroker to charge interest at the rate of 5% per month rather than 4%, as in the past.

Other changes were made to streamline the ordinance at the suggestion of one of our licensees. The Las Vegas Metropolitan Police Department has reviewed the ordinance and provided helpful information.

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 for final action.

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item
VI-F

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
VI. REPORTS FROM RECOMMENDING COMMITTEES (Continued)		
G. BILL NO. 81-67 - REVISES THE CHAPTER ON HEARINGS BEFORE THE BOARD CONCERNING APPEALS FROM DEPARTMENT DECISIONS AND LICENSE DISCIPLINARY PROCEEDINGS AS A PART OF RECODIFICATION. Committee: Commissioners Lurie and Woofter 1st Publication: SUN, 9/23/81 Committee Recommendation: Adoption at 10/7/81 City Commission meeting.	Lurie - Second Reading and ADOPTED. Unanimous	Clerk to proceed with second publication.
H. BILL NO. 81-69 - ESTABLISHES A COMMITTEE TO INSTITUTE AND SUPERVISE A COURSE ON THE USE AND ABUSE OF ALCOHOL AND CONTROLLED SUBSTANCES PURSUANT TO THE NEW SO-CALLED DRUNK DRIVING LAW AND PROVIDES FOR MEMBERSHIP THEREON AND THE SALARIES OF THE MEMBERS THEREOF. Committee: Commissioners Woofter and Lurie 1st Publication: SUN, 9/30/81 Committee Recommendation: Referred to the Commission as a whole without recommendation for consideration at the 10/7/81 meeting.	Lurie - ABEYANCE until 10/21/81 meeting. Motion carried with Christensen voting "no".	10/21/81 Agenda

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: Sept. 11, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY

Jan Stewart

SUBJECT: Bill No. 81-67 Revises the chapter on hearings before the Board concerning appeals from Departmet decisions and license disciplinary proceedings as a part of recodification

PURPOSE/BACKGROUND

Bill No. 81-67 amends the chapter dealing with procedure by the Board when it is holding a disciplinary hearing against a licensee or others as provided by the code. This ordinance is submitted as a part of the recodification effort.

A substantive change was made to require an answer to be filed by the person or business charged for violations. Also the original provision that required the Board to hear these matters within 45 days has been extended to 60 days. It is hoped that such hearings will be held early but there have been occasions in the past due to other pressing business when it was extremely difficult to meet the 45 day requirement.

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 for final action.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

States Due: ______________

79-3-10

Agenda Item

VI. - G

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss
CITY OF LAS VEGAS)

Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 16th day of September, 1981, at the hour of 2:00 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 3:00 P.M. on Monday, September 21, 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).

Loretta A. Hall
SIGNATURE

City Clerk
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this 16th day of September, 1981

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

NOTARY PUBLIC
Monice P. Keller
STATE OF NEVADA
COUNTY OF CLARK
MY APPOINTMENT EXPIRES
January 23, 1984

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 17th day of September, 1981, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 3:00 P.M., on Monday September 21, 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).

Joanne Perry

SIGNATURE (an employee in the Office of the CITY CLERK)

Subscribed and sworn to before me this

17th day of September 1981

Linda M. Owens

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

LINDA M. OWENS
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Exp. Aug. 12, 1984

AFFIDAVIT OF POSTING

CITY COMMISSION MINUTES OCTOBER 7, 1981
(Posting required under the provisions of NRS CHAPTER 241)

0163

STATE OF NEVADA)
COUNTY OF CLARK) ss
CITY OF LAS VEGAS)

Gloria James, Mildred Edwards an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 17th day of September 1981 at the hour of 12:00 p.m. there were posted copies of a NOTICE, the attached of which is a true and correct copy of an AMENDED INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 3 P.M. , on Monday, September 21st, 1981, in the City Manager's Conference Room, 10th Floor, City Hall, 400 E. Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Boards 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 Edwards, Gloria James
SIGNATURE

General Services 1223
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

24th day of September, 1981

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

MONICE P. KELLER
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Jan. 23, 1984

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date September 22, 1981

TO: FILE

FROM: CAROL ANN HAWLEY
CITY CLERK

SUBJECT: MEETING OF RECOMMENDING COMMITTEE
PROPOSED NEW BILLS
SEPTEMBER 21, 1981

COPIES TO:
All Agenda Books for 10/7/81 City Commission Meeting.
Business Activity Department
Community Planning & Development Dept.
Building & Safety Department
Public Services Department

MEETING HELD: 3:00 P.M., September 21, 1981, City Manager's Conference Room, 10th Floor, City Hall. Meeting adjourned at 5:10 P.M.

PRESENT:
Commissioner Lurie
Commissioner Levy
Commissioner Woofter
Russ Dorn, City Manager
George Ogilvie, City Attorney
Jan Stewart, Deputy City Attorney
Jerry Cahill, Director, Business Activity
Kerry Miller, Municipal Court Administrator
Judge Don Mosley, Municipal Court
Linda M. Owens, Deputy City Clerk
Carol Ann Hawley, City Clerk
Jim DiFiore, Business Activity
Attorney Philip Murphy, Jr., American International Vacations
Attorney Harry Reid, Reid & Alverson
Dave Cook, Tourex Corporation
Paul M. Nutter, Better Business Bureau of Southern Nevada
Liz Thompson, Mid-City Furniture
Robert Deiro, Robert Deiro & Associates
Joan Deiro, Robert Deiro & Associates
R. Smith, Leasehills Corporation
Herb Jones, Downtown Recreation Association
James Loomey, The Gold Buyers
Eli Welt, Bobby's Pawn Shop
Dale W. Beasey, Bilbray & Gibbons

3:00 P.M.

A. BILL NO. 81-50 - PROVIDES FOR THE LICENSING AND REGULATION OF BUSINESSES IN THE DEVELOPING, PROMOTING AND SELLING OF TIMESHARING PROGRAMS AND PROJECTS.
Committee: Commissioners Levy and Lurie

City Attorney George Ogilvie said amendments had been made to this Bill, but since the interested citizens had been unable to review the Bill prior to the meeting, the Committee referred it to the Recessed Recommending Committee meeting on Monday, September 28, 1981 at 4:00 P.M.

4:00 P.M.

B. BILL NO. 81-62 - FIRST AMENDMENT - REVISES THE CHAPTER REGULATING GAMING AS A PART OF RECODIFICATION AND TO CONFORM TO STATE LAW.

Committee: Commissioners Lurie and Woofter

Commissioner Lurie directed the City Attorney to amend this Bill as to include notification on any applications to non-restricted gaming licensees outside the red line districts and that the City accept the State's investigation for 35 slots or less. Deputy City Attorney Jan Stewart said there were some typographical errors that will be corrected. He pointed out that the ordinance does not change any fees. Commissioner Lurie recommended that Section 5-17-8 be broken into Sections A and B; and that the Bill be adopted at the 10/7/81 City Commission meeting as amended.

C. BILL NO. 81-63 - AN ORDINANCE RELATING TO SECONDHAND DEALERS; REQUIRING A LICENSE TO ENGAGE IN BUSINESS AS A SECONDHAND DEALER: PROVIDING EXCEPTIONS THERETO; CLASSIFYING DEALERS ACCORDING TO VARIOUS KINDS OF GOODS DEALT WITH; RESTRICTING LOCATIONS OF SAID BUSINESSES; REQUIRING REPORTS AND RECORDS; REGULATING THE OPERATION OF SUCH BUSINESSES, PROVIDING FOR LICENSE FEES; REPEALING ORDINANCES IN CONFLICT HERWITH AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Committee: Commissioners Lurie and Woofter

Commissioner Lurie stated this Bill will be held until the Recessed Recommending Committee meeting on Monday, September 28, 1981 at 4:00 P.M. so persons interested in this Bill may review it and attend the meeting.

D. BILL NO. 81-64 - FIRST AMENDMENT - REVISES THE CHAPTER REGULATING AUCTIONS AS A PART OF RECODIFICATION.

Committee: Commissioners Lurie and Woofter

Deputy City Attorney Jan Stewart said this Bill states an auctioneer does not have to be re-licensed for every auction, but merely obtain a permit for each auction which is approved by the Director of Business Activity. This Bill also lists the qualifications for an auctioneer. City Attorney George Ogilvie said the language regarding bonding on page 5, lines 8 and 9, will be changed from "any person suffering injury" to "any person who purchases from an auctioneer and may suffer injury." Commissioner Lurie on behalf of Committee recommended that Bill be adopted at 10/7/81 City Commission meeting as amended.

E. BILL NO. 81-65 - REVISES THE CHAPTER ON HEARING EXAMINERS AS A PART OF RECODIFICATION.
Committee: Commissioners Lurie and Woofter

Deputy City Attorney Jan Stewart stated this Bill stipulates that a hearing examiner be chosen on a case-by-case basis. In addition, the hourly fee to be paid to the examiner has been increased to $35.00 per hour. No one spoke in opposition. Commissioner Lurie on behalf of Committee recommended that Bill be adopted at 10/7/81 City Commission meeting.

F. BILL NO. 81-66 - FIRST AMENDMENT - REVISES THE CHAPTER ON PAWNBROKERS AS A PART OF RECODIFICATION.
Committee: Commissioners Lurie and Woofter

Commissioner Lurie asked the City Attorney to revise the language on page 1, paragraph 1. City staff is to draft changes to this Ordinance and present to the next session of the Nevada Legislature. Commissioner Lurie on behalf of Committee recommended that Bill be adopted at the 10/7/81 City Commission meeting as amended.

G. BILL NO. 81-67 - REVISES THE CHAPTER ON HEARINGS BEFORE THE BOARD CONCERNING APPEALS FROM DEPARTMENT DECISIONS AND LICENSE DISCIPLINARY PROCEEDINGS AS A PART OF RECODIFICATION.
Committee: Commissioners Lurie and Woofter

Deputy City Attorney Jan Stewart stated this Bill requires the person or business charged with violations to file an answer. No one was present to speak in opposition. Commissioner Lurie on behalf of Committee recommended that Bill be adopted at the 10/7/81 City Commission meeting.

H. BILL NO. 81-69 - ESTABLISHES A COMMITTEE TO INSTITUTE AND SUPERVISE A COURSE ON THE USE AND ABUSE OF ALCOHOL AND CONTROLLED SUBSTANCES PURSUANT TO THE NEW SO-CALLED DRUNK DRIVING LAW AND PROVIDES FOR MEMBERSHIP THEREON AND THE SALARIES OF THE MEMBERS THEREOF.
Committee: Commissioners Woofter and Lurie

Court Administrator Kerry Miller said this Bill is a result of the last session of the Nevada Legislature requesting education and counseling for all first-time offender DUI drivers. This would be a five-session course to assist the offender and the costs for the course will be borne by the violator. The Committee conducting this program will comprise the Municipal Court Judges. There was discussion as to compensation for the additional time the judges will have to devote to this program. Commissioner Lurie said this Bill will be reviewed at the Recessed Recommending Committee meeting on Monday, September 28, 1981, to give staff time to present proposals for compensation of the judges.

CAH/lmo

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

Gloria James Mildred J Edwards an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 22nd day of September, 1981, at the hour of 9:00 A.M there were posted copies of a NOTICE, the attached of which is a true and correct copy, of a Recessed MEETING of the Information Meeting before various Recommending Committees, to be held on the 28th day of September, 1981, in the City Manager's 10th Floor Conference Room, City Hall, 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).

Mildred J. Edwards
Gloria James
SIGNATURE

General Services 1283
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this 24th day of September, 1981

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

MONICE P. KELLER
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Jan. 23, 1984

AFFIDAVIT OF MAILING

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

STATE OF NEVADA)
COUNTY OF CLARK) ss

Ivanne Gerry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 22nd day of Sept. 1981, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a Recessed Meeting/of the Information Meeting before various Recommending Committees to be held on the 28th of September 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).

Ivanne Gerry
SIGNATURE (an employee in the Office of the CITY CLERK)

Subscribed and sworn to before me this

22nd day of September, 1981

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

LINDA M. OWENS
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Exp. Aug. 12, 1984

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: September 29, 1981

TO: FILE

FROM: CAROL ANN HAWLEY
City Clerk

SUBJECT: MEETING OF RECOMMENDING COMMITTEES
PROPOSED NEW BILLS
SEPTEMBER 28, 1981

COPIES TO:
All Agenda Books for 10/7/81 City Commission Meeting
Business Activity Department
Community Planning & Development Dept.
Building & Safety Department
Public Services Department

MEETING HELD: 4:00 P.M., September 28, 1981, City Manager's Conference Room, 10th Floor, City Hall. Meeting adjourned at 6:00 P.M.

PRESENT:
Commissioner Levy
Commissioner Lurie
Commissioner Woofter
Commissioner Christensen
Russ Dorn, City Manager
Don Saylor, Deputy City Manager
George Ogilvie, City Attorney
Jan Stewart, Chief Deputy City Attorney
Jerry Cahill, Director, Business Activity
Marjorie Hether, Supervisor, Business Activity
Judge Don Mosley, Municipal Court
Kerry Miller, Administrator, Municipal Court
Carol Ann Hawley, City Clerk
Linda M. Owens, Deputy City Clerk
Attorney Harry Reid, Reid & Alverson
Philip Murphy, American International Vacations
Dale W. Beasey, Bilbray & Gibbons, Chartered
Dave Cook, Tourex Corporation
Attorney John J. Momot, Gold Buyers
George L. Sturman, Las Vegas Loan & Jewelry
Liz Thompson, Mid-City Furniture
Kay Tricoli, Thieves Market

Recommending Committee
September 28, 1981
Page 2

BILL NO. 81-50 - PROVIDES FOR THE LICENSING AND REGULATION OF BUSINESSES IN THE DEVELOPING, PROMOTING AND SELLING OF TIMESHARING PROGRAMS AND PROJECTS.
Committee: Commissioners Levy and Lurie

City Attorney Ogilvie reported to the Committee that he had met with the attorneys representing various timesharing businesses and that several minor amendments to the bill had been worked out and agreed upon. Harry Reid summarized the four points of contention remaining in the bill as far as the representatives of the industry were concerned. These were that the five business day rescission period should be reduced to three business days; the tax rate is a problem in that the ordinance does not provide for credit of tax when a contract for timesharing is cancelled after a 30-day period, and the description of "owner" and setting up of escrow accounts on each transaction is not necessary and extremely unfeasible from an accounting standpoint. After discussion of these items, the Committee recommended that the five-day rescission period be reduced to three days; the gross sales tax provision be amended whereby tax credit/refunds will be issued on cancelled sales contracts; that the portion regarding escrow agreements be amended that that provision would apply only to situations where there was in fact an escrow agreement; and that waiver provisions be implemented in the ordinance. With these amendments and others of a technical nature addressed by the City Attorney, the Committee recommended adoption at the October 7, 1981, City Commission meeting.

BILL 81-63 - AN ORDINANCE RELATING TO SECONDHAND DEALERS; REQUIRING A LICENSE TO ENGAGE IN BUSINESS AS A SECONDHAND DEALER; PROVIDING EXCEPTIONS THERETO; CLASSIFYING DEALERS ACCORDING TO VARIOUS KINDS OF GOODS DEALT WITH; RESTRICTING LOCATIONS OF SAID BUSINESSES; REQUIRING REPORTS AND RECORDS; REGULATING THE OPERATION OF SUCH BUSINESSES, PROVIDING FOR LICENSE FEES; REPEALING ORDINANCES IN CONFLICT HEREWITH AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.
Committee: Commissioners Lurie and Woofter

Chief Civil Deputy Attorney Stewart addressed the Committee and citizens summarizing this bill. He noted that he would be amending the bill as to it's purpose the same as those amendments being made to the bills on gaming and auction under current consideration (Section 1). This bill makes provisions for Class III licenses which are limited to precious metals or precious or semi-precious gemstones or articles made of these substances. People in this category had formerly been in Class II.

Stewart also proposed amendments in the area of bonding provisions, including the providing of bonds for Class 3-A and the violation inclusion of principles, agents or employees. Stewart told the Committee he would like to include guns as second-hand merchandise in the ordinance. George Sturman, Las Vegas Loan & Jewelry, brought up the problem of the zoning limitations on pawn shops and the fact that they were slowly being squeezed out of their locations by downtown hotels, etc. taking over property and that they had no place to go. Commissioner Lurie advised Mr. Sturman that these items of zoning were being referred to the Planning Commission to review and at that time any revisions would come under Title X of the Planning Code and at that time Mr. Sturman can comment on his feelings.

BILL 81-63 - Continued

Liz Thompson, Mid-City Furniture, requested that the provision for fumigation of mattresses in 5-8-16 be deleted. She said there was only one service in town that fumigated mattresses and that was Deseret Industries and that their machine could only handle 20 pieces per day. She questioned if the City was in fact enforcing this provision of the code. Jan Stewart stated it had been in the code for many years. The Committee said they would consider removing this provision if it appeared to be feasible after checking with the District Health Department. Ms. Thompson also questioned if people dealing in used televisions and stero equipment were licensed as secondhand dealers. The Committee, after discussion, directed the Director of Business Activity to explore this area to make sure that tv/stero dealers were fully in compliance. Kay Tricoli, Thieves Market, asked if there could be some relief in the requirement that secondhand dealers deliver by noon a report of the previous days receipt of secondhand merchandise to the Police Department. It was pointed out to her that this was State law as well as City Code, but the Committee also directed staff to explore the possibility of working with the Sheriff to provide that these reports could be left at the City's drive-in window to make it more convenient for the dealers. Attorney John Momot on behalf of Gold Buyers asked if the City would consider limited dealers and cited statistics that Las Vegas had the most per capita than all the other cities in Southern Nevada. Commissioner Christensen requested that 5-8-12 which requires secondhand dealers to post their license and post a sign informing the public of the fact they are a secondhand dealer be stricken and the Committee so concurred. The Committee then recommended that this ordinance with amendments be adopted at the 10/7/81 City Commission meeting.

BILL NO. 81-69 - ESTABLISHES A COMMITTEE TO INSTITUTE AND SUPERVISE A COURSE ON THE USE AND ABUSE OF ALCOHOL AND CONTROLLED SUBSTANCES PURSUANT TO THE NEW SO-CALLED DRUNK DRIVING LAW AND PROVIDES FOR MEMBERSHIP THEREON AND THE SALARIES OF THE MEMBERS THEREOF.
Committee: Commissioners Woofter and Lurie

Two alternatives were discussed at the 9/21/81 Recommending Committee on this ordinance and as a result, City Attorney Ogilvie provided the Committee with two drafts which address the changes so discussed. Draft A, until the elections in 1983,would restrict membership on the Committee to the Judges of Departments 1 and 4 and until the election would provide a salary for serving on the Committee of $11,500 a year. Following the 1983 election, all judges in Municipal Court would serve on the Committee and no judge on the committee would receive any salary for such service. Draft B provides that instead of the annual salary in the original bill and Draft A that the compensation for serving on the Committee would be based upon a per diem amount not to exceed a given amount in any month. This concept was the practice of the Legislature in the mid-70's to compensate the Board of County Commissioners. Commissioner Woofter suggested that the original bill and drafts be submitted to the Municipal Judges, let them review

Recommending Committee
September 28, 1981
Page 4

BILL 81-69 - Continued

and get back to the Committee with their recommendations. Judge Mosley indicated he would like for the bill to be acted upon at the 10/7/81 meeting. The Committee recommended that this ordinance be referred to the Commission as a whole without recommendation at the 10/7/81 meeting.

AGENDA

City of Las Vegas

0173

October 7, 1981

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

ITEM	Commission Action	Department Action
VII. BOARDS AND COMMISSIONS		
A. CHILD WELFARE BOARD 3-Year Term (Terms Expire 10/16/81)		
1. Marianne Kenney 2. Mona Johnson 3. Elizabeth D. Wilhelm 4. John H. Sarb	Lurie - APPROVED motion to reappoint Marianne Kenney Mona Johnson Elizabeth D. Wilhelm and John H. Sarb, as recommended. Unanimous	Clerk to notify.

APPROVED AGENDA ITEM

Ashley Hall

INTER-OFFICE MEMORANDUM

Date 0174

September 8, 1981

TO:

JERRY CAHILL
Director, Business Activity

FROM:

Carol A Hawley

CAROL ANN HAWLEY
City Clerk

SUBJECT:

Child Welfare Board

COPIES TO:

The following Child Welfare Board members have expiring terms on October 16, 1981. Please find out if they desire to continue to serve on this Board. If any members do not wish to be reappointed, please provide me with a list of recommendations so that I may submit it to the Board of City Commissioners for consideration in October:

Marianne Kenney

John H. Sarb

Mona Johnson

Elizabeth D. Wilhelm

CAH/lmo

INTER-OFFICE MEMORANDUM

Date 0175

September 25, 1981

TO:

CAROL HAWLEY
City Clerk

FROM:

JERRY J. CAHILL, Director
Department of Business Activity

SUBJECT:

CHILD WELFARE BOARD

COPIES TO:

DON SAYLOR
Deputy City Manager

Pursuant to your memo dated 9/8/81, the following is submitted reference members of the Child Welfare Board having expiring terms on 10/16/81.

1. Marianne Kenney - Appointed March, 1979

   Since her appointment, the Child Welfare Board has held 35 meetings. She has attended 30 (85%). Mrs. Kenney has always been very conscientious about informing this department of her absences in advance. Last year she served as Chairman of the Board.

   Mrs. Kenney has expressed a desire to remain on the Child Welfare Board.

2. John H. Sarb - Appointed January, 1980

   Since his appointment, the Board has held 23 meetings, and he has attended 16 (70%). He missed several meetings earlier this year due to a near fatal automobile accident from which he is only now beginning to recover.

   Mr. Sarb has expressed a desire to remain on the Child Welfare Board.

3. Elizabeth Wilhelm - Appointed July, 1980

   Since her appointment, the Board has held 15 meetings. She has attended 12 (80%). All her absences were excused in advance.

   Mrs. Wilhelm has expressed a desire to remain on the Child Welfare Board.

Child Welfare Board
September 25, 1981
Page 2

4. Mona Johnson - Appointed January, 1980

Since her appointment, the Child Welfare Board has held 22 meetings. She has attended 15 (63%). Mrs. Johnson is disabled and many of her absences have stemmed from illness.

Mrs. Johnson has stated a wish to be reappointed to the Child Welfare Board.

JJC/kas

ITEM	Commission Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
A. Bill No. 81-68 - Repeals obsolete and superseded Traffic Code sections, makes certain other amendments thereto, provides a definition of school zone and provides for the towing of abandoned vehicles. Sponsored by: Ron Lurie	*First Reading and Referred - Lurie & Levy	Clerk to proceed
B. Bill No. 81-70 - Annexation No. A-9-81(A) Property Located: East side of Lorenzi Blvd., approximately 671 feet north of Vegas Drive Petitioned by: Frank L. Kocvara Acreage: Approximately 10.4 acres Zoned: R-E (County classification) N-U (City equivalent) Sponsored by: Ron Lurie	*First Reading and Referred - Lurie & Levy	Clerk to proceed
C. Bill No. 81-71 - Revises the City ordinance regulating peddlers, solicitors and temporary merchants Sponsored by: Ron Lurie	*First Reading and Referred - Lurie & Levy	Clerk to proceed
D. Bill No. 81-72 - Regulates temporary sales activities conducted at conventions and trade shows Sponsored by: Ron Lurie	*First Reading and Referred - Lurie & Levy	Clerk to proceed
E. Bill No. 81-73 - Requires City Commission approval of all use permits for Class III secondhand dealers in the C-I and C-II zone and for transient sales lots and open sales lots in the C-II zone Sponsored by: Ron Lurie	*First Reading and Referred - Lurie & Levy	Clerk to proceed

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

October 7, 1981

ITEM	Commission Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE (cont.)		
BILLS EFFECTING TECHNICAL CORRECTIONS IN CONNECTION WITH THE CODIFICATION PROCESS Sponsored by: Al Levy		
F. Bill No. 81-74 - Repeals the Chapter of the Code which provides for the Board of Park Trustees, since the need for such board no longer exists	*First Reading and Referred - Levy & Christensen	Clerk to proceed
G. Bill No. 81-75 - Repeals superseded and obsolete provisions of Title VIII relating to eating and drinking establishments; sanitation; and milk, meat and agricultural products. The regulation of these matters is now within the jurisdiction of the Clark County District Board of Health	*First Reading and Referred - Levy & Christensen	Clerk to proceed
H. Bill No. 81-76 - Repeals parking lot provisions from Titles V and IX and transfers the existing Title V provisions to Title X as a part of the new codification project	*First Reading and Referred - Levy & Christensen	Clerk to proceed
I. Bill No. 81-77 - As part of the new codification project, repeals obsolete provisions relating to fire zones, smoking in public transportation, liquified petroleum gas, adult group care facilities, and mobile home construction. Also transfers from other Titles provisions relating to fires, fireworks and fire hydrants in City streets	*First Reading and Referred - Levy & Christensen	Clerk to proceed
J. Bill No. 81-78 - Makes technical amendments in the general penalty clause of the City Code	*First Reading and Referred - Levy & Christensen	Clerk to proceed

ITEM	Commission Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE (cont.)		
ADDENDUM ITEM NO. 1 - TO SECTION VIII: K. Bill No. 81-79 - Adopts Interim Civil Service Rules. Sponsored by: Commissioner Paul J. Christensen	*First Reading and Referred - Christensen & Levy	Clerk to proceed

EXCERPT - CITY OF LAS VEGAS CITY COMMISSION MEETING - OCTOBER 7, 1981
VIII - NEW BILLS TO BE REFERRED TO A STUDY/RECOMMENDING COMMITTEE
ITEM K - BILL NO. 81-79 - ADOPTS INTERIM CIVIL SERVICE RULES Page 1

MAYOR BRIARE: We'll now go to New Bills and it would be my intention, if it's with the approval of the Commission, that we request the City Attorney to read Bill 81-68, 81-70, 81-71, 81-72 and 81-73. Upon the conclusion of the reading, I would be referring that to a Committee consisting of Commissioner Lurie and Commissioner Levy. Bills 81-74, 81-75, 81-76, 81-77 and 81-78 are to be read by the City Attorney and then they'll be referred to a Committee consisting of Commissioner Levy and Commissioner Christensen. And lastly, read 81-79, which would then be referred to a Committee consisting of Commissioner Christensen and Commissioner Levy. If there's no objection by the Commission, Mr. Ogilvie will begin reading and while he's doing that, Ladies and Gentlemen, we're not deserting you -- it's just that there's no need for us to be here, yet we can't declare a recess because Mr. Ogilvie's going to go ahead and read these. As soon as he's finished reading, we'll continue on with the meeting.

(THE READING OF BILLS 81-68 THRU 81-78 HAVE BEEN DELETED FROM THIS TRANSCRIPT BUT ARE CONTAINED ON THE TAPE RECORDING OF THIS MEETING.)

CITY ATTORNEY OGILVIE: Bill No. 81-79, Ordinance Number blank. An Ordinance to amend Title 1 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition by repealing Chapter 18 of said title and adopting in lieu thereof a new chapter designated Chapter 18, adopting by reference the interim Civil Service Rules of said City, to provide for other matters properly relating thereto and to repeal all ordinances and parts of ordinances in conflict herewith.

MAYOR BRIARE: George, does that conclude the reading?

CITY ATTORNEY OGILVIE: Yes, it does, Mr. Mayor.

MAYOR BRIARE: Bill No. 81-68, 81-70, 81-71, 72 and 73 are referred to a Committee consisting of Commissioner Lurie and Commissioner Levy. Bills 81-74, 75, 76, 77 and 78 are referred to Committees consisting of Commissioner Levy and Commissioner Christensen and Bill No. 81-79 is referred to a Committee consisting of Commissioner Christensen and Commissioner Levy.

(END OF DISCUSSION REGARDING NEW BILLS.)

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS		
A. VAC-12-81 - Petition of Vacation submitted by LAS VEGAS PAIUTE TRIBAL COUNCIL to vacate the Paiute Drive cul-de-sac generally located on the north side of Paiute Drive, approximately 300 feet west of Main Street.	Levy - APPROVED as recommended. Unanimous (Lurie excused)	Staff to proceed No one spoke in opposition.
B. VAC-13-81 - Petition of Vacation submitted by NEVADA ESCROW SERVICES, INC. to vacate the east 40 feet of Rigel Avenue north of Meade Avenue to the drainage channel.	Levy - APPROVED as recommended. Unanimous (Lurie excused)	Staff to proceed No one spoke in opposition.
C. BILL NO. 81-62 - An Ordinance relating to gaming; requiring a license to engage in gaming, establishing districts where gaming is allowed; allowing for the limitation of the number of gaming licenses; establishing fees; requiring work cards of certain employees, repealing ordinances in conflict herewith and providing other matters properly relating thereto.	Lurie - Second Reading and ADOPTED as per Third Amendment. Unanimous	Clerk to proceed. Herb Jones, Atty., representing Downtown Resort Association appeared requesting amendments (as was incorporated into Third Amendment). Don Ashworth and Greg Meskie for Showboat Hotel also appeared supporting amendments.

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas
AGENDA DOCUMENTATION

Date: October 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

SUBJECT: PUBLIC HEARING AGENDA ITEMS
OCTOBER 7, 1981 CITY COMMISSION AGENDA

PURPOSE/BACKGROUND

Item A - Vacation - VAC-12-81 - Las Vegas Paiute Tribal Council (see backup material)

Item B - Vacation - VAC-13-81 - Nevada Escrow Services, Inc. (see backup material)

FISCAL IMPACT No Funding Required

RECOMMENDATIONS See Attached

Harold P. Foster, Director

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item
IX.

To: The Board of City Commissioners
Re: Public Hearing Agenda Item
October 7, 1981 City Commission Agenda

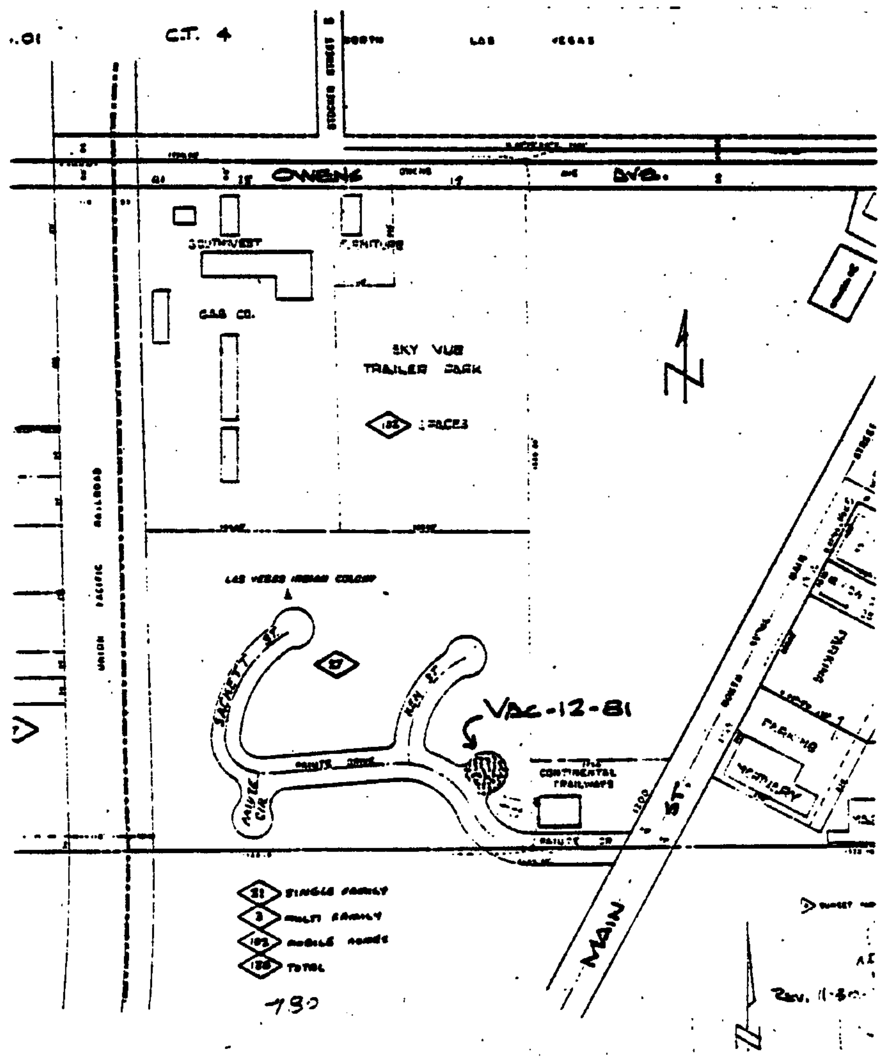
A. VACATION - VAC-12-81 - LAS VEGAS PAIUTE TRIBAL COUNCIL

The request is to vacate a small cul-de-sac off Paiute Drive so a building could be located on this site. The building will have frontage on Paiute Drive and there is no need to retain the cul-de-sac.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



To: The Board of City Commissioners
Re: Public Hearing Agenda Item
October 7, 1981 City Commission Agenda

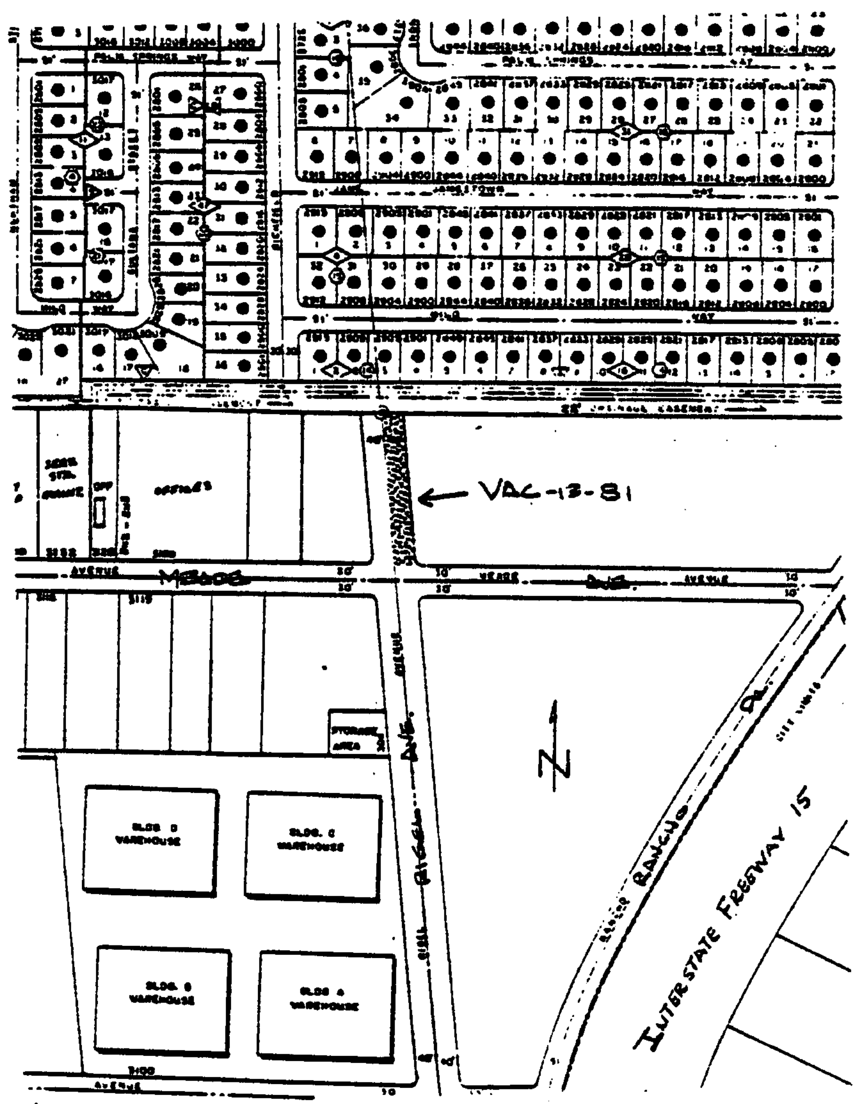
B. VACATION - VAC-13-81 - NEVADA ESCROW SERVICES, INC.

The request is to vacate the east half of Rigel Avenue which is a dead-end unimproved street north of Meade Avenue. A drainage channel and single family homes exist to the north, which means the street cannot be extended in the future.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



City of Las Vegas

AGENDA DOCUMENTATION

Date: Sept. 11, 1981

TO: The Board of City Commissioners

FROM: CITY ATTORNEY

Tom Stewart

SUBJECT: Bill No. 81-62 Revises the chapter regulating gaming as a part of recodification and to conform to State law

PURPOSE/BACKGROUND

Bill No. 81-62 revises the chapter regulating gaming. This bill is submitted as a part of the recodification effort. Amendments to the chapter were made to correspond with the new chapter 4 of our code which is applicable to all privileged businesses.

Some definitions in the chapter were changed to more clearly follow state law. Gaming fees were not increased. However, penalties for delinquent payments were added to the chapter. These are not new. They have been imposed by the Department of Business Activity for years. They will merely be codified by this ordinance.

The districts (red line) wherein gaming is permitted have not been altered although the language has been slightly modified. The old chapter had a provision that required notice be mailed to all non-restricted gaming licensees whenever any ordinance was proposed to amend the section establishing the districts. This section requiring the mailing of notices has been left out in Bill No. 81-62. The reason for the removal was that many times amendments are made which do not even alter boundary lines yet notices still had to be mailed out. We do not go through this kind of procedure for other kinds of businesses in our city. To administratively mail a copy of any proposed gaming ordinance to the Downtown Progress Association, rather than mailing to all licensees pursuant to ordinance, would be much more efficient. This provision left out of 81-62 also contains a clause which prohibits adopting an ordinance under our regular schedule, as it cannot be adopted in less than 21 days after the first reading. All other ordinances can be adopted after a week's publication in the newspaper. This quirk in the present gaming law opens up more possibilities for error in adopting ordinances.

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 for final action.

DISPOSITION

- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item

IX - C

NOTICE OF PUBLIC HEARING

BILL NO. 81-62

AN ORDINANCE RELATING TO GAMING; REQUIRING A LICENSE TO ENGAGE IN GAMING, ESTABLISHING DISTRICTS WHERE GAMING IS ALLOWED; ALLOWING FOR THE LIMITATION OF THE NUMBER OF GAMING LICENSES; ESTABLISHING FEES; REQUIRING WORK CARDS OF CERTAIN EMPLOYEES, REPEALING ORDINANCES IN CONFLICT HEREWITH AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored by: Commissioner Ron Lurie

Summary: Revises the chapter regulating gaming as a part of recodification and to conform to State law.

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD ON THE ABOVE ORDINANCE BY THE BOARD OF CITY COMMISSIONERS AT THE HOUR OF 2 P.M. ON WEDNESDAY, OCTOBER 7, 1981, AT THE COMMISSION CHAMBERS, CITY HALL, 400 E. STEWART AVE., LAS VEGAS, NEVADA.

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 E. STEWART AVE., LAS VEGAS, NEVADA.

CAROL ANN HAWLEY
CITY CLERK

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
ROY WOOFTER
AL LEVY

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL DORN

CITY of LAS VEGAS

September 17, 1981

TO ALL NONRESTRICTIVE GAMING LICENSEES

The Board of City Commissioners is considering an amendment to the Gaming Ordinance. The proposed ordinance amendment is Bill No. 81-62, a copy of which may be obtained in the Office of the City Clerk, 10th Floor, City Hall, 400 E. Stewart Ave., Las Vegas, Nevada. This proposed ordinance is a part of the recodification of the entire City Code. There is no increase in gaming fees, but the proposed ordinance contains other modifications.

There will be two hearings on the proposed ordinance. The first hearing will be conducted by a Recommending Committee consisting of Commissioners Lurie and Woofter which will be held on Monday, September 21, 1981, at 4:00 P.M. in the City Manager's Conference Room, 10th Floor, City Hall, 400 E. Stewart Ave., Las Vegas, Nevada. A second hearing will be held before the full Board of City Commissioners on Wednesday, October 7, 1981, at 2:00 P.M. in the Commission Chambers, City Hall, 400 E. Stewart Ave., Las Vegas, Nevada.

You are invited to attend these hearings and make recommendations. Your comments may also be submitted to the City Attorney's Office in advance by calling 386-6201.

Sincerely,

Carol Ann Hawley

CAROL ANN HAWLEY
City Clerk

AGENDA

City of Las Vegas

October 7, 1981

BOARD OF CITY COMMISSIONERS

Page 40

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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

City of Las Vegas
AGENDA DOCUMENTATION

Date: October 7, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

SUBJECT: COMMUNITY PLANNING AND DEVELOPMENT AGENDA ITEMS
OCTOBER 7, 1981 CITY COMMISSION MEETING

PURPOSE/BACKGROUND

Item A - Crossroads III Subdivision - Temporary Access Berm - Bronze Construction Co. (see backup material)

Item B - Request Permission to Initiate a Vacation Petition - City of Las Vegas (see backup material)

Items C & D - Annexation Reports (see backup material)

Items E & F - Extensions of Time (see backup material)

Items G - I - Plot Plan Reviews (see backup material)

Item J - Use Review - Z-30-75 - Gary Vause (see backup material)

Item K - Zone Change - Z-54-81 - Albert B. Spino, Trustee, Et Al (see backup material)

Item L - Tentative Map - Haas Apartments Unit 3 (see backup material)

Item M - Zone Change - Z-53-81 - Claire E. Hoppe and C & H Enterprises (see backup material)

Item N - Tentative Map - Shadow Acres (Revised) (see backup material)

Items O - R - New Rezoning Applications (see backup material)

FISCAL IMPACT No Funding Required

RECOMMENDATIONS See Attached

Harold P. Foster, Director

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u> with the City's Street Name Policy. (3) Subject to all conditions of City departments and State Subdivision Statutes. (8) 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.		
A. <u>CROSSROADS III SUBDIVISION - TEMPORARY ACCESS BERM - BRONZE CONSTRUCTION COMPANY</u> Request for a temporary asphalt berm for model home access between Crossroads III and Wildwood Villas Subdivisions, generally located at the north end of Edelweiss Street, west of Lamb Boulevard. Planning Commission unanimously recommends APPROVAL. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by Planning Commission. Unanimous	Clerk to notify and Planning to proceed.
B. <u>REQUEST PERMISSION TO INITIATE A VACATION PETITION - CITY OF LAS VEGAS</u> A portion of Westcliff Drive, approximately 700' east of Lorenzi Boulevard.	Lurie - APPROVED Request. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

A. CROSSROADS III SUBDIVISION - TEMPORARY ACCESS BERM - BRONZE CONSTRUCTION COMPANY

The request is to allow a short access connection over common area in the Crossroads planned development that is between a private street and a public street. The purpose is to provide more direct access from Lamb Boulevard to the models of the Crossroads and Wildwood subdivisions.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

B. REQUEST PERMISSION TO INITIATE A VACATION PETITION - CITY OF LAS VEGAS

This is a request to initiate a vacation petition on a 40' strip of land on Westcliff Drive, which is located east of Lorenzi Boulevard. According to the Department of Public Services this right-of-way is no longer needed.

STAFF RECOMMENDATION: APPROVAL

Item X.

AGENDA

City of Las Vegas

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. ANNEXATION REPORT - A-5-81 - CLARK COUNTY SCHOOL DISTRICT Report for annexation of property located at 6665 W. Del Rey (Bonanza High School), approximately 40 acres. Staff Recommendation: Adoption of Report	Lurie - Report Adopted. Unanimous	Staff to proceed
D. ANNEXATION REPORT - A-6-81 - CLARK COUNTY SCHOOL DISTRICT Report for annexation of property located at 2480 Maverick Street (Brinley Jr. High School), approximately 18 acres. Staff Recommendation: Adoption of Report	Lurie - Report Adopted. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Items
October 7, 1981 City Commission Agenda

C. ANNEXATION REPORT - A-5-81 - CLARK COUNTY SCHOOL DISTRICT

This is a routine annexation report that must be adopted and be on file in the City Clerk's Office a minimum of 20 days prior to the scheduled public hearing on this annexation. The report indicates the school is connected to City sewer and street improvements exist adjacent to the property.

STAFF RECOMMENDATION: Adoption of the report.

D. ANNEXATION REPORT - A-6-81 - CLARK COUNTY SCHOOL DISTRICT

This is a routine annexation report that must be adopted and be on file in the City Clerk's Office a minimum of 20 days prior to the scheduled public hearing on this annexation. The report indicates the school is connected to City sewer and street improvements exist adjacent to the property.

STAFF RECOMMENDATION: Adoption of the report.

RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 7th day of October, 1981:

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

The Southeast Quarter (SE 1/4) of the
Northwest Quarter (NW 1/4) of Section 2,
Township 21 South, Range 60 East,
M.D.B. & M.

2. That said Board of Commissioners shall meet on Wednesday, November 18, 1981, at the hour of 2:00 o'clock p.m. in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada to conduct a public hearing on the question of such annexation.

3. That the City Clerk be, and she hereby is, directed to give notice of such public hearing by publication thereof at least three (3) times in the REVIEW JOURNAL, a newspaper published in the City of Las Vegas and of general circulation in the above-described territory; the first publication to be at least twenty (20) days prior to the said November 18, 1981 and not less than six (6) days shall intervene between the first publication and the last publication, and by mailing notice thereof by certified mail, return receipt requested, to each record owner of real property within the said described territory, said notice to be mailed at the time of the first

publication thereof. Said notice shall be in substantially the same form as attached hereto as Exhibit "A".

4. That the Director of Public Services and the Director of Community Planning and Development are hereby directed to prepare and submit to the said Board of Commissioners of the City of Las Vegas, in the afternoon of Wednesday, October 7, 1981, a report setting forth plans for the extension into said described territory all major municipal services presently furnished by the City of Las Vegas to its residents and citizens, which report shall include, but not be limited to:

A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;

B. A map or maps of the City and the adjacent territory to show the following information:

(1) The present and proposed boundaries of the City;

(2) The present streets and sewer interceptors and outfalls;

(3) The proposed extension of the present streets and sewer interceptors and outfalls;

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

. . . .

. . . .

. . . .

. . . .

. . . .

. . . .

. . . .

C. A statement showing that the territory proposed to be annexed is eligible for annexation under N.R.S. 268.570 to 268.608, inclusive.

PASSED, ADOPTED and APPROVED this 7th day of October, 1981.

APPROVED:

By [signature]
RON LURIE, MAYOR PRO-TEM

ATTEST:

[signature]
Carol Ann Hawley, City Clerk

EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-5-81:

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

1. The Board of Commissioners of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 7th day of October, 1981, declared its intention to annex to said City the territory generally located at 6665 West Del Rey.

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

> The Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 2, Township 21 South, Range 60 East, M.D.B. & M.

2. That said Board of Commissioners shall meet on Wednesday, November 18, 1981, at the hour of 2:00 o'clock p.m. in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

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

A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;

B. A map or maps of the City and the adjacent territory to show the following information:

(1) The present and proposed boundaries of the City;

(2) The present streets and sewer interceptors and outfalls;

(3) The proposed extension of the present streets and sewer interceptors and outfalls;

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

C. A statement showing that the territory proposed to be annexed is eligible for annexation under N.R.S. 268.570 to 268.608, inclusive.

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

Thurman White, Associate Superintendent
School Facilities Division
Clark County School District
2832 East Flamingo Road
Las Vegas, Nevada 89121

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

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

By ORDER of the Board of Commissioners of the City of Las Vegas, Nevada.

DATED this 7th day of October, 1981.

Carol A. Hawley
CAROL ANN HAWLEY, CITY CLERK

RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 7th day of October, 1981:

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

PARCEL #1: The West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

PARCEL #2: The Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

PARCEL #3: The South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

2. That said Board of Commissioners shall meet on Wednesday, November 18, 1981, at the hour of 2:00 o'clock p.m. in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada to conduct a public hearing on the question of such annexation.

3. That the City Clerk be, and she hereby is, directed to give notice of such public hearing by publication thereof at least three (3) times in the REVIEW JOURNAL, a newspaper published in the City of Las Vegas and of general circulation in the above-described territory; the first publication to be

at least twenty (20) days prior to the said November 18, 1981 and not less than six (6) days shall intervene between the first publication and the last publication, and by mailing notice thereof by certified mail, return receipt requested, to each record owner of real property within the said described territory, said notice to be mailed at the time of the first publication thereof. Said notice shall be in substantially the same form as attached hereto as Exhibit "A".

4. That the Director of Public Services and the Director of Community Planning and Development are hereby directed to prepare and submit to the said Board of Commissioners of the City of Las Vegas, in the afternoon of Wednesday, October 7, 1981, a report setting forth plans for the extension into said described territory all major municipal services presently furnished by the City of Las Vegas to its residents and citizens, which report shall include, but not be limited to:

A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;

B. A map or maps of the City and the adjacent territory to show the following information:

(1) The present and proposed boundaries of the City;

(2) The present streets and sewer interceptors and outfalls;

(3) The proposed extension of the present streets and sewer interceptors and outfalls;

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

. . . .

C. A statement showing that the territory proposed to be annexed is eligible for annexation under N.R.S. 268.570 to 268.608, inclusive.

PASSED, ADOPTED and APPROVED this 7th day of October, 1981.

APPROVED:

By

RON LURIE, MAYOR PRO-TEM

ATTEST:

Carol A Hawley

Carol Ann Hawley, City Clerk

EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-6-81:

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

1. The Board of Commissioners of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 7th day of October, 1981, declared its intention to annex to said City the territory generally located at 2480 Maverick Street.

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

PARCEL #1: The West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

PARCEL #2: The Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

PARCEL #3: The South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 20 South, Range 60 East, M.D.B. & M.

2. That said Board of Commissioners shall meet on Wednesday, November 18, 1981, at the hour of 2:00 o'clock p.m. in the Commission Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

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

A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;

B. A map or maps of the City and the adjacent territory to show the following information:

(1) The present and proposed boundaries of the City;

(2) The present streets and sewer interceptors and outfalls;

(3) The proposed extension of the present streets and sewer interceptors and outfalls;

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

C. A statement showing that the territory proposed to be annexed is eligible for annexation under N.R.S. 268.570 to 268.608, inclusive.

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

Thurman White, Associate Superintendent
School Facilities Division
Clark County School District
2832 East Flamingo Road
Las Vegas, Nevada 89121

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

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

By ORDER of the Board of Commissioners of the City of Las Vegas, Nevada.

DATED this 7th day of October, 1981.

Carol A Hawley
CAROL ANN HAWLEY, CITY CLERK

AGENDA

City of Las Vegas

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)		
E. EXTENSION OF TIME - Z-67-80 - GEORGE W. COUCH, III AND DOUGLAS E. SIMMS Property generally located at the northwest corner of Stewart Avenue and Lamb Boulevard, R-E Zone (under Resolution of Intent to C-1). Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. One year extension to October 1, 1982. 2. Conformance to ordinance amendments enacted subsequent to the original approval. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and staff to proceed.
F. EXTENSION OF TIME - Z-49-78 - RICHARD ZEITER Property generally located at the southwest corner of Desert Lane and Kenyon Place, R-2 Zone (under Resolution of Intent to R-3). Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. One year extension to August 2, 1982. 2. Conformance to the ordinance amendments enacted subsequent to the original approval. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and staff to proceed

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Items
October 7, 1981 City Commission Agenda

E. EXTENSION OF TIME - Z-67-80 - GEORGE W. COUCH III AND DOUGLAS E. SIMMS

This is the first request for an extension of time. The applicant indicated economic conditions prevented him from developing the property during the past year.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

F. EXTENSION OF TIME - Z-49-78 - RICHARD ZEITER

This is the third request for an extension of time. The applicant needs additional time to start construction on the property.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

AGENDA

City of Las Vegas

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)		
G. PLOT PLAN REVIEW - Z-76-79 - CHARLES R. RUTHE AND ASSOCIATES, INC., REALTORS Property generally located on the west side of Decatur Boulevard, north of Doe Avenue, C-1 Zone. Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Conformance to the amended plot plan. 2. Provision of a 5' planter with lawn and allepo pine (10 gallon) at 15' on center. 3. Conformance to all other original conditions of approval. 4. Approval of the parking and driveway plan by the Traffic Engineer. 5. All street improvements which are not in good condition shall be repaired as required by the Department of Public Services. 6. Conformance to elevations which shall be similar for the building on the south portion of the property. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

G. PLOT PLAN REVIEW - Z-76-79 - CHARLES R. RUTHE AND ASSOCIATES, INC., REALTORS

The request is to construct another commercial building on the north portion of this property which will complete development on this site. The plot plan indicates the building and the parking area will essentially be an extension of the existing development to the south.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

City of Las Vegas

October 7, 1981

BOARD OF CITY COMMISSIONERS

Page 45

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
H. PLOT PLAN REVIEW - Z-53-78 - MACCO CONSTRUCTION COMPANY Property generally located on the northeast corner of Arville Street and Tara Avenue, R-1 Zone (under Resolution of Intent to R-PD14). Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Conformance to the amended plot plan. 2. Conformance to the amended elevations extended to provide the mansard roof continuation on the north side of the buildings. 3. Conformance to all other original conditions of approval. 4. Three (3) month extension of time to December 13, 1981 on the zoning. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and Planning to proceed.
I. PLOT PLAN REVIEW - Z-66-73 - CASEY RUSSELL To allow a room addition on property located at 3308 Calle De Torre, R-PD6 Zone. Planning Commission unanimously recommends APPROVAL, subject to the following condition: 1. Conformance to the plot plan. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Items
October 7, 1981 City Commission Agenda

H. PLOT PLAN REVIEW - Z-53-78 - MACCO CONSTRUCTION COMPANY

The developer is proposing to reduce the building sizes and provide a common area in the center portion of this planned development. The change will be more desirable from an aesthetic standpoint. There will be adequate parking and landscaping. Also, the applicant needs the three-month extension of time to start this project which is in order.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Including the three-month extension of time.

STAFF RECOMMENDATION: APPROVAL

I. PLOT PLAN REVIEW - Z-66-73 - CASEY RUSSELL

This involves a minor addition to the front of a condominium unit in the Spanish Oaks development. The addition will be compatible with the remainder of the unit and there will still be adequate open space on this site.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

<table>
<tr><th>ITEM</th><th>Commission Action</th><th>Department Action</th></tr>
<tr><td>X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</td><td></td><td></td></tr>
<tr><td>J. USE REVIEW - Z-30-75 - GARY VAUSE

To reinstate the real estate office use in the second story of the building where the Lit'l Scholar Child Care Nursery is located on property at 2301 W. Charleston Boulevard, C-D Zone.

Planning Commission recommends APPROVAL (5-1 vote), subject to the following conditions:

1. A maximum of one broker, one salesman, and one employee (secretary) may utilize this real estate facility.

2. Three (3) parking spaces be designated for real estate office use.

Staff Recommendation: APPROVAL

PROTESTS: 0</td><td>Levy -
APPROVED as recommended with exception that conditions Nos. 1 and 2 be deleted.
Unanimous</td><td>Clerk to notify and Planning to proceed.

Applicant present.</td></tr>
</table>

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

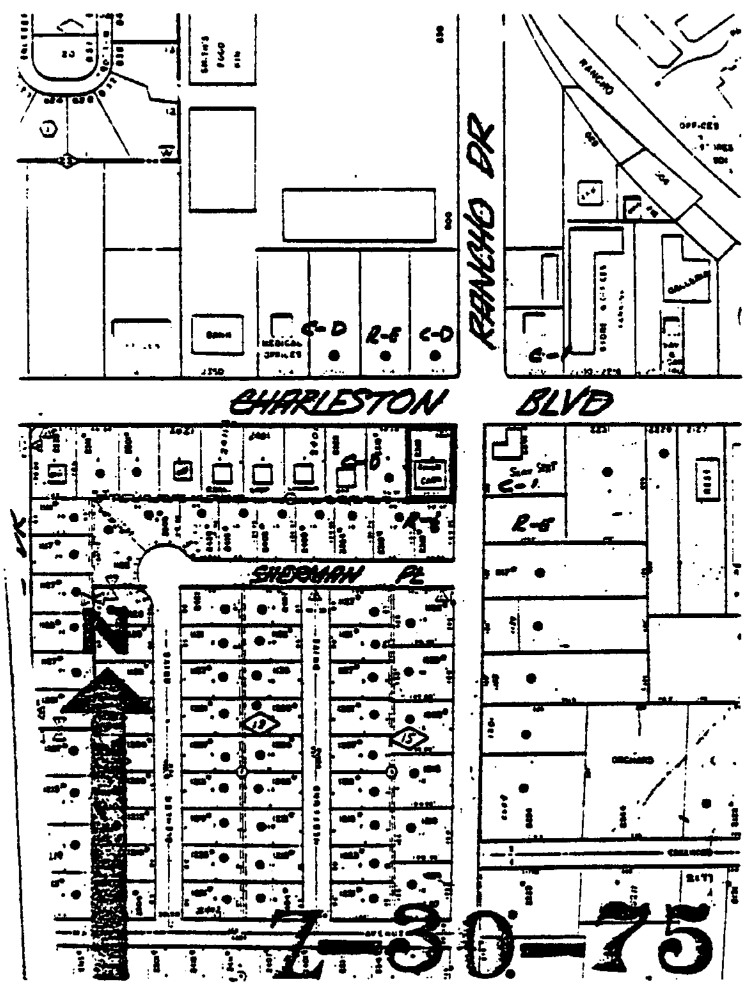
J. USE REVIEW - Z-30-75 - GARY VAUSE

The request is to allow a real estate office use on this property which was allowed for approximately a year and a half after this property was rezoned to C-D. There is a child care nursery on this site and at the time of the rezoning to C-D there was a protest factor from the residents who were concerned about the noise and if there would be sufficient parking for the nursery and the real estate operation. Consequently, the Commission only allowed the real estate operation for one year and then a six-month extension was granted. Prior to the extension being granted, staff checked the property numerous times to determine if a parking problem existed and it was found there was always a sufficient number of spaces available. The C-D zone allows real estate offices and the applicant indicated his operation would only consist of himself, one salesman and a secretary.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to the use being limited to one broker, one salesman and one employee, and three parking spaces on this site be designated for the real estate office use.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



Item X.

AGENDA

City of Las Vegas

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)		
K. ZONE CHANGE - Z-54-81 - ALBERT B. SPINO, TRUSTEE, ET AL Reclassification of property generally located at the southeast corner of Owens Avenue and Sandhill Road. From: R-E (Residence Estates) To: R-PD15 (Residential Planned Development) and C-1 (Limited Commercial) Proposed Uses: Commercial and Medium Density Residential Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. 2. Denial of the C-1 east of Henry Street. 3. Conformance to the plot plan amended to provide the parking in the rear of the building. 4. Conformance to elevations approved by the Department of Community Planning and Development. 5. Install improvements on Owens Avenue and Sandhill Road as required by the Department of Public Services. 6. Approval of the drainage plan by the Department of Public Services. 7. Accessory buildings be permitted as allowed in the R-1 district. 8. Planning Commission approval of the commercial development plan prior to construction. Staff Recommendation: APPROVAL PROTESTS: 3 APPROVED AGENDA ITEM	Lurie - APPROVED as recommended by staff and Planning Commission and subject to denial of the easterly portion of the C-1 and re-designing of the parking and access to each fourplex. Unanimous	Clerk to notify and Planning to proceed. Applicant was not present. No one spoke in opposition.

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

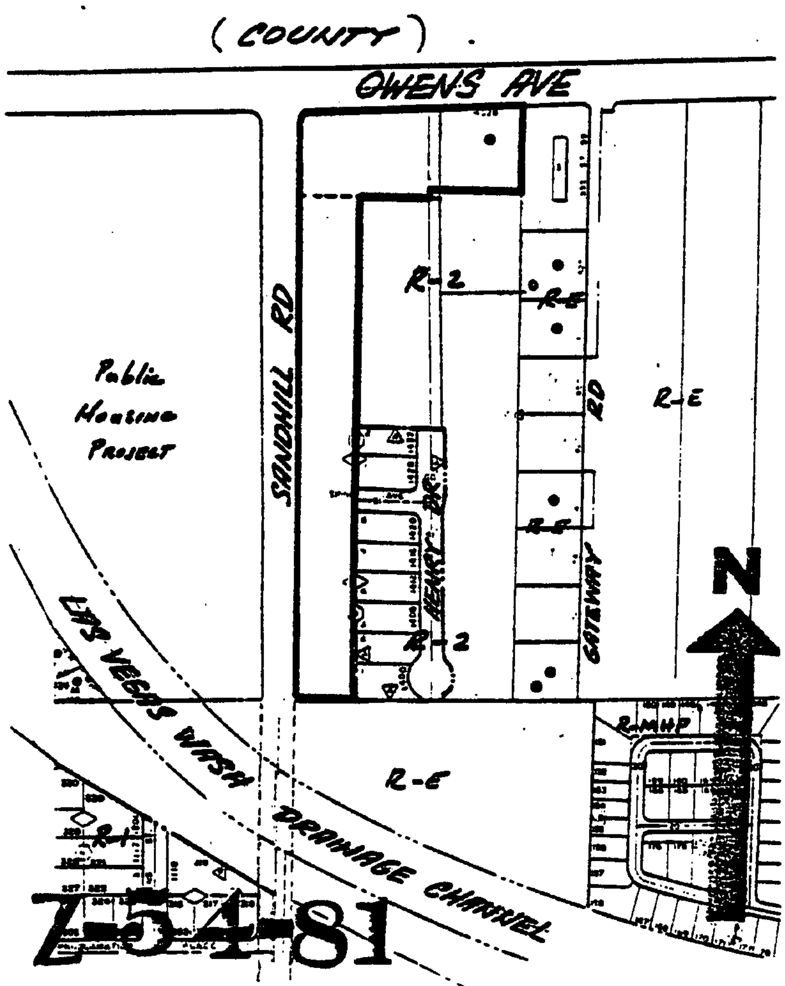
K. ZONE CHANGE - Z-54-81 - ALBERT B. SPINO, TRUSTEE, ET AL

The north portion of the property is requested for C-1 along Owens Avenue and the narrow strip of land along Sandhill is proposed for R-PD15 development. The parcel to the east was approved for R-2 recently for this developer and C-1 was denied on the north portion which is the easterly part of the property requested for C-1 on this application. To the east across Sandhill is a Housing Authority project that is partially developed and west of that is the Las Vegas Wash Drainage Channel. There was no development plan submitted for the C-1 and the R-PD15 will consist of a row of 65' wide lots fronting on Sandhill. The driveway and all of the parking is proposed in front of each fourplex. The subdivision ordinance does not allow lots to have access to secondary streets unless the lots are a minimum of 100' wide. Consequently, the applicant was agreeable to redesigning the access and parking areas to the rear of the fourplexes.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to denying the easterly portion of the C-1 and redesigning the parking and access to each fourplex.

STAFF RECOMMENDATION: APPROVAL - Subject to denial of the easterly portion of the C-1 and redesigning the parking and access to each fourplex.

PROTESTS: 3



Item X.

ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
L. TENTATIVE MAP - HAAS APARTMENTS UNIT 3 Property generally located on the east side of Sandhill Road, south of Owens Avenue, R-E Zone (proposed R-PD15). Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Approval of zoning application Z-54-81. 2. Conformance to the conditions of approval for Z-54-81. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission with additional condition that a paid tax statement be provided. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

L. TENTATIVE MAP - HAAS APARTMENTS UNIT 3

This is the map for the proposed development under Item K (Z-54-81). The map will have to be revised to conform to the conditions of approval under the zoning action. If the zoning is approved then this map is in order for approval subject to the changes.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to approval of zoning application Z-54-81.

STAFF RECOMMENDATION: APPROVAL - Subject to approval of zoning application Z-54-81.

AGENDA

City of Las Vegas

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)		
M. ZONE CHANGE - Z-53-81 - CLAIRE E. HOPPE AND C & H ENTERPRISES Reclassification of property generally located at the southeast corner of Alexander Road and Thom Boulevard. From: R-E (Residence Estates) To: R-PD2 (Residential Planned Development) Proposed Use: Low Density Detached Single Family Homes Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. 2. Dedication of 30' of right-of-way for Thom Boulevard, 50' of right-of-way for Alexander Road, plus a 20' property line radius corner at the intersection as required by the Department of Public Services. 3. Construction of street improvements on Thom Boulevard and Alexander Road. 4. Conformance to the plot plans amended to provide a 50' main and accessory building setback from Alexander Road. 5. Approval of the building elevations by the Department of Community Planning and Development. 6. Accessory building shall be allowed as permitted in the R-1 district. Staff Recommendation: APPROVAL PROTESTS: 1 APPROVED AGENDA ITEM	Woofter - APPROVED as recommended by staff and Planning Commission Unanimous	Clerk to notify and Planning to proceed.

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

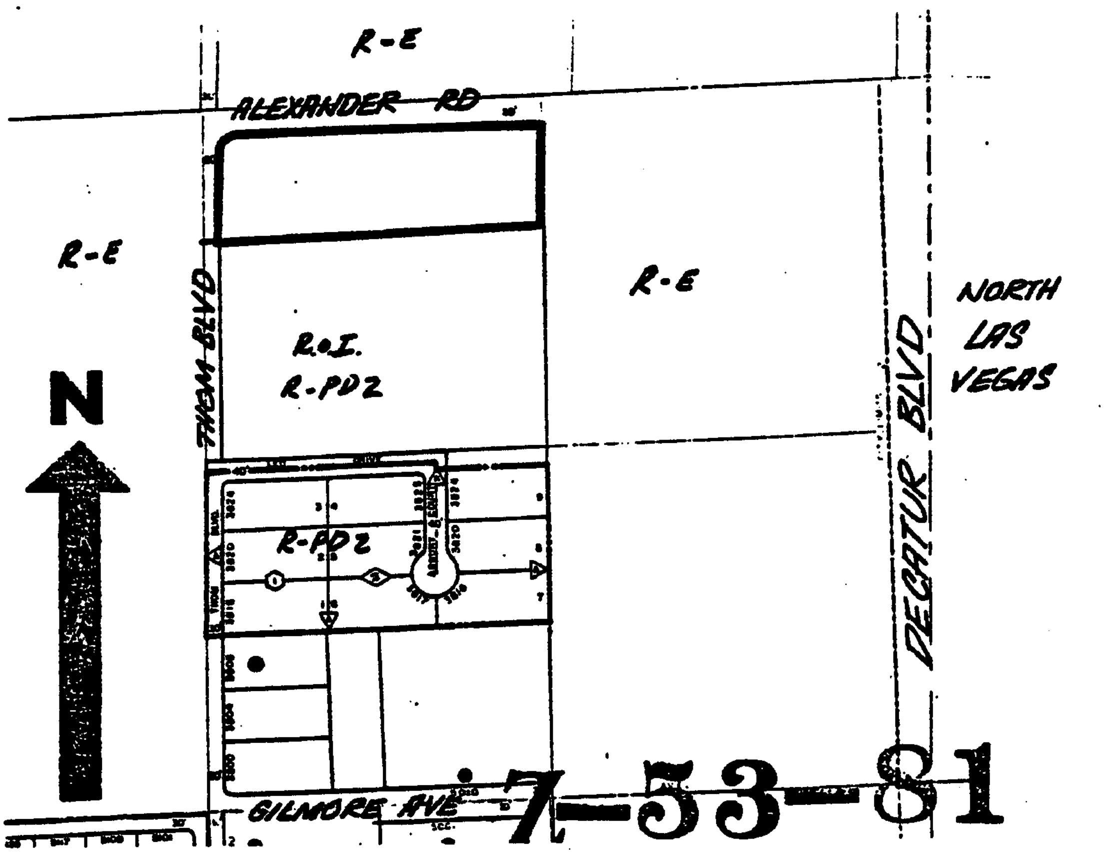
M. ZONE CHANGE - Z-53-81 - CLAIRE E. HOPPE AND C & H ENTERPRISES

The request is for a planned development which will be constructed at an R-E density. The applicants are proposing to complete the remainder of their project on an R-PD2 has been approved on the south portion of their property. The development will be at the same density as R-E. This parcel is only 4.2 acres and it is a separate parcel and does not meet the five acre requirement. It will be developed as one project with their land to the south and, therefore, a waiver is in order.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
N. TENTATIVE MAP - SHADOW ACRES (REVISED) Property generally located at the southeast corner of Alexander Road and Thom Boulevard, R-E Zone (under Resolution of Intent to R-PD2 and the remainder request for R-PD2 under Z-53-81). Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Approval of zoning application Z-53-81. 2. Conformance to the conditions of approval for Z-53-81. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by staff and Planning Commission with additional condition that a paid tax statement be provided. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City ommission Agenda

N. TENTATIVE MAP - SHADOW ACRES (REVISED)

This map is tied into the rezoning application under Item M (Z-53-81). If the rezoning application is approved, then this map is in order to be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to approval of zoning application Z-53-81.

STAFF RECOMMENDATION: APPROVAL - Subject to approval of zoning application Z-53-81.

AGENDA

City of Las Vegas

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)		
O. ZONE CHANGE - Z-55-81 - LESLIE BLACKMON	Levy - APPROVED as recommended by staff and Planning Commission. Unanimous	Clerk to notify and Planning to proceed.

Reclassification of property generally located on the northeast corner of Jones Boulevard and Hickam Avenue.

From: R-E (Residence Estates)
To: R-PD2 (Residential Planned Development)
Proposed Use: Detached Single Family Residences

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

1. Resolution of Intent shall be restricted to a twelve (12) month time limit.
2. Waiver of the five acre minimum site requirement.
3. Conformance to the typical plot plan and setbacks.
4. Conformance to the elevations.
5. Dedicate 20' of right-of-way for Jones Boulevard and the radius corner at Jones Boulevard and Hickam Avenue.
6. Install improvements on Jones Boulevard and Hickam Avenue as required by the Department of Public Services.
7. Approval of the drainage plan by the Department of Public Services.
8. Accessory uses and buildings be permitted as allowed in the R-1 District.

Staff Recommendation: APPROVAL

PROTESTS: 0

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

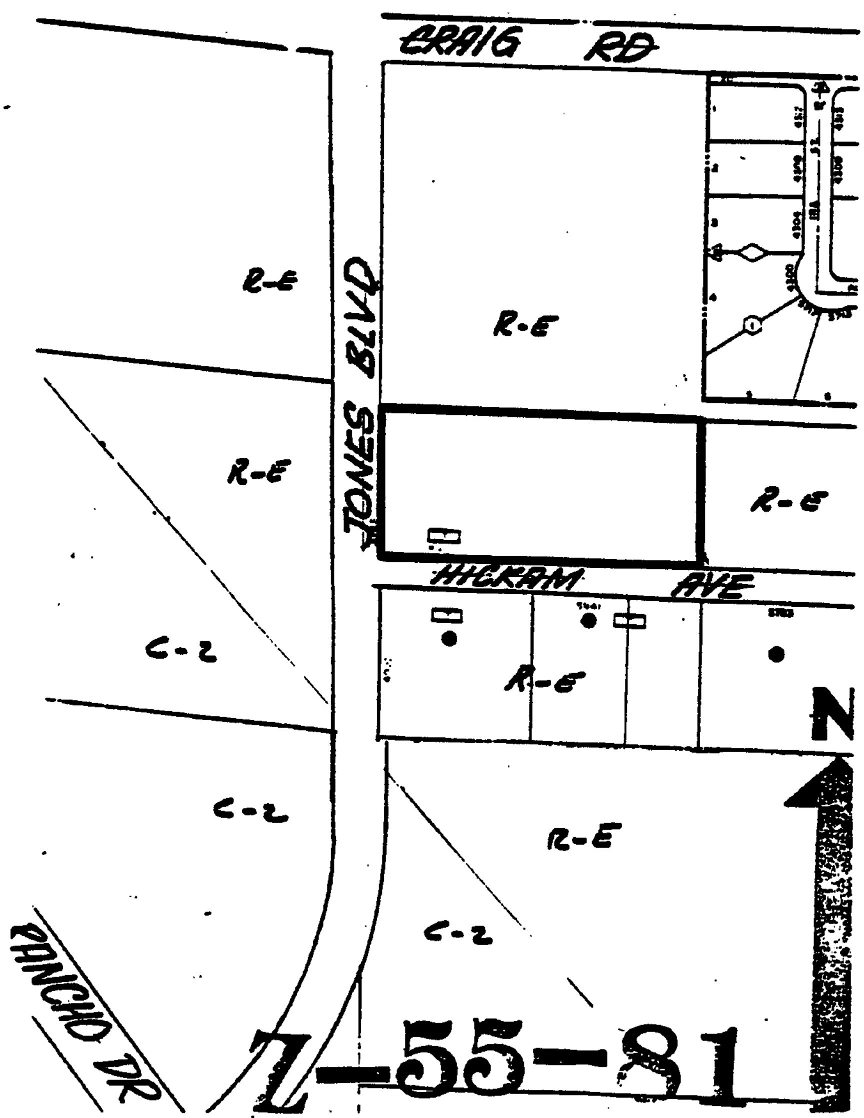
O. ZONE CHANGE - Z-55-81 - LESLIE BLACKMON

The request for R-PD2 is similar to Item M (Z-53-81) and is located in the same general area. The streets in this project will be private. A waiver is needed because the site is 3.7 acres and the ordinance requires a minimum of five acres. This development will have the appearance of a typical R-E development found in the area.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to waiving the five acre size requirement.

STAFF RECOMMENDATION: APPROVAL - Subject to waiving the five acre size requirement.

PROTESTS: 0



AGENDA

City of Las Vegas

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)		
P. ZONE CHANGE - Z-57-81 - NEVADA ESCROW SERVICES, INC., TRUSTEE	Lurie - APPROVED as recommended by staff and Planning Commission. Unanimous City Attorney ruled that Condition 3 would not be applicable and, therefore, should be deleted.	Clerk to notify and Planning to proceed. Jack Clark, 723 S. 3rd represented applicant. Appearing in opposition was Joann Markland, 2825 Milo Way

Reclassification of property generally located on the northwest corner of Meade Avenue and Rancho Drive.
From: R-E (Residence Estates)
To: M (Industrial) & C-1 (Limited Commercial)
Proposed Uses: Offices, Convenience Store and Warehouses

Planning Commission recommends APPROVAL (5-0-1 vote), subject to the following conditions:

1. Resolution of Intent shall be restricted to a twelve (12) month time limit.
2. Approval of the warehouse elevations by the Planning Commission.
3. Improve the drainage channel as required by the Department of Public Services, provided the City Attorney determines the developer will be free of future liability on this channel.
4. Vacation of Rigel Avenue.
5. Construction of a 6' block wall along the entire north property line prior to or during the first phase of construction. The 6' height shall be measured from the finished grade of the highest level on either side of the fence.
6. Provide a 10' planter along the north property line with Arizona Cypress or equivalent at 15' on centers (minimum 15 gallon size).
7. Conformance to the plot plan and elevations.
8. Approval of the parking and driveway plan by the Traffic Engineer.

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

October 7, 1981

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)		
P. CONTINUED		
9. All existing street improvements which are not in good condition shall be repaired as required by the Department of Public Services.	See Page 52	See Page 52
10. Install sidewalks on Meade Avenue and Rancho Road.		
Staff Recommendation: APPROVAL		
PROTESTS: 2		

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development
October 7, 1981 City Commission Agenda

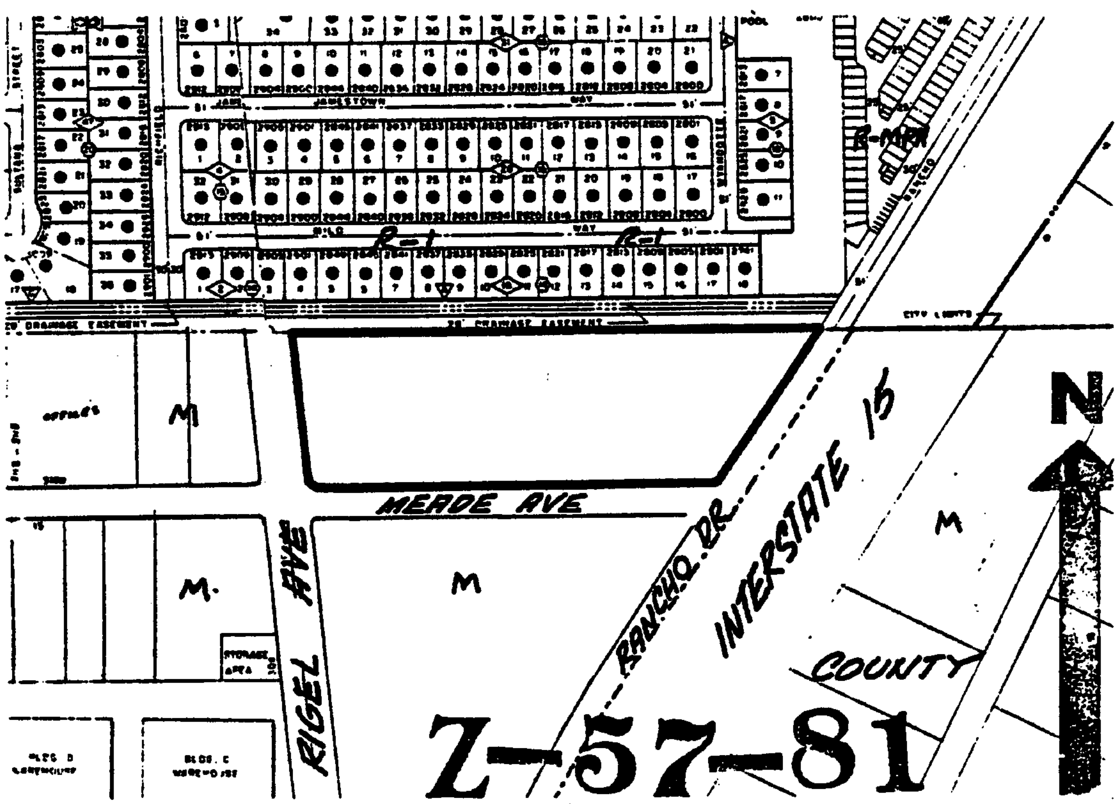
P. ZONE CHANGE - Z-57-81 - NEVADA ESCROW SERVICES, INC., TRUSTEE

Last year a request for an outdoor amusement center was denied on this property. To the north is the Richfield Village subdivision that is developed on an R-1 basis. To the west and south is industrial zoning and to the east is the I-15 freeway. There is a strip of land approximately 64' wide that is located between this property and the R-1 area which has a 28' wide City drainage easement on the north portion of it. The applicant is proposing to develop three warehouses on the westerly portion where the M zoning is requested and a convenience store and offices in the area requested for C-1 zoning on the easterly part along Rancho Drive. The warehouses will be approximately 20' high and will be set back approximately 80' from the north property line.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to constructing a 10' landscaping strip along the north side of the property and constructing a 6' block wall along the north property line during the first phase of construction and improving the drainage channel as required by the Department of Public Services.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 2



Item X.

ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
Q. ZONE CHANGE - Z-52-81 - BYRON THORNTON AND JAMES G. MATHIS A revised application to allow an office complex for twenty (20) medical suites and to amend the reclassification request to P-R (Professional Offices & Parking), whereas the previous request was for C-1 (Limited Commercial) zoning for a 145-bed convalescent center, on property located at 1112 and 1120 Shadow Lane, R-E Zone. Planning Commission unanimously recommends DENIAL. If approved, following are the recommended conditions: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. 2. Conformance to the elevations. 3. Vacation of the existing utility easement bisecting the property. 4. Construction of a 6' block wall along the south property line. 5. Provision of two-way patient and employee access easements to Charleston Boulevard. 6. Provision of adequate water flow as required by the Department of Fire Services. 7. All street improvements which are not in good condition shall be repaired as required by the Department of Public Services. 8. Install sidewalk on Shadow Lane as required by the Department of Public Services. Staff Recommendation: APPROVAL PROTESTS: 23 APPROVED AGENDA ITEM	Levy - Motion to refer back to Planning Commission carried by unanimous vote.	Clerk to notify and Planning to proceed. Douglas Vineyard represented applicant. Appearing in opposition: Atty. Martin Kravitz

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

Q. ZONE CHANGE - Z-52-81 - BYRON THORNTON AND JAMES G. MATHIS

The request involves two properties which are occupied by large homes that front on Shadow Lane and are south of the commercial fronting on Charleston Boulevard. To the west is C-1 and P-R zoning and there is P-R to the east for the VA Clinic parking lot. To the south is R-E and R-1 zoning. At the time the applicants submitted their original application, it was for a 145-bed convalescent center and prior to the hearing the plan was changed to a medical complex with twenty suites. The application was held in abeyance and the surrounding property owners were renotified of the use and there was a protest factor because all access was from Shadow Lane. The protestants felt it would generate traffic on the residential streets to the south. At the Planning Commission meeting the applicants proposed to construct a fence along Shadow Lane and only have one access on the very northeast corner closest to Charleston Boulevard. However, this arrangement was still contrary to the current policy of only approving parcels of land which have frontage on Charleston Boulevard. The Planning Commission recommended denial of the plan because it was contrary to the established policy of requiring frontage on Charleston Boulevard. Since the Planning Commission meeting, the applicants have revised their plan to joint venture with the property owner to the west who has approved P-R and C-1 zoning and frontage on Charleston Boulevard. The applicants now propose to eliminate all access to Shadow Lane and obtain a perpetual easement on the property to the west to Charleston Boulevard. The frontage along Shadow Lane would be fenced to prohibit pedestrian and vehicular access. The layout of the medical office complex will be the same except the access to the property will be to the northwest rather than the northeast. There will be adequate off-street parking and landscaping provided.

PLANNING COMMISSION RECOMMENDATION: DENIAL - The denial was based on the plan which only had access to Shadow Lane and this was contrary to the established policy of only approving P-R and C-1 on property having frontage on Charleston Boulevard.

STAFF RECOMMENDATION: APPROVAL - Denial was recommended at the Planning Commission meeting because there was no access to Charleston Boulevard. However, the revised plan eliminates access to Shadow Lane and proposes access to Charleston which now makes this rezoning request acceptable.

PROTESTS: 23 - Many of the protestants were from the Scotch 80 area who were concerned about additional traffic through their neighborhood to circumvent the traffic on Charleston Boulevard. The protestants are not aware of the revised plan which eliminates access to Shadow Lane.

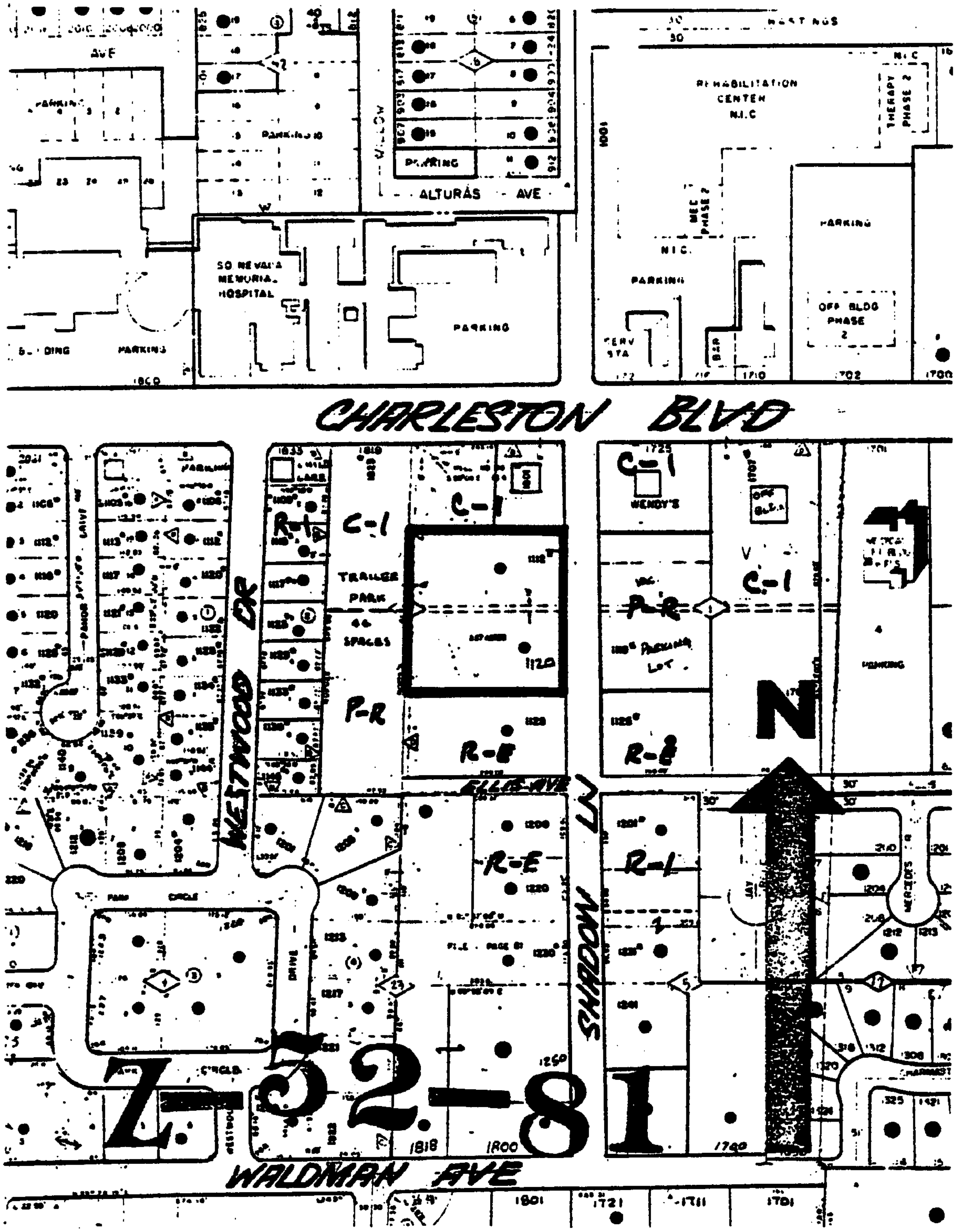
(SEE ATTACHED LOCATION MAP)

Item X.

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

Q. <u>ZONE CHANGE - Z-52-81 - BYRON THORNTON AND JAMES G. MATHIS</u>

<u>LOCATION MAP</u>



ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
R. ABEYANCE ITEM - ZONE CHANGE - Z-51-81 - BILLY SLOAT Reclassification of property generally located on the south side of Vegas Drive, 105' east of Cherokee Lane. From: R-1 (Single Family Residence) To: R-PD8 (Residential Planned Development) Proposed Use: Medium Density Residential Planning Commission unanimously recommends DENIAL. If approved, following are the recommended conditions: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. 2. Conformance to the plot plan and elevations allowing a 20' front setback. 3. Construct a 30' half street along the east side of the property. 4. Use of the westerly 75' shall be limited to passive recreation facilities. 5. Construction of a 6' block wall on the west, south and east property lines reduced to 4' maximum with the top 2' fifty percent (50%) open from the front of the buildings to Vegas Drive. 6. Provision of fire hydrants and water flow as required by the Department of Fire Services. 7. Redesign the parking and driveway plan as required by the Traffic Engineer. 8. Construct improvements on Vegas Drive as required by the Department of Public Services. 9. Screen roof mechanics on all sides of the buildings. Staff Recommendation: APPROVAL PROTESTS: 65	DENIED A motion to approve as recommended by staff by Woofter failed with Briare, Levy & Christensen voting "no". APPROVED AGENDA ITEM	Applicant present. Rafael Badia, 1306 Cherokee Lane appeared in opposition.

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
October 7, 1981 City Commission Agenda

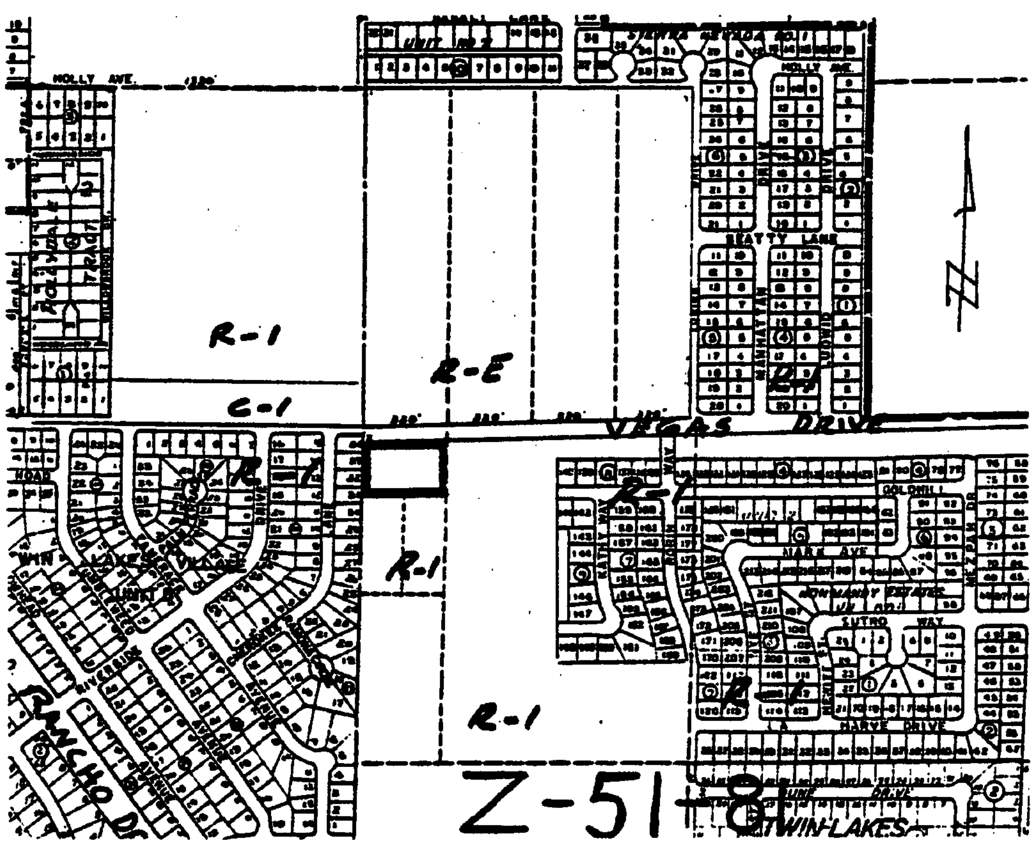
R. ABEYANCE ITEM - ZONE CHANGE - Z-51-81 - BILLY SLOAT

This item was held in abeyance for the Commission to view some of the apartment units which have been constructed by the applicant in the general area. The applicant is proposing a 16-unit townhouse development at a density of 8 units per acre. The site is approximately 2 acres in size, whereas five acres is the maximum requirement. The applicant is asking the five acre site requirement be waived, which is at the discretion of the Commission. There is an undeveloped 20 acre school site to the east and R-1 to the west. To the north is R-E and C-1. The applicant had an R-1 subdivision approved on this site and then it was necessary for the applicant to dedicate a 75' wide easement along the west side of his property for a water line in connection with the Southern Nevada water project. He now feels it is not economically feasible to develop single family homes on the remainder of the site.

PLANNING COMMISSION RECOMMENDATION: DENIAL - Contrary to the single family development pattern on the south side of Vegas Drive.

STAFF RECOMMENDATION: APPROVAL - The density would be compatible in this neighborhood.

PROTESTS: 65



AGENDA

City of Las Vegas

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)		
S. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE PLANNING COMMISSION AT ITS SEPTEMBER 22, 1981 MEETING.	VAC-8-81 VAC-11-81 VAC-10-81 S.I.D. 435	10/21/81 Agenda 10/21/81 Agenda 10/21/81 Agenda 10/21/81 Agenda
T. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD SEPTEMBER 24, 1981.	V-57-81	10/21/81 Agenda

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
XI. ADDENDUM ITEMS		
1. ADDENDUM TO SECTION VIII, NEW BILLS TO BE REFERRED TO A RECOMMENDING COMMITTEE: Item K - Bill No. 81-79 - Adopts Interim Civil Service Rules (See Page 38-A)	See Page 38-A	See Page 38-A
2. ADDENDUM TO SECTION V, CITY ATTORNEY AGENDA: Item E - Discussion and possible action on the Resolution setting forth the City of Las Vegas' Criteria for the Potential Establishment of a Valley-Wide Flood Control District. (See Page 32-A) (NOTE: To be heard after 3:30 P.M. due to time of posting.)	See Page 32-A	See Page 32-A

AGENDA City of Las Vegas

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE • PHONE 386-6011
BILL BRIARE, MAYOR • COMMISSIONERS: PAUL J. CHRISTENSEN • AL LEVY • RON LURIE • ROY WOOFTER

ADDENDUM NO. 2 TO THE AGENDA OF THE BOARD OF CITY COMMISSIONERS MEETING TO BE HELD ON WEDNESDAY, OCTOBER 7, 1981, AT 10:00 A.M. IN THE COMMISSION CHAMBERS, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA:

V. GEORGE F. OGILVIE - CITY ATTORNEY

E. DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION SETTING FORTH THE CITY OF LAS VEGAS' CRITERIA FOR THE POTENTIAL ESTABLISHMENT OF A VALLEY-WIDE FLOOD CONTROL DISTRICT.

City of Las Vegas
AGENDA DOCUMENTATION

Date: Oct. 2, 1981

TO: The Board of City Commissioners

FROM: RUSSELL W. DORN
CITY MANAGER

SUBJECT: RESOLUTION ESTABLISHING CITY OF LAS VEGAS POSITION WITH REGARDS TO FLOOD CONTROL DISTRICT

PURPOSE/BACKGROUND

The County has had a Stormwater Management Program developed by their consultant, Sedway Cooke. The City of Las Vegas Board of Commissioners has previously commented on the alternatives developed by Sedway Cooke.

The County Planning staff is recommending a form of district be adopted utilizing the existing County Board of Commissioners as the governing body and utilizing existing County staff.

At the last meeting of the Environmental Quality Policy Review Board (EQPRB) the County Planning staff recommended that the Stormwater Management Program be presented to the County Board of Commissioners for approval.

City staff at the last EQPRB meeting requested that the Board delay action on this item to enable the City of Las Vegas Board of Commissioners to consider the final report by Sedway Cooke.

The position set forth in the attached Resolution has been prepared in conjunction with the City staff and our Flood Control Consultant, John M. Tettemer & Associates, Ltd.

The position set forth in the attached Resolution very briefly provides for:

1. A governing body, the constituency of which shall be established in the same manner in which representation on the Clark County Regional Transportation Commission is determined.

2. Be a totally independent body, with a board of directors and a staff which has planning, design, and maintenance capabilities, and which has the responsibility to:

   a. Develop a master plan for flood control for the entire Las Vegas Valley;

   b. Establish standards and specifications for flood control facilities within the Las Vegas Valley;

   c. Design and construct new flood control facilities according to the master plan which, directly or indirectly, will benefit the residents of said City;

   d. Accept for maintenance those flood control facilities presently existing within said City; and

(Cont'd)

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the Commission adopt the Resolution.

Donald E. Donovan, P.E.
Director of Public Services

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ______________

79-3-10

Agenda Item
V. E.

e. Accept those facilities to be constructed within the corporate limits of said City as a result of new development;

and that the City supports financially the proposed district through the following methods:

1. The construction of major flood control facilities will be financed by monies which will be derived through a district-wide bond issue and which will be under the control of the district;

2. Benefit/service charges, which will be assessed equally to the residents of the service area of the district on an annual basis, will be used to pay the costs of operating and maintaining the district and, upon the accumulation of adequate funds, to pay for the "cost to cure" existing flood problems and situations; and

3. The use of all Federal monies and support which may be available under any of the programs available to further fund flood control projects, and the district will aggressively seek to obtain all such monies and support.

R E S O L U T I O N

WHEREAS, the City of Las Vegas, Nevada, has experienced serious flooding problems from time to time; and

WHEREAS, said City desires to comply with the Federal Flood Insurance requirements and further desires to protect its residents and their properties from loss and damage due to flooding; and

WHEREAS, said City is in support of the concept of a stormwater management system for the entire Las Vegas Valley; and

WHEREAS, said City does not have adequate staff nor funds to inaugurate an individual flood control organization for the purpose of constructing major and minor flood control facilities and providing regular maintenance thereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas, Nevada, that said City will, and hereby does, endorse and support the establishment of an independent flood control district which will have jurisdiction over the entire Las Vegas Valley in all matters which relate to flood control and will:

1. Provide said City with representation on its governing body, the constituency of which shall be established in the same manner in which representation on the Clark County Regional Transportation Commission is determined;
2. Be a totally independent body, with a board of directors and a staff which has planning, design, and maintenance capabilities, and which has the responsibility to:
    a. Develop a master plan for flood control for the entire Las Vegas Valley;
    b. Establish standards and specifications for flood control facilities within the Las Vegas Valley;

c. Design and construct new flood control faciliti according to the master plan which, directly or indirectly, will benefit the residents of said City;

d. Accept for maintenance those flood control facilities presently existing within said City; and

e. Accept those facilities to be constructed within the corporate limits of said City as a result of new development.

BE IT FURTHER RESOLVED that said City supports the concept of financing the proposed district through the following methods:

1. The construction of major flood control facilities will be financed by monies which will be derived through a district-wide bond issue and which will be under the control of the district;

2. Benefit/service charges, which will be assessed equally to the residents of the service area of the district on an annual basis, will be used to pay the costs of operating and maintaining the district and, upon the accumulation of adequate funds, to pay for the "cost to cure" existing flood problems and situations; and

3. The use of all Federal monies and support which may be available under any of the programs available to further fund flood control projects, and the distric will aggressively seek to obtain all such monies and support;

BE IT FURTHER RESOLVED that said City will have the sole responsibility of issuing development permits, as appropriate, within the corporate limits of said City in compliance with its

Flood Hazard Reduction Ordinance, identified as Ordinance No. 2115 which was adopted on September 3, 1980. The purpose of such development permits is to insure that future development within said City will provide flood mitigating measures for all new developments.

BE IT FURTHER RESOLVED that, if any flood control facility and/or device is required under the aforesaid Ordinance, such facility and/or device, upon completion, will be relinquished to the flood control district for operation and maintenance.

BE IT FURTHER RESOLVED that said City will actively support any enabling legislation which may be necessary or appropriate in order to establish the type flood control district as hereinabove described.

DATED this 7th day of October, 1981.

APPROVED:

By Ron Lurie
RON LURIE, MAYOR PRO-TEM

ATTEST:

Carol A Hawley
Carol Ann Hawley, City Clerk

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.	None	None

APPROVED AGENDA ITEM
Ashley Hall