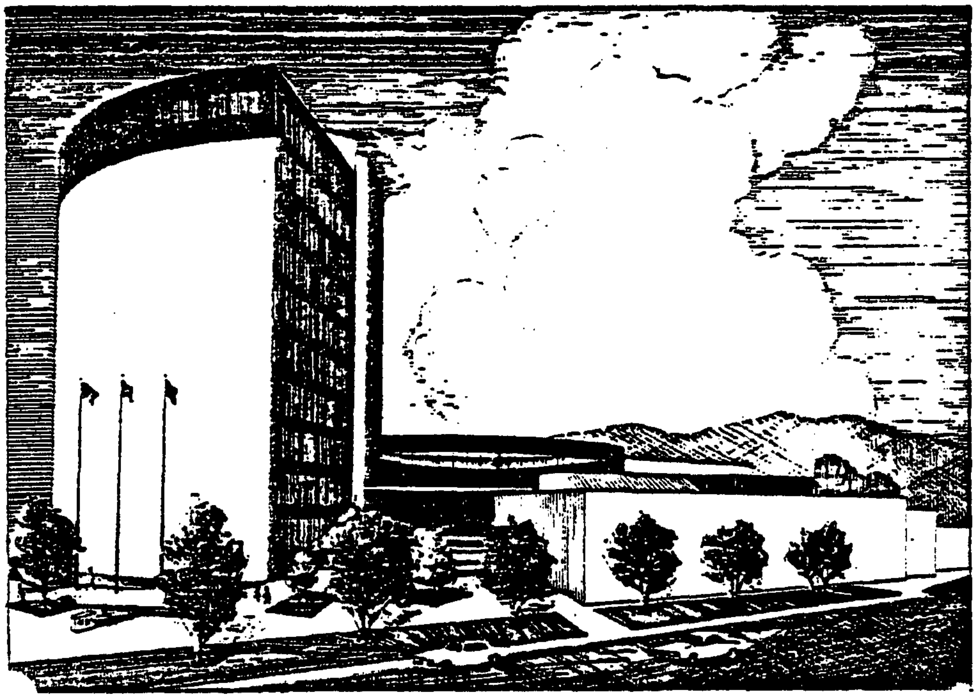


MINUTES

City of Las Vegas

BOARD OF COMMISSIONERS

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

DATE: March 16, 1983

TIME: 9:45 A.M.

INVOCATION: Robert A. Spiering, President
Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE: Given

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. WILLIAM U. PEARSON	X		
CITY ATTORNEY			
GEORGE F. OGILVIE	X		

APPROVED BY REFERENCE July 6, 1983

ATTEST:

Carl A. Hawley — CITY CLERK

William H. Briare — MAYOR

THIS MEETING CONTAINS SOME PAGE(S) THAT ARE ILLEGIBLE/POOR QUALITY

AGENDA

City of Las Vegas

March 16, 1983 0001

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
I. 9:45 A.M.	FULL BOARD PRESENT	
A. COMMUNITY RELATIONS	A Special Plaque was presented to the City on behalf of the Men and Women of Nellis AFB at an outdoor service prior to beginning of meeting.	
B. SPECIAL EVENTS	Career Day students in attendance were welcomed by the Mayor.	
II. 10:00 A.M.		
A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW	Announcement Given	
B. INVOCATION Robert A. Spiering, President Church of Jesus Christ of Latter Day Saints	Invocation given by Robert A. Spiering, Church of Jesus Christ of Latter Day Saints	
C. PLEDGE OF ALLEGIANCE	Pledge Given	

APPROVED AGENDA ITEM

Ashley Hall

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241) 0002

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

Thomas Young
Lenny Thayer, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 11th day of March, 1983, at the hour of 9:30 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 16th day of March, 1983, 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).

Lenny Thayer
Thomas Young
SIGNATURE

GS-1223
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

11th day of March, 1983

Linda M. Owens
NOTARY PUBLIC in and for said County and State. My Commission expires: 8-12-84

LINDA M. OWENS
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Aug. 12, 1984

AFFIDAVIT OF MAILING

CITY COMMISSION MINUTES - MARCH 16, 1983

0003

(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 11th day of March, 83, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a REGULAR MEETING of the BOARD OF CITY COMMISSIONERS OF CITY OF LAS VEGAS, NEVADA, to be held on the 16th of March 1983, 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 11th day of March, 1983

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

AGENDA

City of Las Vegas

March 16, 1983

BOARD OF CITY COMMISSIONERS

Page 2

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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. DEBRA KISNER 4052 Woodgreen Drive 3 children days/2 nights 2. LISA KOLSTAD 5129 Cannon Blvd 5 children days 3. KATHRYN OMAN 1404 Newport 3 children days/2 nights 4. JUDY SCOTT 7012 Oakhurst Lane 5 children days	Lurie - APPROVED Items 1 thru 4 and Items 1 and 2 under Child Care Centers. Unanimous with the exception that Christensen abstained from voting on Item 4.	Staff to proceed

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)		
*A. CHILD CARE FACILITY APPLICATIONS (cont'd)		
Child Care Centers		
1. RHYME & REASON 1632 East Charleston 36 children days	APPROVED See Page 2	See Page 2
2. BUSY BUDDY'S I 2010 Palomino Lane 38 children days/5 nights 4 before/after school		
*B. LIQUOR -- Additional		
1. LAS VEGAS INN & CASINO, INC. Las Vegas Inn & Casino 1501 West Sahara Avenue 1 bar	Lurie - APPROVED Unanimous	Staff to proceed
*C. GAMING -- Additional		
1. FRIENDLY CLUB, INC. Friendly Club 101 East Fremont 4 "21" Tables	Lurie - APPROVED Items 1 thru 7 Unanimous	Staff to proceed

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)		
*C. GAMING -- Additional (cont'd)		
2. HORSESHOE CLUB OPERATING COMPANY Horseshoe Club 128 East Fremont 1 slot	APPROVED See Page 3	See Page 3
3. GEMINI, INC. Lady Luck Casino 206 North 3rd Street 2 "21" Tables		
4. SCOTT PLAZA, INC. Union Plaza Hotel & Casino #1 Main Street 1 "21" Table		
5. AUTOMATIC AMUSEMENTS OF L. V. Kosher Burrito 235 North Eastern 2 slots		
6. J. J. PARKER COMPANY Port Tack 3190 West Sahara 2 slots		

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)		
*C. GAMING -- Additional (cont'd)		
7. UNITED COIN MACHINE COMPANY A J Laundry 1404 South Fourth Street 3 slots	APPROVED See Page 3	See Page 3
D. LIQUOR -- New		
1. *STOP 'N GO MARKETS OF NEVADA, INC. dba STOP 'N GO MARKET #1163 2431 East Bonanza Beer/Wine Off-Sale License (Stop 'N Go Markets of Nevada, Inc., a wholly-owned subsidiary of National Convenience Stores, Inc.) National Convenience Stores, Inc. -- V. H. Van Horn, Pres, Dir A. J. Gallerano, V. P., General Counsel, Secy et al Stop 'N Go Markets of Nevada, Inc. -- V. H. Van Horn, Pres, Dir A. J. Gallerano, V. P., Secy et al Zone Manager: Glynn Lambert	Lurie - APPROVED, subject to provisions Items 1 and 2. Unanimous	Staff to proceed

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

PROVED 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)		
D. LIQUOR -- New (cont'd)		
2. *STOP 'N GO MARKETS OF NEVADA, INC. dba STOP 'N GO MARKET #1160 1201 East Sahara Avenue Beer/Wine Off-Sale License (Stop 'N Go Markets of Nevada, Inc., a wholly-owned subsidiary of National Convenience Stores, Inc.) National Convenience Stores, Inc. -- V. H. Van Horn, Pres, Dir A. J. Gallerano. V. P., General Counsel, Secy et al Stop 'N Go Markets of Nevada, Inc. -- V. H. Van Horn, Pres, Dir A. J. Gallerano, V. P., Secy et al Zone Manager: Glynn Lambert *Subject to the provisions of the Planning, Building, and Fire codes and Health Department regulations	APPROVED See Page 5	See Page 5

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)		
E. LIQUOR & GAMING -- Approval of Key Employee		
1. GNLV CORPORATION dba GOLDEN NUGGET 129 East Fremont General On-Off Sale License Gaming: Nonrestricted (GNLV Corporation, a wholly-owned subsidiary of Golden Nugget, Inc.) Key Employee: Eric Drache, Poker Manager	Lurie - APPROVED Unanimous	Staff to proceed
F. GAMING -- New		
1. CLIFFORD AVRON dba HARD HAT COCKTAIL LOUNGE 1675 Industrial Road Restricted Gaming: 9 Operator Slots Clifford Avron, 100%	Lurie - APPROVED Items 1 and 2 Unanimous	Staff to proceed
2. SALUTE ENTERPRISES, INC. dba DUFFY'S TAVERN 4420 East Charleston, #2 Restricted Gaming: 10 Operator Slots Robert Elwart, Pres, Dir, 50% Wayne Albritton, V. P., Dir, 50%		

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

0010

March 16, 1983

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)		
G. GAMING -- Change of Location		
1. From: 2648 South Highland TO: *WESTRONICS, INC. dba WESTRONICS, INC. 2901 So Highland, #13-D Slot Operator License Michael Wichinsky, Pres, Dir, 44.6% William O'Donnell, Sr., V. P., Dir, 24.32% Glenn Wichinsky, V. P., Secy, Treas, Dir, 15.54% Claudia Wichinsky, 15.54% *Subject to the provisions of the Planning, Building, and Fire codes	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed
H. BURGLAR ALARM LICENSE -- Change of Location		
1. From: 5441 Paradise Road TO: SECURITY GUARD I.T.T. ALARM SYSTEMS OF LAS VEGAS, INC. dba SECURITY GUARD I.T.T. ALARM SYSTEMS 3254 Civic Center Drive, #A Samuel Moore, Pres, V. P., Secy, Treas, 100%	Lurie - APPROVED Unanimous	Staff to proceed

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

0011

March 16, 1983

BOARD OF CITY COMMISSIONERS

Page 9

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
I. PRIVATE DETECTIVE LICENSE -- Change of Corporate Ownership/Change of Location	Lurie - APPROVED Unanimous	Staff to proceed
1. From: Nevada Security & Patrol Services, Inc. McCarren International Airport Gary Holman, Pres, Chmn of the Board, Qualifying Agent Ray L. Eicher, Jr., V. P. - Operations TO: NEVADA SECURITY & PATROL SERVICES, INC. dba NEVADA SECURITY & PATROL SERVICES, INC. 1020 East Charleston Donald E. Hoke, Jr., Pres John L. Barr, V. P., Qualifying Agent Margueritte Fitzgerald, Treas		

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)		
J. TIME SHARE LICENSE/ACQUISITION AGENT -- Change from Corporation to Sole Proprietorship 1. From: Growth Investments, Ltd. dba Motel Development, Inc. Jay Brown, Pres, Secy, Treas, Dir, 100% TO: JAY BROWN dba JAY BROWN 200 East Fremont Street Jay H. Brown, 100%	Lurie - APPROVED Unanimous	Staff to proceed
K. SPECIAL EVENT LIQUOR LICENSE 1. HELP THEM WALK AGAIN FOUNDATION Location: 2333 East Sahara Date: March 17, 1983 Responsible Licensee: Fred Keck Skinny Dugan's Pub 2. ARA LEISURE SERVICES, INC. Location: Cashman Field 850 Las Vegas Blvd North Date: April 1, 1983 Responsible Licensee: Keith Lopeman Mallory's	Lurie - APPROVED Items K and L with Item 2 under K amended to include March 31, 1983. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
L. SPECIAL EVENT GAMING LICENSE		
1. REGINA HALL AUXILIARY Location: #1 Main Street Date: May 1, 1983 Type: Bingo	APPROVED See Page 10	See Page 10
M. LIQUOR -- Request for Approval of Nonoperational Status		
1. RUTH VENNEMAN dba DAN DEE BAR 1129 South Commerce General On-Off Sale License Ruth M. Venneman, 100% (Nonoperational status for period 6/28/82 to 9/28/82 approved 6/16/82. Nonoperational status for period 9/28/82 to 12/28/82 approved 9/15/82. Nonoperational status for period 12/28/82 to 3/28/83 approved 12/15/82. Request for approval of extension for additional three-month period: 3/28/83 to 6/28/83.*) *Must be in operation prior to 6/28/83.	Lurie - APPROVED Unanimous	Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 4, 1983

O: The Board of City Commissioners

FROM: DON SAYLOR, DEPUTY CITY MANAGER

UBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- MARCH 16, 1983 COMMISSION AGENDA
LIQUOR -- Request for Approval of Nonoperational Status

URPOSE/BACKGROUND

Item, "M", 1, on the Department of Business Activity agenda is the last three-month request for extension of nonoperational status on the liquor license held by Ruth Venneman, 100%, dba Dan Dee Bar.

A copy of Ms. Venneman's letter requesting this extension is attached.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Acitivty

Agenda Item
III. "M" 1

March 4, 1983

Jerry Cahill, Director
Department of Business Activity
Las Vegas, Nv. 89101

Re: Dan Dee Bar
General On-Off Sale License
L04-122-4-00037

Dear Mr. Cahill.

At the City Commission meeting of March 2, 1983, the Mayor and City Commissioners approved the placement of the Dan Dee Bar license at 1129 South Commerce. Because there is probably not time to complete the necessary work at that location before the non-operational status of the license expires, I am requesting an additional extention of three months and hope that by that time this will be back in the active category.

Thank you ,Jerry, as well as Marge and Gwen for all the help you have given me during this past year.

Sincerely,

Ruth Venneman

Ruth Venneman
Owner - Dan Dee Bar
1636 E. Lewis
Las Vegas, Nv. 89101

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

0016

March 16, 1983

ITEM	Commission Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
ABEYANCE ITEM		
N. LIQUOR & GAMING -- Change of Ownership		
1. From: Manmat Financial Enterprises, Inc. -- Charles Tretsky, Pres, Secy, Treas, 33 1/3% Richard ~~Lasher~~ Strother, V. P., 66 2/3% TO: *S & B MANAGEMENT, INC. dba JERRY'S LIQUOR/BEER BAR 1604 West Oakey Blvd General On-Off Sale Restricted Gaming: 12 Operator Slots Jon Evan Holten, Pres, Dir Lawanna Van Holten, Secy, Treas, Dir	Lurie - APPROVED Unanimous	Staff to proceed

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
IV(a) ADMINISTRATIVE AGENDA RUSSELL W. DORN, CITY MANAGER		
A. DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDATION OF THE SENIOR CITIZEN ADVISORY BOARD THAT DULA CENTER BE INCORPORATED INTO THE SENIOR ACTIVITY COMPLEX.	Lurie - APPROVED as recommended (Dula Center designated as a facility primarily for senior citizens under auspices of Sr. Citizen Center). Unanimous	Staff to proceed
B. DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF A CONSULTANT TO DO THE COMPREHENSIVE UPDATE OF THE GENERAL PLAN.	Lurie - APPROVED as recommended (enter contract with Planning Center of Newport Beach and creation of Citizens Advisory Committee.) Unanimous (Final Action in PM Session)	Staff to proceed
C. DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF AN EXTERNAL AUDITOR FOR THE CITY OF LAS VEGAS AS REQUIRED BY NRS 354.624 FOR AN INDEPENDENT REVIEW OF THE CITY BUDGET.	Levy - APPROVED as recommended (acceptance of Ashworth, Ernst & Sandford, Ltd. for FY '83,'84 and '85). Unanimous	Staff to proceed Ross Johnson of Ashworth, Ernst & Sanford present Audit presentation to appear on 4/6/83 Agenda.
D. DISCUSSION AND POSSIBLE ACTION ON THE ACCEPTANCE OF THE HIGH SPEED/SUPER SPEED TRAIN FEASIBILITY STUDY AS COMPLETED BY THE BUDD COMPANY AND APPROVAL OF FINAL PAYMENT.	Levy - APPROVED as recommended (payment to Budd Co. and acceptance of study subject to receipt of written acceptance by Federal Railroad Adm.) Unanimous (Christensen excused)	Staff to proceed Jack Libby, Chmn. Study Com. gave report
	City Manager directed by Board to have resolution on 4/6/83 agenda in support of Valley Hospital's Flight for Life Program and encourage community support for financial assistance.	

City of Las Vegas

0018

AGENDA DOCUMENTATION

Date: March 9, 1983

TO:
The Board of City Commissioners

FROM: RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDATION OF THE SENIOR CITIZEN ADVISORY BOARD THAT DULA CENTER BE INCORPORATED INTO THE SENIOR ACTIVITY COMPLEX.

PURPOSE/BACKGROUND

The architect is in the process of developing plans for the expansion of the Senior Citizen Center. The expansion will be paid for by funds both from the City and County. The design process has brought into focus the need to make a determination now as to the future use of Dula Center. The Senior Citizen Advisory Board at their last meeting recommended that Dula Center be incorporated into the Senior Citizen Complex and be programmed primarily for use by the seniors.

At the present time several clubs use Dula on a weekly and monthly basis. This use could continue if the senior activity program is allowed at this facility. Dula is also used very heavily for basketball both league play and free play. This use could not continue under the senior citizen program.

Although the primary use would be for senior citizens, they would also program other uses into the building that would be compatible with their functions. If Dula is to be a senior citizen facility, the determination should be made now so that the remodeling program can be predicated upon that basis to get the most benefit from both buildings.

Recognizing that there will be a continuing demand for an increase in services to senior citizens and recognizing that somewhere along the line Dula Center would become a senior citizen facility, it appears most logical to make that conclusion now.

FISCAL IMPACT

If any, it would be very minimal. The Recreation staff now used at Dula would be transferred to other recreation facilities. The maintenance costs of the building would remain the same. There may be a need to hire an hourly person to program the uses for the seniors.

RECOMMENDATIONS

The City Manager recommends that Dula Center be designated as a facility primarily for senior citizen use under the auspices of the Senior Citizen Center.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-8-10

Agenda Item 3-16-83
IV(a) A.

◍ AS REQUIRED (FUTURE)

○ QUALIFIED

ACTIVITY FUNCTION OR PROGRAM / SPACE	MULTI-PURPOSE #1	MULTI-PURPOSE #2	MULTI-PURPOSE #3	MULTI-PURPOSE #4	SOCIAL SERVICES	ARTS & CRAFTS	CLASSROOMS	POOL ROOM	ADMINISTRATION	OPEN AREA	DULA	CONFERENCE RM.	FIRST AID	OLD LOBBY
CENTER (ADV. BOARD)	●	●												
SO. NEVADA ADV. BOARD	●	●												
COMM. AGING	●	●												
BLOOD PRESSURE	●	●												
MOBILE HOME	●													
THERAPY							●					●		
IN CANCER CLINIC					●								●	
HEARING PROBLEMS					①									
UROLOGICAL PROBLEMS			●											
MEDICAL SUPPLEMENT	●	●												
N.R.T.A. BD. MEETING												●	○	
MEDICATIONS			●											
INVESTMENTS	●	●												
S.P.A.F.	●	●	●								◍			
RTS & CRAFTS						●								
CERAMICS						●								
PORCELAIN						●								
CHINA PAINTING						●								
WOOD CARVING						●								
WATER COLOR PAINTING						●								
CROCHET-KNIT						●								
SEWING						●								
NEEDLEPOINT						●								
DOLL CLASS						●								
PAINTING						●								

① SOUND ISOLATION

◍ AS REQUIRED (FUTURE)

○ QUALIFIED

ACTIVITY FUNCTION OR PROGRAM / SPACE	Multi-purpose #1	Multi-purpose #2	Multi-purpose #3	Multi-purpose #4	Social Services	Arts & Crafts	Classrooms	Pool Room	Administration	Open Area	Dula	Conference Rm.	First Aid	Lobby (Old)		
SPANISH			●				●									
HAWAIIAN SONG FEST	●															
CAMERA CLUB			●				●					●				
BRIDGE LESSONS			●													
BINGO	●	●	●								◍					
CARDS - OVER 50	●	●	●													
CARDS - GOLDEN AGE	●	●	●													
ROCKET MAILING		●	●													
CONCERTS	●	●	●	●												
PANCAKE BRUNCH			●	●												
BALLROOM DANCE INSTRUCTIONS	●	●	●													
BALLROOM DANCE											●					
SQUARE DANCE											●					
ROUND DANCE											●					
EXERCISE	●	●									◍					
SPORTS											●					
AEROBICS											●					
POOL								●								
COUNTRY SWING	●	●									◍					
CHORUS	●															
GOLDEN K. KIWANIS							●									
TOAST MASTER							●									
VOLUNTEER SER. ADV. COMMITTEE					●							●				
ARTS & CRAFTS SALE	●	●	●	●		●										

●
◍ AS REQUIRED (FUTURE)
○ QUALIFIED

ACTIVITIES FUNCTION OR PROGRAM / SPACE	Multi-purpose #1	Multi-purpose #2	Multi-purpose #3	Multi-purpose #4	Social Services	Arts & Crafts	Classrooms	Pool Room	Administration	Open Area	Dula	Conference Rm.	First Aid	Lobby (Old)		
LANGUAGE CLASSES			●				●									
CREATIVE WRITING							●									
HUMANITIES							●									
SENIOR DRAMA GROUP	●	●														
TRIPS WAITING							●			●						
LECTURES	◍	◍	◍	◍			◍									
PROGRAMS	◍	◍	◍	◍												
ENTERTAINMENT	◍	◍	◍	◍												
FILMS	●	●	◍	◍			◍									
MUSIC REHERSALS	●	◍	◍	◍												
PIANO & ORGAN	●	●	◍	◍												
PLAYING																
LUNCHEONS	●	●	●	●												
BIRTHDAY PARTY	●	●	●	●												
SNACK AREA				●						●						
PING PONG TABLE			◍					◍			●					
INFORMAL CARDS			◍	●				◍		●						
DESK(S) FOR PERSONAL BUSINESS										●				●		
CONTROL & INFORMATION STATIONS									●	●						
TV AREA										①						
SHUFFLEBOARD										◍	●					
PADDLE TENNIS											●					
VOLLEYBALL											●					
LIMITED BASKETBALL											●					

① NOISE

TABLE B (continued)

AS REQUIRED (FUTURE)

○ QUALIFIED

ACTIVITY FUNCTION OR PROGRAM / SPACE	Multi-purpose #1	Multi-purpose #2	Multi-purpose #3	Multi-purpose #4	Social Services	Arts & Crafts	Classrooms	Pool Room	Administration	Open Area	Dula	Conference Rm.	First Aid	Lobby (Old)		
DARTS											●					
ARCHERY											●					
RACKET BALL											●					
ADMINISTRATIVE CONTOL POINT														●		
ACCOUNTING														●		
COMPUTER														●		
SWITCHBOARD														●		
RECEPTIONIST/ TYPIST														●		
OFFICE MACHINES														●		
SALES SHOP														●		
GAME TABLES								●		◍						
LOUNGE CHAIRS										●				●		
MAGAZINES, BOOKS										●				●		
PUBLIC RELATIONS													●			
HEALTH CLINICS					●								●			
TOURS									●							
TRIPS									●							
GROUP SERVICES									●							
FOOD SERVICES									●							
ADMINISTATIVE OFFICE									●							
PURCHASING									●							
COUNSELING									●							
STAFF LOUNGE									●							
FIRST AID									●							

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 8, 1983

TO: The Board of City Commissioners

FROM: RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF A CONSULTANT TO DO THE COMPREHENSIVE UPDATE OF THE GENERAL PLAN.

PURPOSE/BACKGROUND

Due to the many changes that have taken place since the last comprehensive update of the General Plan, it appears timely that a comprehensive update take place. The previous plan was predicated primarily upon the philosophy of a residential population housed predominately in single family homes on standard-size lots. The philosophy has changed to allowing greater densities, smaller lots, zero-lot lines, etc. Furthermore, the County is undergoing the development of a comprehensive plan and Summa Corporation is developing a master plan for their property.

Invitations to submit proposals were sent to fifty consulting firms and replies were received from seventeen consulting firms . A screening committee comprised of the Director of Planning, a member of the Planning Commission, the Deputy City Manager, and the Director of Budget and Management screened the proposals and the top three were invited to make a presentation to the committee. The screening committee selected the Planning Center of Newport Beach as the primary firm. They will associate with PRC Voorhees and Newport Economics Group. The former will provide expertise in the area of transportation and the latter in the field of fiscal analysis and economic impact.

As we did previously, substantial citizen input will be invited by forming a relatively large citizen advisory committee who will work closely with the consulting firm.

FISCAL IMPACT

$95,390 has been allocated out of Revenue Sharing funds. $85,000 is the contract amount for the professional services and $10,390 is budgeted for contingencies.

RECOMMENDATIONS

The City Manager recommends that a contract be entered into with the Planning Center of Newport Beach as the primary firm in association with PRC Voorhees and Newport Economics Group to do a comprehensive update of the General Plan and that the Mayor and City Commissioners submit names of people to serve on the citizen advisory committee.

DISPOSITION
Approved
Disapproved
Held

Status Due: ______

Agenda Item 3-16-83
IV(a) B.

CONSULTANT AGREEMENT

THIS AGREEMENT, made and entered into this 27th day of April , 1983 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") and the PLANNING CENTER, CONSULTING PLANNERS (hereinafter referred to as the "CONSULTANT").

WITNESSETH:

WHEREAS, the CITY has a General Plan; and

WHEREAS, the plan was adopted in 1975 and has been reviewed and amended from time to time since its adoption; and

WHEREAS, the CITY has determined that a comprehensive review and update of the plan is desirable; and

WHEREAS, the CITY desires the services of a planning consultant for the purpose of conducting an analysis of current and future city conditions in order to provide a General Plan for the CITY and to develop precise community land use plans; and

WHEREAS, the CONSULTANT has submitted a proposal to conduct such planning studies and based on such proposal has been selected by the CITY to conduct such studies.

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

SECTION I: PLANNING AREA

The planning area boundary for this plan update is to include the incorporated limits of the CITY. In addition, through consultation with staff and City officials, the expansion area outside the existing City limits is to be included to the west and northwest of the CITY. The final determination of the expansion area will be jointly determined by the CITY and the CONSULTANT.

SECTION II: SCOPE OF WORK

PHASE ONE: ASSEMBLY AND ANALYSIS

The CITY and County have extensive current information of reasonably good quality. It is anticipated minimal time will be spent on collecting new data. The CONSULTANT will analyze and translate the available data along with any new data into a form directly usable in updating the General Plan.

TASK 1: Review and Analyze Las Vegas Valley Data

All available information in the Las Vegas Valley relevant to the update will be reviewed. Applicability to the update and deficiencies, if any, will be noted. Information will be sorted according to its probable location in the updated plan.

TASK 2: Assemble and Review City Infrastructure Data

The CONSULTANT will review all available data and studies relevant to development of a transportation plan for the CITY.

The CONSULTANT shall review data on the current city sewer system and wastewater treatment, sewer extension policies, drainage problems, flood control plans and regulations, fire services and facilities, parks and recreation facilities, and other elements of the City's infrastructure. The CONSULTANT will also gain an understanding of the policies governing the extension of public and semi-public services, e.g. water, electric power and gas, police protection, not directly provided by the CITY. City staff will assist the CONSULTANT in filling information gaps which become evident in TASKS 1 and 2.

TASK 3: Interview Key Officials

During the early part of Phase One, the CONSULTANT will hold individual interviews with the members of the Board of City Commissioners, Planning Commission, City Manager, Director of Community Planning and Development, and other key department heads to obtain their views and concerns. The schedule of these interviews will be mutually agreed upon by the CONSULTANT and the Project Director (Director of the Department of Community Planning and Development).

TASK 4: Complete Policy Inventory and Analysis

City development policies derived from document research and interviews will be summarized according to subjects to be contained in the General Plan. A complete analysis of these policies will be made by the CONSULTANT.

TASK 5: Prepare Economic & Demographic Profile and City Base Case Projections

Existing city data and staff resources and census data are to be utilized to organize all available economic and demographic data to assist in formulating appropriate projections. This data will include population size, density and distribution; and socio-economic profiles for the region, CITY and principal subareas. Profiles of the resident population and essential components of the planning effort to identify the quantity and quality of the population base and identify future trends and patterns will be prepared by the CONSULTANT.

The function and role of the CITY as part of the regional economy will be completed as part of this assessment with the goal being to establish the CITY as a functioning part of a greater economy. From the data assembled, a specific evaluation of the economic characteristics, trends, and projections relating to the CITY and its subareas is to be prepared to provide community specific baseline information. This analysis shall include general assessment of the demographic characteristics of the region, its housing characteristics, employment data, and commercial activity indicators.

On the basis of historical changes in population in the City of Las Vegas and the relationship between population and economic growth represented by job formation, the CONSULTANT will project both population growth and growth in employment.Demographic projections will then be evaluated against current city staff projections and recent development activity in the CITY to substantiate the growth potential of the study area. The specificity of the analysis and projections will be based on existing data.

TASK 6: Prepare Statement of Existing Conditions

Based on information from previous tasks, the baseline description of existing conditions for all elements, beyond population and economic data, will be prepared. It will serve as the frame of reference for the General Plan and will include all subjects to be dealt with in the General Plan.

TASK 7: Prepare Statement of Issues, Constraints and Opportunities

The CONSULTANT shall verify the planning and development issues which are essential to deal with the General Plan Update; identify physical, fiscal and policy constraints which operate to limit the physical development choices available to the CITY: and, describe the opportunities for city growth and development that exist now and in the foreseeable future.

TASK 8: Prepare Working Draft of Plan Format

The CONSULTANT shall produce a working draft of the entire General Plan table of contents and organization. This will be provided to key participants in binder format so that draft material may be inserted as it is produced. The final plan scope will change to some degree during the course of the project, but the basic structure is to remain intact.

TASK 9: Verify Work Program Scope and Schedule

This task shall produce a refined project work program and schedule based upon CITY and CONSULTANT insight developed during the assembly and analysis phase. Some reallocation of resources by the City's designated representative may be needed based upon the outcome of the preceding TASKS. It will be the primary management tool during the remainder of the project.

The CONSULTANT shall complete the following Phase One Products:

1. List of data deficiencies, if any, and solutions.
2. Summary of City Infrastructure Constraints and Opportunities Report (Memorandum).
3. Summary of Interview Findings (Memorandum).
4. Policy Inventory and Evaluation Report.
5. Existing Conditions Report.
6. Base Case Projections.
7. Issues, Constraints and Opportunities Report.
8. General Plan organization description and outline in looseleaf binders.
9. Refined project work program and schedule.

Phase One Schedule: Twelve weeks

PHASE TWO: GOALS AND OBJECTIVES

This phase is devoted to completing an update of goals and objectives to eventually be incorporated into the General Plan and, in the meanwhile, guide the preparation of the plan update in subsequent phases.

<u>TASK 10: Form Technical Advisory Committee (TAC) and Citizens Advisory Committee (CAC)</u>

Two groups shall be appointed to assist the staff, CONSULTANT and Planning Commission in advising the Board of City Commissioners on the plan update. The TAC shall consist of the Project Director and key department heads or their representatives to provide technical advise on plan formulation by those City offices which will play a significant role in carrying out the plan. These members will be a useful source of insight into what will and will not work from a practical standpoint. The following membership shall be considered for the TAC:

- Deputy City Manager
- Director of Community Planning & Development
- Chief of Planning
- Director of Finance
- Budget Director
- Director of Engineering Services
- Director of Public Services
- Director of Business Activity
- Director of Municipal Services
- Director of Fire Services
- Director of Funds Coordination
- Director of Economic Development

The proposed Citizens Advisory Committee (CAC) shall represent a broad spectrum of community interests. A recommended optimum number is approximately 20 to 25. This group would supplement, not replace, Planning Commission input and would not be expected to formally vote on the matters it considers. Membership will be established in consultation with City officials during Phase One. Representation from the following sectors should be considered.

- One member from each ward
- One or more members at large
- Representatives of:
  - Business community
  - Industry
  - Labor organizations
  - Financial community
  - Tourist industry
  - Military
  - Real Estate industry
  - Homebuilders
  - Homeowners Association
  - Rural or equestrian interests
  - Women's organizations
  - Cultural or historical interests

Specific organizations such as the Greater Las Vegas Chamber of Commerce, Las Vegas Convention/Visitors Authority, Nevada Development Authority and the League of Women Voters are examples of organizations that should be represented. The membership will be developed in conjunction with the Project Director, reviewed with the City Commission members and a formal nomination made by the Commission for membership. The CONSULTANT will provide a draft "charter" for this advisory body clarifying its roles, relationships and responsibilities. The appointment date is to be mutually agreed upon by the CONSULTANT and the Project Director (Director of the Department of Community Planning and Development).

TASK 11: Review Phase One Findings with the TAC and CAC

This task is to begin the process of bringing these advisory bodies up to date on the base information to be used in the plan formulation. It will also enable them to augment or suggest highlights in terms of their own knowledge and background, to assist the CONSULTANT in developing recommendations.

TASK 12: Prepare Draft of Goals and Objectives

The CONSULTANT shall prepare a working draft of proposed goals and objectives derived from the existing plan, Phase One products, key official interviews and TAC/CAC responses. This draft shall be reviewed with the TAC and CAC for refinement.

TASK 13: Review Goals and Objectives with Planning Commission

The draft package from TAC/CAC review shall be presented to the Planning Commission for consideration.

TASK 14: Review Goals and Objectives with Board of City Commissioners

The Planning Commission approved draft shall be submitted and described. Any significant conflicts or issues related to the package at its various stages will be shared with the Board. Its approval of the package will be sought for purposes of guiding the following work.

The CONSULTANT shall complete the following Phase Two Products:

1. Technical Advisory Committee Membership

2. Citizens Advisory Committee Membership

3. Approved Goals and Objectives

Phase Two Schedule: Twelve Weeks

PHASE THREE: GROWTH STRATEGIES

During this phase the research, analysis and formulation of appropriate positions by the CITY regarding its share of growth in the Las Vegas Valley will be completed.

TASK 15A: Growth Analysis

Based upon the work in TASKS 5, 6 and 7, a general evaluation of the range of prospective land uses shall be completed by the CONSULTANT to determine the demand factors which might be applicable to the introduction and intensity of these uses in the CITY. Retail commercial use, office use, hotel/motel uses, industrial/service market facilities, residential use, and recreational use would be among the land uses investigated as part of this analysis. The analysis will take into account applicable market areas for the respective uses, growth prospects in the region as the basis for market support, and fundamental market appeal the CITY offers, in particular, relative to competitive areas. Based on the marketing, economic, and fiscal factors developed previously, optional land use mixes by compatible use category and/or overall implementation approach will be prepared. Options will be developed taking into account economic development needs and opportunities.

TASK 15B: Draft Alternative Growth Scenarios

At least three growth scenarios will be formulated, each with short, medium and long range time periods (5, 10, 15, 20 year and "ultimate" increments). The "ultimate" concept is useful for assessing gross levels of infrastructure need, given the long lead time for facility financing and construction, on top of which is a relatively long useful life. Dimensions of growth to be included are: (1) amount of growth; (2) location; (3) rate or timing; (4) relationship to County growth; (5) general type of use (residential, commercial, industrial); and (6) generalized cost/benefit characteristics.

TASK 16: Analyze Growth/Community Infrastructure Relationships

The CONSULTANT will identify the implications of generalized land use concepts for each growth scenario in terms of impacts on the transportation network. Comparisons of the types of land uses and their trip-generating characteristics will be made for each growth alternative in relationship to the land uses.

The level of transportation network improvements required to accommodate each growth alternative will be estimated based on professional judgement. A traffic analysis will be performed to test whether the proposed transportation elements exceed or are within acceptable service levels. This will assist in the development of threshold levels for infrastructure improvements. Key elements of the transportation network infrastructure will be identified in each area of the CITY upon which development thresholds could be based.

The implications of generalized land use concepts for each growth scenario will be identified in terms of impacts on extension of city sewer, fire services and other public services based on use factors available from the City and other agencies. This analysis is intended to collectively provide a generalized "feeling" for relative implications and costs for each alternative growth scenario to be used as a basis for further analysis in TASK 17.

Beyond a five-year projection, forecasts will consist of ranges intended to indicate low/high probabilities.

TASK 17: Prepare Evaluation Criteria

The CONSULTANT will identify policy implications and options under each scenario to the extent necessary to make a meaningful choice; additional criteria will be important as well. TAC assistance will be sought in devising the evaluation criteria.

TASK 18: Review Growth Scenarios with TAC and CAC

The CONSULTANT will review the Growth Scenarios with the two advisory bodies to enable them to refine the scenarios and their interpretation in preparation for subsequent Planning Commissioners' review. In addition, a recommendation will be sought from each advisory group as to the preferred growth future for the CITY.

TASK 19: Review Growth Scenarios with the Planning Commission

The CONSULTANT will review all scenarios with the Commission and the preferred growth policy emerging from previous reviews will be explained. A recommendation from the Commission will be sought.

TASK 20: Prepare Expanded Cost/Benefit Analysis

A more extensive cost benefit analysis than the original generalized comparison will be performed by the CONSULTANT in order to give the Board of Commissioners the best possible insight into the implications of what is being recommended to them. The specificity of the analysis will be based on existing data.

Fiscal implications and relationships will be outlined and policy implications and options of the preferred scenario will be further defined.

A key aspect of the City's General Plan is the ability of the CITY to finance projects and provide services in relation to new development embodied in the plan. An analysis of the City's revenues, expenditures and indebtedness (including any proposed new debt issues) will be provided by the CONSULTANT at this point. In addition, the unit costs for growth projections, and of conservation and revitalization in older parts of Las Vegas, will be identified by the CONSULTANT on a preliminary basis as a means of testing the financial feasibility of these unit costs and establishing expenditure priorities.

TASK 21: Review Growth Scenarios with Board of City Commissioners

The CONSULTANT will make a presentation to the Board of City Commissioners of all scenarios, summary of points of key critiques, a description of the preferred growth alternative and a discussion of the rationale for that recommendation. Their approval of the preferred alternative will be sought with final adoption occurring as part of the plan.

The CONSULTANT shall complete the following Phase Three Products:

1. Alternative Growth Scenarios

2. Evaluation Criteria

3. Recommended (preferred) Growth Policy

Phase Three Schedule: Eight Weeks

PHASE FOUR: UPDATED GENERAL PLAN

Based upon the approved goals and objectives, the approved growth policy and the General Plan format developed in previous phases, a draft General Plan will be prepared during this phase.

TASK 22: Draft Updated Plan, Parts I and II

The CONSULTANT will assemble all of the parts of the plan into the proposed format. Growth policy and population standards will be placed in Part I, Long Range Planning Framework.

Part II, the Mid-Range Plan, will include generalized land use, transportation, community facilities and enhancement (water, wastewater, drainage, utilities, recreation, visual and historical), fiscal impacts, economic development, conservation and housing. This part of the plan will also map and describe community planning areas as the basis for Part III.

TASK 23: Prepare Cost/Effectiveness Analysis

In this task the CONSULTANT will produce the most rigorous fiscal and economic analysis of the planning process. It will take into consideration the complete scope of the plan rather than just the growth factors included in Phase Three. Direct fiscal relationships, relationships between elements, and direct and indirect impacts of various potential policies can be determined at this time. The fiscal analysis will provide further delineation of impacts.

The CONSULTANT will analyze the City of Las Vegas' past budgets and expenditures in relationship to change in economic activity within the CITY - population growth, new construction, employment growth, etc. - in order to develop revenue and expenditure coefficients for each major type of land use in the City. City staff will assist the CONSULTANT in developing factors for fiscal projections such as revenue trends, new revenue sources or constraints imposed by the 1983 Nevada State Legislature, expenditure patterns and capital improvement funding and priorities.

Using this analysis the CONSULTANT will prepare a fiscal impact model which to the degree possible, given available data, expresses City revenues and costs per acres,per unit (by price and tenure), per square foot, etc. for all types of land uses. The draft updated plan and community profiles as well as the final land use plan, will be evaluated in accordance with this model and the fiscal impact of each will be identified.

By integrating growth projections and the fiscal consequences of various types and combinations of growth, the CONSULTANT will develop a series of recommendations for a growth program that is fiscally sound in terms of generating adequate revenues to support the additional costs implied by various combinations of growth that are achievable within market constraints applicable to the City of Las Vegas. Based on this task the CONSULTANT will formulate an Economic Development Strategy consistent with maximizing opportunities and minimizing constraints, implementing a realistic land use pattern in conjunction with reasonable phasing, and insuring that the Statement of Policies and Guidelines is practically implemented.

The CONSULTANT will review the ability and appropriateness of the CITY to financially assist in the implementation of different aspects of the draft plan. The various financing alternatives will be prioritized as to their implementability and development acceptability. A general procedural mechanism for implementation of the financing alternatives deemed most acceptable to the CITY will be provided by the CONSULTANT as a guide for future use.

TASK 24: Review Draft Plan and Cost/Effectiveness Analysis with TAC and CAC

The CONSULTANT will review the Draft Plan and Cost/Effectiveness Analysis with the TAC and CAC. This will be the most important review in shaping the final plan for consideration by the Board of City Commissioners.

TASK 25: Review Draft Plan and Cost/Effectiveness Analysis with Planning Commission

The same presentation will be made to the Planning Commission by the CONSULTANT that was made to the TAC and CAC. Comments from both of these reviews will be shared with the Commission and its recommendation will be sought.

TASK 26: Refine Draft Plan

Necessary changes will be made by the CONSULTANT as a result of previous reviews. Upon completion of changes the draft will be ready for hearings by the Board of City Commissioners.

The CONSULTANT shall complete the following Phase Four Products:

1. Draft General Plan Documents, Part I and Part II.

2. Cost Effectiveness Analysis

Phase Four Schedule: Ten Weeks

PHASE FIVE: COMMUNITY PROFILES

This phase completes the policy products proposed for adoption in the General Plan and will resolve the concerns expressed by the CITY about land use guidance at the community level.

TASK 27: DRAFT COMMUNITY PROFILES

The CONSULTANT will include the following information at this plan level:

1. Location of housing, commerce, industry, open space, recreation and public uses;

2. Location and classification of existing and proposed arterial highways; and

3. Location of natural or urban features to be conserved or preserved.

Land use categories will be more detailed than those in Part II and will provide a guide for zoning decisions.

The CONSULTANT will make provisions in this process for some flexibility in development priority in order to avoid land owner inequity. More land will be designated in various categories than will be needed according to preferred growth rates. In addition, substitution criteria will be incorporated so the conditions under which undesignated parcels may be rezoned are clearly understood.

The following outline represents a brief description of the work program that will be followed by the CONSULTANT in completing the preparation of the community plans.

1. Define the community planning areas. Criteria will be established to define the community boundaries. Consideration will be given to developed areas and developing areas including the different uses contained therein, such as living, shopping and employment areas.

2. Priorities:
   Prepare recommended time schedules and priorities for the preparation of community plans.

3. Preparation of the Community Plans:
   Work on the community plans shall include the following:

   a. Inventory of existing conditions.

   b. Prepare short-range (5-10 year) projections, trends and needs based upon the mid-range and long-range plans.

   c. Identify issues and priorities.

   d. Prepare preliminary goals, objectives, and policies for a short-range (5-10 year) plan.

   e. Prepare a short-range (5-10 year) land use plan based on the growth alternatives for the CITY.

   f. Identify the fiscal impacts of the land use alternative

4. Community Plan Supportive Text and Data:
   The CONSULTANT will prepare a series of alternative approaches to be used by City staff in the preparation of the final plan for each community after the public input is received. The alternative will be prepared in such a manner as to allow selection of relevant standardized criteria thereby creating a custom designed plan for the community.
   These will include:

   a. Statement of Intent

   b. Location standards

   c. A land use matrix correlating the land use district with land use classification (zoning)

   d. Development standards

   e. Methods for implementation of the plan

TASK 28: Review Community Profiles with the TAC

The CONSULTANT will review Community Profiles with the TAC in order to ready Part III for packaging with the rest of the General Plan. At this time a decision will be made whether to recommend Part III as a portion of the General Plan or to recommend a lesser status as implementing policy as a test period with subsequent reconsideration as an ingredient in the General Plan.

TASK 29: Review Community Profiles

The CONSULTANT will make the changes recommended by the TAC and complete the following Phase Five Products:

1. Set of Community Profiles

Phase Five Schedule: Eight Weeks

PHASE SIX: IMPLEMENTATION PROGRAM

In this phase the CONSULTANT will produce a set of implementation programs for carrying out the General Plan. While some aspects of the program will be placed in the General Plan itself, most of it will consist of actions to be taken by the CITY to implement the Plan. The implementation program will be considered concurrently with the General Plan.

TASK 30: Confirm Program Scope with the TAC

The CONSULTANT will review a proposed outline of implementing actions with the TAC for assessment as to practicality and effectiveness.

TASK 31: Draft Implementation Program

The CONSULTANT will prepare a Draft Implementation Program to include both short and long range implementation actions. A key component will be a monitoring program to track progress toward plan implementation and to provide early warning that plan changes may need to be considered. The implementation program will be thorough, but will not be dependent upon sophisticated, automated information systems.

Programs for overall implementation of the General Plan will be prepared by the CONSULTANT. They will include recommendations for public improvements, the phasing of land use, and guidelines for an ongoing implementation program, including recommendations that might be incorporated in the CITY'S Capital Improvement Plan, and suggestions for private sector participation. The implementation program will include, but not be limited to:

1. Identification of alternative public and private actions required to expedite the implementation efforts.

2. Alternative financing systems with recommendations for financing of the full range of public and private aspects of the Plan.

3. Regulatory governmental actions and monitoring programs required to stimulate and encourage implementation.

4. Integration of community land use plans.

The CONSULTANT shall complete the following Phase Six Products:

1. Draft Program Outline

2. Proposed Implementation Program

Phase Six Schedule: Four Weeks

PHASE SEVEN: FINAL REVIEW AND ADOPTION

This phase will include review of all products as a package by advisory groups and two hearings by the Board of City Commissioners.

TASK 32: Compile Final Draft Plan Package

The CONSULTANT will complete the Final Draft Plan Package which will include all parts of the plan, including goals and objectives, growth policy, Long-Range Planning Framework (Part I), Mid-Range Plan (Part II), Short-Range Plan (Part III-Community Profiles), Implementation Program, General Plan Manual and an Executive Summary.

TASK 33: Complete TAC Review

The CONSULTANT will provide the Final Draft Plan Package including the General Plan Manual and Executive Summary to TAC members for written comments. Comments and/or revisions based upon them will be forwarded to CAC.

TASK 34: Complete CAC Review

The CONSULTANT will provide the CAC with the Final Draft Plan Package including the Community Profiles, Implementation Program, General Plan Manual, and Executive Summary. The CAC will be asked for verbal comments based on reading a review draft, TAC comments, consultant presentation and meeting discussion.

TASK 35: Complete Planning Commission Review

The CONSULTANT will provide the Planning Commission with the same complete Final Draft Plan Package as the CAC. The same process for eliciting Planning Commission comments and plan approval will be used as with the CAC except that it will involve at least one and perhaps two public hearings with general public testimony.

TASK 36: Board of City Commissioners to Complete Review and Adopt Plan

The Planning Commission recommended version of the plan and supporting documents will be presented by the CONSULTANT to the Board at two public hearings with adoption to be sought at the second hearing.

The CONSULTANT shall complete the following Phase Seven Products:

1. Final Draft Goals and Objectives

2. Final Draft Growth Policy

3. Final Draft General Plan
   Part I - Long-Range Planning Framework
   Part II - Mid-Range Plan
   Part III - Short-Range Plan (Community Profiles)

4. Final Draft Implementation Program

5. Final Draft General Plan Manual

6. Final Draft Executive Summary

Phase Seven Schedule: Eight Weeks

PHASE EIGHT: PRINT FINAL PLAN

This phase will complete the program.

TASK 37: Prepare Final Copy and Print

The CONSULTANT will incorporate changes enacted by the Board of City Commissioners, produce camera ready originals for all products, print 100 copies of the Executive Summary and 25 copies of the remaining final products and deliver the originals and copies to the Project Director (Director of the Department of Community Planning and Development).

The CONSULTANT shall complete the following Phase Eight Products:

1. Camera ready originals of all plan documents listed in Phase Seven.

2. One hundred copies of the Executive Summary and 25 copies of the remaining plan documents listed in Phase Seven.

SECTION III: MEETINGS

The CONSULTANT agrees to attend 35 meetings generally divided as follows:

Board of City Commissioners	4
Planning Commission	5
Citizens Advisory Committee	6
Technical Advisory Committee	8
Planning Staff	12

The exact timing and distribution of these meetings are to be established during Phase One of the work program. Every effort will be made to schedule meetings to efficiently use CONSULTANT'S time during on-site visits.

SECTION IV: WORKING REPORTS

The CONSULTANT will generally provide written interim progress reports at all attended meetings and draft study products at the end of each phase of the work programs. Five copies will be provided of all interim materials.

SECTION V: WORK PROGRAM SCHEDULE

Within ten (10) calendar days from delivery of notice from the CITY to the CONSULTANT to proceed, the CONSULTANT shall commence performance of this agreement and thereafter diligently proceed with the performance thereof to completion. CONSULTANT agrees to complete the performance of this agreement within twenty-four (24) weeks, not including formal review and adoption, after the date of the notice to proceed. The CONSULTANT will generally be expected to complete each phase of the work program as set forth in SECTION II: SCOPE OF WORK. With respect to the performance of the CONSULTANT of the terms, conditions, and covenants herein provided it is expressly agreed that time is of the essence.

SECTION VI: RESPONSIBILITIES OF CITY STAFF

City staff participation in the work program will be centered in the development of the stated tasks in SECTION II. Department of Community Planning and Development staff will be directly involved in the collection and updating of planning and other necessary data under the direction of the CONSULTANT, as well as review of draft material, and in maintaing communication and coordination with City Boards and Commission, City officials, citizen groups, staff committees, and other public agencies.

The CITY hereby agrees to also provide upon request all pertinent reports, base maps, master plans, land use data, population projections and similar data or information, which is in its possession, to the CONSULTANT at no cost.

SECTION VII: COMPENSATION

The total fees, compensation and costs for services, as herein described in SECTION II to be paid to the CONSULTANT by the CITY is $85,000.00, payable as follows:

Monthly payments based on actual charges incurred for labor and materials.

PHASE	BUDGET ALLOCATION			
	FEES	REPRODUCTION	TRAVEL	TOTAL
ONE Assemble Data and Analysis	$12,400.	$ 100.	$ 750.	$13,250.
TWO Goals and Objectives	7,000.	250.	500.	7,750.
THREE Growth Strategies	10,960.	500.	750.	12,210.
FOUR Updated General Plan	12,380.	1,000.	1,250.	14,630.
FIVE Community Profiles	15,560.	750.	250.	16,560.
SIX Implementation Programs	5,060.	400.	250.	5,710.
SEVEN Final Review and Adoption	8,480.	1,500.	2,250.	12,230.
EIGHT Print Final Plan	1,160.	1,500.		2,660.
TOTALS	$73,000.	$6,000.	$6,000.	$85,000.

The CONSULTANT as a prerequisite to the obligation on the part of the CITY for payment of any compensation or expenses as herein provided, shall submit to the CITY invoices detailing the number of employee hours and the type and date of the expenditure, along with the appropriate receipts where possible, for which the CONSULTANT seeks compensation from the CITY. The CITY reserves the right to withhold payment of up to 10% of the total contract amount ($8,500.00) until final completion of this contract by the CONSULTANT.

SECTION VIII: TERMINATION

The CITY reserves the right to terminate this Agreement without cause or default on the part of the CONSULTANT immediately upon written notification to the CONSULTANT. Notification of the CONSULTANT is deemed to have occurred on that date that the CONSULTANT receives the written notification or five (5) days from the date that the CITY deposits with the United States Postal Services, postage prepaid, and addressed to the party and location contained in Section XXVII of this Agreement, whichever occurs sooner.

In the event of termination, without cause or default, the CITY agrees to pay to the CONSULTANT the reasonable value for all work and services performed to the date of termination.

SECTION IX: COORDINATION

In reviewing any and all plans, specifications, maps or other documents related to the performance of this Agreement, CONSULTANT agrees to complete said review so as to not delay the performance of this Agreement, or any other agreement between the CITY and third parties. consultant agrees to notify the CITY of any and all documents in the possession of the CITY needed by the CONSULTANT in performing this Agreement.

SECTION X: DEFAULT

A. The occurrence of any of the following events shall be a default by CONSULTANT hereunder (hereinafter called "Events of Default"):

1. If CONSULTANT shall default in due observance and performance of any term, condition or covenant contained herein and any such default shall continue unremedied for three (3) days after written notice of such default shall have been given by the CITY;

2. If CONSULTANT shall (a) voluntarily terminate operations or consent to the appointment of a receiver, trustee or liquidator of CONSULTANT for all or a substantial portion of its assets, (b) be adjudicated bankrupt or insolvent or file a voluntary petition in bankruptcy, or admit in writing its inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by CONSULTANT for the purpose of effecting any of the foregoing;

3. If any warrant, execution or other writ shall be issued or levied upon any property or assets of CONSULTANT and shall continue unvacated and in effect for a period of thirty (30) days; or

4. If CONSULTANT should, in the judgment of the CITY, neglect to prosecute the work hereunder properly and with proper dispatch in accordance with the time schedule which may have been agreed upon between the parties hereto:

Then, if any such Event of Default continues for three (3) working days after written notice to the CONSULTANT, the CITY may, without prejudice to any other remedy it may have at law or in equity, (a) terminate this Agreement, suspend all payments otherwise due to CONSULTANT hereunder, finish the work by such means as the CITY may see fit, deducting from any balance due CONSULTANT the cost of finishing the work and paying the excess, if any, to CONSULTANT and in the event the cost of finishing CONSULTANT'S work exceeds the blanace due CONSULTANT, such excess shall be paid by CONSULTANT to the CITY within five (5) days of invoicing by the CITY, or (b) terminate this Agreement and all the obligations imposed hereunder, including the obligation of any further payment for the services of the CONSULTANT except for the reasonable value for all work and services performed to the date of termination, or (c) at its option, the CITY may remedy any Event of Default and deduct the cost thereof. The costs and expenses of completing the work of the CONSULTANT shall be computed and audited by the CITY'S designated representative, whose certification thereof shall be final and binding upon the parties. The audit shall be made in accordance with generally accepted accounting principles and CONSULTANT shall pay all costs of such audit.

B. In the event the CITY is required to perform or does perform or hires others to perform any work or services because of the default of the CONSULTANT, the cost thereof, plus an additional ten percent (10%) to cover the CITY'S overhead expenses, shall be promptly paid by CONSULTANT to the CITY.

C. It is expressly agreed that the CITY reserves the right to offset any and all claims made by CONSULTANT for payment of its fees hereunder or the reimbursement of additional costs it incurred, with any claims that the CITY might have against CONSULTANT for failure to comply with any of the terms and conditions of this Agreement.

SECTION XI: OWNERSHIP OF DOCUMENTS

All plans, policies, drawings, analyses, reports or other like documents given, prepared or assembled by the CONSULTANT or any subcontractors which are related to the performance of this Agreement are deemed to be the property of the CITY. In the event of completion or termination of this Agreement, the CITY reserves the right to require delivery of any and all plans, policies, drawings, analyses, reports or other like documents not presently in its possession.

SECTION XII: INSURANCE

A. CONSULTANT shall provide and maintain, and it will require its subcontractor to provide and maintain, during the existence of this Agreement for the protection of the CONSULTANT and the CITY, the following insurance coverage:

   1. Workmen's Compensation Insurance covering its full liability under the Workmen's Compensation Laws of the State of Nevada as required by the State Industrial Insurance System or equivalent coverage approved by the CITY.

   2. Comprehensive General Liability Insurance in the amount of $1,000,000 for each occurrence.

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 demonstrating the procurement of such insurance.

C. The insurance coverage required herein must be written by a company acceptable to the CITY and which is licensed to do business in the State of Nevada. The Certificates of Insurance sent to the CITY 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. In the event that any of the insurance coverage required hereunder is cancelled, reduced or restricted, the CITY reserves the right to terminate this Agreement.

SECTION XIII: 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, its officers and employees from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the CITY, its officers or employees may suffer, or which may be sought against, recovered from or obtainable against the CITY, its officers or employees as a result of, or by reason of, or arising out of the negligent acts or emissions 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, regardless of whether it is caused in part by the party indemnified hereunder.

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, its officers or employees by reason of any act or omission against which the CONSULTANT has indemnified the CITY. If the CONSULTANT shall fail to do so, the CITY 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 XIV: ASSIGNMENT

The CITY 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 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: WAIVER

No consent or waiver, express or implied, by either party to this Agreement to or of any breach or default by the other in the performance of any obligations hereunder shall be deemed or construed to be a consent or waiver to or of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act or failure to act of the other party or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection by, payment by, or tentative approval or acceptance by the CITY or the failure of the CITY to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release CONSULTANT of any of its obligations hereunder. 0037

SECTION XVI: DESIGNATION OF REPRESENTATIVE

The Director of Community Planning and Development or his authorized representative is hereby designated as the CITY'S 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 policies and decisions with respect to the services of the CONSULTANT.

SECTION XVII: CONSULTANT WARRANTIES

CONSULTANT represents and warrants:

A. That it is financially solvent, able to pay its debts as they mature, and possessed of sufficient working capital to complete this Agreement; that it is able to furnish the plant, tools, materials, supplies, equipment and labor, and is experienced in and competent to perform the work contemplated by this Agreement, and that it is qualified to do the work herein and is authorized to do business in the State of Nevada.

B. That the CONSULTANT holds a license, permit or other special license to perform the services included in this Agreement, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license.

SECTION XVIII: CONSULTANT'S EMPLOYEES

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 deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the CITY to be contrary to the public interest, the CITY reserves the right to require removal as a condition for the continuation of this Agreement.

SECTION XIX: 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.

SECTION XX: APPLICABLE LAW

This Agreement shall be construed and interpreted in accordance with the laws of the State of Nevada.

SECTION XXI: COMPLIANCE WITH LAWS

The CONSULTANT shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement, including the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, or national origin.

SECTION XXII: 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 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 XXIII: PUBLICITY

All publicity concerning the services of the CONSULTANT with respect to the performance of this Agreement shall be approved by the CITY.

SECTION XXIV: 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, shall be decided by arbitration in accordance with the 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 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 XXV: CONFIDENTIALITY

CONSULTANT shall treat all information relating to the project and all information supplied to the CONSULTANT by the CITY as confidential and proprietary information of the CITY and shall not permit its release to other parties or make any public announcement or publicity releases without the CITY'S written authorization. CONSULTANT shall also require subcontractors and vendors to comply with this requirement.

SECTION XXVI: SUBCONTRACTS

Subcontracting firms to be employed by the CONSULTANT are P.R.C. Voorhees and The Newport Economics Group. Any substitution of subcontracting firms must meet with the approval of the CITY. CONSULTANT agrees to include in all professional subcontracts in connection with performance of the terms and obligations imposed under this Agreement the following:

A. A provision that CONSULTANT agrees to pay the subcontractor when paid for that portion of the work by the CITY, that no liability arises on the part of the CONSULTANT to the subcontractor for payment of the subcontracted work until payment has been made by the CITY, and that if the CITY has paid the CONSULTANT for said contracted work, then the subcontractors only recourse is against the CONSULTANT and not against the CITY, either through the institution of legal or equitable action or the attachment of any lien;

B. A provision that the subcontractors have no more rights against the CITY than that of the CONSULTANT;

C. A provision that the subcontractor agrees to be bound by all the terms, conditions and obligations of this Agreement; and

D. A provision that the subcontractor will obtain and maintain professional errors and omissions insurance coverage in connection with the subcontracted work in an amount equal to that required of the CONSULTANT as provided in Section XII of this Agreement.

SECTION XXVII: NOTICES

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

CITY OF LAS VEGAS:

CITY OF LAS VEGAS
Director of Community Planning and Development
400 E. Stewart Avenue
Las Vegas, Nevada 89101

CONSULTANT:

The Planning Center
240 Newport Center Drive, Suite 215
Newport Beach, California 92660

SECTION XXVIII: MODIFICATION

All modifications or amendments to this Agreement are null and void unless reduced to writing and signed by the parties hereto.

SECTION XXIX: SEVERABILITY

In the event that any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain valid and binding on the parties hereto.

SECTION XXX: ENTIRE AGREEMENT

The Agreement documents constitute the entire Agreement between the parties hereto with respect to the matters covered thereby. All prior negotiations, representations and agreements with respect thereto not incorporated in such Agreement documents are hereby cancelled. This Agreement can be modified or amended only by a document duly executed on behalf of the parties hereto.

IN WITNESS WHEREOF, this Agreement is hereby executed as of the date first above set forth.

CITY OF LAS VEGAS, NEVADA
a Municipal Corporation,

By William H. Briare
WILLIAM H. BRIARE, Mayor

approved
4/25/83

ATTEST:

Carl A. Hawley
City Clerk

THE PLANNING CENTER, CONSULTING PLANNERS

By
GARY CINTI, Principal

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 16, 1983

TO:
The Board of City Commissioners

FROM: Russ Dorn
Russell W. Dorn, City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF AN EXTERNAL AUDITOR FOR THE CITY OF LAS VEGAS AS REQUIRED BY NRS 354.624

PURPOSE/BACKGROUND

Nevada Revised Statute 354.624 requires that each local government provide for an annual audit of all funds and separate accounts and that the auditor or firm which is selected to perform the audit be designated not later than three months before the close of the fiscal year for which the audit is to be made.

The Board of City Commissioners, at their March 17, 1982 meeting, directed city staff to request proposals from accounting firms to perform the annual audit for future years. Requests for proposals for the fiscal years ending June 30, 1983, 1984 and 1985 were submitted to 10 accounting firms on October 15, 1982. Eight of the 10 firms submitted proposals for our review. The proposals were evaluated, utilizing four criteria: (1) skill and time commitment, (2) demonstrated understanding of our requirements and plan for meeting them, (3) municipal audit experience, and (4) price.

External auditing is a professional service and is therefore exempt from competitive bidding according to NRS 332. The use of the above mentioned four criteria incorporates all evaluation elements and is a fair method to evaluate all audit firms.

FISCAL IMPACT

Fiscal Year	1982 - 1983:	$ 34,000.00
Fiscal Year	1983 - 1984:	$ 36,000.00
Fiscal Year	1984 - 1985:	$ 38,000.00
		$108,000.00

RECOMMENDATIONS

The City Manager recommends the accounting firm of Seidman and Seidman, currently in the process of transferring the practice of their Las Vegas Office, including all clients, rights and contracts, to Ashworth, Ernst & Sanford, Ltd. This recommendation would be for external audits for the City of Las Vegas for Fiscal Year ending June 30, 1983, 1984 and 1985.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item
IV(a) C

Seidman & Seidman BDO

700 Dresser Tower, 601 Jefferson Street, Houston, Texas 77002 (713) 659-6551
TWX Number 910 881-1698

March 14, 1983

Russell Dorn
City Manager

Seidman & Seidman has transferred the practice of their Las Vegas office, including all clients, rights and contracts as of March 1, 1983, to Robert Ashworth and Glen Sanford (both prior partners of Seidman & Seidman), who have organized as Ashworth, Ernst & Sanford, Ltd.

This transfer includes any right we may have with the City of Las Vegas.

Jay Bahme

Seidman & Seidman
Jay Bahme, Partner

0042

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 15, 1983

TO: The Board of City Commissioners

FROM: Russell W. Dorn
City Manager

Russ Dorn

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE ACCEPTANCE OF THE HIGH SPEED/SUPER SPEED TRAIN FEASIBILITY STUDY AS COMPLETED BY THE BUDD COMPANY AND APPROVAL OF FINAL PAYMENT.

PURPOSE/BACKGROUND

On March 2, 1983, the Las Vegas Board of City Commissioners considered the issue of completion of the High Speed/Super Speed Ground Transportation System Feasibility Study performed by the Budd Company. The Commission directed the Department of Financial Management to conduct an internal audit of the financial transactions relative to the study. In addition, the Commission directed the City Attorney's Office to review all documents involving the feasibility study for compliance of all parties.

The Department of Financial Management and the City Attorney's Office have completed their respective reviews. The conclusion of the audit is that all transactions were properly handled. The Attorney's Office has indicated that the Budd Company has conformed to the provisions of their contract.

Based upon the results of the financial audits and the legal review, final payment can be made to the Budd Company for completion of the study.

FISCAL IMPACT

A final payment of $48,372.97 is available.

RECOMMENDATIONS

The City Manager recommends that the Commission authorize final payment to the Budd Company and accept the High Speed/Super Speed Ground Transportation Feasibility Study as completed upon receipt of the following: written acceptance by the Federal Railroad Administration which has assisted in funding this project, and; all pertinent working documents and papers produced by the Budd Company during the study.

Agenda Item

IV(a) D

ITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date March 21, 1983

0043

Carroll Varner Finance Department	FROM: Russell W. Dorn City Manager
ECT: Final Audit of Federal Railroad Administration Funding of "Feasibility Study".	COPIES TO: George Ogilvie Mike Daly Richard Blue Carol Hawley

The attached letter from DOT/FRA approves the Final Report of the subject Study and :quests that the City of Las Vegas inform Mr. James T. McQueen when we are ready for the final audit.

Please take appropriate action to fulfill this audit requirement and advise me and other appropriate City staff when completed.

RWD:jae
:nc.

CLV-6217

IV(a) D

U.S. Department of Transportation
Federal Railroad Administration

400 Seventh St., S.W.
Washington, D.C. 20590

16 MAR 1983

Mr. Russ Dorn
City Manager
City of Las Vegas
City Hall
400 E. Stewart Street
Las Vegas, Nevada 89101

Dear Mr. Dorn:

This letter is in reference to the Las Vegas Rail Passenger Corridor Study Grant between the Federal Railroad Administration and the City of Las Vegas.

We have reviewed the final report, Las Vegas to Los Angeles High Speed/Super Speed Ground Transportation System Feasibility Study, prepared by the Budd Company and have determined that it fulfills the scope of work of the study grant. Please proceed with closing the grant and inform me when you are ready for the final audit.

Sincerely,

James T. McQueen

James T. McQueen
Acting Director, Office of
Passenger and Special Programs

cc: Jack Thomason
Office of Economic Development
City of Las Vegas

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 $2,956,858.53 2. Payroll Warrants In the amount of $706,157.48 3. Other Warrants and Investments In the amount of $646,548.95	Lurie - APPROVED Items 1 thru 3 Unanimous (Christensen excused)	Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

CITY OF LAS VEGAS
Warrant Register Summaries Recap

0046

SERVICE & MATERIAL WARRANTS AND OTHER WARRANTS

No.	Thru	AMT.	DESCRIPTION
C700649		$ (3.84)	VOID
C121103		100,000.00	Bank Transfer
C121104		271,414.07	Service & Materials
C121105	C121106	400,000.00	Bank Transfer
C121107		212,601.52	Service & Materials
B319861	B319865	3,187.50	Bond & Interest
C319866	C319868	12,537.50	Bond & Interest
B700748	B700749	77,950.65	Service & Materials
C700750		8,354.75	Service & Materials
C700751	C700880	130,823.95	C.E.T.A.
C700882	C701649	2,386,541.38	Service & Materials

Total Service & Material $ 2,956,858.53

Total Other $ 646,548.95

PAYROLL WARRANTS

No.	Thru	AMT.	DESCRIPTION
095849	097374	$ 706,157.48	PP/E Feb. 26, 1983

Total Payroll $ 706,157.48

TOTAL NET AMOUNT $ 4,309,564.96

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.

[signature] DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED: [signature] CITY MANAGER

On March 16, 1983 The Board of City Commissioners ordered the above warrants paid and the City Treasurer is hereby ordered to disperse the warrants as presented.

ATTEST: [signature] CITY CLERK

ITEM			Commission Action	Department Action
IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS MICHAEL P. COOL, DIRECTOR AUTHORIZATION TO FILL BUDGETED VACANCIES - CRITICAL HIRES - CITY FUNDED - FULL TIME				
Dept/Class	Monthly Salary	Justification		
Municipal Court Management Analyst I (Replacement)	$ 833.	Responsible for reviewing judicial programs and projects and coordinating activities with other City departments and governmental agencies; participates in automation projects, budget analyses, and personnel and staffing recommendations	Lurie - APPROVED Unanimous (Christensen excused)	Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

0048

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 10, 1983

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 is submitted under Agenda Item IV. (c)

Management Analyst I - to replace employee who resigned

FISCAL IMPACT

All of the above positions are included in the 1982-83 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 M P Cool
Michael P. Cool, Director
Personnel & Employee Relations

Agenda Item
IV. (c)

0049

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 16, 1983

TO: The Board of City Commissioners

FROM: MICHAEL P. COOL, DIRECTOR
PERSONNEL & EMPLOYEE RELATIONS
MPCool

SUBJECT: VACANCY REPORT

PURPOSE/BACKGROUND

The last vacancy report showed a total of sixty-eight (68) vacancies. Since then nine (9) of those vacancies have been filled and six (6) new vacancies incurred, making the total number of vacancies as of this report sixty-five (65).

FISCAL IMPACT

The total dollar savings realized through vacancies thus far this fiscal year is $571,868. If the positions that are currently vacant were to remain vacant for the rest of the fiscal year, the estimated total savings for the fiscal year would be $935,668.

RECOMMENDATIONS

Agenda Item

IV (c).

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
IV(f) RICHARD CAMPBELL, DIRECTOR RECREATION & LEISURE ACTIVITIES		
A. Recommendation of the Park and Recreation Advisory Board that the City's softball program be self-supporting resulting in a need to increase fees from $325 to $515 per team.	Lurie - APPROVED as recommended by staff to increase fee to $515 per team. Unanimous	Staff to proceed Richard Campbell appeared.

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

0051

Date: March 7, 1983

TO:
The Board of City Commissioners

FROM:
DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: RECOMMENDATION OF THE PARK AND RECREATION ADVISORY BOARD THAT THE CITY'S SOFTBALL PROGRAM BE SELF-SUPPORTING RESULTING IN A NEED TO INCREASE FEES.

PURPOSE/BACKGROUND

In an all-out effort to reduce expenditures, we are trying to make many of our recreational programs self-supporting. We recently advised you of our position in providing facilities to the soccer, Pop Warner and little league baseball groups on the basis that they would be responsible for any power costs due to the lighting of the fields and for certain maintenance costs. There are no fees to the City involved in these programs.

The softball program, however, is a City-sponsored program. Therefore, the only way the City can pass on the cost to the users of the program is by means of a fee. The present fee is $325 per team, and we are proposing to increase it to $515 which will cover the costs of lighting, field preparation, officials, and equipment.

FISCAL IMPACT

The increase in fees will put the softball program on a self-supporting basis which means the cost of the program will be borne by the users rather than by the general public.

RECOMMENDATIONS

The Director of Recreation and Leisure Activities concurs with the above recommendation of the Las Vegas Parks and Recreation Advisory Board.

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

States Due: ______________

79-3-10

Agenda Item 3-16-83
IV (f) A.

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
IV (g) DEPARTMENT OF GENERAL SERVICES DAN R. PILKINGTON, DIRECTOR *CONSENT AGENDA All items listed under Items *A, and *B are considered to be routine by the City Commission, and may be enacted by one motion. However, any item may be discussed if a Commission member or citizen so requests.		
PURCHASING & CONTRACTS DIVISION		
*A. AWARD OF BIDS 1. Office Furniture Municipal Court and Department of Public Services 2. Plaster Sand Department of Recreation and Leisure Activities *B. ANNUAL BID AWARDS 1. Chemicals Department of Public Services	Lurie - APPROVED Items A & B as recommended. Unanimous	Staff to proceed

APPROVED AGENDA ITEM
Ashley Hall

0053

City of Las Vegas
AGENDA DOCUMENTATION

Date: MARCH 4, 1983

TO: The Board of City Commissioners

FROM: ASHLEY HALL, DEPUTY CITY MANAGER

SUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - MARCH 16, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF BIDS

1. BID TITLE: OFFICE AND CONFERENCE ROOM SEATING — BID NUMBER: 83.1230.4

ITEM: CAPITOL EQUIPMENT — ESTIMATE: $7,850.00

DEPARTMENT: MUNICIPAL COURT AND PUBLIC SERVICES — INVITATIONS MAILED: 7

FUNDING: ENTERPRISE FUND AND SPECIAL REVENUE FUND — RESPONSES RECEIVED: 6

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE STEMS FROM LOWER COURT COUNSELING'S REQUIREMENT FOR NEW AND REPLACEMENT CHAIRS FOR NEW OFFICES; AND TRAFFIC ENGINEERING'S REQUIREMENT FOR NEW CHAIRS FOR THE TRAFFIC MANAGEMENT CENTER.

BID ABSTRACT SUMMARY

IDEAL STAPLE COMPANY	LAS VEGAS	NV		$5,916.00
TAB PRODUCTS	LAS VEGAS	NV		$5,981.34
GOODMAN'S INC.	LAS VEGAS	NV		$6,312.80
SARRETT OFFICE SUPPLY	LAS VEGAS	NV		$6,571.88
LEE OFFICE	LAS VEGAS	NV		$7,740.00
S.P.D. OFFICE	LAS VEGAS	NV	BID GROUP II ONLY	$ 760.00

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

IDEAL STAPLE COMPANY	LAS VEGAS	NV	$5,916.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 82-83. FUNDS ARE AVAILABLE FOR MUNICIPAL COURTS SHARE IN THE ENTERPRISE FUND AND FOR PUBLIC SERVICES SHARE IN THE SPECIAL REVENUE FUND.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT THIS ITEM IS IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

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

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

Agenda Item
SECTION A PAGE 1
IV (g)

City of Las Vegas
AGENDA DOCUMENTATION

Date: MARCH 4, 1983

TO: The Board of City Commissioners

FROM: ASHLEY HALL, DEPUTY CITY MANAGER

SUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - MARCH 16, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF BIDS

2. BID TITLE: PLASTER SAND AND BLOW SAND — BID NUMBER: 83.2650.3

ITEM: EXPENDABLE SUPPLIES — ESTIMATE: $8,000.00

DEPARTMENT: RECREATION AND LEISURE ACTIVITIES — INVITATIONS MAILED: 13

FUNDING: GENERAL FUND — RESPONSES RECEIVED: 7

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO MAINTAIN PLAYGROUND AREAS IN CITY OF LAS VEGAS PARKS AND BALLFIELDS.

BID ABSTRACT SUMMARY

			ITEM 1	ITEM 2	TOTAL
CONSOLIDATED LANDSCAPING	LAS VEGAS	NV	$4,650.00	$3,500.00	$ 8,150.00
SEDILLO LANDSCAPING	LAS VEGAS	NV	$4,650.00	$6,250.00	$10,900.00
AMERICAN SAND & GRAVEL	LAS VEGAS	NV	$6,119.40	$4,400.00	$10,519.00
GORNOWICH SAND & GRAVEL	LAS VEGAS	NV	$4,805.00	NO BID	$ 4,805.00
BASIC ROCK & SAND	HENDERSON	NV	$5,270.00	NO BID	$ 5,270.00
WESLEY TRUCKING	N.LAS VEGAS	NV	$6,305.00	$6,000.00	$12,305.00

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

CONSOLIDATED LANDSCAPING LAS VEGAS NV ITEM 1 AND 2 $8,150.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 82-83. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT THIS ITEM IS IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

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

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

Agenda Item
SECTION A PAGE 2
IV (g)

City of Las Vegas
AGENDA DOCUMENTATION

Date: MARCH 4, 1983

TO: The Board of City Commissioners

FROM: ASHLEY HALL, DEPUTY CITY MANAGER

SUBJECT: AGENDA - BOARD OF CITY COMMISSION MEETING - MARCH 16, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. ANNUAL BID AWARD

1. BID TITLE: LIQUID ALUMINUM SULFATE — BID NUMBER: 82.9999.10

   ITEM: EXPENDABLE SUPPLIES — ESTIMATE: $850,310.00

   DEPARTMENT: PUBLIC SERVICES — FUNDING: SANITATION

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE STEMS FROM FEDERAL AND STATE WATER QUALITY STANDARDS THAT MUST BE COMPLIED WITH CONCERNING DISCHARGE OF TREATED WATER INTO LAS VEGAS WASH.

CONTRACT EXTENSION

THATCHER CHEMICAL COMPANY HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM JULY 1, 1983, THROUGH JUNE 30, 1984 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH JUNE 30, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

THAT THE TWELVE (12) MONTH EXTENSION BE GRANTED TO:

THATCHER CHEMICAL CO. SALT LAKE CITY UT $850,310.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 82-83. FUNDS ARE AVAILABLE IN THE SANITATION FUND.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT THIS ITEM IS IN ORDER BASED ON THE RECOMMENDATIONS OF THE USING AGENCIES.

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

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

Agenda Item
SECTION B PAGE 1
IV (g)

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 and B, recommended for approval by the staff, 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 map be approved subject to posting of bond and signing of agreement and plans within thirty days. All engineering designs are being processed. 1. Rosewood Estates Unit No. 3. (Chism Homes, Inc. - property generally located on the east side of Oran K. Gragson Highway, south of Alexander Road., No. of acres: 11.4, No. of lots: 74, Zoned RPD-6)	Lurie - APPROVED Items A & B Unanimous	Staff to proceed
*B. ACCEPTANCE OF RIGHT OF WAY ITEMS 1. Grant Deed From: Storione, U.S.A. To: City of Las Vegas For: Portion of Lot 7, Block 18, Starlight Park Subdivision Radius. Procyon Ave. (2/10/83)	Lurie - APPROVED Items A & B Unanimous	Staff to proceed
C. REPORTS/ACTION 1. Approval of an additional agreement for Emergency Veterinary Services.	Lurie - APPROVED as recommended. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 7, 1983

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: APPROVAL OF AN ADDITIONAL AGREEMENT FOR EMERGENCY VETERINARY SERVICES

PURPOSE/BACKGROUND

Previously the Board of City Commissioners approved agreements for Emergency Veterinary Services with ten (10) veterinary establishments located within the incorporated limits of the City of Las Vegas.

Dr. Neil A. Patton, Rainbow Animal Hospital, has established a new veterinary practice within the City limits of the City of Las Vegas and wishes to be included by agreement in the group which can provide Emergency Veterinary Services for the City of Las Vegas.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Director of Public Services recommends that the Board of City Commissioners approve the agreement and authorize the Mayor, on behalf of the City Commission, to execute the agreement.

Donald E. Donovan

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

Agenda Item 3/16/83
IV (h). C. 1.

AGREEMENT

THIS AGREEMENT, made and entered into as of the 16th day of March, 1983, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation of the State of Nevada (hereinafter referred to as "CITY OF LAS VEGAS") and RAINBOW ANIMAL HOSPITAL (hereinafter referred to as "CLINIC").

W I T N E S S E T H :

WHEREAS, the CITY OF LAS VEGAS is the governmental entity responsible for the care and control of animals within its corporate boundaries; and

WHEREAS, part of this responsibility requires the impounding of injured or diseased animals found running at large within the corporate boundaries of the CITY OF LAS VEGAS; and

WHEREAS, the CITY OF LAS VEGAS desires to provide for emergency veterinary services in order to insure that these impounded animals receive proper and immediate attention to any injury or disease; and

WHEREAS, an inquiry has been made of all the veterinarian clinics located within the community as to whether they are interested in providing emergency veterinary services to these impounded animals; and

WHEREAS, the CITY OF LAS VEGAS has entered into various individual contracts with those clinics interested in providing emergency veterinary services to the CITY OF LAS VEGAS; and

WHEREAS, CLINIC has requested that it be added to the list of clinics providing emergency veterinary services on behalf of the CITY OF LAS VEGAS; and

WHEREAS, the purpose of this Agreement is to set forth the terms and conditions under which emergency veterinary services will be provided to the CITY OF LAS VEGAS.

NOW, THEREFORE, in consideration of the mutual terms, conditions and covenants set forth herein, the parties hereto agree as follows:

SECTION I: SERVICES

The CLINIC agrees to render emergency veterinarian services to those animals referred by the CITY OF LAS VEGAS for examination. Said examination shall be conducted on the premises of the CLINIC by a person licensed within the State of Nevada as a Doctor of Veterinary Medicine.

The CLINIC agrees to provide veterinarian services on a twenty-four hour basis, seven (7) days a week with a maximum response time of thirty (30) minutes from the time that the CITY OF LAS VEGAS notifies the CLINIC of its intent to refer an animal to the time of the commencement of the examination.

It is understood and agreed by and between the parties that the CITY OF LAS VEGAS has entered into other contracts of a similar nature and purpose. Therefore, to insure the impartiality of any and all referrals, the CITY OF LAS VEGAS shall refer the impounded animal in need of treatment to the nearest clinic determined by its proximity to the location at which the animal was impounded by the CITY OF LAS VEGAS.

If veterinary services are not available within the response time provided for herein, then the CITY OF LAS VEGAS reserves the right to select any other clinic agreeing to provide such services.

SECTION II: FEE SCHEDULE

The fees to be paid by the CITY OF LAS VEGAS to a CLINIC for the veterinary services shall be as follows:

Exam Fee	$ 7.50
Emergency Fee	10.00
Hospitalization	6.00
Minor Shock	
Dexamethasone	6.25
Antibiotic	3.50
Major Shock	
Dexamethasone	6.25
Fluids	7.50
Solu Delta	7.50
Antibiotic	3.50

The CLINIC agrees to invoice the CITY OF LAS VEGAS for the cost of any veterinary services rendered to the referred animal in accordance with the above fee schedule. The CITY OF LAS VEGAS agrees to process said invoice for payment subsequent to its review and approval.

SECTION III: TERM

This Agreement shall continue in force and effect until the right of termination provided under Section IV is exercised by one of the parties.

SETION IV: RIGHT OF TERMINATION

This Agreement may be terminated prior to its normal expiration date by either party notifying the other party in writing of its intent to so terminate. Thirty (30) days from the date that the notice is deposited with the United States Postal Service, postage prepaid and addressed in the manner provided for under Section V this Agreement shall become null and void between the parties hereto.

SECTION V: NOTICES

All correspondence or legal notices provided for under this Agreement are to be sent to the following persons and addresses:

CITY OF LAS VEGAS: Supervisor of Animal Control
Animal Control Center
700 N. Mojave
Las Vegas, Nevada 89101

CLINIC: Dr. Neil A. Patton
Rainbow Animal Hospital
244 South Rainbow
Las Vegas, Nevada 89128

SECTION VI: INDEPENDENT CONTRACTOR

It is expressly understood and agreed that in the performance of the services provided herein, the CLINIC, its employees or agents, shall be deemed to be an independent contractor and not an agent or employee of the CITY OF LAS VEGAS.

SECTION VII: ASSIGNMENT

This Agreement is understood and agreed to be one for personal services on the part of the CLINIC. The CLINIC agrees not to assign or transfer any of its interest in this Agreement without the written consent of the CITY OF LAS VEGAS.

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

CITY OF LAS VEGAS, NEVADA

By William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

Carol A. Hawley
Carol Ann Hawley, City Clerk

RAINBOW ANIMAL HOSPITAL

By Neil A. Patton DVM
NEIL A. PATTON, D.V.M.

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 (Continued)		
C. REPORTS/ACTION (Continued)		
2. Approval of installation of a traffic signal at the intersection of Oakey Boulevard and Jones Boulevard.	Lurie - APPROVED as recommended subject to Clark County's participation. Unanimous	Staff to proceed City Manager directed to request that County give this priority.
3. Amendment to Consultant Agreement for construction inspection of parking garages.	Lurie - APPROVED Amendment Unanimous	Staff to proceed
4. Award of Bid - City Hall Plaza Fountain Pool.	Levy - APPROVED as recommended by staff. Motion carried with Christensen voting "NO."	Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 4, 1983

TO: The Board of City Commissioners

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: APPROVAL OF INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF OAKEY BOULEVARD AND JONES BOULEVARD

PURPOSE/BACKGROUND

Due to a traffic volume increase caused by development of the surrounding area, the City has received numerous complaints about the hazardous driving conditions at the intersection of Oakey Blvd. and Jones Blvd. A traffic signal warrant study was conducted and the warrants have been satisfied to install traffic signals.

This intersection is located such that the west one-half is in the City, and the east one-half in the unincorporated area of Clark County. Therefore Clark County was contacted to participate by paying one-half the installation cost. A letter (attached) received from Clark County stated that no funds are available to participate in the installation cost. However, the County has placed a condition of development on the owner in the northeast corner of the intersection to pay one-fourth the cost. The City also has requested the developer in the southwest corner pay one-fourth the cost.

The cost breakdown for installation of the traffic signal is as follows:

Owners in the northeast corner (County)	$ 7,190.00
Newport Cove development (City)	7,190.00
City of Las Vegas	7,190.00
Clark County	7,190.00
Total cost:	$28,760.00

FISCAL IMPACT

$28,760.00
Funds are available in the Traffic Signal Capital Improvement Fund.
City of Las Vegas share is anticipated to be $7,190.00.

RECOMMENDATIONS

The Director of Public Services recommends that the Board of City Commissioners approve the installation of traffic signals at the intersection of Oakey Blvd. and Jones Blvd., subject to Clark County participation.

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

Agenda Item 3/16/83
IV (h). C. 2.

Department of Public Works

Public Services Building
401 South Fourth Street
Las Vegas, Nevada 89101
(702) 386-4621

Granville M. Bowman
Director of Public Works

February 14, 1983

Donald E. Donovan, P.E.
Director of Public Services
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

JONES BOULEVARD AND OAKEY BOULEVARD TRAFFIC SIGNAL

We are aware of the need for a traffic signal installation at the intersection of Jones Blvd. and Oakey Blvd. We were provided a copy of the signal warrant study by your Chief of Traffic, Al Bossi, and concur with his conclusion that a signal is presently warranted. Using the "Traffic Signal Needs Rating" nomograph recently adopted by the Regional Transportation Commission, we have determined this intersection's rating is 255. A copy of the completed nomograph is enclosed for your reference.

No County funds are now available for our participation with the City of Las Vegas in this signal installation. Furthermore, our present signal priority list includes 17 locations of an equal or higher rating. As general or motor fuel tax monies become available, such funds must be applied by the County toward these other intersections first.

In a related matter, however, the Board of County Commissioners recently gave approval for a zoning change and a use permit on the property located on the northeast corner of the subject intersection. You will be pleased to know that, as a condition of the zoning approval, the developer is required to contribute 25 percent of the actual cost of the signal. A similar action was taken with respect to a property near the corner of Jones Blvd. and O'Bannon St., except that the size of the contribution this developer is to pay toward the Oakey Blvd. signal has yet to be determined by a traffic study to be conducted by our office.

We would be happy to meet with you to coordinate the efforts of the City and the County to accomplish this signal installation. Our Traffic Engineer, Kurt Weinrich, will be contacting your office in the next few days to schedule a meeting.

Very truly yours,

GRANVILLE M. BOWMAN
DIRECTOR OF PUBLIC WORKS

GMB/KW/kh

Enclosure

cc: Comm. Manuel Cortez
J. Allen Bell
Kurt Weinrich

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 11, 1983

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, DEPUTY CITY MANAGER

SUBJECT: AMENDMENT TO CONSULTANT AGREEMENT FOR CONSTRUCTION INSPECTION OF PARKING GARAGES

PURPOSE/BACKGROUND

The City of Las Vegas previously contracted with Daniel, Mann, Johnson & Mendenhall (DMJM) for design and construction supervision for structural repair of three parking garages. At the time these contracts were prepared it was anticipated that the time of construction would take sixty (60) days. During the design process it became necessary to specify one hundred twenty (120) days time of construction because of the complexity of the required repairs, public safety, and limiting of closed parking stalls. This increase in construction time necessitates additional time for inspection. The total amount allocated for the inspection will not change because of previous deletion of work on the Carson Avenue Parking Garage.

The City Attorney's office has prepared the amendment to incorporate this change. (Attached)

FISCAL IMPACT

None. The original contract was for $15,000. This action will not change the amount, only the scope of work for which the money is to be used.

RECOMMENDATIONS

The Director of Public Services recommends that the Board of City Commissioners approve the amended agreement in lieu of the original agreement dated November 10, 1981 and authorize the Mayor, on behalf of the City Commission, to execute the amended agreement.

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

Agenda Item 3/16/83

IV (h). C. 3.

A M E N D M E N T

THIS AMENDMENT, made and entered into as of the 16th day of March, 1983, by and between the CITY OF LAS VEGAS, NEVADA, a municipal corporation within 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 and the CONSULTANT entered into an Agreement dated November 10, 1981 retaining the services of the CONSULTANT for the purpose of designing, structural repair, and supervising the implementation of the designed repair for three municipal parking facilities, to wit: the City Hall Complex parking garage and the municipal parking facilities located on Carson Avenue between Casino Center and 3rd Street and on Ogden Avenue between 3rd Street and 4th Street; and

WHEREAS, the parties to that Agreement desire to execute the following amendment to delete therefrom all references to the Carson Avenue parking garage because the repair project as it pertains to this facility has been cancelled by the CITY OF LAS VEGAS and to increase the amount of compensation to be paid to the CONSULTANT.

NOW, THEREFORE, in light of the foregoing premises, that Agreement dated November 10, 1981 between the parties hereto, is hereby amended as follows:

1. Any and all references to the municipal parking garage located at Carson Avenue between 3rd Street and 4th Street is hereby deleted from said Agreement.

2. Subsection A of Section IV is hereby amended by deleting the bracketed portions and adding thereto the following underlined language:

   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 the sum of THREE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS ($3,800.00) for the design of each municipal parking facility, [with] <u>without</u> the prior written approval of the CITY OF LAS VEGAS, and the sums of [SIX THOUSAND AND 00/100 DOLLARS ($6,000.00), FIVE THOUSAND AND 00/100 DOLLARS ($5,000.00) and FOUR THOUSAND AND 00/100 DOLLARS ($4,000.00)] <u>SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS ($7,500.00) and SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS ($7,500.00)</u> for construction inspection <u>services</u> with respect to the [Carson Avenue facility,] the Ogden Avenue facility and the City Hall Complex facility, respectively. 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] <u>at</u> 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.

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

CITY OF LAS VEGAS,
a Municipal Corporation

By William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

Carol A. Hawley
Carol Ann Hawley, City Clerk

DANIEL, MANN, JOHNSON AND
MENDENHALL OF NEVADA

By ____________
Mgr.

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 10, 1983

TO:
The Board of City Commissioners

FROM:
DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: AWARD OF BID - CITY HALL PLAZA FOUNTAIN POOL

PURPOSE/BACKGROUND

Several months ago we brought to you a bid to repair the City Hall Plaza at which time the Commission rejected all bids and directed staff to explore alternatives. An exhaustive evaluation of potential alternatives was conducted by the Design Committee and due to the ramifications of the wind factor, the weight-load factor, aesthetics, cost and the need to be compatible with the architecture of the building, no suitable alternatives were concluded with the exception of filling in the pool area with light-weight concrete.

The bid for the repair of the reflecting pool carries with it a 5-year guarantee in which the contractor is responsible for repairing all leaks within the 5-year period if any should come about.

One Hundred Eleven (111) invitations were mailed; two (2) responses were received; the estimated cost was $25,000. The two (2) responses were:

Pacific Waterproofing	Los Angeles, Ca.	$18,061.00
Caulking and Waterproofing	Burlingame, Ca.	$28,400.00

FISCAL IMPACT

$18,061.00. Funds are available in the City Hall Capital Improvement Fund.

RECOMMENDATIONS

The City Manager recommends that a contract be awarded to the low bidder, Pacific Waterproofing, Los Angeles, California, in the amount of $18,061.00 with a ten percent (10%) contingency to be administered by the Department of Public Services.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-3-10

Agenda Item
IV (h). C. 4.

AGENDA

City of Las Vegas

0069

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
V. GEORGE F. OGILVIE - CITY ATTORNEY		
A. Approval of Extension of Lease with Junior League re: Repeat Boutique	Lurie - APPROVED Unanimous	Staff to proceed
B. Appeal of Work Card Denial: Mr. Lonnie Goodman	Lurie - APPEAL APPROVED Unanimous (Note: Metro Police Department withdrew objection to work card denial at meeting.)	City Clerk to notify Lonnie Goodman present Ron Bradshaw, LVMPD appeared Don Charlieboux appeared.
C. Special Improvement District No. 442 Step No.: 19 - Resolution determining the costs to be assessed and ordering the City Engineer to prepare the Assessment Roll Location: On Park Paseo, Eighth Place and Ninth Street from Franklin Avenue to Park Paseo Improvements: The installation of street lighting, consisting of 100 watt high pressure sodium luminaries on steel poles with concrete bases and underground wiring	Lurie - Resolution ADOPTED Unanimous	Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

0070

Date: March 11, 1983

TO: The Board of City Commissioners

FROM: George F. Ogilvie, City Attorney

SUBJECT: Extension of Lease with Junior League re: Repeat Boutique

PURPOSE/BACKGROUND

At its meeting which was held on Wednesday, February 16, 1983, the Board of Commissioners approved the recommendation of the City Manager that the lease between the City and the Junior League for the City property which is occupied by the Repeat Boutique be extended for a period of five years, subject to a 90-day cancellation clause.

The document which is before you formally extends that lease.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the attached amendment to an Extension of Lease be approved and that the Mayor be authorized to execute the same on behalf of the City.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ______________

79-3-10

Agenda Item

V-A

AMENDMENT TO AN EXTENSION OF LEASE

This Agreement, made and entered into this 16th day of March, 1983, but effective as of the 15th day of March, 1983, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (hereinafter referred to as the "Lessor"), and Junior League of Las Vegas, Nevada, Incorporated, a Nevada non-profit corporation (hereinafter referred to as the "Lessee");

W I T N E S S E T H:

WHEREAS, the parties hereto have heretofore, on the 15th day of March, 1978, executed that certain document which is entitled "Lease" and provides for the lease by the the Lessee of that certain parcel of property which is situate at and commonly known as 300 Mesquite Street, Las Vegas, Nevada, and is more particularly described in said document;

WHEREAS, the term of said lease has now expired; and

WHEREAS, the parties hereto, by this document, desire to extend said lease, and each of the provisions thereof, for an additional period of five years, subject to the right of the Lessor to cancel said lease upon 90 days' prior written notice to the Lessee;

NOW, THEREFORE, for and in consideration of the premises, the mutual promises and agreements contained in said Lease and herein and for other good and valuable considerations, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

I

The first numbered paragraph of that certain document which is entitled "Lease", is dated the 15th day of March, 1978, and was executed by the parties hereto is hereby amended to read as follows:

(1) DURATION AND COMMENCEMENT: This lease commences on the 15th day of March, 1983, and continues for a period of five (5) years, terminating on the 14th day of March, 1988.

Each, every and all of the provisions of said document, including the prepatory clauses thereof, except as are hereinabove expressly amended, shall remain and be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed by their duly authorized representatives the day and year first above written.

CITY OF LAS VEGAS,

By William H. Briare
WILLIAM H. BRIARE, MAYOR

ATTEST:

Carol Ann Hawley
Carol Ann Hawley, City Clerk

JUNIOR LEAGUE OF LAS VEGAS, NEVADA, INCORPORATED

By Priscilla Scalley
President

ATTEST:

____
Secretary

Duber Industrial Security, Inc.
Security Consultants to Management
State Lic. 292/292A

421 E. Bridger Avenue
Las Vegas, Nevada 89101
(702) 387-9028

Regional Offices
Beverly Hills, California
Oakland, California
Westminster, California
San Diego, California

Bill Briare, Mayor
City of Las Vegas
400 E. Stewart Ave.
Las Vegas, Nv. 89101

Re: Mr. Lonnie Goodman

March 9, 1983

Dear Mayor Briare;

At the request of the City Clerk, Carol Ann Hawley, I am writing this letter to show that I am aware of the arrest record of Mr. Lonnie Goodman.

I am satisfied with the explanations presented by Mr. Goodman as to each of the charges he was involved in. I intend to utilize Mr. Goodman as a Salesperson for new accounts. He will not be employed as an investigative Security Officer or Process Server with Duber Industrial Security.

As a Salesperson, Mr. Goodman will be under my direct daily supervision.

Respectfully submitted,

Don Charleboix

Don Charleboix
Nevada Regional Director

cc: Lt. Ron Niemann
Metro Police Department

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
WILLIAM U. PEARSON

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL W. DORN

CITY of LAS VEGAS

Mr. Lonnie Goodman
4535 Newton Drive
Las Vegas, Nevada 89121

Dear Mr. Goodman:

I am in receipt of your formal appeal to the Board of City Commissioners regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, March 16, 1983, at the regularly scheduled City Commission meeting. This matter will be heard sometime between 10 A.M. and 12 Noon. I would advise you to be present at 10 A.M. and await your turn. The meeting will be conducted in the Commission Chambers at 400 East Stewart Avenue, City Hall.

Please bring to the appeal hearing, if at all possible, a letter from your employer acknowledging he is aware of your record.

Sincerely,

Carol A. Hawley

Carol Ann Hawley
City Clerk

cc: City Attorney
Metropolitan Police Department
Business Activity

CITY OF LAS VEGAS NEVADA

March 3, 1983

Mrs. Carol Ann Hawley
City Clerk
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Mrs. Hawley:

This letter constitutes my formal appeal of denial of a work card by the Metropolitan Police Department. I wish to appeal this denial before the Board of City Commissioners.

Sincerely,

Lonnie Goodman
4535 Newton Drive
Las Vegas, NV 89121

(Telephone: Contact thru Fredrick Kaplan at 387-9028)

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 3, 1983

TO: The Board of City Commissioners

FROM: GEORGE F. OGILVIE
City Attorney

SUBJECT: RESOLUTION DETERMINING THE COSTS TO BE ASSESSED AND ORDERING THE CITY ENGINEER TO PREPARE THE ASSESSMENT ROLL IN SPECIAL IMPROVEMENT DISTRICT NO. 442

PURPOSE/BACKGROUND

S.I.D. NO.	442
STEP NO.	19 - Resolution Determining the Costs to be Assessed and Ordering the City Engineer to Prepare the Assessment Roll.
LOCATION	On Park Paseo, Eighth Place and Ninth Street from Franklin Avenue to Park Paseo.
IMPROVEMENTS	Improvements include the installation of street lighting, consisting of 100 watt high pressure sodium luminaires on steel poles with concrete bases and underground wiring.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

79-2-10

Agenda Item
V-C

RESOLUTION DETERMINING THE COSTS TO BE ASSESSED IN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 442, AND ORDERING THE CITY ENGINEER TO PREPARE THE ASSESSMENT ROLL.

WHEREAS, the City of Las Vegas, in the County of Clark, and State of Nevada, has taken requisite legal action preliminary to and in the creation of Special Improvement District No. 442, consisting of:

The improvements include the installation of street lighting, consisting of 100 watt high pressure sodium luminaires on steel poles with concrete bases and underground wiring on Park Paseo, Eighth Place and Ninth Street from Franklin Avenue to Park Paseo, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality as filed in the Office of the City Clerk.

and to defray the entire costs and expenses thereof by special improvements, according to benefits, against the taxable lots and premises in said District; and

WHEREAS, pursuant to law, the City has entered into the following contracts, to-wit:

DESERT CONSTRUCTION, for the improvements to be installed in said District; and

WHEREAS, the costs, including administrative costs, for installing the improvements in said District is as follows:

Assessment Unit No. I $39,236.25

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 16th day of March, 1983 that the following amount shall be assessed against and paid by the assessable property in said District, to-wit:

. . . .

Assessment Unit No. I $36,000.00

all as designated in Ordinance No. 3012, passed and approved on the 16th day of March, 1983.

BE IT FURTHER RESOLVED that the City Engineer is hereby ordered to make an assessment roll containing among other things:

1. The name of each last known owner of each lot or parcel of property to be assessed; and
2. A description of each lot or parcel of property to be assessed and the amount of the proposed assessment thereon, apportioned upon an area basis, all as more particularly set out in Section 4 of Ordinance No. 3012.

BE IT FURTHER RESOLVED that the City Clerk shall furnish a copy of this Resolution to the City Engineer.

PASSED, ADOPTED AND APPROVED this 16th day of March, 1983.

William H. Briare

WILLIAM H. BRIARE, MAYOR

ATTEST:

Carol A. Hawley

CAROL ANN HAWLEY, CITY CLERK

AGENDA

City of Las Vegas

March 16, 1983

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. 83-10 - AMENDS MASTER PLAN OF STREETS AND HIGHWAYS BY DELETING THEREFROM TORREY PINES BETWEEN RANCHO DRIVE AND CRAIG ROAD. Committee: Commissioners Christensen and Levy 1st Publication: R-J - 3/9/83 Committee Recommendation: Adoption at 3/16/83 City Commission meeting.	Christensen - Second Reading and Bill ADOPTED Unanimous	Clerk to proceed with second publication.
B. BILL NO. 83-11 - ANNEXATION NO. A-7-82(A) PROPERTY LOCATED ON THE SOUTHWEST CORNER OF BUCKSKIN AVENUE AND TENAYA WAY, PETITIONED BY: JAMES C. SMITH AND KAYOLA SMITH TRUST, ACREAGE: APPROXIMATELY 20.17 ACRES, ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT. Committee: Commissioners Christensen and Levy 1st Publication: R-J - 3/9/83 Committee Recommendation: Adoption at 3/16/83 City Commission meeting.	Christensen - Second Reading and Bill ADOPTED Unanimous	Clerk to proceed with second publication.

APPROVED AGENDA ITEM

City of Las Vegas

0080

AGENDA DOCUMENTATION

Date: February 16, 1983

TO:	FROM:
The Board of City Commissioners	John Edward Roethel Deputy City Attorney

SUBJECT:

Amends Master Plan of Streets & Highways by deleting therefrom Torrey Pines between Rancho Drive and Craig Road - BILL 83-10

PURPOSE/BACKGROUND

This bill would amend the Master Plan of Streets and Highways by deleting therefrom Torrey Pines Drive between Rancho Drive and Craig Road. This segment of Torrey Pines Drive has not been built nor has any right-of-way therefor ever been acquired.

This amendment to the Master Plan of Streets and Highways was approved by the Board of Commissioners during a public hearing held on February 2, 1982. This bill merely effects this change.

FISCAL IMPACT

NONE

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners for final action.

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due:__________

Agenda Item

VI -A

City of Las Vegas
AGENDA DOCUMENTATION

Date: February 18, 1983

TO: The Board of City Commissioners

FROM: John Edward Roethel
Deputy City Attorney

SUBJECT: Bill No. 83-11
Annexation No. A-7-82(A)

PURPOSE/BACKGROUND

The proposed ordinance annexes certain real property located at the southwest corner of Buckskin Avenue and Tenaya Way. The annexation process has now been completed in accordance with the NRS and the final date of annexation (March 25, 1983) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-7-82(A)
Property Located:	Southwest corner of Buckskin Avenue and Tenaya Way
Petitioned By:	James C. Smith and Kayola Smith Trust R-501, et al 5816 Carmen Boulevard Las Vegas, Nevada 89108
Acreage:	Approximately 20.17 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACT

RECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners for final action.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

States Due: ____________

79-3-10

Agenda Item
VI - B

AFFIDAVIT OF MAILING

(Mailing required under the provisions of 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 March, 1983, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00, on Monday March 7, 83, 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).

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

Subscribed and sworn to before me this

2nd day of March, 1983

Monice P. Keller
NOTARY PUBLIC in and for said County and State. My Commission expires: 1/23/84

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

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

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

Penny Thayer
~~Mildred J. Edwards~~, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 2nd day of March, 83, at the hour of 4:00 p.m. there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 P.M. on Monday, March 7, 1983, 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).

Penny Thayer
Mildred J. Edwards
SIGNATURE

M. S. 1333
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

3rd day of March, 1983

Monice P. Keller
NOTARY PUBLIC in and for said County and State. My Commission expires: 1/23/84

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

March 2, 1983

NOTICE

The following Bills proposed for adoption by the Board of City Commissioners of the City of Las Vegas, Nevada, will be the subject of PUBLIC COMMENT before the respective Recommending Committees at the hour of 4:00 P.M., Monday, March 7, 1983 in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

A. BILL NO. 83-10 - AMENDS MASTER PLAN OF STREETS AND HIGHWAYS BY DELETING THEREFROM TORREY PINES BETWEEN RANCHO DRIVE AND CRAIG ROAD.
Committee: Commissioners Christensen and Levy

B. BILL NO. 83-11 - ANNEXATION NO. A-7-82(A), LOCATED: SOUTHWEST CORNER OF BUCKSKIN AVENUE AND TENAYA WAY, PETITIONED BY: JAMES C. SMITH AND KAYOLA SMITH TRUST, ACREAGE: APPROXIMATELY 20.17 ACRES, ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT)
Committee: Commissioners Christensen and Levy

C. BILL NO. 83-12 - AMENDS SEXUALLY ORIENTED BUSINESS PROVISION RELATING TO NUDE SHOWS TO INCLUDE LICENSED LIQUOR ESTABLISHMENTS THEREUNDER.
Committee: Commissioners Levy and Christensen

<u>ALL INTERESTED PERSONS ARE INVITED TO ATTEND</u>. Attendance will be noted and a tape recording of the proceedings will be kept on file in the Office of the City Clerk until final disposition of any Bill. Copies of the above Bills can be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

CITY OF LAS VEGAS

Date 0085

INTER-OFFICE MEMORANDUM

March 7, 1983

TO: FILE

FROM: CH
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
PROPOSED NEW BILLS
MARCH 7, 1983

COPIES TO:
All Agenda Books for 3/16/83 City Comm. Mtg.
City Attorney
Community Planning & Development
Building & Safety
Public Services
Fire Services
Business Activity
Metro

MEETING HELD: 4:00 P.M., MARCH 7, 1983, City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada. Meeting adjourned at 4:20 P.M.

PRESENT:
Commissioner Levy
Commissioner Christensen
Deputy City Manager Don Saylor
City Attorney George Ogilvie
Deputy City Attorney John Roethel
Jerry Cahill, Director of Business Activity
Jerry Ashenfelter, Business Activity
Harold Foster, Director of Community Planning & Development
Vern Christensen
Larry Lapenta, Larry's Villa
Chris Gellner, Attorney
Jerry Ralya, Las Vegas Sun
Jim Kastelic, Review-Journal
Carol Ann Hawley, City Clerk
Sandra R. LeBoeuf, Deputy City Clerk

A. BILL NO. 83-10 - AMENDS MASTER PLAN OF STREETS AND HIGHWAYS BY DELETING THEREFROM TORREY PINES BETWEEN RANCHO DRIVE AND CRAIG ROAD.
Committee: Commissioners Christensen and Levy

No one appeared in opposition to this bill. Committee recommended adoption at 3/16/83 City Commission meeting.

B. BILL NO. 83-11 - ANNEXATION NO. A-7-82(A), LOCATED: SOUTHWEST CORNER OF BUCKSKIN AVENUE AND TENAYA WAY, PETITIONED BY: JAMES C. SMITH AND KAYOLA SMITH TRUST, ACREAGE: APPROXIMATELY 20.17 ACRES, ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT)
Committee: Commissioners Christensen and Levy

No one appeared in opposition to this bill. Committee recommended adoption at 3/16/63 City Commission meeting.

RECOMMENDING COMMITTEE MEETING
MARCH 7, 1983
Page 2

C. BILL NO. 83-12 - AMENDS SEXUALLY ORIENTED BUSINESS PROVISION RELATING TO NUDE SHOWS TO INCLUDE LICENSED LIQUOR ESTABLISHMENTS THEREUNDER.
Committee: Commissioners Levy and Christensen

City Attorney George Ogilvie introduced a First Amendment to this Ordinance He stated that the Charter of the City requires that when you amend a section of an ordinance, you have to amend the whole section. The Ordinance was previously introduced as referring only to subsection "i". The First Amendment includes the whole Section Twenty (20) to conform with the City Charter. Also, a minor change in the definition of nude show to clarify that in addition to the provisions of the sexually-oriented businesses, liquor establishments are also to conform to that.

Attorney Chris Gellner and Larry LaPenta, Larry's Villa, appeared in opposition to this bill. Mr. LaPenta felt that the Ordinance was being passed to put him out of business.

Committee recommended adoption at 3/16/83 City Commission meeting as per First Amendment.

CAH/sl

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING, MARCH 7, 1983
RE: BILL NO. 83-12

COMMISSIONER LEVY: We're not even discussing liquor ordinance here today, Larry.

LARRY LAPENTA: Well, I'm here because I want to know how does this concern me. I'm one of very few. There's only three or four places. I've been doing this for 10 years. I was in the -- I come under the 1966 City of Las Vegas ordinance. That's how I was in business. Now, there's two other ordinances that have come in. I want to know where do I stand?

COMMISSIONER LEVY: The liquor ordinances that were discussing and redoing all the liquor ordinances, the nude portion was never brought up or discussed because it was not part of the liquor ordinances. This was the -- this is the new ordinance or the sexually orientated businesses.

LARRY LAPENTA: Where do I stand? That's what I want to know.

COMMISSIONER LEVY: Well, nothing. You stand wherever you're at until we either this ordinance is approved or turned down.

CITY ATTORNEY OGILVIE: I think you have received a letter from the Business Activity Department stating that you're expected to cease the topless entertainment by April 15 of '83. I don't think that this ordinance changes anything that was in that letter. The letter was written under the ordinance that has now since been interpreted by Judge Guy not to include liquor establishments. At the time the letters went out, it was the intention of the City and the Business Activity Department and the Board of Commissioners that you were included in this ordinance.

COMMISSIONER LEVY: In 1978.

LARRY LAPENTA: So now the judge has ruled that I'm not included.

COMMISSIONER LEVY: The judge has ruled that our interpretation -- his interpretation or felt that we were a little weak in there and that's why we're putting it up here today.

LARRY LAPENTA: This cleaning up that you're going to do, is that going to effect my future?

COMMISSIONER LEVY: It could.

LARRY LAPENTA: Why?

COMMISSIONER LEVY: What do you mean "why"?

LARRY LAPENTA: If I've been operating for 10 years, why should it be ruled that I'm not allowed to operate any longer?

ITEM	Commission Action	Department Action
VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)		
C. BILL NO. 83-12 - AMENDS DEFINITION OF "NUDE SHOW" IN ZONING REGULATION OF SEXUALLY-ORIENTED BUSINESSES TO RECONFIRM THE INCLUSION THEREIN OF CERTAIN LIQUOR ESTABLISHMENTS. (FIRST AMENDMENT) Committee: Commissioners Levy and Christensen 1st Publication: R-J - 3/9/83 Committee Recommendation: Adoption as per First Amendment at 3/16/83 City Commission meeting.	Levy - Second Reading and Bill ADOPTED. Unanimous APPEARING IN OPPOSITION TO BILL: Atty. Paul Carelli on behalf of Jack Galardi Larry LaPenta, Larry's Villa Joe Whalum and Al McCreary on behalf of Colony Club Jack Doyle, LV Rest. & Tavern Owners Assn. (NOTE: Final action taken in PM Session at end of Planning Agenda.) (Verbatim transcript made a part of the final minutes)	Clerk to proceed with second publication.
D. BILL NO. 83-5 - PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS. Committee: Commissioners Christensen and Lurie 1st Publication: R-J - 2/23/83 Committee Recommendation: Adoption as per First Amendment at 3/16/83 City Commission meeting. APPROVED AGENDA ITEM Ashley Hall	Second Reading and BILL ADOPTED as per Second Amendment. Christensen & Levy voted "No." Motion to adopt Bill as originally drafted was made by Christensen. Lurie made a motion to amend Christensen's motion to adopt First Amendment. Motion did not carry with Briare, Christensen, and Levy voting "No." Briare then moved to amend Bill whereby only detention facilities and industrial zoned areas may be permitted to use razor wire subject to approval of Planning Commission and with normal appeal process provided. The amendment carried with Levy & Christensen voting "No." APPEARING IN OPPOSITION TO BILL: Barry Becker, Greens Development Kay Korral, Humane Society Charlie Burnett, City Auto Towing	Clerk to proceed with second publication

City of Las Vegas
AGENDA DOCUMENTATION

Date: February 24, 1983

TO:
The Board of City Commissioners

FROM:
John Edward Roethel
Deputy City Attorney

SUBJECT:
Bill #83-12: Amends Sexually-Oriented Business Provision Relating to Nude Shows to Include Liquor Establishments Thereunder

PURPOSE/BACKGROUND

This bill amends Title 19, Chapter 74 which relates to sexually-oriented businesses. In December, 1980, LVMC 19.74.20 (I) was added to this Chapter to provide a definition of "nude shows." A controversy arose as to whether the definition of "nude shows" applied to liquor establishments. On February 23, 1983, a District Court Judge ruled that liquor establishments were excluded from the definition of "nude shows."

This bill will clarify the scope of the "nude show" definition by making it certain that any establishment, including liquor establishments, are included within its coverage.

If this bill is adopted, topless entertainment in liquor establishments will be permitted in the City only in zoning districts C-2, C-M or M and only at locations that are more than 1,000 feet from a church, school, park, playground or other sexually-oriented business. Bottomless entertainment is banned already at all liquor establishments in the City pursuant to LVMC 6.50.430.

FISCAL IMPACT

NONE

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners for final action.

DISPOSITION
- Approved ☐
- Disapproved ☐
- Held ☐

Status Due: ____________

Agenda Item
VI -C

City of Las Vegas

AGENDA DOCUMENTATION

0090

Date: February 10, 1983

TO:
The Board of City Commissioners

FROM:
GEORGE F. OGILVIE,
CITY ATTORNEY

SUBJECT: Bill No. 83-5 -- Permits the use of "razor wire" in security fencing

PURPOSE/BACKGROUND

At the present time the Uniform Building Code of the City of Las Vegas permits the use of barbed wire as the top strand of security fencing around public buildings, in commercial and industrial areas and, with the approval of the Planning Commission as to each development, around townhouse and condominium developments if the lower strand is at least six feet above grade or the adjacent ground level.

In reliance upon this provision, the owners of some storage lots and some townhouse and condominium homeowners' associations have installed certina or "razor" wire on the top of their security fences. However, the City Attorney's office has rendered an opinion to the effect that the provision which permits the use of barbed wire cannot be extended to include certina or "razor" wire.

As a consequence of this ruling, Commissioner Christensen has requested that the provision of the City's Uniform Building Code be amended to permit the use of certina or "razor" wire in those situations in which the use of barbed wire is permitted. Bill No. 83-5, if adopted, will accomplish this objective.

ADDENDUM (March 11, 1983)

At a meeting of the recommending committee which was composed of the whole Board of Commissioners and held on Wednesday, March 9, 1983, the committee, by a 3 to 2 vote, agreed to recommend to the Board of Commissioners the adoption of an ordinance which authorizes the use of "razor" wire only around detention facilites and publicly-owned storage areas and in commercial and industrial areas, subject to the following conditions:

1. The Planning Commission must approve each installation;
2. If the installation abuts properties which are developed for residential purposes, it must receive the approval of the owners of the developed residential properties;
3. The lowest portion must be 6 feet or more above grade or the adjacent ground level, measured on the exterior side of the fence; and
4. No portion may extend beyond the plane of the fence on the exterior side thereof.

Although it was not part of the motion, with the concurrence of Commissioner Lurie, who made the motion, I have added a fifth condition which permits anyone who is aggrieved by the Planning Commission's action to appeal that action to the Board of Commissioners.

FISCAL IMPACT

N/A

RECOMMENDATIONS

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the Board of City Commissioners for final action.

DISPOSITION
Approved ☐
Disapproved ☐
Held ☐

Status Due: ____________

Agenda Item
VI. D.

79-3-10

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 3rd day of March, 1983, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy of a SPECIAL STUDY MEETING of the BOARD OF CITY COMMISSIONERS

OF CITY OF LAS VEGAS, NEVADA, to be held on the 9th of March 1983, 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

3rd day of March, 1983

Monice P. Keller

NOTARY PUBLIC in and for said County and State. My Commission expires: 1/23/84

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

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

Penny Thayer
Tom Young, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 4th day of Mar., 83, at the hour of 930 Am there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an SPECIAL STUDY MEETING of the BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 9th day of March, 1983, 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).

Penny Thayer
Thomas Young
SIGNATURE

B.S. 1223
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

4th day of March, 1983

Linda M. Owens
NOTARY PUBLIC in and for said County and State. My Commission expires: 8-12-84

LINDA M. OWENS
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Aug. 12, 1984

March 3, 1983

N O T I C E

The following Bill proposed for adoption by the Board of City Commissioners of the City of Las Vegas, Nevada, will be the subject of PUBLIC COMMENT before a Study Committee consisting of the Commission as a whole at the hour of 3:00 P.M., Wednesday, March 9, 1983, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada:

A. BILL NO. 83-5 - PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. Attendance will be noted and a tape recording of the proceedings will be kept on file in the Office of the City Clerk until final disposition. A copy of the above Bill can be obtained through the Office of the City Clerk, Monday through Friday, 8 AM to 5 P.M.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: March 10, 1983

TO: FILE

FROM: CH
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:
RECOMMENDING COMMITTEE MEETING
PROPOSED NEW BILL
MARCH 9, 1983

COPIES TO:
All Agenda Books for 3/16/83 City Comm. Mtg.
City Attorney
Community Planning and Development
Building and Safety
Public Services
Fire Services
Business Activity
Metro

MEETING HELD: 3:00 P.M., March 9, 1983, City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada. Meeting adjourned at 4:00 P.M.

PRESENT:
Mayor William H. Briare
Commissioner Paul J. Christensen
Commissioner Al Levy
Commissioner Ron Lurie
Commissioner William U. Pearson
Deputy City Manager Don Saylor
City Attorney George Ogilvie
Harold P. Foster, Director, Community Planning and Development
Clay Hymer, Director, Building and Safety
Lois Solomon, City Manager's Office
Carol Ann Hawley, City Clerk
Linda M. Owens, Deputy City Clerk
Olga Scheel, Springhurst Development
Timon S. Greene, Springhurst Development
Jelindo Tiberti II, The Tiberti Company
Allan Gasho, Manager, Spanish Oaks Development
Kay Korell, Resident
Barry Becker, The Greens
John P. Ahern, Ahern Renters Center
Atty. John P. Fadgen
Al Tobin, Las Vegas SUN
James Kastelic, Las Vegas REVIEW-JOURNAL

A. BILL NO. 83-5 - PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.
Committee: Commissioners Christensen and Lurie

3/9/83 Recommending Committee Meeting
Re: Bill 83-5
Page 2

Mayor Briare welcomed citizens and invited their input during the deliberations. He showed two pictures to illustrate the use of razor wire, one of an actual installation at Spanish Oaks, and another which showed an artist's draw-in of razor wire at the subdivision at the corner of Oakey and Rancho.

The City Attorney had prepared four alternative bills dealing with razor wire and explained their various ramifications. (See his memo of 3/9/83 to the Board of Commissioners attached hereto.) One of the major purposes of this meeting was to try and arrive at a concensus of opinion regarding this bill.

Olga Scheel of the Springhurst development advised that she had contacted an insurance underwriter regarding the use of razor wire and he had indicated a possible liability for the City if the proposed ordinance was adopted.

Jelindo Tiberti, Tiberti Company, who installs razor wire stated he had talked to a manufacturer regarding a case where a burglar had been injured going over a fence where the wire was installed and had sued and the court had ruled that the criminal was responsible, not the property owner. Mr. Tiberti stated razor wire was used as an effective crime deterrent around boat and recreational parking areas inside of condominium and townhouse developments.

Barry Becker of The Greens felt the alternate bill drafts were too restrictive and that situations would continue to arise under which the wire should be permitted.

Allen Gasho of Spanish Oaks appeared on behalf of the original bill.

Kay Korell, a County resident, spoke in opposition to razor wire and felt strongly that Las Vegas should not look like the "Berlin wall." She said her cat didn't know the difference in commercial or residential.

The Commission received a letter from the Beautification Committee Executive Board indicating their opposition to the use of "Razor Wire" in residential areas (see letter attached).

Commissioner Lurie stated there were approximately 19 citations issued for razor wire violations awaiting the outcome of the matter, one of which involved the City's detention facility.

Commissioner Christensen throughout the meeting spoke in favor of the original bill. Commissioner Levy felt the bill should have amendments wherein surrounding property owners would have to be in agreeance for razor wire installations. The City Attorney advised of potential liability for the City relative to a razor wire ordinance.

Commissioner Lurie moved to instruct the City Attorney to introduce a First Amendment to this bill at the 3/16/83 Commission meeting, which would be the bill drafted as Alternative B with "public buildings" changed to "detention facilities" and added the use of razor wire in publicly-owned storage areas. The City Clerk called the roll and the motion passed with Commissioners Christensen and Levy voting "No."

(A TAPE RECORDING OF THIS MEETING IS ON FILE IN THE OFFICE OF THE CITY CLERK.)

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date

March 9, 1983

0096

TO:

Mayor William H. Briare
Commissioner Paul Christensen
Commissioner Al Levy
Commissioner Ron Lurie
Commissioner William Pearson

FROM:

George F. Ogilvie
George F. Ogilvie,
City Attorney

SUBJECT:

Bill No. 83-5 -- Permits the use of "razor" wire in security fencing under certain circumstances

COPIES TO:

Russell Dorn, City Manager
Don Saylor, Deputy City Manager
Clay Hymer, Director
Dept. of Building & Safety

Attached are drafts of four alternatives to Bill No. 83-5 which, if it is adopted, will permit the use of "razor" wire in security fencing six feet or more above grade or the adjacent ground around public buildings, in commercial and industrial areas and around townhouse and condominium developments under certain circumstances. These alternatives, including the original draft of the Bill (of which each of you already has a copy) may be summarized as follows:

1) Original draft

(a) Maintains the status quo with respect to barbed wire (provided that the lower strand is six feet or more above grade or the adjacent ground, permitted as of right as the top strands of security fences around public buildings and in commercial and industrial areas and, with the approval of the Planning Commission as to each development, around townhouse and condominium developments); and

(b) Permits "razor" wire, subject to the same conditions as pertain to barbed wire.

2) Alternative "A":

(a) Maintains the status quo with respect to barbed wire (see paragraph 1(a) above); and

(b) Provided that the lowest portion is six feet or more above grade or the adjacent ground

CIV 7007

Mayor William H. Briare
Commissioner Paul Christensen
Commissioner Al Levy
Commissioner Ron Lurie
Commissioner William Pearson
March 9, 1983
Page 2

level, measured on the exterior side of the fence, and there is no extension beyond the plane of the fence toward the exterior side thereof, permits "razor" wire as the top portion of security fences around public buildings, in commercial and industrial areas and around townhouse and condominium developments only with the approval of the Planning Commission as to each installation or development and, if any such building, area or development directly abuts any property which is developed for residential purposes, other than apartments, with the approval of the owners of the residential properties.

3) Alternative "B" -- identical to Alternative "A", except that "razor" wire is not permitted around townhouse and condominium developments under any circumstances.

4) Alternative "C" -- identical to Alternative "A", except that no Planning Commission approval is required for "razor" wire around public buildings and in commercial and industrial areas (but all other conditions remain the same as in Alternative "A").

5) Alternative "D" -- identical to Alternative "B", except that no Planning Commission approval is required.

From the standpoint of the City's exposure to liability, I recommend Alternative "D" which applies only to commercial and industrial areas, requires the approval of the owners of any abutting residential properties (but not the approval of the Planning Commission) and provides that the lowest portion is six feet or more above grade or the adjacent ground level, measured on the exterior side of the fence, and that there is no extension beyond the plane of the fence on the exterior side thereof.

GFO/ph

Las Vegas Metropolitan Beautification Committee

An Advisory Board to the City & County Commissioners on Area Beauty

Chairperson Tom Rubidoux

March 8, 1983

TO: CITY COMMISSION

FROM: LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE EXECUTIVE BOARD

SUBJECT: RAZOR WIRE

The Las Vegas Metropolitan Beautification Committee Executive Board wishes to go on record as being opposed to the use of razor wire in residential areas. Razor wire should only be allowed in commercial, industrial and public buildings, not in residential.

Sincerely,

Tom Rubidoux

Tom Rubidoux
Chairman

TR/sl

Allied Arts Council
American Institute of Architects
Chamber of Commerce
Citizens-at-Large
Cooperative Extension Service
Federation of Garden Clubs
Jaycees
Junior League of Las Vegas
Las Vegas Rotary Club
League of Women Voters
Mesquite Club
Nevada Federation of Women's Clubs
Nevada Sign Association
Southern Nevada Home Builders Assn.
Westside Community Development Commission
Youth for Community Pride

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

MAYOR BRIARE: Lastly, I'd like to conclude this morning's agenda by --

COMMISSIONER LEVY: We're not through, Mayor.

MAYOR BRIARE: -- taking up Bill No. 83-5 -- is that what you were going to remind me about there?

COMMISSIONER LEVY: I'm not too anxious to be looking forward to it, but yes.

MAYOR BRIARE: Unless the gentlemen -- unless the gentlemen behind the cameras would all like to come back this afternoon.

COMMISSIONER LEVY: No, no.

COMMISSIONER LURIE: Did we take up 83-11?

COMMISSIONER LEVY: Yes, we did 11.

COMMISSIONER LURIE: I don't think we did. We took 83-10 the annexation.

MAYOR BRIARE: Carol Ann, did we do 83-11? I think so.

CAROL ANN HAWLEY: Yes, we did. It was adopted.

COMMISIONER LEVY: Yes, it was done. You voted for it. I remember you made a speech.

COMMISSIONER LURIE: That's the annexation.

COMMISSIONER LEVY: You voted on it.

CAROL ANN HAWLEY: Commissioner Christenen made the motion to approve.

COMMISSIONER LURIE: Well, maybe I was out of the room.

COMMISSIONER CHRISTENSEN: Do you want to bring it up again?

COMMISSIONER LURIE: No.

MAYOR BRIARE: Okay, on Bill 83-5, the original Committee reported at our last meeting and then in order to do further work on it, I appointed a Committee of the whole consisting of the entire Commission with myself as Chairman of that meeting, and therefore, I will report out from the Committee as the whole on Bill 83-5. I want to make the comment, however, that at that particular meeting, I mentioned that perhaps the best thing to do

MAYOR BRIARE: with this ordinance would be to kill in entirely and go back to square one. I, however, voted in favor of putting it before this Commission and I wish now to make the comments to my fellow members of this commission that I wish that we could agree on an ordinance that would provide for razor wire but only under two exclusive circumstances. One that it would be used for detention facilities only and number two that it could be used in industrially zoned land subject to the approval of the Planning Commission, which ultimately in the event of an appeal would come before the City Commission, but in no other instances at this time could it be utilized. With respect to the property owners who have already installed this kind of wire, those that were cited by the City, would be given a reasonable amount of time to remove it and in the interim time that we would request our City Manager or our City Planning Department or whoever would be the proper body within the city Government to do a extensive survey throughout the entire community with respect to this particular kind of wire. I believe then -- before I ask you to read the ordinance -- I'm a little concerned about this ordinance also -- sometimes you can take an ordinance -- I like to use legislative terms -- you can take a bill in legislature and if it's a bad bill going in, you just can't make it look any better and you can also in the legislature -- you can take a good bill and you can amend it so much that it becomes a bad bill and I don't know whether that's the situation we're faced with here now or not, but, Mr. Ogilvie, assist me on this if you would. Should I request that you read this and then talk about the amendments, or would it be better to kill the whole thing and start over again and see what the Commissioners feel about detention facilities and industrial land?

COMMISSIONER LEVY: On detention facilities, Mayor, I'd like to also have that approved by the Planning Commission and the appeal process.

MAYOR BRIARE: What would be a way for me to accomplish what I'm trying to recommend here?

GEORGE OGILVIE: Since the Bill that's before you is the one that was recommended --

MAYOR BRIARE: Excuse me, Mr. Ogilvie, my question was answered. The first thing that we should do before we consider

MAYOR BRIARE: this is to make sure I got the vote. Go ahead would you please.

GEORGE OGILVIE: Since the Bill that's before you is the one that was recommended by the Recommending Committee, I think it should be read by title and then --

MAYOR BRIARE: Following the procedure then, Mr. Ogilvie, would you read 83-5 and remebering the procedure is that then the floor is then given to the Chairman of the Committee.

GEORGE OGILVIE: First Amendment, Bill No. 83-5, Ordinance No. Blank. An ordinance to amend Title 16, Chapter 4, Section 1 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition by amending section 7107 of that certain document adopted by reference by said Section 1 thereof and entitled "Supplemental Document, adopted by reference, completing the Uniform Building Code of the City of Las Vegas, Nevada, contained in Title IV of the Municipal Code by modifying, amending, adding to or deleting from certain sections of the Uniform Building Code, 1979 Edition" to permit the use of "Razor" wire or similar material in fencing around storage yards located in the C-V zoning district and detention facilities and in commercial and industrial areas under certain circumstances; providing for other matters properly relating thereto; and repealing all ordinances and parts of ordinances in conflict herewith.

MAYOR BRIARE: Okay the Chairman of the Committee then -- I'd like to have a full Commission here if possible.

COMMISSIONER LEVY: What happened to your Committee?

COMMISSIONER LURIE: They just evacuated City Hall so you can't go up to your office anyway, you might as well stay here.

MAYOR BRIARE: Was it something we said?

COMMISSIONER LEVY: It's just been that kind of a day, Mayor.

COMMISSIONER LURIE: No, they had some kind of a gas problem.

DON SAYLOR: Right. There was a problem.

MAYOR BRIARE: Please tell us at your leisure.

DON SAYLOR: -- problem resulted from the liquid they used to clean out the drains and that the drains -- evidently some of them were dry and the gas resulting therefrom

DON SAYLOR: came back up into the circulation system. Now if you have a need to go upstairs to get something when you break here, I'm going up anyhow and I'll get it. There's really no danger --

COMMISSIONER LEVY: Our hero.

MAYOR BRIARE: Did this gas emanate from the bottom part of the building or the top part of the building.

DON SAYLOR: Well, everybody out there likes to think it came from the 10th floor down, Mayor, but I told them, no it couldn't because they were all down here.

COMMISSIONER CHRISTENSEN: It's probably coming out of the Commission chambers.

MAYOR BRIARE: If you want a little gas, would you please listen to my motion. Thank you for reading, Mr. Ogilive. I would now move that Bill 83-5 be amended by deleting all of its provisions and substituting new provisions to accomplish the proposal that I had. That is that detention facilities and industrial zoned land -- oh, you want to take them one at a time?

COMMISSIONER LEVY: What I'd like to do, Mr. Mayor, is I think it'd be best if we took these piece by piece so that -- I myself, I'm in favor of certain parts and --

COMMISSIONER CHRISTENSEN: Your Honor, I have a question. At the risk of sounding like --

MAYOR BRIARE: A lawyer?

COMMISSIONER CHRISTENSEN: -- former Commissioner David Cantor -- raise a point of order and ask if it's proper to amend a bill out of existence and substitute another bill or if that isn't --

MAYOR BRIARE: No, except for the title, you can amend everything except the title. You can amend the whole thing out and substitute another -- you see it's a motion to substitute.

COMMISSIONER CHRISTENSEN: I want you to understand, Mayor, I believe you but I'd like to hear that from the attorney.

COMMISSIONER LEVY: I think that gas is coming from here.

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

GEORGE OGILVIE: The only thing that I know about parliamentary procedure, Commissioner Christensen, is that parliamentary procedure is at the discretion of the Chair, but I think you're correct you cannot --

COMMISSIONER CHRISTENSEN: I suggest that you buy a manual and study up on it.

GEORGE OGILVIE: I do not think that you can amend one measure by attempting to by amendment substitute an entirely new measure.

MAYOR BRIARE: Well if it's on the condition if you'll -- let's see what's the nice legal way to say this -- something they use in Congress, but what I'm trying to say is, George, you're right in portion but you're not right altogether and that is you can substitute an entire motion -- or you can substitute an entire matter providing it's germane to the subject, and my proposed amendment which I have not been allowed to complete is germane to the subject before us. Now, I don't care how you want to do it. How about this one? I move that further consideration of "razor" wire be indefinitely postponed. Think about that one for a second.

COMMISSIONER LEVY: No, we'd have a problem with that, Mayor.

MAYOR BRIARE: Right. I wish to propose that we have an ordinance that would allow razor wire -- so called razor wire in detention facilities and in industrially zoned land providing that it have the approval of the Planning Commission and what was that other part?

COMMISSIONER LEVY: Both of them -- just both of them.

MAYOR BRIARE: Oh, pardon me, detention facilities and industrially zoned lands with the approval of the Planning Commission and the normal appeal processes to follow. Now --

GEORGE OGILVIE: Could I suggest, Mr. Mayor, that you also include the provisions about height and the orientation of the wire.

COMMISSIONER LURIE: Well, that should be automatic.

GEORGE OGILVIE: That is -- that is -- if the Mayor's motion is to completely strike the -- what has been proposed, then that motion to strike would include striking the height of the wire and the orientation with respect to the exterior of the fence.

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

MAYOR BRIARE: Well, I think what I want to do, I'd like to get a nose count on this commission to see if I have any support whatsoever in doing this and get it out of the realm of the parliamentary procedure.

COMMISSIONER LURIE: Well I have a question, Mayor. On the ordinance, George, on the item D where it says exceptions -- actually what the Mayor is doing is he's taking out the -- barbed wire may be installed as top strands on security fences around public buildings and commercial and industrial areas with the approval of Planning Commission of each development, but what I'm getting down to the next one, item 2 which you actually want that left in.

GEORGE OGILVIE: Item 1 should be left in because that's the existing law.

COMMISSIONER LURIE: Right.

MAYOR BRIARE: Oh yes. I don't intend to change any existing law whatsoever, and this is only pertaining to razor wire. Maybe we should have a separate ordinance that's labeled razor wire. Isn't it amazing when you try so hard to do something that the impediments that you have because you don't understand the English language.

GEORGE OGILVIE: Your Honor, perhaps I could assist you if I could ask you a couple of questions?

MAYOR BRIARE: Why don't you do something to help me?

GEORGE OGILVIE: If you'll look on page 2 commencing on line 16, I would think what the intent of your amendment is to strike on line 19 -- 18 and 19 the words storage yards which are located in C-V zoning district and -- strike those words. Further on in line 19, strike the words in commercial and. That portion would now read: razor wire or similar material may be installed as the top portion of security fences around detention facilities and in industrial areas, with the approval of the Planning Commission as to each installation. Now, I believe, that it's your intent to strike this next provisio which says, and if any such installation directly abuts any properties which are developed for residential purposes other than apartments with the approval of the owners of the developed residential properties. Am I correct?

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983 0105
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

MAYOR BRIARE: Yes, you're correct because the normal procedure in the Planning Commission would be to send notices to all the adjoining, which would include of course abutting property owners.

GEORGE OGILVIE: Then with those deletions on lines 18 and 19 and the requirement for the approval of the abutting residential property owners, I believe, what is left probably effectuates your intent and if I may do so, I will read it in it's entirety? Razor wire or similar material may be installed as the top portion of security fences around detention facilities and in industrial areas, with the approval of the Planning Commission as to each installation; provided, however, that the lowest portion is six feet or more above grade or the adjacent ground level, measured on the exterior side of the fence, and there is no extension beyond the plane of the fence toward the exterior side thereof. Any person who is aggrieved by the action of the Planning Commission may appeal that action by filing a written notice of appeal with the city clerk within 10 days after the date on which that action was taken.

MAYOR BRIARE: That's it.

COMMISSIONER LURIE: That's a good motion.

MAYOR BRIARE: That's what I said wasn't it? Thank you, Mr. Ogilvie. That conveys my thinking. Now then, comments from the Commissioners?

COMMISSIONER LURIE: Call for the question.

COMMISSIONER CHRISTENSEN: Your Honor, I would just point out that what you're doing with that amendment is that you're making this ordinance so that it can be used by the City but not by the other residents of the City and I find that objectionable. You allow us to protect our storage yard which is civic zoned and our detention facility which is civic zoned and any industrial areas, but anybody else with any kind of a commercial business that is not in an industrial area that may have a storage yard in conjuction with it is not allowed to protect that and the citizens are not allowd to protect their so called "walled" communities and I think that's wrong for us to feel that we're above the citizens and have a right to a greater protection than the citizens have.

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES

D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

MAYOR BRIARE: Well, Commissioner, of course you realize that from the beginning there's been a differences of opinion by members of this board on those very comments and you know to bring in what might appear to be an emotional point of view with respect to keeping people who have been sentenced to a detention facility in that facility or to protect the adminimstrative office, in the instance of the City Municipal Jail from inmates crossing into areas, I don't see how that could possibly compare with the same thinking out in the neighborhoods where you have families and childrens and nobody's there to detain anyone, and with the industrial areas, to try to compare an industrial area -- protection that we might be able to allow industrial areas to have more razor wire and by so doing the Metro-Police can put those squad cars out into the neighborhoods, and I think that's an ideal situation.

COMMISSIONER CHRISTENSEN: Well, I understand what you're saying, but I don't think you realize what you've done with your amendment. You've made it so that the City of Las Vegas can protect the vehicles that are in our storage yard down on Stewart and Mojave but the guy that has the boat shop on Boulder Highway can't.

GEORGE OGILVIE: Commissioner Christensen, the amendment that I read deleted the proportion with respect to the C-V storage lots.

COMMISSIONER CHRISTENSEN: I understand that and you also deleted the commercial.

MAYOR BRIARE: That's right.

COMMISSIONER CHRISTENSEN: So if a person has a commercial business that has a storage yard such as a boat dealer that may have 40 boats inside of a chain link fence along side of his dealership is not allowed to protect them, but the City's allowed to protect our street sweeper that's behind a chain linked fence with razor wire on it.

GEORGE OGILVIE: The portion with respect to the City owned storage lots has been deleted.

COMMISSIONER LEVY: We're out too.

COMMISSIONER LURIE: But you have to look a little farther than this ordinance. You know, our predecessors when they put in this ordinance that you can't use sharp pointed pickets or stakes on top of the fence and you can't use

COMMISSIONER LURIE: electrified apparatus on the fences, and you can't put pieces of glass and nails on top of the fence, this is just another item that we're not allowing on top of the fences. I think that a precedent has been set on what type of tops of fences that you can have in the City. We're just not going to allow any of the razor wire on the top, but we do allow barbed wire, which, you know, that's going one step probably farther then we really should have in the past, but I think this is a good motion that the Mayor's made. It answers the question of industrial areas where we have over 18 citations and it answers the question of our detention facilities. I'm supporting the Mayor's motion.

COMMISSIONER CHRISTENSEN: The original ordinance was probably written back before you had to lock your doors in Las Vegas too. I don't think anyone anticipated the decline of the moral values of the world when they passed that ordinance, otherwise we wouldn't be building walls around the communities.

COMMISSIONER PEARSON: May I say a comment?

MAYOR BRIARE: Commissioner.

COMMISSIONER PEARSON: I think what we need to define here is the difference between industrial areas and commercial areas.

COMMISSIONER CHRISTENSEN: That's clearly defined in our zoning ordinances.

COMMISSIONER PEARSON: It may be but -- because some of the areas down on Main which are commercial areas -- guys have tires in them and things like that -- I think they may need the protection and I would consider that commercial instead of industrial. What I would consider industrial is like out on Losee Road or something like that to me is industrial. I'm slightly like Paul. I think we should do something about the commercial areas and we need to define -- specify what we're talking about when we say industrial and commercial.

MAYOR BRIARE: I can't disagree with that. What I do disagree with, Mr. Becker, and momentarily s'il vous plait, what I do disagree with is myself and why in the heck am I getting involved in this thing. This was Paul's ordinance and he introduced it and now all of sudden it's mine. I don't want the bloody sucker.

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

MAYOR BRIARE: Let's kill the whole thing, come on. You know what we're doing? We're just making -- I'm helping the cause maybe more than anybody else. We're making monkeys out of ourselves here.

COMMISSIONER LEVY: Mr. Mayor, I'll tell you what I'd rather do. I might make another suggestion -- is make it legal, subject to approval of the Planning Commission and this board and then we take each case at a time when they come before us.

MAYOR BRIARE: Can you imagine what it's going to be like.

COMMISSIONER LEVY: No, I can't.

MAYOR BRIARE: I can imagine what it will be like.

COMMISSIONER CHRISTENSEN: I think that's what the original ordinance says.

COMMISSIONER LURIE: You've got 19 that are going to come before you right away.

COMMISSIONER LEVY: We won't care. Most of them -- I think those industrial ones would be coming before the Planning Commission and if the neighbors don't complain and no one's complaining, we won't hear it again.

COMMISSIONER LURIE: I think we should vote on the Mayor's motion.

MAYOR BRIARE: Well, --

COMMISSIONER LEVY: Then if the neighbors got a complaint, I have always been under the contention if both sides of the fence approve it -- if both sides of the fence approve it, I can't see anything wrong with it as long as both sides approve it.

MAYOR BRIARE: Well, for the third time now in my opinion we have demonstrated to the public of Las Vegas that we don't know what we're doing because I believe that we should have more than a 3 to 2 vote on this and I have to -- since I all of sudden evolved into the head of this committee that I ask the City Attorney to read the Bill as it came out of the committee and then I proposed -- I didn't quite complete my proposal, which I'm kind of pleased with because I'm withdrawing that and I'm going to put up for discussion -- in other words there's no motion before the Commission because the effort was interrupted and I'm pleased that it was. The

MAYOR BRIARE: matter of the razor wire before us right now --

COMMISSIONER CHRISTENSEN: I move for the adoption of the ordinance.

MAYOR BRIARE: -- the position of the razor wire ordinance right at this time is that it has been read by the Attorney and in order to put it before this board for any type of action, I will now call for what the pleasure of the Commission is. Commissioner Christensen has moved --

COMMISSIONER CHRISTENSEN: Moved for adoption.

MAYOR BRIARE: Right, Commissioner Christensen has moved for adoption and as a -- in the procedures that we normally follow, I will ask if there's anyone -- wishes to comment on that motion?

COMMISSIONER LEVY: What is the adoption -- what is basically -- you know, I'll tell you we're been -- I never thought we'd come to that -- I'd like to know exactly the outline of this --

COMMISSIONER LURIE: Well, it's a motion to approve the ordinance as amended.

MAYOR BRIARE: No.

COMMISIONER LURIE: The original ordinance?

MAYOR BRIARE: No, you just stepped out. Commissoioner Christensen has made a motion to adopt the one that he voted against in the Committee. So I'm not the only one that's changing my mind.

COMMISSIONER CHRISTENSEN: Oh no. Oh no. Oh no. I voted against your amendment. I move for the adoption of the original ordinance as written, 83-5.

MAYOR BRIARE: Well now, Commissoner Christensen, I've got to ask you a parliamentary question. The acton of the Committee was to recommend to the Commission -- this was by a 3 to 2 vote in the Committee -- was to recommend that the bill be adopted as per First Amendment at the March 16th '83 City Commission meeting. I've asked Mr. Ogilvie to read that and he has done so. Now you are moving to adopt the ordinance --

COMMISSIONER LURIE: Without amendments.

COMMISSIONER CHRISTENSEN: Okay. I appreciate what you're saying. There could possibly be an error there. Did you read the original ordinance, George, or did you read the amendment?

GEORGE OGILVIE: Today I read the First Amendment. The one that came out of the Recommending Committee.

COMMISSIONER CHRISTENSEN: Okay, then I'd like you to read the original motion -- the original ordinance and then I'll make a motion to adopt it.

GEORGE OGILVIE: I'm sorry, I do not have that in my book.

COMMISSIONER LEVY: I don't think any of us do.

COMMISSIONER CHRISTENSEN: You mean the Committee has removed an item from the agenda is what's happened -- officially happened. The Recommending Committee has removed an item from the agenda.

COMMISSIONER LURIE: I wouldn't say that. I would review it as on a 3 to 2 vote that the overall Committee as the entire Board recommended that the ordinance be amended and brought before the Board as amended.

COMMISSIONER CHRISTENSEN: Yes, but that's a Recommending -- that's a Recommending Committee. That doesn't have the action. The action takes place on the first and third Wednesdays of the month, not at Recommending Committee. So the action on the ordinance has to take place at this point.

GEORGE OGILVIE: Commissioner Christensen, I now have a copy of the bill as originally drafted.

COMMISSIONER LEVY: We don't though. I don't.

COMMISSIONER LURIE: Let's go to lunch. This isn't accomplishing nothing.

GEORGE OGILVIE: Do you request that I read it, Commissioner Christensen?

COMMISSIONER CHRISTENSEN: Yes.

GEORGE OGILVIE: Bill No. 83-5, Ordinance No. Blank. An ordinance to amend Title 16, Chapter 4, Section 1, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, by amending Section 7107 of that certain document adopted by reference by said Section 1 thereof and entitled "Supplemental document, GEORGE OGILVIE: adopted by reference, completing the Uniform Building Code of the City of Las Vegas, Nevada, contained in Title IV of the Municipal Code by modifying, amending, adding to or deleting from certain sections of the Uniform Building Code, 1979 Edition" to permit the use of Certina or "razor" wire in fencing around public buildings, and commercial and industrial developments, and around townhouses and condominium developments under certain circumstances; providing for other matters properly relating thereto; and repealing all ordinances and parts of ordinances in conflict herewith.

COMMISSIONER CHRISTENSEN: I'll move for adoption.

MAYOR BRIARE: Right, now, Commissioner, both the amendment has been read and the ordinance has been read and you wish to move the adoption of --

COMMISSIONER CHRISTENSEN: The original ordinance.

MAYOR BRIARE: Without the amendment?

COMMISSIONER CHRISTENSEN: No amendment.

COMMISSIONER LURIE: Mayor, as a member of the Committee, I'd like to move that the ordinance be amended to reflect the vote taken at the Recommending Committee meeting.

COMMISSIONER CHRISTENSEN: Wait a minute, you want it amended to reflect the vote? The vote was 3 to 2. Where do you want that put in the motion?

MAYOR BRIARE: The majority.

COMMISSIONER CHRISTENSEN: In the ordinance?

COMMISSIONER LEVY: He's talking about --

COMMISSIONER LURIE: I'm talking about the changes -- the amendments in the ordinance. I think you can vote on an amendment before you take the original motion.

MAYOR BRIARE: Barry, how do you say that? Have patience. Until we get to the point where just before we're going to vote on the ordinance as a whole. We are only voting now on the amendment that came from the Recommending Committee to this Board. Does everybody understand that? Well, I'm going to --

COMMISSIONER CHRISTENSEN: Which says what?

MAYOR BRIARE: Which says, I'm going to vote against it -- the amendment. Anyother comments? Cast your vote. It's very dramatic. Oh, post. The amendment fails. (Pearson and Lurie voted "Yes", Briare, Levy and Christensen voted "No.") So, we have before us now the ordinance as it was originally written and I propose the following -- the following amendment: that detention facilities and industrially zoned land may use razor wire upon the approval of the Planning Commission and subject to the normal appeal before the Commission. Are there any questions on that proposed amendment?

GEORGE OGILVIE: Mr. Mayor, does that include the 6 feet --

MAYOR BRIARE: Yes, as you read it, as you read it. For the record, it was as Mr. Ogilvie -- comments? Cast your votes. Post. That motion is adopted -- that amendment is adopted. (Motion carried with Levy and Christensen voting "No.") We now have before us the motion of Commissioner Christensen unless there's anymore amendments to submit -- the motion -- pardon me, we now have before us the motion to adopt 83-5 as amended, and to make the whole situation go from the sublime to the ridiculous, I'm inclined to vote against it. I can't help it.

COMMISSIONER CHRISTENSEN: Well, Your Honor, it's interesting because it substantially changes the ordinance to -- that I believe it's -- and I'm also going to vote against it now.

MAYOR BRIARE: I know this though. I know this, Mr. Becker, you're going to have the opportunity -- I promise you. I would have -- in fact, I just conferred with Commissioner Lurie for a minute. I would have been opposed -- I'd have been favorable to go ahead and kill this whole thing and then adopt a brand new ordinance that simply states -- that simply states what I had indicated I'd be in favor of as far as the detention facilities and industrially zoned land, but then I thought to myself that we've made this thing so complicated now that perhaps it would be even more complicated if we killed the whole thing and then started a new ordinance that would provide only for industrially zoned land, and then I thought to myself, well then we've got more complications because some people have wire up now and they have

MAYOR BRIARE: to take it down and whether commercial is here or commercial is there and so forth and so on. I don't recall that we've ever been in this kind of a mess with a proposed law and I know it's not going to get even a 4 to 1 vote. I wish it could get a 4 to 1 vote because at least it would give the impression that we have some kind of -- you know, 3 to 2 vote is very dangerous because it only takes one person like I thought I was going to be the only one coming here to want to change this thing. So if there's no further amendments to be proposed by the Commission, I'm going to ask if Mr. Becker would like to make a commmet here, and if there's someone else that wants to make a comment that has not already been made to the Study Management Committee and remember we all sat -- Study Management Committee -- what is it called -- Study Ordinance -- Study Committee -- Recommending Committee.

COMMISSIONER LURIE: The same comments should be made to Mr. Becker as anyone else that wants to speak. Are we reopening the public hearing?

MAYOR BRIARE: No, no.

BARRY BECKER: One question. I won't repeat my testimony before. My name is Barry Becker, 50 South Jones, Suite 101. When you had originally -- opening the discussion on this ordinance given your feelings, you had mentioned requesting along with your motion a full study of this by the Planning Department and a possible moratorium on the existing wire during that study period. You know, that's something that I would like to see included in this and I have no problem you know, with your motion the way it is.

MAYOR BRIARE: Well, from a management standpoint, Mr. Becker, I have a feeling that if we were to try to include that provision in the ordinance that we're just going to have a lot more trouble, but I do -- I do agree with my original comments the same that until we can have a little bit more work done on this proposal as it affects our entire community and not just the industrial area, that we ought not to prosecute those who have received citations, and if there are any that feel like they might want to jump in put some up right now in a moratorium period, they would new -- they would get new citations.

BARRY BECKER: They don't have the right under the law to put it up.

MAYOR BRIARE: That's correct.

BARRY BECKER: Even now. That's true. Your motion -- concerning the ordinance that shouldn't be a part of the ordinance, but possibly the Commission could direct the Planning Staff after this ordinance thing is done.

MAYOR BRIARE: Well, on a 3 to 2 vote if that's the way it turns out, Barry, you better not direct the City Manager to do anything because then tomorrow it might change.

BARRY BECKER: That's my only comment. I would just hope that there'd be some more study on it.

MAYOR BRIARE: Okay. Ma'am, would you like to be recorded as being present as you were at the Planning Commission -- I mean at the -- what's it called?

COMMISSIONER LEVY: Recommending Committee.

MAYOR BRIARE: Recommending Committee meeting.

KAY KORRAL: Yes, my name is Kay Korral -- K O R R A L and I'm here on behalf of the Humane Society. One thing that hasn't been spoken of yet.

MAYOR BRIARE: Yes, I'm sorry. Would you come forward. I -- my eyes aren't so good and I was mistaking -- I'm sorry I was mistaking you for someone else. The Humane Society sent a letter in opposition to this proposal and the amendment that has been offered -- the amendment that has been offered if you understand would not -- that's very nicely done, yes. Would you give -- would you give the cameras a little better opportunity there.

COMMISSIONER LURIE: How can you go against that?

COMMISSIONER CHRISTENSEN: I would just point out, Mayor, that we have an ordinance in the City of Las Vegas requiring cats to be kept under the control of their owners, on a leash and inside the yard. I keep hearing that the cats are going to get in trouble running along the walls and cats are not supposed to be on the walls.

KAY KORRAL: I agree with you. I couldn't agree with you more. I had my cat made into a gentleman and --

MAYOR BRIARE: Maybe you ought to be a gentleman too, Paul.

KAY KORRAL: -- so he wouldn't wander -- so he would not wander and yet he's -- I think he's a house cat. He's thinks -- he thinks he's an outdoor cat and he will slip out. -- couldn't shut the door fast enough to keep him from going out when he intends to go out and he will chase cats. He's big and hairy and he chases strange cats and if the strange cat stops, my Tommy tries to slap him death with his little soft powder puff paws because he has no claws. He shouldn't go out. He has to be inside. I try to tell him and he doesn't know the difference in the boundaries between the City and the County. Gentlemen --

COMMISSIONER LEVY: I thought you said you made a gentleman out of him.

KAY KORRAL: Technically, but he -- this is why I'm saying someone here today told me a cat is too smart to go through a razor wire fence. I think the intelligence of cats is overrated.

COMMISSIONER LURIE: I wish you had come up an hour ago.

KAY KORRAL: And, I think that most of you gentlemen know that we shouldn't go against nature and I think it's nature in men as little boys to walk along fences, and I'll bet most of you have walked along fences. I didn't. I walked along curbs and I'm still tempted to.

COMMISSIONER CHRISTENSEN: I've always been smart enough to stay off the ones that had barbed wire on it because I could get cut.

KAY KORRAL: Well, I do feel that we do have an attractive nuisance because a boy -- even a man wants to walk along a edge of a cliff or bridge or whatever even yet. Their little boys grown tall, but I think that when this boy has a challange, oh the risk. This is a town that loves risk. People come here -- the risk of winning or losing. You're going to lose if you get the razor wire, gentlemen, because nobody wins on that one. Even if a cat gets caught into -- a cat that's not smart enough to stay out of it gets caught in there and impaled and bleeds and cries. If a boy who thinks it would be some challenge to walk across the top of this fence because he could fall 6 or 8 feet on one side or he could fall into your wire on the other side, and if he's impaled in this wire, he could bleed to death, but you as the owner shouldn't even touch him because you might further hazard his condition if you cut the wire; and by the

KAY KORRAL: way as far as deterring crime, I'm not sure that it ever will because certainly anybody with a pair of wire snips can take care of that right away and go over it.

COMMISSIONER CHRISTENSEN: We have testimony that it has deterred crime and we also have testimony from the manufacturer's representatives that it does not cut with wire snippers. That's one of things it is. It's harder you can't cut it with wire snippers, I've tried.

KAY KORRAL: Well, there are bolt cutters -- bolt cutters.

COMMISSIONER CHRISTENSEN: And there is -- and there is -- there is such inference -- you're talking about this town loves risk. There's one risk this community's tired of and that's the risk of leaving your house unattended and that's a real risk and I know people are tired -- people like risks in this community and that's all well and good, but that's one risk people are tired of. That's why they're using every means available. People are moving into prisons in order to eliminate that risk because the prisoners are outside -- they have to be inside to eliminate that risk. That's why we're having so many vicious dogs imported in this community to try and protect and alleviate some of that risk. So there are some grave risks that are far, far --

KAY KORRAL: Not greater than --

COMMISSIONER CHRISTENSEN: -- more dangerous than some of these other things.

KAY KORRAL: Certainly not more important than animals and children.

MAYOR BRIARE: Thanks very much, Kay, we appreciate your coming forward. You're a delightful person. Why didn't you come up here earlier. We could have had you sit up here with us.

KAY KORRAL: I really enjoyed the whole day so far even though I now am overparked, but I do recall I want to remind you that the City Attorney said last time that you are liable -- you're possibly liable.

COMMISSIONER LURIE: Could be. Could be.

EXCERPT - CITY COMMISSION MEETING MINUTES - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEES
D. BILL NO. 83-5 PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

COMMISSIONER CHRISTENSEN: The judge determines that. The City Attorney doesn't.

MAYOR BRIARE: Okay. Thanks, Kay. Did you do that? I didn't hear, did you do that?

KAY KORRAL: Oh, I did that. I'm an artist. I'm a member --

MAYOR BRIARE: Are you a school teacher? Were you a school teacher of art or something like that?

KAY KORRAL: Actually --

MAYOR BRIARE: It's very nice. Well listen I'll talk to you later.

KAY KORRAL: Let's talk later. We'll talk later.

MAYOR BRIARE: Lastly --

COMMISSIONER LURIE: If you can beat this one, you're all right.

CHARLIE BURNETT: Briefly, I'm Charlie Burnett. I'm from the law firm of Bilbray & Fadgen. We represent City Auto Towing for those of you who are overparked and may lose your car, you can see us. Our position, I think, has been set forth before by Mr. Fadgen and we think it's appropriate in industrial and commercial areas. In fact, it's permitted by the contract that we have with Metro. We impound vehicles for evidence and are responsible for the safekeeping of the personal effects that are there. That's all I have to say. Thank you.

MAYOR BRIARE: Thank you. Then the matter -- does everyone on the Commission understand the motion? Then -- okay --

COMMISSIONER CHRISTENSEN: It's your amendment that we got the voting --

MAYOR BRIARE: No, we've got the whole thing now.

COMMISSIONER CHRISTENSEN: I know the whole thing with your amendment.

MAYOR BRIARE: In accordance with the amendment that I proposed, yes, that changed the flavor of the thing. So cast your votes. Post. Before I announce the vote, does anybody want to change their vote? Very well, the ordinance is adopted. (Motion carried with Christensen and Levy voting "NO.")

COMMISSIONER LEVY: As amended.

MAYOR BRIARE: As amended.

COMMISSIONER CHRISTENSEN: We can't have it in commercial areas.

MAYOR BRIARE: Unless it's -- yes, you're right. Correct you can't have it in commercial areas. So listen next week we'll move for reconsideration and start all over again.

END OF EXCERPT

RECEIVED

MAR 9 12 51 PM '83

CITY CLERK

March 8, 1983

City of Las Vegas
City Commissioners

Dear Sirs:

It is understood that the City Commissioners are considering a ban on topless dancer in local Las Vegas Taverns.

The Colony Club has just applied for special sanction for topless dancing on this premises.

The Colony Club is located at 2360 N. Highland Ave. This is in the Las Vegas black community. The community is presently entertainment starved. We are attempting to create entertainment within the community as well as employment opportunities.

Allowance of topless dancing to be performed at the Colony Club, will greatly enhance the financial viability of the Club, which would help in reducing unemployment in the community.

If the ban is imposed, we are reqeusting special consideration to allow topless dancing at the Colony Club.

Thank you for your consideration.

Sincerely,

Joseph R Whelum
Manager for
Jean McDonald

EXCERPT - CITY COMMISSION MEETING - MARCH 16, 1983 0120
VI. REPORTS FROM RECOMMENDING COMMITTEESS
C. BILL NO. 83-12 - AMENDS DEFINITION OF "NUDE SHOW" IN ZONING REGULATION OF SEXUALLY-ORIENTED BUSINESSES TO RECONFIRM THE INCLUSION THEREIN OF CERTAIN LIQUOR ESTABLISHMENTS. (FIRST AMENDMENT)

MAYOR BRIARE: The next is Bill No. 83-12. Commissioner Levy.

COMMISSIONER LEVY: May I have it read, Your Honor?

MAYOR BRIARE: Mr. Ogilvie.

GEORGE OGILVIE: First Amendment, Bill No. 83-12, Ordinance No. Blank. An ordinance to amend Title 19, Chapter 74, Section 20, of the Municipal Code of the Citv of Las Vegas, Nevada, 1983 Edition, to confirm the intention of the Board of Commissioners of said City that certain liquor establishments be included within the definition of nude show; and to provide other matters properly relating thereto.

MAYOR BRIARE: Commissioner Levy.

COMMISSIONER LEVY: Yes, I'll move that we adopt it as amended.

MAYOR BRIARE: Okay. Now, I know that there are persons who wish to make comment on this. We now have it officially before us. If there is someone in the audience that wishes to make comment, please come forward and give us your name and your address.

PAUL CARELLI: Mr. Mayor, Commissioners, Paul Carelli of the law firm of Carelli and Miller, 302 East Carson, Suite 830, appearing on behalf of Mr. Jack Galardi who is the owner of the Shadow Box Lounge on East Charleston. It's our recent litigation, I take it, which the City was unsuccessful in that has resulted in the amendment before you, and reading the papers, it appears that the aim of this ordinance is to include topless dancing, or topless entertainment in liquor establishments within the definition of "nude shows". Now, I'm not too sure if that's the intent because to my mind the definition of "nude shows" means something other than semi-nude and the definition of specific anatomical areas which was raised but never addressed by Judge Guy uses the conjunctive pronoun "and" rather than "or" in describing what areas are opposed so I'd like a clarification. Is it intended that semi-nude entertainment is within the defintion of "nude shows" or are we just looking at totally nude or topless, bottomless, together?

MAYOR BRIARE: Mr. Ogilvie, will you tell Mr. Carelli what the ordinance says.

GEORGE OGILVIE: It's the intention of the ordinance that topless be subject to the definition of "nude show" in the sexually-oriented businesses ordinance.

PAUL CARELLI: Then I'm -- strongly suggest that this board think through -- and I don't know if it has or hasn't -- the consequences of including topless entertainment as a ban, and that's basically what you're doing. I realize you're saying you're amending your zoning ordinances and that topless entertainment can be conducted in certain areas of the City, but in our litigation, we took the deposition of your deputy zoning head and as a practical matter, you have very limited areas in the City -- very few parcels of property that meet the definition where topless entertainment can be carried on. For example, in the southwest portion of the City that's bounded on the north by Charleston, on the south by Sahara, on the east by the Freeway, and on the west by the City Limits, there was two parcels of property that meet the requirements of this ordinance and that doesn't even take into consideration whether there was anything on those parcels that could be -- would preclude an establishment being created there that would permit topless entertainment. You know this ordinance applies to this entire City. It applies to the downtown area. I'm not too sure you've gotten any input from the owners of those hotels downtown as to whether this was going to preclude them from ever bringing in the type of entertainment that appears out on the strip. There are right now establishments downtown that meet the requirements. As you know, only one is permitted within a 1000 feet of each other. That would preclude the entire downtown area of ever having a French-type review. Is that the intent of this board by this ordinance, or is this just a knee jerking response of having a case go against you in District Court? I think you really got to think this through and I don't think that really has been done. You know, the City of Las Vegas has a reputation of having the best entertainment in the Country and that includes reviews that have topless parts to it. Now, you're not saying in this ordinance, bars that don't have gaming, etc. and you're not limiting it to just the neighborhood bars. You're limiting it to any establishment that has liquor and that includes the hotels. And I suppose tomorrow we can see in the papers and it'll probably make Ripley's Believe It or Not television program -- Las Vegas bans "topless", but that's what you're intending to do because as I said, while you consider it a zoning ordinance, it is so restrictive as a zoning ordinance that you've precluded almost, I would say, 90 to 95% of the parcels of property in the City from ever indulging in this type of entertainment including the downtonw area.

COMMISSIONER LURIE: Maybe the City Attorney could maybe address that because I don't read that in the ordinance. I think we're talking about two different things when you talk about a tasteful type of a show as a production or a go-go dancer. Now, Paul, don't try to shake your head and tell me you don't know the difference between a go-go dancing operation and a super spectacular production like they have out on the strip.

PAUL CARELLI: Yes, but your ordinance doesn't make those distinctions. All it says is that if you have topless and it's for entertainment, it's a nude show and it's a sexually-oriented business and you can only have it in certain zones. Now it doesn't say that spend $10,000 and bring it in from France and you're exempt. There is no exemption anymore and you --

COMMISSIONER LURIE: You as an attorney representing your clients interpret it one way. We up here interpret it differently.

PAUL CARELLI: What I'm suggesting is --

COMMISSIONER LURIE: We discussed that before.

PAUL CARELLI: Once you've taken out this exemption for holders of liquor licenses, you have now no exemptions. So you can't impose your feelings that gee, imported French shows that have French topless show girls in it is okay, but the neighborhood lounge that has homegrown American girls topless, that's out -- because there's no language in the ordinance.

COMMISSIONER LEVY: Alright.

PAUL CARELLI: That's -- if George wants to comment on that, I'll be more than happy to listen, but I think it's a serious consideration for this board to take into account.

GEORGE OGILVIE: In this one respect Mr. Carelli is correct that there is no distinction in this ordinance that is before you that would exempt from the definition of "nude shows" hotels that put on the review type entertainment. There's no such exemption. I do take issue with some of the things that Mr. Carelli has said when he says that there is perhaps 95 or 99 -- I've forgotten what percentage of the property in Las Vegas that preemptify this ordinance. That is not correct. There

GEORGE OGILVIE: are many adult oriented businesses that are located throughout the City that are perfectly in compliance with this ordinance. Perhaps, because of their existence, they may preempt other localities or other locations within 1000 feet of those establishments, but that does not say that this ordinance forecloses 95 or 99% of the territory within the City because a lot of that already has established sexually-oriented businesses in them and because of the 1000 foot radius, preempts any new businesses coming in there. With respect to the downtown area, I don't think the downtown area is preempted -- or the total downtown area.

PAUL CARELLI: George, there's the Tiger Room.

GEORGE OGILVIE: What?

PAUL CARELLI: The Tiger Room will preempt.

GEORGE OGILVIE: The Tiger Room falls under the provision of this ordinance and falls under the moratorium or the abateman provision and will be -- falls under the closure order that went out some months ago saying that all adult oriented businesses that are not in compliance with the ordinance shall close on April 15th of this year.

PAUL CARELLI: I don't recall it but there is another sexually-oriented business that does preclude -- if you remember, you were with me during that deposition and I believe --

GEORGE OGILVIE: There's one on -- between 4th and 5th on the north side of Fremont and there's one on the south side of Fremont between 6th and 7th, but this does not extend as far up as Casino Center. There are some areas in the downtown or some locations in the downtown areas that would be preempted by the location of St. Joan of Arcs, but this ordinance does not prohibit or preempt a good part of the downtown area.

PAUL CARELLI: If I remember, everything from the Union Plaza, including the Union Plaza, down through the entire Fremont Street area were all precluded for one reason or another, and that's another issue I want to get in. You know, when the City Commission's position is based upon what the City Attorney is talking

PAUL CARELLI: about, the sexually-oriented ordinance is constitutional because it's based upon the City of Detroit case, and that issue has still not been addressed by any courts, and my client wants to see an ordinance that is valid and it doesn't think -- and you don't have one right now, Commissioner Levy.

COMMISSIONER LEVY: I question your clairvoyance.

MAYOR BRIARE: His civic emotions overwhelm me.

PAUL CARELLI: But we want to see an ordinance that is constitutional with regard to sexually-oriented businesses.

MAYOR BRIARE: So do we..

PAUL CARELLI: A topless bar, first of all, is not a sexually-oriented business.

COMMISSIONER LEVY: That's you deciding.

PAUL CARELLI: It isn't. I don't think you would -- if the Stardust Hotel was in the City, I'm sure you wouldn't consider the Stardust Hotel a sexually-oriented business because they had --

COMMISSIONER LEVY: I sure consider the Can-Can Room or whatever it is that's in the County.

PAUL CARELLI: That is topless and bottomless. It would be subject to your ordinance if the ordinance were constitutional. We're talking about liquor establishments right now that have topless. Remember, your liquor ordinance prevents bottomless dancing. If you want to prevent topless dancing in liquor establishments, change your liquor ordinance and include that prohibition. What we're saying is don't make a bar or any other establishment that has topless dancing a sexually-oriented business and throw it in with adult bookstores, mini theatres that show the movies that they show, and massage parlors, and counter centers. A bar that has topless dancing is not a sexually-oriented business, just as the Stardust isn't.

COMMISSIONER CHRISTENSEN: Then why do you have it?

PAUL CARELLI: Why do you have what?

COMMISSIONER CHRISTENSEN: Does it make the drinks taste better?

PAUL CARELLI: No. Commissioner, you and I both know why.

COMMISSIONER CHRISTENSEN: Yes, I think we do and you just said I don't.

PAUL CARELLI: The same reason why the Stardust has their show and all the other hotels.

COMMISSIONER CHRISTENSEN: You didn't answer my question. You didn't answer my questions, Counselor.

PAUL CARELLI: It's to bring customers to your location.

COMMISSIONER CHRISTENSEN: And how do you bring the customers to the location?

PAUL CARELLI: You bring them in by the type of entertainment that you present to the public.

COMMISSIONER CHRISTENSEN: Which at topless is what?

PAUL CARELLI: Which is topless. It's bare breasted. I agree.

COMMISSIONER CHRISTENSEN: Yes, and why do you have it that way?

PAUL CARELLI: Because that form of entertainment --

COMMISSIONER CHRISTENSEN: Appeals to what?

PAUL CARELLI: -- appeals to the American public. Otherwise

COMMISSIONER CHRISTENSEN: Appeals to what in the American public?

PAUL CARELLI: Appeals to their desire to see --

COMMISSIONER CHRISTENSEN: Desire for what?

PAUL CARELLI: Desire for what? Desire for good entertainment, Commissioner. Desire --

COMMISSIONER LEVY: Mr. Carelli, how many times have you been in those stores?

COMMISSIONER CHRISTENSEN: You know, we didn't just get off the boat.

PAUL CARELLI: Into which store?

COMMISSIONER LEVY: In your client's store?

PAUL CARELLI: Several times.

COMMISSIONER LEVY: Do you go there often?

PAUL CARELLI: No.

COMMISSIONER LEVY: Your wife would kill you.

MAYOR BRIARE: I want you as my district attorney.

COMMISSIONER LURIE: I would think that you would want to represent something that's going to improve the image of the City, not distract from the image of the City, and you can't keep saying that you can say that the Stardust show is the same show that you're going to see in the Can-Can Room or the --

PAUL CARELLI: Legally speaking it is.

COMMISSIONER LURIE: It's not the same. At some of these -- you don't maybe understand some of these bars and maybe haven't been in them and maybe haven't read a lot of reports about them. It's like a touch and feel and there's different types of shows.

PAUL CARELLI: No, it isn't, Commissioner.

COMMISSIONER LURIE: Well, you're wrong, see, because you haven't been into them. You haven't read the reports and you're not familiar with the reports that we're privy to on what goes on in these locations and that's why, you know, we're --

PAUL CARELLI: All I know is with regard to my client's business, there has never been anything objectionable by the Metropolitan Police Force.

COMMISSIONER LEVY: There sure has been by its neighbors who have kids coming in that music store next door with their clients walking out the door.

PAUL CARELLI: Considering that the topless doesn't start until five o'clock and the music store probably closes around five o'clock --

COMMISSIONER LEVY: Wrong.

PAUL CARELLI: -- the overlapping is extremely minimal to say the least. Let me get back --

COMMISSIONER CHRISTENSEN: It's really immaterial.

PAUL CARELLI: Yes, if your mind's made up, of course, it's immaterial.

COMMISSIONER LURIE: Never made up.

PAUL CARELLI: What I'm suggesting though is that we want an ordinance that is going to preclude the spread of the sexually-oriented businesses as we see it, and what you got now based upon the decision of the U.S. Supreme Court in that Detroit case and what you proposed and have enforced in this City are completely two different things. In the Detroit case, there was a twofold prohibition. Now, this was an anti-ski row ordinance in which the City of Detroit said we don't want business -- these businesses bunched together. They've got to be outside of a 500 foot radius of each other. There was a second provision that said they can't be within 500 feet of a residential area. The U.S. District Court, even before it got to the Supreme Court, ruled that provision unconstitutional. You have a provision in your ordinance -- 1000 feet between sexually-oriented businesses, schools, churches, playgrounds, etc. I think what you're going to find if you don't take serious time to look at that ordinance and amend it properly is that -- and it's coming in the next month by the people that run these adult bookstores and theatres that you're going to try and close down because they're going to take you into Federal Court and you're going to lose and I don't really want to see that portion of the ordinance get beat on. I really don't. I think there should be some prohibition as to those type of sexually-oriented businesses.

MAYOR BRIARE: Mr. Carelli, if --

PAUL CARELLI: I don't think you should want them -- the type of business operation my client has and other people that operate liquor establishments with this type of entertainment into sexually-oriented businesses ordinance, and that's basically all I have to say.

MAYOR BRIARE: Mr. Carelli, for the eight years that I've had the honor of sitting in this chair, I've heard that same sort of argument come before us and we've been in court and we've won some and we've lost some. I certainly don't like going to court. I would rather have the Commission be able to accomplish what -- what as the elected leaders of this community feel are the -- are the judgements and the wishes of the

MAYOR BRIARE: people who live in the City of Las Vegas without having to go to court every time. I don't think there's any question in anybody's mind about how -- what goes on in the County goes on in the County. What I'm worried about and you brought up the Detroit anti-skid row ordinance. I had made myself a note here. I didn't put anti-skid row. I just put skid row because I think one of the historic cases for what happens to a city when it becomes proliferated with things which you'd accept on skid row -- that the reason for it was massage parlors, nude wrestling, topless and/or bottomless dancing, and in order to make a city come up to community expectations -- you know what city I'm talking about? Atlantic City. The first thing they had to do before they tried to compete with Las vegas was to get rid of all that junk. Now, I think it's the desire of this commission to not allow that to happen in Las Vegas. Because if we do, then we can go through the same historic degradation that happened in Atlantic City and now Atlantic City is thought in the minds of some to be Las Vegas's greatest competition, and I for one don't wish to sit here and allow what happened to Atlantic City, when it went downhill, to happen right here in our own community. And, in order to do it, I think this commission has in its mind, and I only speak for myself but I can feel judgement vibes or something, we want to do -- we want to accomplish something so that just because a topless joint in one particular area of the community is successful then someone out in another area is going to say to themselves gee business is slow, I think I'll do it, and in some other areas do it and some other area do it. We want to address it right now. If your client happens to be caught in the middle, in my personal opinion he has his rights. That's why he hired you. But I want to be sure from Mr. Ogilvie that the desires of the City Commission express it as eloquently in legal terms -- but the desires of the City Commission are to want to be -- want to be interpretative of the community's desire to not have this type of business proliferate our city or turn it into a slum, and if we can accomplish that -- if George Ogilvie can draw us an ordinance to accomplish that, then I'll tell you right now how I would vote on it, but I'm not looking -- I'm not looking for court cases. I'm not looking for something whereby virtue of a court case where there's doubt

MAYOR BRIARE: in anybody's mind as to what the intent of what this commission was to go into a court and then find out that we're wrong and open up the flood gates for everybody and his -- and his perverted uncle to go into business.

PAUL CARELLI: Commissioner -- Mayor, just two points. One, my client isn't going to be affected by your changes. We've got litigation and that litigation is not going to be affected by this ordinance. So, I'm speaking out -- I'm speaking out really what I consider the best interests of the City. Secondly, Commissioners --

COMMISSIONER LURIE: You must live in the County because you sure don't live in the City because you can't speak for the City residents.

COMMISSIONER LEVY: The City residents have spoken for themselves.

PAUL CARELLI: And, secondly, on that I have yet to see a poll of citizens of this City that oppose bare breasted entertainment.

COMMISSIONER LEVY: I think they made that in a vote.

PAUL CARELLI: I haven't seen anything that would indicate that they're opposed to that type of entertainment.

MAYOR BRIARE: Well, but I'm talking about zoning. Your comments might be general, Counselor, but I do believe that every four years the City of Las Vegas has an opportunity to select people who believe that sound principles in zoning will accomplish in the community what they want, and I think that as far as I'm concerned I'm looking at this as a matter of zoning as we did on previous matters and I think that the will of the Commission can be accomplished if it's properly put into legal form.

PAUL CARELLI: I think so too. What I'm suggesting is that this be referred back to a study group and really consider the consequences of that City of Detroit case and prepare an ordinance that will meet the requirements set down by the Supreme Court and other Federal Courts. There's a case out of Florida almost going to be exactly on point, and a --

MAYOR BRIARE: Mr. Ogilvie -- excuse me, Counselor.

PAUL CARELLI: -- they struck out the Florida ordinance. They're going to strike out this ordinance.

MAYOR BRIARE: Do you have a recommendation on this? I realize that sometimes you can't be a mind reader although you do, I think, very well, George. Is this accomplishing -- if I have expressed closely to what this commission feels with respect to this situation here, does this ordinance accomplish what you feel is the will of this Commission?

GEORGE OGILVIE: I think it is. I think it compliments what this commission did in April of 1978 when it originally adopted the sexually-oriented businesses ordinance, and what it thought it did in December of 1980 when it added nude shows to that ordinance and corrects what Judge Guy found to be a deficiency in that December of 1980 ordinance. Yes, I think this does accomplish what the Commission intended to when it started out in 1978 with this ordinance.

MAYOR BRIARE: Would that -- would that include then -- I need to know this because I respect Mr. Carelli's legal background. I think he's a very competent attorney, but also know that he's getting paid to do what he's doing and Mr. Carelli says that this ordinance as he reads it would preclude a Lido type show in downtown Las Vegas. Do you agree with him?

GEORGE OGILVIE: Yes, I do.

MAYOR BRIARE: Then, I can't go for it. I find nothing objectionable to any of the strip hotels and their entertainment policies and I don't want to go back to the days of the late 50's when that became a national issue in our own courts, but I do firmly believe and support the opposition to the skid row effects that we were both talking about a few moments ago.

PAUL CARELLI: Well, that's why Detroit passed an ordinance preventing certain businesses being lumped together. They said expand it anywhere in the City and you won't have the skid row. Now that's really a question of -- for this commission to decide on as to whether you want to lump them like in Boston and what they call the war zone or you want to have them proliferate throughout the city as they decided in Detroit, but what I'm telling you is send it back to a study group and I

PAUL CARELLI: think you've got to make some serious changes in the ordinance so that what we both want is going --

COMMISSIONER LEVY: And your client will have four more places in town?

PAUL CARELLI: If my client wanted four more places, he would have filed for the other places he owned prior to any action being taken by this board. He didn't want that.

COMMISSIONER LEVY: I think he --

PAUL CARELLI: He'd be here to tell you -- he's here to tell you he didn't want it. The only reason it is where it is is economic reasons.

COMMISSIONER LEVY: Everything is based on economics, Mr. Carelli. Everything you do is based on economics including bringing you here today is based on economics.

PAUL CARELLI: Commissioner Levy, what I'm suggesting if you want to accomplish the purpose, then let's do it in a proper manner.

COMMISSIONER LEVY: I think that what we could do is go this route which there is nobody downtown clamoring to have a topless review going on right now. There's only -- basically one hotel downtown that has any type of entertainment policy going on -- major entertainment policy and they don't think -- have anything in the back of their mind for this type of review. I feel I'd rather go ahead with this type of ordinance and then look at it -- at least we have something tied down and we're on the right track and listening to what our public has indicated to us rather than leave this alone and have five more, maybe not your client, but have five more places pop up and then we really have a problem.

PAUL CARELLI: I think you're going to still have a problem because they're going to all attack the constitutionality of the ordinance.

COMMISSIONER LEVY: Then let them attack.

MAYOR BRIARE: Mr. Carelli --

COMMISSIONER CHRISTENSEN: Your Honor.

MAYOR BRIARE: Yes, Commissioner?

COMMISSIONER CHRISTENSEN: How many more pulic hearings are you going to have on this ordinance? Are we every going to come to vote on it, or what?

COMMISSIONER LEVY: I've already made a motion.

MAYOR BRIARE: Oh, I see what you mean, Commissioner, in other words, all of this has been rehashed at the Committee meeting. Is that what you're saying?

COMMISSIONER CHRISTENSEN: Sure, I mean, you know, we've had the public hearings. We've opened it to another public hearing --

MAYOR BRIARE: Mr. Carelli, I was not at that particular meeting.

PAUL CARELLI: The Recommending Committee meeting?

MAYOR BRIARE: Yes. Were you there to present these same arguments?

PAUL CARELLI: Neither was I. I was in Bankruptcy Court at the time. I would have like to have been.

MAYOR BRIARE: Do you have associates in your office?

PAUL CARELLI: Mr. Miller, yes.

MAYOR BRIARE: So, could he have been here?

PAUL CARELLI: No, he was in court also that day.

MAYOR BRIARE: Well, you drew your priorities right then. So, you've had your opportunity to present your case.

PAUL CARELLI: There was another attorney -- today -- I certainly have. I can't say that you tried to not have me present my case. I believe Mr. Galardi would like to --

MAYOR BRIARE: Thank you, Mr. Carelli. Is there someone else? Is there another representative of a club in town?

LARRY LAPENTA: My name is Larry LaPenta, Larry's Villa. Mr. Mayor, Commissioners, Mr. Ogilve, I agree with you 100% that -- I'm concerned too about your skid row worries and your too many topless bars and your --

MAYOR BRIARE: Did you make a presentation at the meeting of the Committee?

LARRY LAPENTA: Yes.

MAYOR BRIARE: We have -- we have transcripts of those meetings you know.

LARRY LAPENTA: I'm just going to take a moment of your time. Like I say, I agree with you, but I just don't believe that -- it's that a big problem now and that after given permission to have a topless bar for ten long years, to be suddenly booted out -- I'm simply just offended and feel that the rapport and the cooperation and the -- that we've had in past years is just a sudden shock that I'm suddenly out of business and I was supposed to be given five years notice on the 1978 ordinance and I only received a letter three or four months ago.

COMMISSIONER LURIE: Who gave you permission in the first place?

LARRY LAPENTA: Oh, Metro and --

COMMISSIONER LURIE: It wasn't this Board that gave you permission.

LARRY LAPENTA: You had an ordinance at that time, sir, Commissioner. There was an ordinance in 1966 that permitted topless dancing. So, I went to licensing and I went to Metro and they said, yes, you do this that and the other thing and you're in business. So now ten years later, I'm booted. That's all. Well, like I say, I agree with you. I wouldn't want to see Las Vegas -- I'm an old time resident. I wouldn't want to see it get dirtied up, but there's more sin that goes on around some of these dance halls and with the serving of minors and teenagers and juveniles running around Las Vegas and we don't have anyone under 21 in our establishment. Thank you very much.

MAYOR BRIARE: Thank you, Mr. LaPenta. Is there a representative of the Colony Club here? Gentlemen, we have a letter from your manager expressing approximately the same that's already been expressed this morning. Do you have anything that you wanted to add to that or just record your presence, or what would be your wishes?

AL McCREARY: Well, we'd just like to record our presence to the Commission.

MAYOR BRIARE: We have your letter of March the 8th where you indicate and I don't know -- I can't tell by our -- well I could if I could get my glasses fixed here. Were you at the meeting of the Recommding Committee?

COMMISSIONER LEVY: No.

MAYOR BRIARE: Okay. Thank you, gentlemen. Oh did you give -- I'm sorry.

JOE WHALUM: Joe Whalum.

AL McCREARY: Al McCreary.

MAYOR BRIARE: And their establishment is called the Colony Club at 2360 North Highland.

AL McCREARY: I would like to make one comment.

MAYOR BRIARE: Oh, sure.

AL McCREARY: The Colony Club doesn't meet the new locational requirements if the new ordinance is imposed. However, there isn't any other establishment in the community that has topless dancing at the present time. We would be the only nightclub in the area with topless dancing. I don't think any of the other clubs desire to have any topless dancing at this time. We would like special consideration if the ordinance is imposed.

MAYOR BRIARE: Okay, thank you very much, sir.

JACK DOYLE: Mayor, I'm Jack Doyle from the Las Vegas Restaurant and Tavern Association. At the time you had the Commission meeting, the Association was involved in changing officers, and in changing officers, the Chairman of the Board has the right to pick his own attorney which we are now picking a different attorney. We don't have Steve Minagil which was meant to represent us at the Commission hearing. We don't want to dirty up the City. We really don't care for a lot of topless like you say, but we don't want to put people out of business. I feel a little bit sorry for Larry. He's my competitor down the street. Doesn't bother me a bit as long as they keep it clean, but the Association feels that they didn't have time to get to the Committee hearing.

MAYOR BRIARE: Thank you, Mr. Doyle. Commissioner Levy has a motion before us. I would like to see if the Commission might agree to hold this off until this afternoon because I'd like to consult with Mr. Ogilvie about the possibility of adding an amendment. Mr. Ogilvie, we can add amendments at this -- in our -- when we're considering the ordinance as a whole at a public meeting, can't we?

GEORGE ORGILVIE: Yes, you can.

MAYOR BRIARE: Can you request an ammendment from here -- I mean from the Commission meeting that could be considered by the Commission? I'd like to --

COMMISSIONER LEVY: I have no problem with that, Mayor.

MAYOR BRIARE: If it meets with your approval, Mr. Ogilvie, could I get with you and any other -- there might be some other suggestions that we might get with you on.

GEORGE OGILVIE: I think that if that is your desire that you should announce when this afternoon it will be taken up for the benefit of the people who would be interested in what --

MAYOR BRIARE: Can't I consult with our attorney without --

COMMISSIONER LEVY: No, what time we're going to have the hearing.

MAYOR BRIARE: Oh, I'm sorry. I thought you meant what time am I going to talk to you about the amendment.

GEORGE OGILVIE: No. When it's going to be considered again.

MAYOR BRIARE: I'm sorry. For the benefit of Mr. Carelli and the representatives of the Colony Club and Mr. LaPenta. Well, it's going to probably have to be following our -- we have already -- it would be late in the afternoon.

COMMISSIONER LEVY: Whatever you want. That's fine.

MAYOR BRIARE: If there's no objections, Commissioners, I'd appreciate it if you'd allow me to lay this on the table until approximately 3:00 o'clock, 3:30 this afternoon? Very good.

END OF MORNING SESSION ON THIS ITEM

EXCERPT - CITY COMMISSION MEETING - MARCH 16, 1983 0136
VI. REPORTS FROM RECOMMENDING COMMITTEESS
C. BILL NO. 83-12 - AMENDS DEFINITION OF "NUDE SHOW" IN ZONING REGULATION OF SEXUALLY-ORIENTED BUSINESSES TO RECONFIRM THE INCLUSION THEREIN OF CERTAIN LIQUOR ESTABLISHMENTS. (FIRST AMENDMENT)

AFTERNOON SESSION

MAYOR BRIARE: The other item of business to be concluded at this time is Bill 83-12. Mr. Ogilvie, I believe it might be that because I wanted to get with you and discuss the possibility of an amendment that this was held over until this particular time and based on an assurance that you gave me, and please correct me if I'm misunderstanding the discussion that we had, that as I indicated this morning, that the shows -- the show policy that is in existence among the owners of the strip hotels at this time, I have no objections to whatsoever, and the motion that was brought forth this morning that shows like the Lido, for example, would be prohibited in the downtown area caused me the concern that I expressed earlier. My understanding is that that could be a fear but that there -- there is a request before you or you are in the process of drawing an ordinance that would make such a happening not in conflict with our ordinance that were discussing today. Let me just put that last part a little differently. That the ordinance that we would adopt today if such would be the majority desire of this commission -- if they were to stay in effect without a new ordinance being drawn, that shows such as the Lido would be prohibited downtown?

GEORGE OGILVIE: That's not entirely correct.

MAYOR BRIARE: Okay, would you restate for me then what the future holds as far as that type of entertainment being downtown. Quite frankly, I might also just go on record, I think it would be wonderful if there were facilities, which apparently there are not at this time, to have such entertainment downtown.

GEORGE OGILVIE: There are certain locations which I feel comply with the ordinance. They're in the proper zone and they're outside the 1000 foot prescription. There are other areas at the present time that are not -- other locations in the downtown area which at the present time which are not in conformance with the ordinance that's proposed today and as to those locations, this ordinance would, unless amended, create problems.

EXCERPT - CITY COMMISSION MEETING - MARCH 16, 1983
VI. REPORTS FROM RECOMMENDING COMMITTEESS
C. BILL NO. 83-12 - AMENDS DEFINITION OF "NUDE SHOW" IN ZONING REGULATION OF SEXUALLY-ORIENTED BUSINESSES TO RECONFIRM THE INCLUSION THEREIN OF CERTAIN LIQUOR ESTABLISHMENTS. (FIRST AMENDMENT)

MAYOR BRIARE: Alright. Well, that being the case, I want to announce to the Commission I have no intentions of offering any amendments to the ordinance and I believe we have a motion. Mrs. Hawley, do we -- I think we have a motion --

COMMISSIONER LEVY: We sure do.

CAROL HAWLEY: Yes. Commissioner Levy moved after the Bill was read to adopt as per the First Amendment.

MAYOR BRIARE: Right. Okay, then now I have announced that I have no intentions of offering an amendment. Are there any further comments or questions by the Commissioners? Then, cast your votes on the motion as presented. Post. Motion's approved. Motion carried unanimously.

END OF EXCERPT

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
VII. BOARDS & COMMISSIONS		
A. LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE 3-year term 1. Aggie Roberts - Term Expires 4/7/83	Levy - Motion to concur in Mayor's reappointment of Aggie Roberts to a new 3-year term on the Las Vegas Metropolitan Beautification Committee and Don Marshall to a new 3-year term on the Park & Recreation Advisory Commission carried unanimously.	Clerk to notify
B. PARK & RECREATION ADVISORY COMMISSION 3-year term 1. Don Marshall - Term Expires 4/10/83	See Above	See Above

APPROVED AGENDA ITEM

Ashley Hall

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 0139

March 8, 1983

TO:

Carol Ann Hawley

FROM:

Sandra LeBoeuf
Las Vegas Metropolitan Beautification Committee

SUBJECT:

Las Vegas Metropolitan Beautification Committee

COPIES TO:

This is to advise you that Aggie Roberts desires to serve another term on the Las Vegas Metropolitan Beautification Committee. Her term will expire on 4/7/83.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date

March 11, 1983 0140

TO:

CAROL HAWLEY
CITY CLERK

FROM:

RICHARD L. CAMPBELL, DIRECTOR
RECREATION & LEISURE ACTIVITIES

SUBJECT:

DON MARSHALL - PARKS & RECREATION ADVISORY COMMISSION

COPIES TO:

I have this date spoken with Mr. Marshall and he has expressed a desire and willingness to continue to serve on the Parks and Recreation Advisory Commission.

Mr. Marshall has an exemplary attendance record with only three excused absences during his past term on the board.

RLC/mm

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
A. Bill No. 83-13 -- Excludes from "gross sales" over-allowances on trade-ins of used merchandise and inventory transfers between dealers of new merchandise and their wholly-owned leasing companies. Sponsored by: Commissioner Paul Christensen	First Reading and referred - Christensen and Lurie	3/14/83 Agenda Recommending Committee
B. Bill No. 83-14 -- Annexation A-2-83(A) Property Located: Northeast corner of Westcliff Drive and Tenaya Way (Antelope) Petitioned by: William C. & Trish N. Stapp Acreage: Two and One Half Acres Zoned: R-E (County classification) N-U (City equivalent) Sponsored by: Commissioner Ron Lurie	First Reading and referred - Lurie and Christensen	3/14/83 Agenda Recommending Committee
C. Bill No. 83-15 -- Expands the "newsrack" zone to include the North side of Ogden Avenue and both sides of Stewart Avenue from 7th Street to Main Street Sponsored by: Commissioner Ron Lurie	First Reading and referred - Lurie and Christensen	3/14/83 Agenda Recommending Committee

City of Las Vegas
AGENDA DOCUMENTATION

Date: March 7, 1983

TO:
The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

SUBJECT: PUBLIC HEARING AGENDA ITEMS
MARCH 16, 1983 CITY COMMISSION AGENDA

PURPOSE/BACKGROUND

SUMMARY OF ITEMS - SEE BACKUP MATERIAL

Item A - Vacation - VAC-2-83 - Carol Miller, Et Al
Item B - Vacation - VAC-3-83 - Phyllis M. Silvestri
Item C - Amendment to the Master Plan of Streets and Highways
Item D - Street Name Changes
Item E - Use Permit - U-7-83 - The Boardwalk Investment Company

FISCAL IMPACT No Funding Required

RECOMMENDATIONS See Attachments

HAROLD P. FOSTER, DIRECTOR

DISPOSITION
Approved
Disapproved
Held

Status Due: ____________

Agenda Item
IX.

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS		
A. VAC-2-83 - Petition of Vacation submitted by CAROL MILLER, ET AL to vacate a portion of Wilson Avenue between 11th Street and Maryland Parkway. The Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Application be amended to vacate only the north 10' and the south 10' of Wilson Avenue. 2. If the Order of Vacation is not recorded within one (1) year after approval by the City Commission, or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted. Staff Recommendation: Application be amended to vacate 10' on each side of Wilson Avenue. PROTESTS: 0	Lurie - APPROVED as recommended by staff subject to conditions. Unanimous	Clerk to notify and Planning to proceed. Carol Miller was present. No one appeared in opposition.

APPROVED AGENDA ITEM

Ashley Hall

To: The Board of City Commissioners IX.
Re: Public Hearing Agenda Item
March 16, 1983 City Commission Agenda

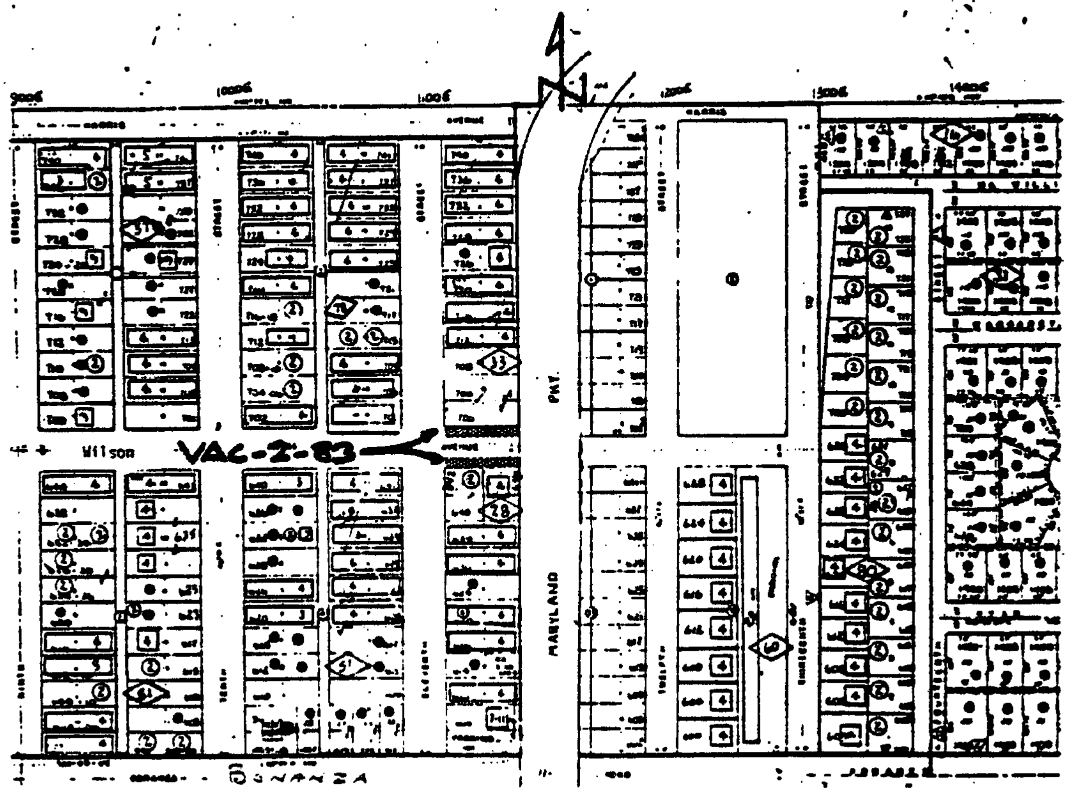
A. VACATION - VAC-2-83 - CAROL MILLER, ET AL

The request is to vacate 20' on the north and south sides of Wilson Avenue between 11th Street and Maryland Parkway. Presently there is 80' of right-of-way on this segment of Wilson Avenue. To the west, 10' was vacated on the north side of Wilson with the intent being to only vacate 10' on the north and south sides to reduce the width of the street to 60' which is the same width as a collector street and is needed because of the apartment development in the area. At the Planning Commission meeting, staff recommended the application be amended to 10' on the north and south sides and the applicants were in agreement. Presently the street has an improved width of 40'.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Amend vacation to 10' on each side of Wilson Avenue.

STAFF RECOMMENDATION: APPROVAL - Amend vacation to 10' on each side of Wilson Avenue.

PROTESTS: 0



NOTICE

NOTICE IS HEREBY GIVEN that a petition has been filed with the Clerk of the Board of Commissioners of the City of Las Vegas, Nevada, asking for the vacation of certain real property hereinafter described; that said petition has been referred to the Planning Commission of the City of Las Vegas; and that said Planning Commission has recommended that said petition be approved and that the following property be vacated, to-wit:

A portion of Wilson Avenue between 11th Street and Maryland Parkway

SUBJECT TO

1. Application be amended to vacate only the north 10' and the south 10' of Wilson Avenue.
2. If the Order of Vacation is not recorded within one (1) year after approval by the City Commission, or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.
3. Satisfaction of the requirements of the various utility companies.
4. Conformance to code requirements and design standards of all City departments.
5. Vacation shall not be recorded until all of the above conditions have been met.

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 16th day of March, 1983, at the hour of 2:00 p.m., in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, State of Nevada.

If, upon such hearing the Board of Commissioners of the City of Las Vegas is satisfied that the public will not be materially injured by such proposed vacation, the above described property will be ordered vacated.

THIS NOTICE is given pursuant to an Order made by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 2nd day of March, 1983.

Carol Ann Hawley

CAROL ANN HAWLEY, City Clerk

VAC-2-83

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)		
B. VAC-3-83 - Petition of Vacation submitted by PHYLLIS M. SILVESTRI to vacate U. S. Government Patent Reservations located between West Charleston Boulevard and Holmby Avenue, west of Rainbow Boulevard. The Planning Commission unanimously recommends APPROVAL, subject to the following condition: 1. If the Order of Vacation is not recorded within one (1) year after approval by the City Commission, or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted. Staff Recommendation: APPROVAL PROTESTS: 0	Lurie - APPROVED as recommended. Unanimous	Clerk to notify and Planning to proceed. Phyllis M. Silvestri appeared No one spoke in opposition.

APPROVED AGENDA ITEM

Ashley Hall

To: The Board of City Commissioners
Re: Public Hearing Agenda Item
March 16, 1983 City Commission Agenda

IX.

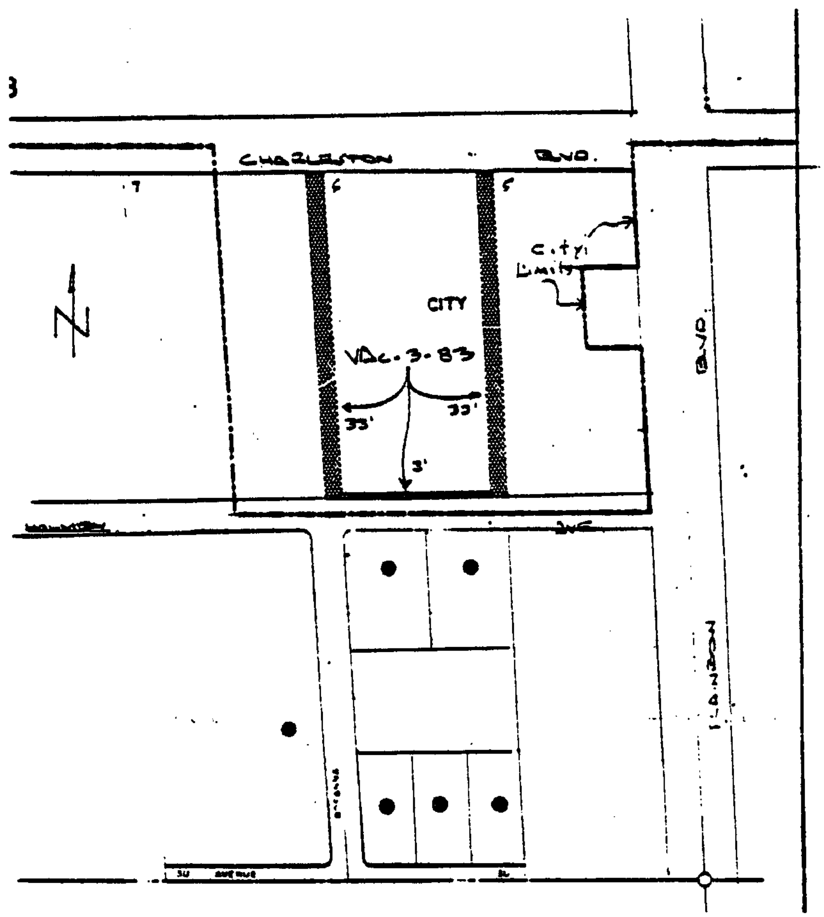
B. VACATION - VAC-3-83 - PHYLLIS M. SILVESTRI

The request is to vacate a 33' wide Government Patent Reservation on the east and west sides of a government lot southwest of Rainbow and Charleston. Also, the request includes the vacation of the north 3' of the 33' easement on the south side of this lot where Holmby Avenue is located. Only a 30' half-street will be needed for Holmby and the 3' can be vacated along with the east and west patent reservations because no streets are proposed in a north/south direction on this property.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



NOTICE

NOTICE IS HEREBY GIVEN that a petition has been filed with the Clerk of the Board of Commissioners of the City of Las Vegas, Nevada, asking for the vacation of certain real property hereinafter described; that said petition has been referred to the Planning Commission of the City of Las Vegas; and that said Planning Commission has recommended that said petition be approved and that the following property be vacated, to-wit:

U.S. Government Patent Reservations located between West Charleston Boulevard and Holmby Avenue, west of Rainbow Boulevard

SUBJECT TO

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Commission, or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

2. Satisfaction of the requirements of the various utility companies.

3. Conformance to code requirements and design standards of all City departments.

4. Vacation shall not be recorded until all of the above conditions have been met.

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 16th day of March, 1983, at the hour of 2:00 p.m., in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, State of Nevada.

If, upon such hearing the Board of Commissioners of the City of Las Vegas is satisfied that the public will not be materially injured by such proposed vacation, the above described property will be ordered vacated.

THIS NOTICE is given pursuant to an Order made by the Board of Commissioners of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 2nd day of March, 1983.

Carol Ann Hawley

CAROL ANN HAWLEY, City Clerk

VAC-3-83

AGENDA

City of Las Vegas

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

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS - (Cont'd)		
C. AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS FOR THE FOLLOWING:	Lurie - APPROVED Amendments 1 thru 10. Unanimous with exception that Levy abstained from voting.	Planning to proceed.
(1) HUALPAI WAY - To realign at Charleston Boulevard between Alta Drive on the north and Oakey Blvd. on the south;		
(2) GRAND CANYON DRIVE - To realign between Westcliff Drive on the north and Charleston Boulevard on the south, increasing the width from 80' to 100' and to delete the alignment between Charleston Boulevard on the north and Sahara Avenue on the south;		William Peccole was present. No one spoke in opposition.
(3) FORT APACHE ROAD - To delete between Westcliff Drive on the north and Sahara Avenue on the south;		
(4) EL CAPITAN WAY - To realign between Westcliff Drive on the north and Sahara Avenue on the south;		
(5) DURANGO DRIVE - To realign at Charleston Boulevard between Alta Drive on the north and Oakey Boulevard on the south;		
(6) OAKEY BOULEVARD - To realign between Durango Drive on the east and the proposed Peccole Strada on the west and to delete the alignment between Hualpai Way on the west and the proposed Peccole Strada on the east;		
(7) ALTA DRIVE - To realign Hualpai Way on the west and Durango Drive on the east;		
(8) WESTCLIFF DRIVE - To delete the alignment between Hualpai Way on the west and Durango Drive on the east;		
(9) ARMANINO STRADA - To add an 80' wide Secondary Street approximately 1/4 mile south of the north section line of Sections 31 and ~~32, Township 20~~ South, Range 60 East, between Hualpai Way on the west and Durango Drive on the east;		

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

March 16, 1983

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)		
C. AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS - CONTINUED (10) PECCOLE STRADA - To add an 80' wide Secondary Street between Alta Drive on the north and Sahara Avenue on the south. The Planning Commission unanimously recommends APPROVAL, subject to the following condition: 1. A request be made to Clark County to approve the alignment of Grand Canyon Drive. Staff Recommendation: APPROVAL PROTESTS: 0	APPROVED See Page 27	See Page 27

APPROVED AGENDA ITEM

Ashley Hall

To: The Board of City Commissioners
Re: Public Hearing Agenda Item
March 16, 1983 City Commission Agenda

IX.

C. AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS

The request is to amend the Master Plan of Streets and Highways on the Peccole property and on Angel Park. The changes involve some deletions and realignments that were requested in part by Mr. Peccole and some by the City. Essentially, all of the changes were considered at the time the zoning was approved and it was approved with the condition that the Master Plan of Streets and Highways be amended. Staff has worked with the developer on these changes and the only street that was not considered at the time of the zoning is the 80' Secondary on the south side of Angel Park that has been determined to be needed to handle traffic volumes in this general area. Mr. Peccole has agreed to provide the south half of this street. The amendments will also eliminate one north/south street through Angel Park. Further, Grand Canyon Drive is proposed to be realigned to the north that will affect the alignment in the County. The County has been contacted and appears to be receptive to the change.

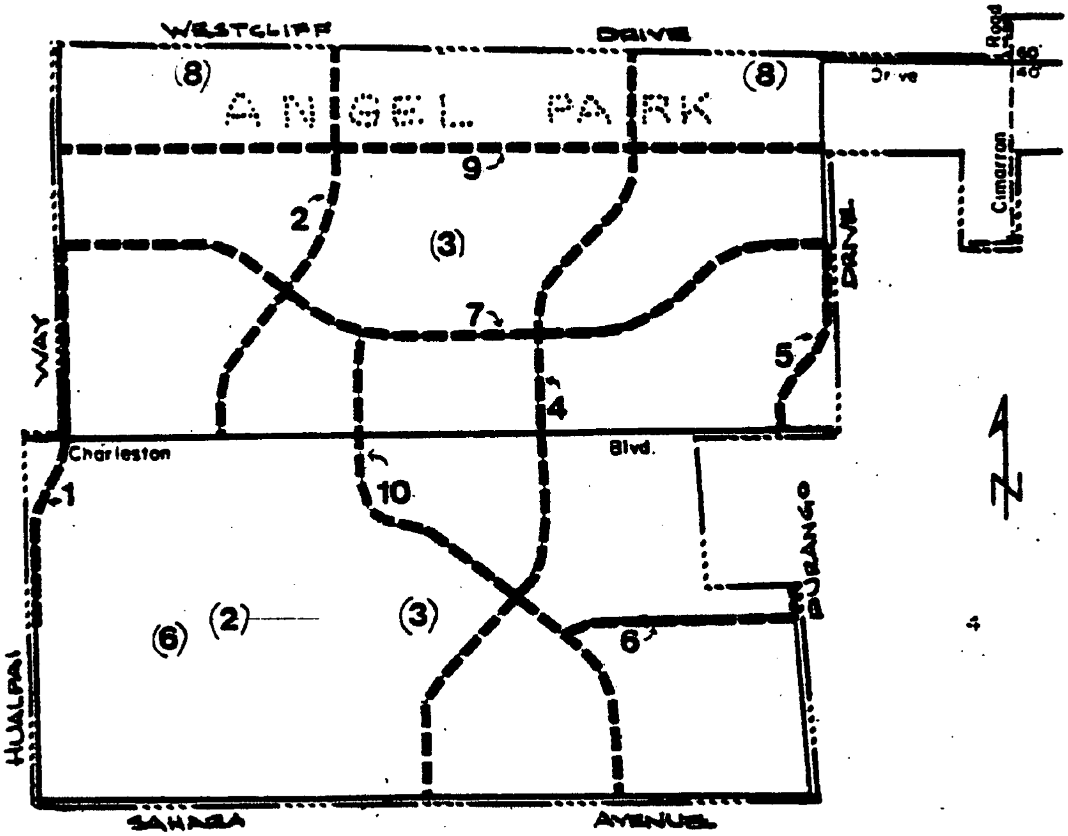
PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a request being made to the County to approve the realignment of Grand Canyon Drive.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0

SEE ATTACHED LOCATION MAP

C. LOCATION MAP - AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS



AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS FOR THE FOLLOWING:

(1) HUALPAI WAY: To realign at Charleston Boulevard between Alta Drive on the north and Oakey Boulevard on the south.

(2) GRAND CANYON DRIVE: To realign between Westcliff Drive on the north and Charleston Boulevard on the south, increasing the width from 80' to 100', and to delete the alignment between Charleston Boulevard on the north and Sahara Avenue on the south.

(3) FORT APACHE ROAD: To delete between Westcliff Drive on the north and Sahara Avenue on the south.

(4) EL CAPITAN WAY: To realign between Westcliff Drive on the north and Sahara Avenue on the south.

(5) DURANGO DRIVE: To realign at Charleston Boulevard between Alta Drive on the north and Oakey Boulevard on the south.

(6) OAKEY BOULEVARD: To realign between Durango Drive on the east and the proposed Peccole Strada on the west and to delete the alignment between Hualpai Way on the west and the proposed Peccole Strada on the east.

(7) ALTA DRIVE: To realign between Hualpai Way on the west and Durango Drive on the east.

(3) WESTCLIFF DRIVE: To delete the alignment between Hualpai Way on the west and Durango Drive on the east.

(9) VENETIAN STRADA: To add an 80' wide Secondary Street approximately 1/4 mile south of the north section line of Sections 31 and 32, Township 20 South, Range 60 East, between Hualpai Way on the west and Durango Drive on the east.

(10) PECCOLE STRADA: To add an 80' wide Secondary Street between Alta Drive on the north and Sahara Avenue on the south.

CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

MARCH 16, 1983

NOTICE IS HEREBY GIVEN THAT on Wednesday, March 16, 1983, at the hour of 2:00 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of City Commissioners will consider the following:

AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS FOR THE AREA GENERALLY BOUND BY WESTCLIFF DRIVE ON THE NORTH, SAHARA AVENUE ON THE SOUTH, DURANGO DRIVE ON THE EAST AND HUALPAI WAY ON THE WEST.

(SEE ATTACHED DESCRIPTIONS AND GENERAL LOCATION MAP)

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol A. Hawley

CAROL ANN HAWLEY
CITY CLERK

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

AGENDA

City of Las Vegas

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS - (Cont'd)		
D. STREET NAME CHANGES - Request by CITY OF LAS VEGAS for a proposed street name change for the following: (1) From HUALPAI WAY to VENETO DRIVE between Westcliff Drive and Sahara Avenue and between Moccasin Road and Grand Teton Drive; (2) From FORT APACHE ROAD to EL CAPITAN WAY between Westcliff Drive and Sahara Avenue; (3) From EL CAPITAN WAY to PECCOLE STRADA between Alta Drive and Sahara Avenue. The Planning Commission unanimously recommends APPROVAL, subject to the following condition: 1. Clark County approval must be obtained for these street name changes. Staff Recommendation: APPROVAL PROTESTS: 0	Lurie - APPROVED subject to condition. Unanimous with exception that Levy abstained from voting.	Planning to proceed William Peccole was present. No one spoke in opposition.

APPROVED AGENDA ITEM

Ashley Hall

To: The Board of City Commissioners IX.
Re: Public Hearing Agenda Item
March 16, 1983 City Commission Agenda

D. STREET NAME CHANGES

This involves the Peccole property and is tied into the Amendment to the Master Plan of Streets and Highways under Item C. The three major streets to be rennamed are as follows: (1) From Hualpai Way to Veneto Drive between Westcliff Drive and Sahara Avenue and between Moccasin Road and Grand Teton Drive; (2) From Fort Apache Road to El Capitan Way between Westcliff Drive and Sahara Avenue; and (3) From El Capitan Way to Peccole Strada between Alta Drive and Sahara Avenue. All of the changes affect streets in the County to the north and to the south. Contact has been made with the County and they are receptive to these changes because there are no assigned addresses on these streets.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a request being made to the County to approve these name changes.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0

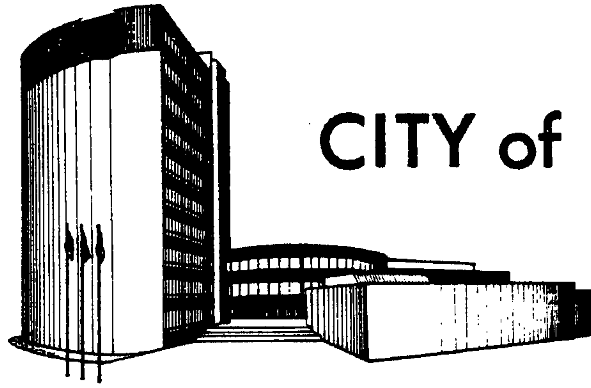
SEE ATTACHED LOCATION MAP

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
WILLIAM U. PEARSON

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL W. DORN



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

MARCH 16, 1983

NOTICE IS HEREBY GIVEN THAT on Wednesday, March 16, 1983, at the hour of 2:00 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of City Commissioners will consider the following:

REQUEST BY THE CITY OF LAS VEGAS TO CHANGE STREET NAMES AS FOLLOWS:

1. FROM HUALPAI WAY TO VENETO DRIVE BETWEEN WESTCLIFF DRIVE AND SAHARA AVENUE AND BETWEEN MOCCASIN ROAD AND GRAND TETON DRIVE.

2. FROM FORT APACHE ROAD TO EL CAPITAN WAY BETWEEN WESTCLIFF DRIVE AND SAHARA AVENUE.

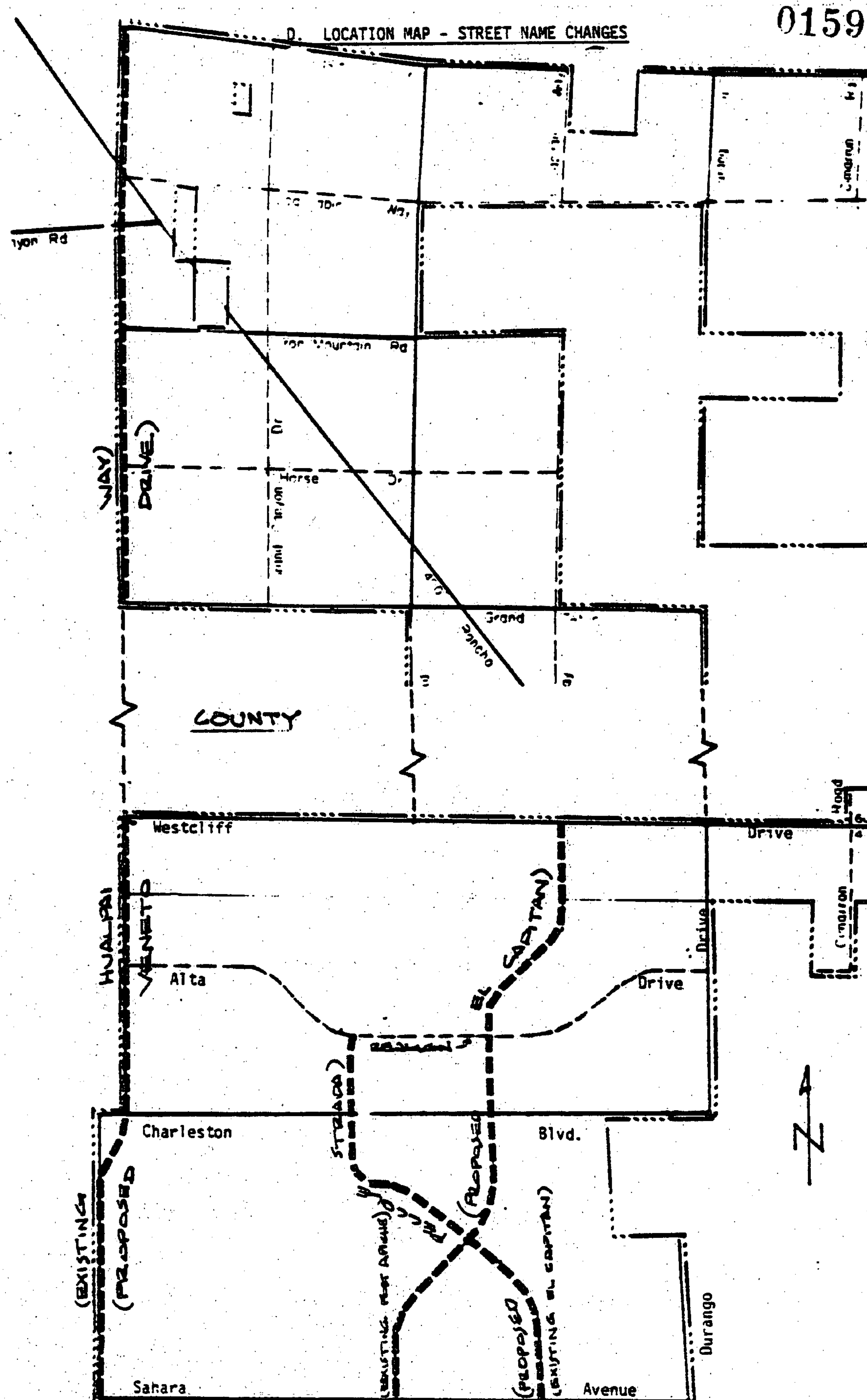
3. FROM EL CAPITAN WAY TO PECCOLE STRADE BETWEEN ALTA DRIVE AND SAHARA AVENUE.

(SEE ATTACHED MAP)

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol A. Hawley
CAROL ANN HAWLEY
CITY CLERK

D. LOCATION MAP - STREET NAME CHANGES



ITEM	Commission Action	Department Action
IX. 2:00 P.M. - PUBLIC HEARINGS - (Cont'd)		
E. U-7-83 - Application of THE BOARDWALK INVESTMENT CO. for a Use Permit to allow a Class III Secondhand Dealership (Jewelry) at property located at 2301 Las Vegas Boulevard South in Zoning District C-2 (General Commercial) Board of Zoning Adjustment recommends APPROVAL (3-1 vote). Staff Recommendation: DENIAL PROTESTS: 0	ABEYANCE at request of applicant's attorney.	4/6/83 Agenda Clerk to notify Atty. John Moran, Jr of abeyance action. No one appeared in opposition.

APPROVED AGENDA ITEM

Ashley

To: The Board of City Commissioners IX.
Re: Public Hearing Agenda Item
March 16, 1983 City Commission Agenda

E. USE PERMIT - U-7-83 - THE BOARDWALK INVESTMENT COMPANY

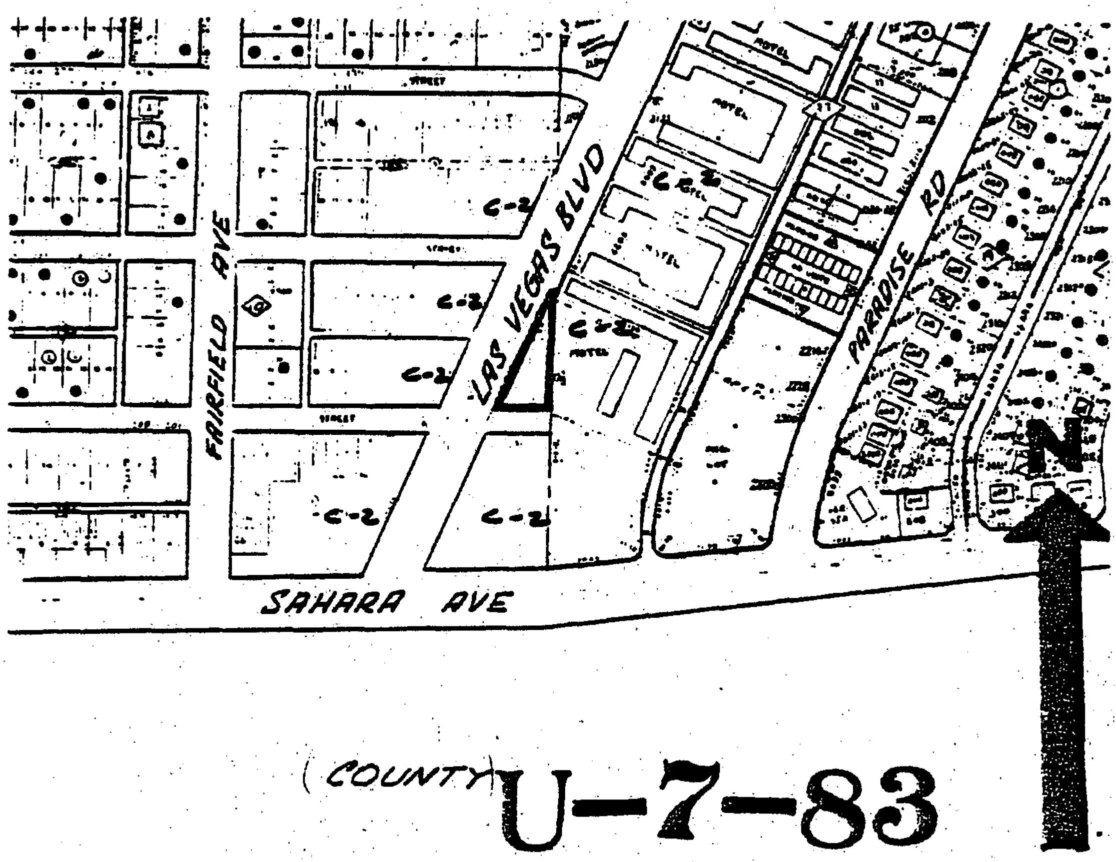
Commissioner Lurie has received a request from the applicant to hold this application in abeyance to the next meeting because the applicant has hired a new attorney to represent them and he needs additional time to prepare his presentation. There were no protestants at the BZA meeting and staff has no objection to holding this in abeyance.

The request is for a Class III secondhand dealership on a segment of Las Vegas Boulevard South which prohibits this type of use by ordinance. The applicants applied for a variance application at the same time the use permit was filed and the Board of Zoning Adjustment approved both applications. You will remember a similar request was made for a Class III operation on Las Vegas Boulevard at Charleston and the City Commission denied that application. This proposed operation is to buy used gold jewelry.

BOARD OF ZONING ADJUSTMENT RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: DENIAL - Insufficient justification was presented to allow this use on this segment of Las Vegas Boulevard South.

PROTESTS: 0



(COUNTY) U-7-83

CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

MARCH 16, 1983

NOTICE IS HEREBY GIVEN THAT on Wednesday, March 16, 1983, at the hour of 2:00 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of City Commissioners will consider the following:

U-7-83 Application of THE BOARDWALK INVESTMENT CO. for a Use Permit to allow a Class III Secondhand Dealership (Jewelry) at property located at 2301 Las Vegas Boulevard South in Zoning District C-2 (General Commercial)

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS PORTIONS OF LOTS 18, 19, 20, 21, AND 22, BLOCK 2, MEADOWS ADDITION.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol A. Hawley
CAROL ANN HAWLEY
CITY CLERK

AGENDA

City of Las Vegas March 16, 1983 0163

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT HAROLD P. FOSTER, DIRECTOR		

X. COMMUNITY PLANNING & 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 and elevations;

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:

Tentative Maps:

1. Approval of the tentative map shall be for no more than twelve (12) months.

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

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.

2. Street names to be provided in accord with the City's Street Name Policy.

3. Subject to all conditions of City departments and State Subdivision Statutes. (B) Final Maps - Conformance with the tentative map.

All Vacations shall conform to the following general conditions:

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

All Variances and/or Use Permits shall conform to the following general conditions:

1. Conformance to the plot plan and elevations;
2. Satisfaction of City Code requirements and design standards of all City departments.

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 7, 1983

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP
DEPUTY CITY MANAGER

SUBJECT: COMMUNITY PLANNING AND DEVELOPMENT AGENDA ITEMS
MARCH 16, 1983 CITY COMMISSION AGENDA

PURPOSE/BACKGROUND

SUMMARY OF ITEMS - SEE BACKUP MATERIAL

Item A - Annexation Report - A-9-82 - Dan and Judy Gardner

Item B - Abeyance Item - Zone Change - Z-9-83 - Bivins Construction Co., Inc.

Item C - Plot Plan and Use Review - Z-54-79 - Gary Guy Wilson on Behalf of Family Savings and Loan Association

Item D - Zone Change - Z-10-83 - Carl A. Swanson, Et Al

Item E - Zone Change - Z-11-83 - Home Investment Co.

Item F - Zone Change - Z-12-83 - Oscar and Olivia Green

Item G - Zone Change - Z-14-83 - Dick Hunter, Et Al

Item H - Zone Change - Z-15-83 - Leonard and Lena Van Dusseldorp

Item I - Zone Change - Z-13-83 - Electrical Workers Real Estate Corporation

Item J - Zone Change - Z-16-83 - Metropolitan Development Corporation, Et Al

FISCAL IMPACT No Funding Required

RECOMMENDATIONS See Attachments

HAROLD P. FOSTER, DIRECTOR

DISPOSITION
Approved
Disapproved
Held

States Due: ____________

Agenda Item
X.

ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
A. ANNEXATION REPORT - A-9-82 - DAN & JUDY GARDNER Report for annexation of property generally located on the north side of Vegas Drive, east of Mountain Trail, containing approximately one-half acre. Staff Recommendation: Adoption of Report	Levy - Report ADOPTED Unanimous	Staff to proceed.

APPROVED AGENDA ITEM

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

A. ANNEXATION REPORT - A-9-82 - DAN AND JUDY GARDNER

The annexation report is a required step in the process to annex this one-half acre parcel that is owned by the applicants. The report indicates the City will provide its normal services to the annexation area and the applicants would bear the cost of all utility extensions.

STAFF RECOMMENDATION: Adoption of report

ITEM	Commission Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
B. ABEYANCE ITEM - ZONE CHANGE - Z-9-83 - BIVINS CONSTRUCTION CO., INC. Reclassification of property generally located on the northwest corner of Washington Avenue and Sandhill Road. From: R-1 (Single Family Residence) To: R-CL (Residential Compact Lot) Proposed Use: Medium Density Detached Single Family Dwellings 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. Amend the site plan to a minimum 16' front yard setback for the models that have only a single car garage. 3. Provide fire hydrants and water flow as required by the Department of Fire Services. 4. Provide a 65' wide lot on the west end of Braddock Avenue. 5. Reversion of the portion of Washington Square Unit 7 pertaining to this development to acreage as required by the Department of Public Services. 6. Install street signs at Harrington Avenue and Sandhill Road and Proclamation Avenue and Sandhill Road as required by the Department of Public Services. 7. Approval of the driveways by the Traffic Engineer. Staff Recommendation: APPROVAL PROTESTS: 28 **APPROVED AGENDA ITEM**	Levy - APPROVED motion to follow staff's recommendation that application be held in abeyance until applicant directs it be placed back on agenda up to a six month time limit and that applicant to pay a $100 fee to defray renotification costs Motion carried with Lurie & Briare voting "No."	Clerk to notify

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

8. <u>ABEYANCE ITEM - ZONE CHANGE - Z-9-83 - BIVINS CONSTRUCTION CO., INC.</u>

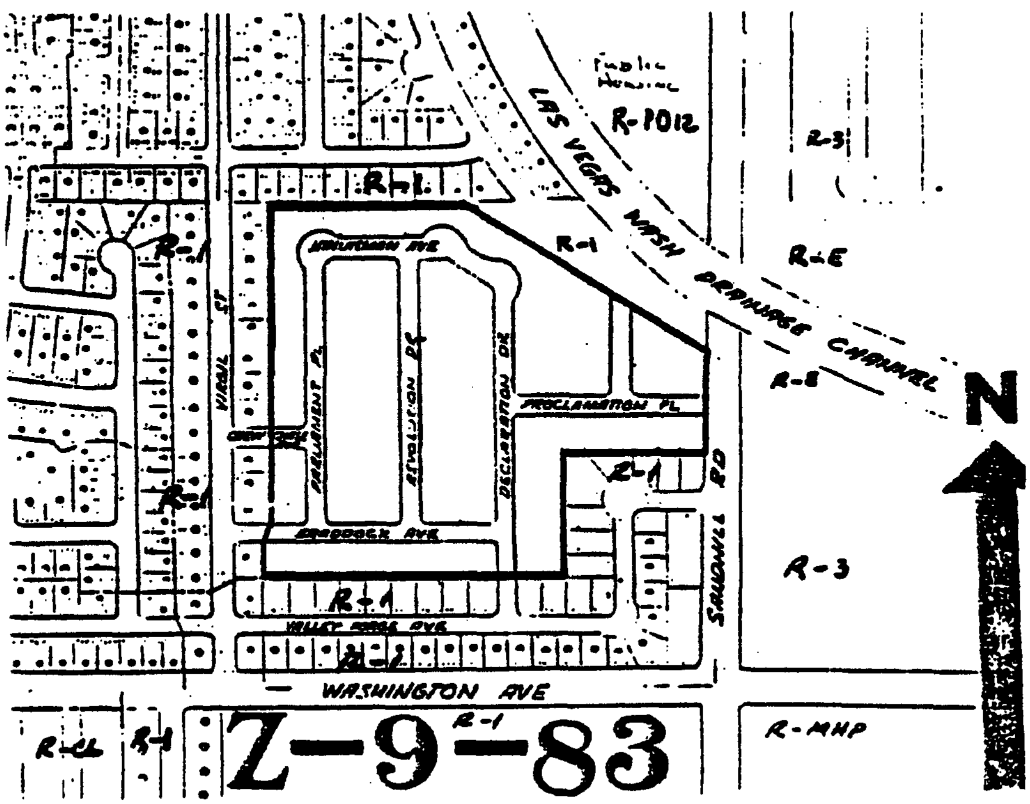
This item was held in abeyance because the applicant was not present. The applicant has contacted staff and advised that he wishes to hold this item in abeyance until further notice because he would first like to resolve some recently filed claims against this property.

The applicant is proposing to develop a major portion of a recorded R-1 subdivision on an R-CL basis. All of the streets have been constructed. The site abuts developed R-1 along the south, west and north sides of the property. The applicant is proposing to develop R-1 sized lots across the street from the existing R-1 and develop the remainder with compact lots approximately 40' x 100' in size that will back up to developed R-1. There is vacant R-3 on the east side of Sandhill and a public housing project to the northeast across the Las Vegas Drainage Channel. To the southwest across Washington is an R-CL development that is being constructed by the applicant. There were several protestants at the meeting who submitted a petition of protest objecting to the smaller size lots in their area.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL (NOTE: Staff has no objection to holding this item in abeyance as requested by the applicant.)

PROTESTS: 28



ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
C. PLOT PLAN AND USE REVIEW - Z-54-79 - GARY GUY WILSON ON BEHALF OF FAMILY SAVINGS AND LOAN ASSOCIATION Plot Plan and Use Review to convert Towne Terrace Apartments to an office condominium plaza on property generally located on the northwest corner of Lewis Avenue and 7th Street, R-6 Zone. Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Conformance to the revised plot plans and elevations. 2. Provision of an agreement reflecting a minimum of twenty (20) years authorization of the use of 61 parking spaces on the church property to the north. 3. Approved for professional office use only and excluding any medical use. 4. Conformance to the requirements of the Department of Building and Safety. 5. Conformance to the original conditions of the rezoning and variance actions. 6. Provide a recorded copy of the trustee deed to the Department of Community Planning and Development. Staff Recommendation: APPROVAL	Levy - APPROVED as recommended by Staff and Planning Commission. Unanimous	Clerk to notify & Staff to proceec Applicant present

APPROVED AGENDA ITEM

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

C. PLOT PLAN AND USE REVIEW - Z-54-79 - GARY GUY WILSON ON BEHALF OF FAMILY SAVINGS AND LOAN ASSOCIATION

The plot plan review is to convert a 52-unit apartment building to an office condominium project. The apartment building is approximately two-thirds completed and has been in foreclosure proceedings for some time. The building has 44,000 square feet and is four stories of offices and one story of partially sub-grade basement for parking. There are 50 parking spaces in the basement and 110 spaces are needed for general office use. The applicant proposes to enter into an agreement to utilize the 61 spaces on the adjoining church property to the north for the remainder of the required parking. The agreement will also allow the church to use the 50 spaces under the office complex on evenings and weekends. The Planning Commission recommended the parking agreement be for a minimum of 20 years with the church and that no medical use be allowed because the parking can only accommodate general office use.

PLANNING COMMISSION REOCMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
D. ZONE CHANGE - Z-10-83 - CARL A. SWANSON, ET AL Reclassification of property generally located on the south side of Johnson Avenue, between Pecos Street and Honolulu Street. From: R-1 (Single Family Residence) To: R-3 (Limited Multiple Residence) Proposed Use: Medium High Density Residential (Apartments) 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. Conformance to the plot plan amended to provide minimum 64' wide lots. 3. All driveways shall be a minimum of 24' wide as required by the Traffic Engineer. 4. Install street improvements on Johnson Avenue as required by the Department of Public Services. 5. Provide fire hydrants and water flow as required by the Department of Fire Services. Staff Recommendation: APPROVAL PROTESTS: 0 APPROVED AGENDA ITEM	Lurie - APPROVED, subject to conditions. Unanimous	Clerk to notify & Staff to proceed Robert McNutt represented applicant.

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

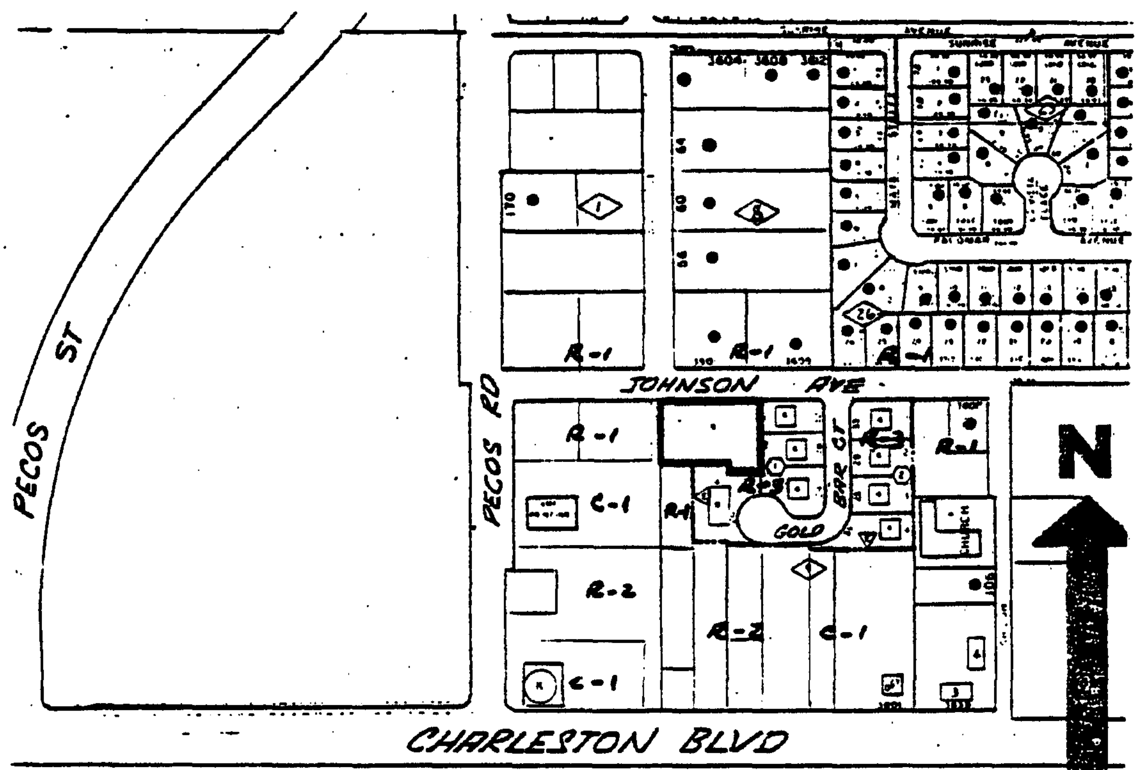
D. ZONE CHANGE - Z-10-83 - CARL A. SWANSON, ET AL

The applicant is proposing R-3 zoning on the south side of Johnson Avenue to allow the construction of three fourplexes. There is existing R-3 zoning to the east and south. To the southwest is C-1 and immediately west is vacant R-1. Across Johnson Avenue is R-1 zoning that is partially developed. The buildings will be two stories in height and there will be adequate off-street parking and landscaping on the site.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - In accordance with the transitioning R-3 zoning pattern in the area.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



Z-10-83

AGENDA

City of Las Vegas

March 16, 1983 0174

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
E. ZONE CHANGE - Z-11-83 - HOME INVESTMENT CO. Reclassification of property generally located on the north side of Sahara Avenue, east of Las Verdes Street. From: C-C (Neighborhood Commercial Center) To: C-1 (Limited Commercial) Proposed Use: Auto Lubrication Facility Planning Commission unanimously recommends APPROVAL, subject to the following condition: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. Staff Recommendation: APPROVAL PROTESTS: 0	Lurie - APPROVED, subject to condition. Unanimous	Clerk to notify & Staff to proceed Steven Gilmore, Realty Holdings Group, representing applicant.

APPROVED AGENDA ITEM

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

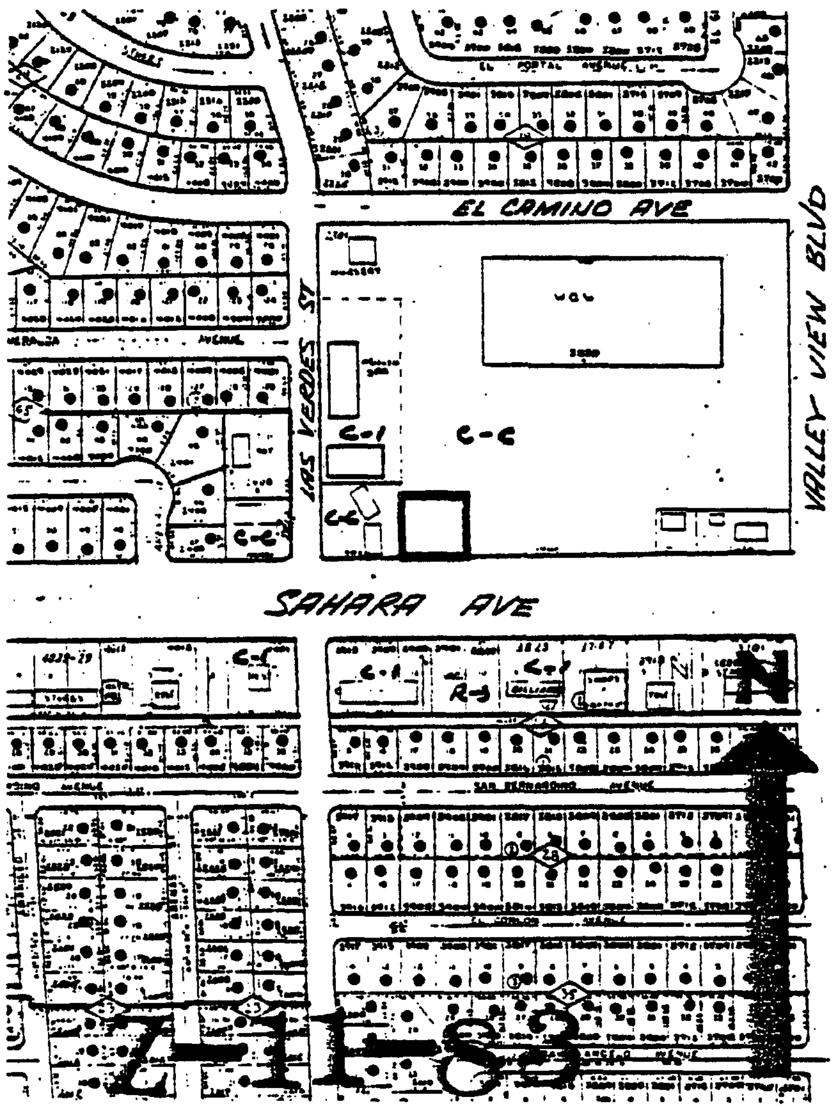
E. ZONE CHANGE - Z-11-83 - HOME INVESTMENT CO.

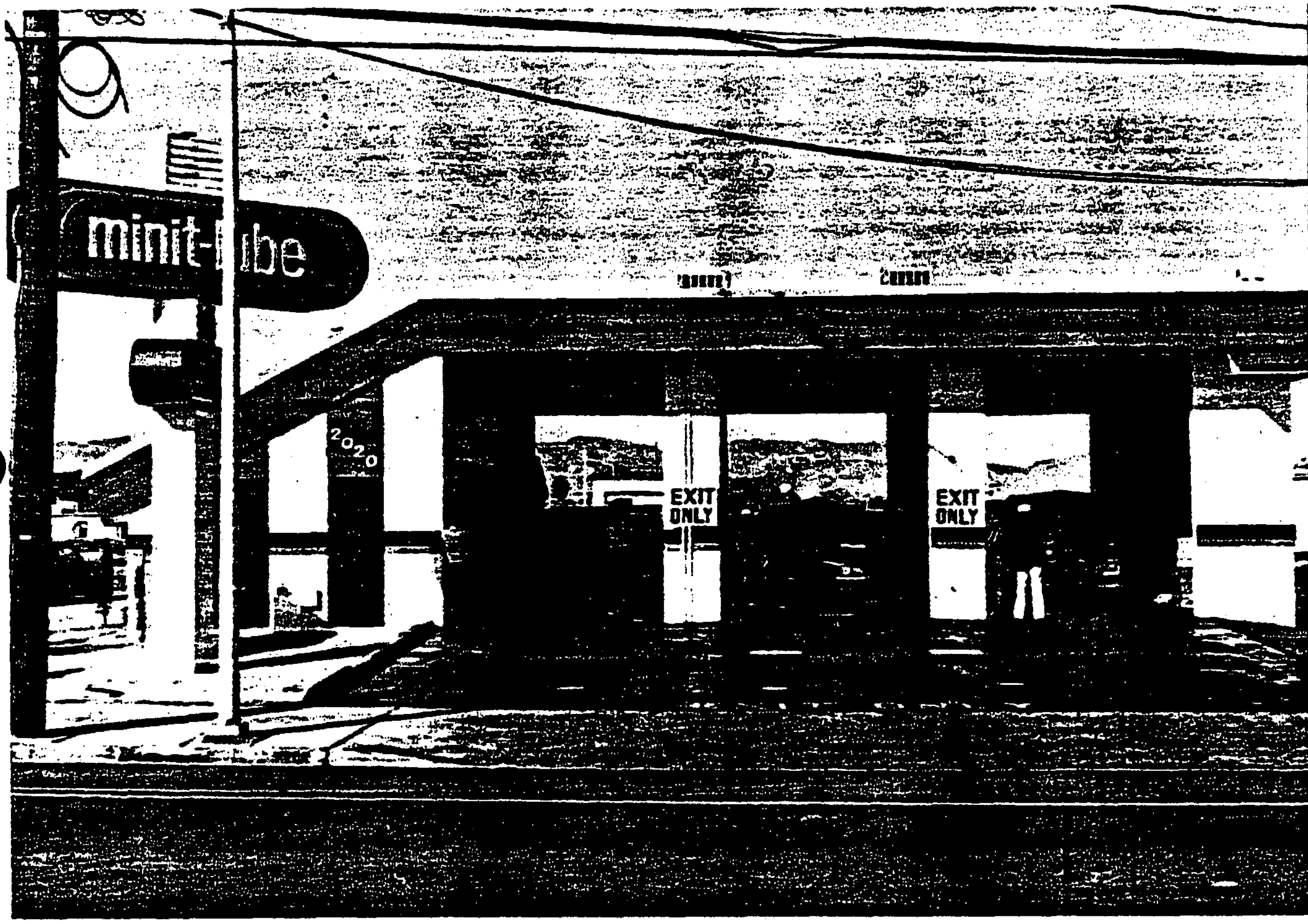
The rezoning is to allow a Minit-Lube facility on the shopping center where the Wonder World department store is located. There is a tune-up facility immediately to the west and a health spa to the north on this shopping center site. A request for this same use was denied in 1980. The applicant is proposing the building on the westerly portion of the site which apparently has eliminated the opposition from the major tenant of the shopping center. The previous application had the building on the east part of the site.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0




minit-lube
2020
EXIT
ONLY
EXIT
ONLY

AGENDA

City of Las Vegas March 16, 1983 0177

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)		
F. ZONE CHANGE - Z-12-83 - OSCAR AND OLIVIA GREEN Reclassification of property generally located on the south side of Jackson Street, west of "F" Street. From: R-3 (Limited Multiple Residence) To: C-2 (General Commercial) Proposed Use: Parking Lot 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. Install alley improvements as required by the Department of Public Services. 3. Repair any damage to the existing street improvements as required by the Department of Public Services. 4. Conformance to the Flood Hazard Reduction requirements of the Department of Public Services. Staff Recommendation: APPROVAL PROTESTS: 0	Pearson - APPROVED, subject to conditions and added condition that lot have sufficient lighting. Motion carried with Christensen voting "NO."	Clerk to notify & Staff to proceed

APPROVED AGENDA ITEM

To: The Board of City Commissioners
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

X.

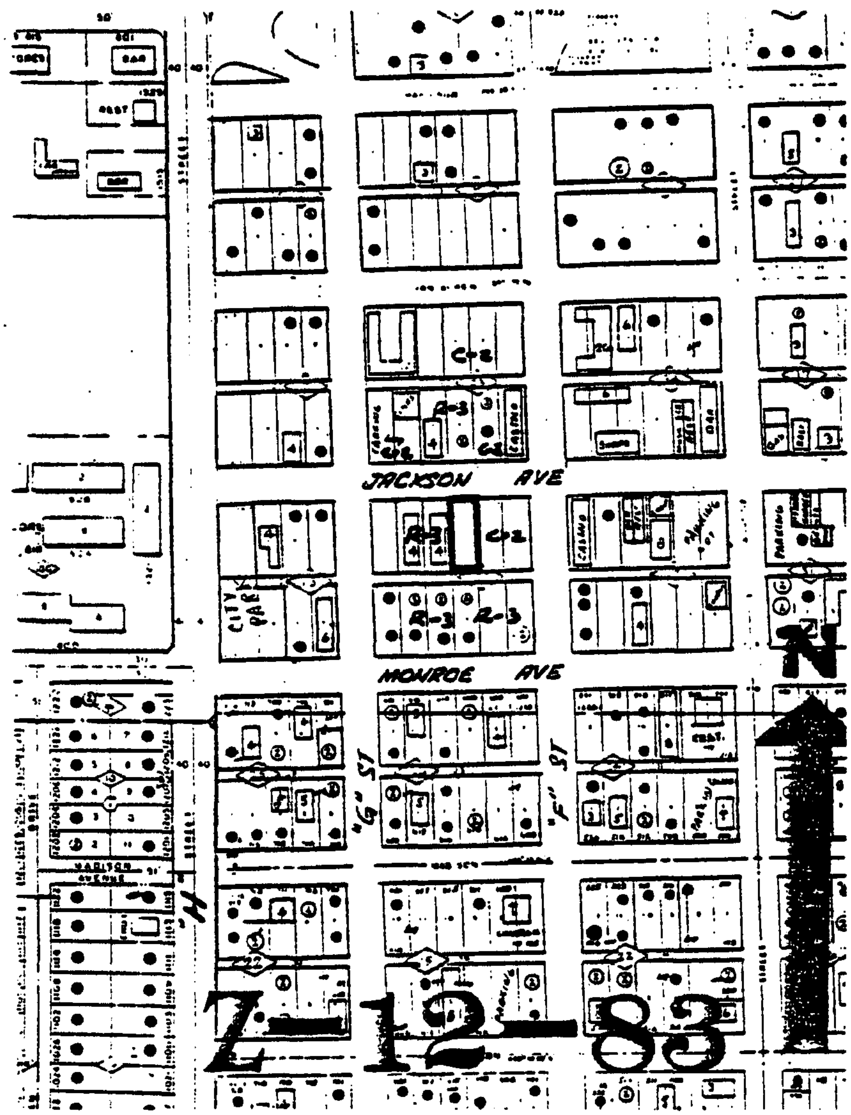
F. <u>ZONE CHANGE - Z-12-83 - OSCAR AND OLIVIA GREEN</u>

The request from R-3 to C-2 is to expand the parking lot for the New Town Tavern Casino across Jackson Avenue that was just approved for a major addition. At the time the zoning was approved for the casino expansion, satellite parking was approved on this site and across the alley to the north. One of the conditions of the zoning was the westerly lot would have to be rezoned for parking lot use. There is a C-2 zoning pattern on both sides of Jackson Avenue.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



AGENDA

City of Las Vegas

March 16, 1983 0179

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

ITEM	Commission Action	Department Actic

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

G. ZONE CHANGE - Z-14-83 - DICK HUNTER, ET AL

Reclassification of property generally located on the south side of Harris Avenue between Sandhill Road and Lamb Boulevard.
From: R-E (Residence Estates)
To: R-CL (Residential Compact Lot)
Proposed Use: Medium Density Detached Single Family Residential (Zero Lot Line)

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. Conformance to the plot plan reflecting a 20' minimum front setback to enable the units to have varying setbacks.
3. Conformance to the elevations.
4. Approval of the curb cuts by the Traffic Engineer.
5. Installation of street improvements on Harris Avenue and the two unnamed streets adjacent to this property as required by the Department of Public Services.
6. Install a 30' minimum width paved access to either Lamb Boulevard or Bonanza Road as required by the Department of Public Services.
7. Redesign the proposed subdivision layout as required by the Department of Community Planning and Development.

Staff Recommendation: APPROVAL - Minimum lot size be 4,000 square feet

PROTESTS: 0

APPROVED AGENDA ITEM

Commission Action:

Lurie -
ABEYANCE
Unanimous

Department Action:

4/6/83 Agenda

Jay Downey represented applicant.

Clerk to notify of Abeyance actior

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

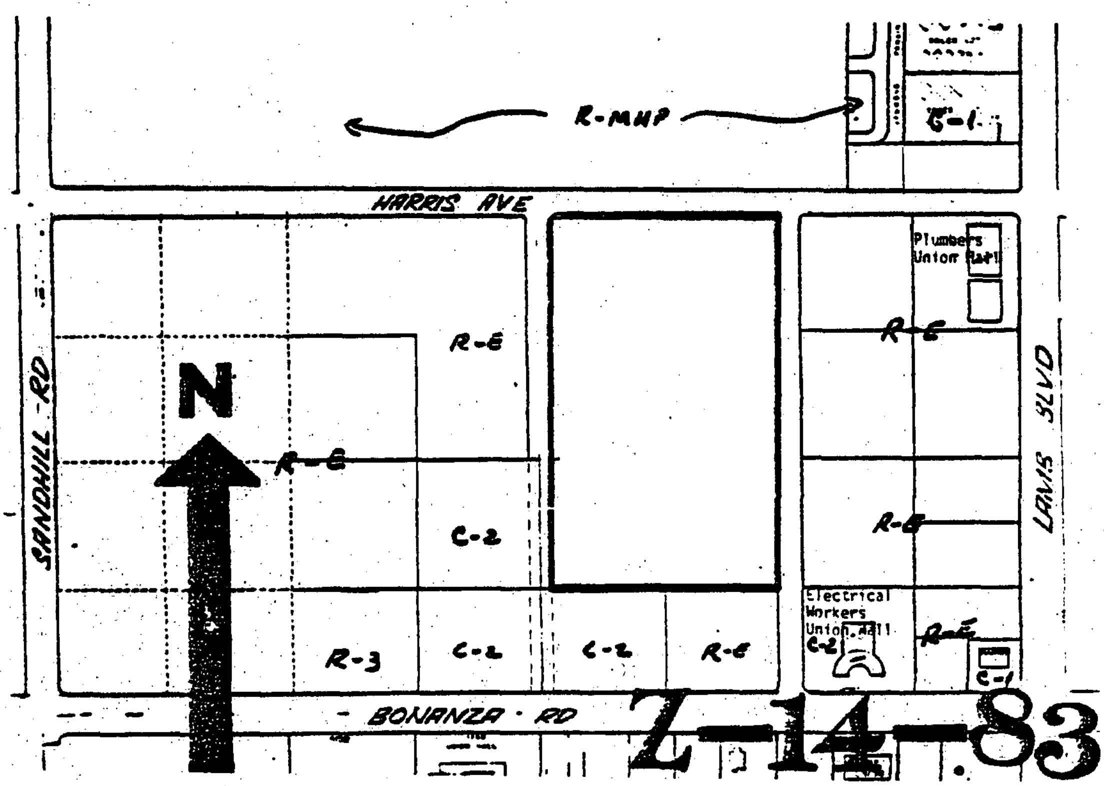
G. <u>ZONE CHANGE - Z-14-83 - DICK HUNTER, ET AL</u>

The applicant is requesting R-CL zoning on this 15-acre site for a 127 lot development. The single family homes will be on a zero lot line basis but detached. This site was formerly approved for a mobile home park and that zoning expired. To the south is vacant C-2 and R-E that extends to Bonanza Road and to the west is vacant C-2 and R-E. To the north is vacant R-MHP zoning and to the east is R-E and C-2. The C-2 portion to the southeast is where the Electrical Workers Union Hall is located. On your agenda under Item I the Electrical Workers are requesting a rezoning to C-1 on the R-E parcel to the north of the Union Hall to construct an apprentice training facility. If that is approved, there will be commercial zoning bordering the southeast, south and southwest portion of this property where the R-CL is proposed. Staff advocated a redesign because the lots are proposed to front on the boundary streets that would be across from the commercial. Also, staff recommended that all lots be a minimum of 4,000 square feet in size, whereas the applicant is proposing 1/3 of the lots be 3,000 square feet and 1/3 be 3,500 square feet in size. The lot sizes range from 38' to 53' wide and are either 80' or 88' deep. The purpose of increasing the lot sizes to 4,000 square feet is to slightly lower the density in this neighborhood because most of it will be transitioning to apartment, R-CL and mobile home park use with density ranges from 7 to 24 units per acre. If a major portion of this neighborhood is not developed around 7 units per acre, the designed population will be substantially exceeded. The Planning Commission recommended a redesign of the subdivision layout but felt the density was acceptable at 8.5 units per acre.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Compatible with the zoning pattern in the area.

STAFF RECOMMENDATION: APPROVAL - With the minimum lot sizes being 4,000 square feet.

PROTESTS: 0



ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
H. ZONE CHANGE - Z-15-83 - LEONARD AND LENA VAN DUSSELDORP Reclassification of property generally located on the south side of Owens Avenue, between Gateway Road and Lamb Boulevard. From: R-E (Residence Estates) To: R-PD9 (Residential Planned Development) Proposed Use: Medium Density Residential (Condominiums) 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. Reverse the parking lot layout on the north end as required by the Traffic Engineer. 3. This approval does not constitute approval of the child care facility. 4. Dedication of right-of-way for Moldon Avenue and Van Buren Street and the radius corners at the intersections of Owens Avenue and Moldon Avenue, Moldon Avenue and Van Buren Street, as required by the Department of Public Services. 5. Install street improvements on Owens Avenue, Moldon Avenue and Van Buren Street as required by the Department of Public Services. 6. Provision of fire hydrants and water flow as required by the Department of Fire Services. 7. Provision of decorative patio walls along Moldon Avenue. Staff Recommendation: APPROVAL **APPROVED AGENDA ITEM** PROTESTS: 0	Levy - APPROVED as recommended by Staff and Planning Commission Unanimous	Clerk to notify & Staff to proceed Jay Downey represented applicant.

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

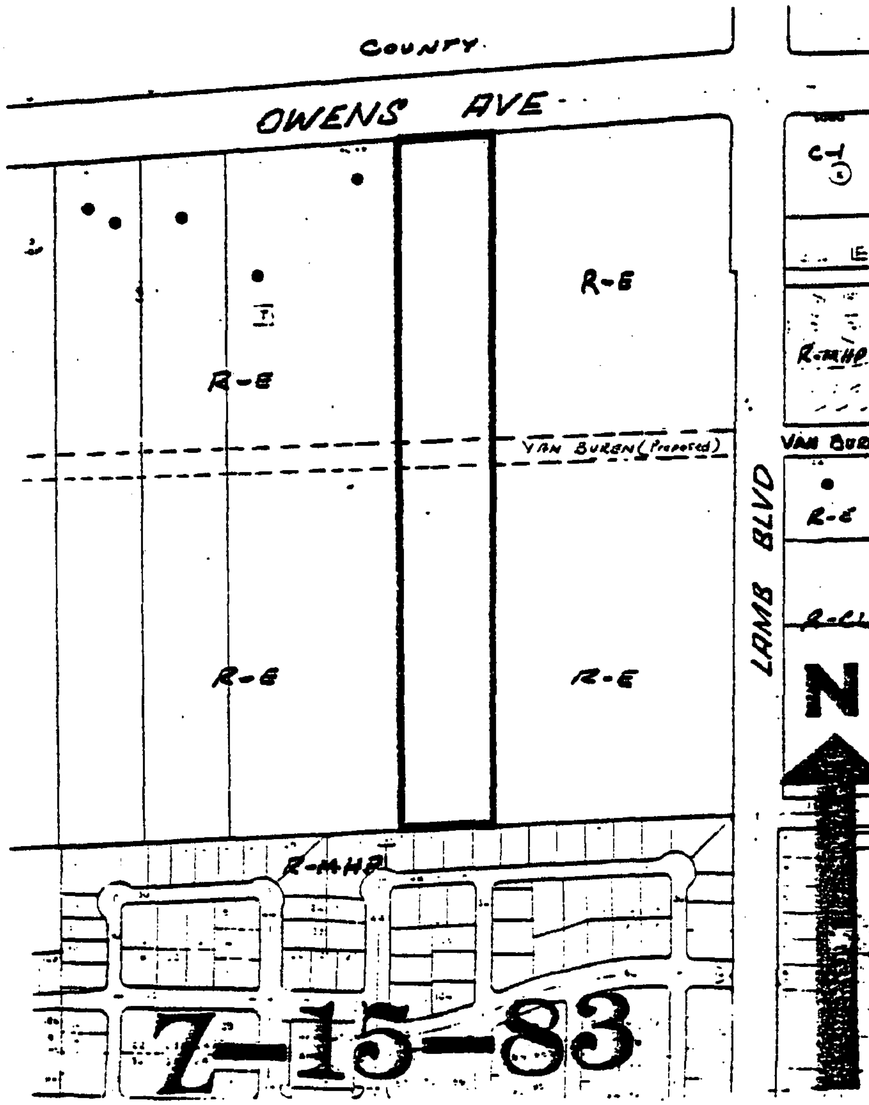
H. ZONE CHANGE - Z-15-83 - LEONARD AND LENA VAN DUSSELDORP

The request is from R-E to R-PD9 to construct four 12-unit buildings on this site that is relatively narrow and has a depth of approximately one-quarter mile. The parcel is slightly over 5 acres in size and the density for the 48 units is at 9.3 units per gross acre. Most all of the parcels in this area along the south side of Owens Avenue extend south to this one-quarter depth. Due to the depth of these parcels, an east/west street (Van Buren Street) has been approved for this area and this development is in accordance with that street plan. There is a child care facility proposed on the south portion of this property which is not allowed in the R-PD9 zone. The applicants indicated they would pursue it through a variance or other means. There is vacant R-E land to the east that extends to Lamb and immediately to the south is a developed mobile home park. To the west is R-E zoned land with scattered single family development. To the north across Owens Avenue is land located in the County.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
I. ZONE CHANGE - Z-13-83 - ELECTRICAL WORKERS REAL ESTATE CORPORATION Reclassification of property generally located north of Bonanza Road, between Lamb Boulevard and Pecos Road. From: R-E (Residence Estates) To: C-1 (Limited Commercial) Proposed Use: Apprentice Training Facility Planning Commission unanimously recommends APRPOVAL, subject to the following conditions: 1. Resolution of Intent shall be restricted to a twelve (12) month time limit. 2. Provision of fire hydrants and water flow as required by the Department of Fire Services. 3. Construct street improvements on the public street on the west side, south to Bonanza Road, which may be installed by means of an Assessment District. 4. Construct a 4' block wall or 3' berm along the west, set back for landscaping. Staff Recommendation: APPROVAL PROTESTS: 1	Lurie - APPROVED, subject to conditions and an extension of one year on street improvements (condition no. 3). Unanimous	Clerk to notify & Staff to proceed Doug Speer and Cecil Lynn represented applicant.

APPROVED AGENDA ITEM

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

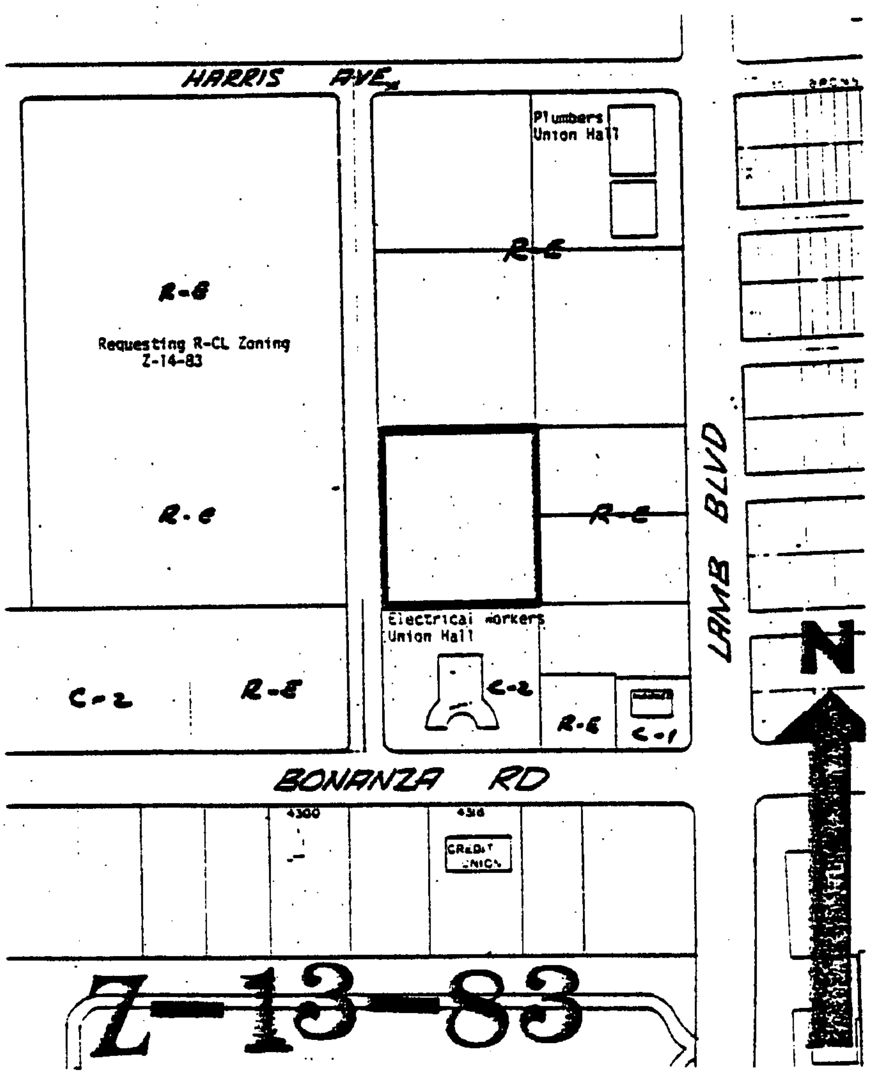
I. ZONE CHANGE - Z-13-83 - ELECTRICAL WORKERS REAL ESTATE CORPORATION

The Electrical Workers are requesting C-1 for an apprentice training facility immediately north of their Union Hall that fronts on Bonanza Road. The area to the east is predominantly vacant and zoned R-E with a convenience store on a C-1 zoned parcel at the corner of Lamb and Bonanza and the Plumbers Union Hall to the northeast that is located in the R-E zone by means of a use permit. To the north the Electrical Workers own the five acre site that is proposed for a park facility for the electrical workers and north of that is mobile home park zoning. To the west is the parcel under Item G on this agenda that is requested for R-CL zoning. All access to the apprentice facility will be off Bonanza through the Union Hall site. A street is proposed along the westerly portion of the property which is to be improved because the area is starting to develop.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Compatible with the zoning pattern in the area.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 1



ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
J. ZONE CHANGE - Z-16-83 - METROPOLITAN DEVELOPMENT CORPORATION, ET AL Reclassification of property generally located on the north side of Gowan Road between Lorenzi Boulevard and Tenaya Way: PARCEL #1: From: N-U (Non-Urban) (under Resolution of Intent to R-1) and R-PD18 (Residential Planned Development) To: R-1 (Single Family Residence) Proposed Use: Medium Low Density Detached Single Family Residences) PARCEL #2: From: R-E (Residence Estates), R-1 (Single Family Residence) (a portion under Resolution of Intent to R-PD20) and R-PD20 (Residential Planned Development) To: R-PD18 (Residential Planned Development) Proposed Use: Medium High Density Residential Planning Commission unanimously recommends APPROVAL, subject to the following conditions: 1. Resolution of Intent with no time limit. 2. Application be amended to R-PD14 on the east parcel. 3. Conformance to the plot plan and elevations amended to reduce the density on the east side of Oran K. Gragson Highway. 4. Approval of the revised plot plan by the Planning Commission with consideration for more open space to be provided in the easterly portion of the development.	Levy - APPROVED as recommended by Staff and Planning Commission Unanimous APPROVED AGENDA ITEM	Clerk to notify & Staff to proceed Barry Becker represented applicant. Susan Kearns 6316 Lorille Lane Big Sky Ranch Estates appeared in opposition. Lorraine Elms 6170 Duncan Dr. appeared in opposition.

ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
J. ZONE CHANGE - Z-16-83 - METROPOLITAN DEVELOPMENT CORPORATION, ET AL (CONTINUED)	See Page 42	See Page 42
5. Dedication of 40' of right-of-way for Gowan Road and the 20' radius corner at the intersections of Gowan Road and Lorenzi Boulevard as required by the Department of Public Services.		
6. Install street improvements on Lorenzi Boulevard, Gowan Road and Tenaya Way as required by the Department of Public Services.		
7. Conformance to the Flood Hazard Reduction provisions of the City Code as required by the Department of Public Services.		
Staff Recommendation: APPROVAL		
PROTESTS: 1		

APPROVED AGENDA ITEM

To: The Board of City Commissioners X.
Re: Community Planning and Development Agenda Item
March 16, 1983 City Commission Agenda

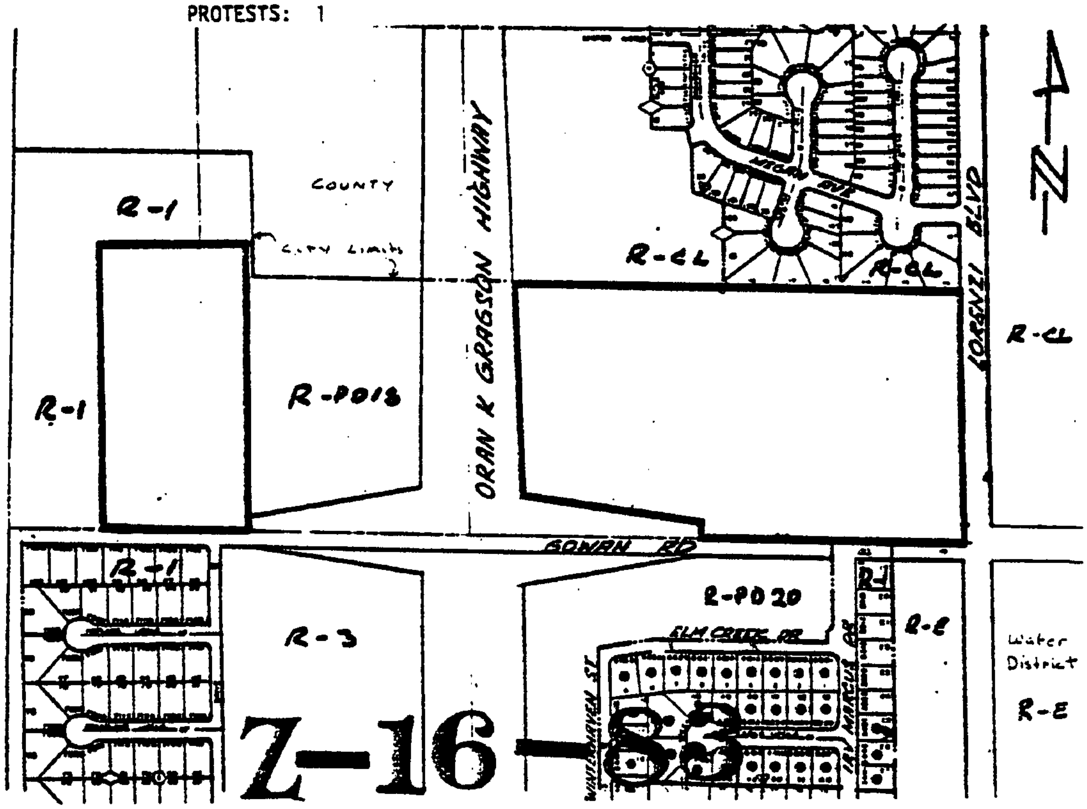
J. <u>ZONE CHANGE - Z-16-83 - METROPOLITAN DEVELOPMENT CORPORATION, ET AL</u>

The proposed rezoning involves two parcels of land on the north side of Gowan that is bisected by the Oran K. Gragson Highway. The parcel to the west is owned by Metropolitan Development and Ernie Becker and is zoned R-1 and R-PD18. Metropolitan Development owns the R-1 portion and is requesting a rezoning on a portion of the R-PD18 to R-1 to increase the size of its R-1 development. Ernie Becker owns the easterly parcel that is presently zoned R-E, R-1 and R-PD20. He is proposing to rezone this entire easterly parcel to R-PD18 on the basis of transferring the reduction of density requested on the westerly parcel and on the basis higher density has been approved around this site. There is R-CL zoning to the north and R-CL to the east. To the south is R-PD20 owned by Mr. Becker along with R-1 and R-E. The R-E strip along the west side of Lorenzi that was approved both on this parcel and the parcel to the south was to provide for a row of R-E lots fronting on Lorenzi that would be across from the developed R-E portion to the east. The strip of R-E involved in this application is somewhat removed from the developed R-E to the southeast by over one-quarter of a mile. There is approved R-CL to the east and the Water District well property is south of the R-CL. The present zoning on this easterly parcel is approved for 147 units in the R-E, R-1 and R-PD20 zones with the R-PD20 not being proposed to the maximum number of units allowed. Transferring approximately 84 units from the westerly parcel and considering the R-E and R-1 on an R-CL density would result in a total of 264 units. The applicant requested 304 units on his application but was in agreement to amending it to the 264 units and amending the application from R-PD18 to R-PD14 as recommended by staff. The reduction in densitv on this east parcel will allow for more open space in this development.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to the application being amended to R-PD14 and a revised plot plan be approved by the Planning Commission on the east parcel.

STAFF RECOMMENDATION: APPROVAL - Amending the east parcel to R-PD14 and submitting a revised plot plan on the east parcel.

PROTESTS: 1



MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	[illegible] Prees	2965 Maverick LV Nev	645-5340
2.	Jack Prees	2965 Maverick LV. Nev	645-5340
3.	[illegible]	2945 Maverick LV NV.	645-6661
4.	Lee J Bowen	2945 Maverick LV NV	645-6661
5.	[illegible] Butta	2935 N. Maverick LV.	645-6704
6.	Karen Butta	2935 N. Maverick LV Nev	6456704
7.	[illegible]	2925 N. Maverick L.V. Nev	645-6770
8.	[illegible] Stewart	2925 Maverick LV Nev.	645-6770
9.	Gary Sharp	2901 Maverick L.V. Nv.	645-0048
10.	Renee Sharp	2901 Maverick L.V. Nv.	645-0048
11.	Anthony [illegible]	2905 Maverick L.V. Nev.	~~645~~ Unlisted
12.	Edmund [illegible]	2905 Maverick LV NV	645-3636
13.	Dorothey Russell	2903 Maverick LV	645-6658
14.	Alexander Russell	2903 Maverick LV	645-6658
15.	Bernice E. Thiriot	2907 Maverick	645-6744
16.	G. W. [illegible]	2907 Maverick	645-6744
17.	James J Minister	6221 Fort West Rd	645-0333
18.	Debby Haboush	6241 Fort West	645-4916
19.	Sue Cooper	6241 Fort West	645-4915
20.	Mr. + Mrs. Christopher V. Conte	2911 Maverick	645-6751

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	[illegible]	6324 Lorille Lane	645-2430
2.	Philip E. Hughes	6325 Lorille Lane	645-4737
3.	Beverly Nelson	6300 Lorille	645-2652
4.	Susan Keating	6316 Lorille Lane	645-3850
5.	[illegible]	4017 N Torrey Pines	645-1606
6.	Christopher G. Mellner	4021 Rubidoux Dr.	645-420
7	Roger Eden	4101 Rubidoux D	645-2909
8.	Jeff [illegible]	4121 Rubidoux	645-2088
9.	Cathy Martensen	6909 Roy Rogers	645-0574
10.	David Caruso	6417 Roy Rogers	645-0246
11.	Debra [illegible]	6421 Roy Rogers	645-4524
12.	Drew Martenson	4016 Mira Dal	645-3288
13.	E. Behrend	6425 Quida Way	645-4863
14.	Deborah [illegible]	6429 Quida Way	645-4552
15.	Richard Cook	6417 Quida Way	645-4383
16.	[illegible]	6421 Quida Way	645-3474
17.	Barbara Burchfield	6403 Miragrande	645-3189
18.	Paula Beard	4005 Montegrande Cir.	645-2554
19.	Sheri [illegible]	4004 Montegrande Cir	645-0327
20.	Kim Kelly	6420 Miragrande	645-4370

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	[illegible]	3435 W. Montaña	645-5283
2.	[illegible]	6401 Miragrande	645-9369
3.	Rosemary Marchiniotti	4001 Ruby Way	645-0487
4.	[illegible]	[illegible]	645-[illegible]
5.	[illegible] Ross	4120 Monte Mesa Cir.	645-1179
6.	L J Ross	4120 Monte Mesa Cir	645-1179
7.	Sandra Kitten	6500 Roy Rogers Dr.	645-1084
8.	Diane [illegible]	6505 Roy Rogers Dr.	645-6808
9.	[illegible]	6504 Oneida Way	645-3686
10.	[illegible]	6420 Oneida Dr.	645-[illegible]71
11.	John O'Connor	6420 Oneida Way	645-3465
12.	[illegible]	6404 Oneida Way	645-2815
13.	[illegible] Baker	6401 Oneida Way	645-6993
14.	[illegible]	6409 Oneida Way	645-4045
15.	[illegible]	6413 ONIDA WAY	645-3097
16.	Pamela J. [illegible]	6413 Miragrande	645-3151
17.	Stephen [illegible]	6413 Miragrande	645-3151
18.	[illegible]	6425 [illegible]	645-0270
19.	[illegible] Hallett	6505 Mira Grande	645-4917
20.	Chris [illegible]	6509 MIRA GRANDE	645 2792

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	[illegible]	1165 N. Duncan Dr.	645-6501
2.	[illegible]	6301 [illegible]	645-3682
3.	Audrey K. Burton	6301 [illegible] Rd.	645-3682
4.	[illegible]	3274 [illegible]	645-3319
5.	[illegible]	3250 [illegible]	645-3027
6.	Ray Hall	3536 N. Torrey Pines Dr.	645-5369
7.	[illegible]	3536 N. Torrey Pines	645-5369
8.	[illegible]	6505 [illegible]	645-3277
9.	Patricia Wilson	6409 Marigold	645-5409
10.	[illegible] Wilson	6409 Marigold	645-5409
11.	[illegible]	3648 North Torrey Pines	645-6921
12.	Betsy [illegible]	3648 N. Torrey Pines	645-6921
13.	[illegible]	3480 N. Torrey Pines	645-4973
14.	[illegible]	3355 N. Sisk Rd	645-4448
15.	[illegible]	3089 [illegible] Dr.	645-4573
16.	Sheryl [illegible]	6155 W. [illegible]	645-3149
17.	[illegible]	3089 [illegible]	645-4573
18.	[illegible] Ball[illegible]	3385 Sisk Rd.	645-4163
19.	[illegible]	3670 N. [illegible]	645-6188
20.	Stacy H. [illegible]	3670 N. [illegible]	645-6788

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	[illegible]	[illegible]	[illegible]
2.	[illegible] Hammond	4870 [illegible]	645 4604
3.	[illegible]	4008 Rhonda DR	645-3407
4.	[illegible]	4008 Rhonda Dr.	645-3407
5.	[illegible]	3815 [illegible]	645-2534
6.	[illegible]	3835 [illegible]	645-2534
7.	[illegible]	[illegible]	[illegible]
8.	[illegible]	4157 [illegible]	645-4175
9.	Kitty [illegible]	[illegible]	645 2226
10.	Richard [illegible]	3435 N. Mustang	645-5233
11.	[illegible]	3435 N. Mustang	645-5233
12.	[illegible]	[illegible]	645-[illegible]
13.	Sandra K Malick	616 [illegible]	645 3650
14.	[illegible] C Malick	616 [illegible]	645-3650
15.	[illegible]	4000 [illegible]	645-4462
16.	[illegible]	4004 [illegible]	645-4659
17.	[illegible]	[illegible]	[illegible]
18.	[illegible]	[illegible]	[illegible]
19.	Sandra L. Ames	3440 N. [illegible]	645-5042
20.	Nina T. Finney	3655 N. [illegible] Blvd	645-6813

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	Walter L. Graham	5820 La Jolla Way	645-4446
2.	Wynne M. Graham	5820 La Jolla Way	645-4446
3.	[illegible]	3360 No. Bronco	645-3419
4.	Dolores [illegible]	3360 N. Bronco	645-3419
5.	[illegible]	[illegible]	[illegible]
6.	Mary J. [illegible]	6317 [illegible]	645-1867
7.	Jeffrey D. Cates	3163 Ramrod St.	645-4544
8.	[illegible]	6145 W Gowan Rd	645-5216
9.	[illegible] Thomas	6545 W Atwood Ave	645-7796
10.	[illegible] Thomas	6545 W Atwood Ave	[illegible]
11.	[illegible]	4008 Roxanne LV 89108	[illegible]
12.	Janet [illegible]	4008 Roxanne LV 89108	[illegible]
13.	[illegible]	6513 [illegible] 89108	[illegible]
14.	[illegible]	6404 [illegible] Way 89108	[illegible]
15.	[illegible]	[illegible]	[illegible]
16.	[illegible]	[illegible]	[illegible]
17.	[illegible]	4012 Robidoux D.	[illegible]
18.	Thomas B. [illegible]	4009 Robidoux Dr. LV 89108	645-4452
19.	[illegible]	6413 [illegible] 89108	[illegible]
20.	[illegible]	3480 N. Tonopah Pike 89108	[illegible]

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	Mary Jane Lozano	3240 No Serene Dr.	645-5309
2.	Bobby Rogers	5828 Santa Catalina	645-4928
3.	Beverly Huntsman	2517 Calico St.	648-9661
4.	Jimmy L.O. Rogers	6165 W Duncan Dr.	645-6501
5.	[illegible]	6504 [illegible] Way	645-[illegible]
6.	F.C. Webber	5824 Maynard Ave.	
7.	Lynn Cochran	4304 Amethyst	645-1320
8.	Evelyn Shaffer	1805 Starbuck Las Vegas Nv	647-4738
9.	[illegible]	3509 San Marcus Ln Las Vegas	645-4158
10.	Charleen Altarsan	7100 Hopland cir Las Vegas	645-5164
11.	Kathleen Bziorte	4209 Joey Trail L.V. Nv.	645-3956
12.	[illegible]	6201 Don Zerrnola L.V.	
13.	[illegible]	6133 [illegible] Ln Nv	645-2292
14.	Helen Stewart	5824 Santa Catalina Vegas	645-4162
15.	Elena K. Hawkins	5904 [illegible] Rd L.V. Nev	645-6930
16.	Jackie Sampson	6424 Sapphire St L V Nev	645-1931
17.	[illegible] Cunningham	7050 N Decatur L V NV	645-3918
18.	[illegible]	6817 Hatchee Ld NV	645-3129
19.	Justin H. Beck	5801 La Valley	645-4508
20.	Cathy Dodman	2214 La Sombra St	648-4755

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

NAME	ADDRESS	PHONE #
1. Patricia Dyer	4001 Mira Lane	unlisted
2. Simon Rubala	4009 Mira Lane	645-3957
3. [illegible]	5800 Divers Cove	645-1550
4. [illegible] E Kennedy	3030 Breton	645-5218
5. [illegible]	4217 Jasper	645-1010
6. [illegible]	3524 Miramar	645-2548
7. [illegible]	6800 [illegible] cir	645-3074
8. [illegible] Bucklund	5709 Stallion	646-2785
9. Margaret Brotherton	5865 Mustang	645-3520
10. [illegible]	6444 Buckaroo	unlisted
11. [illegible]	3443 Bronco	645-3731
12. [illegible]	5017 [illegible] Rd	645-4052
13. [illegible] Mary McCarthy	4320 Jadestone	645-2952
14. [illegible] Butler	4320 Jadestone	645-0780
15. Stan Stender	[illegible] Vegas	
16. [illegible]	6301 Santa Maria / LV - 89108	6425154
17. [illegible]	7985 W. Craig LV	645-2525
18. D. H. [illegible]	5951 Verde Way	
19. Paul [illegible]	5812 Westport Cir	645-4835
20. [illegible]	6801 Elm Creek Dr.	645-3580

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	Julie Hart	6180 W Duncan	645-2120
2.	Chason W Ball	6160 W Duncan	645-5231
3.	Manuel Ballesteros	3385 Snake Rock	645-4163
4.	Jean Raity	3724 N. Torrey Pines	645-1135
5.	Mary Beth [illegible]	3716 N Torrey Pines	645-3341
6.	Susan Liefert	8545 El Campo Grande	645-1270
7	Ursula HOOKS	2915 Maverick	645-4859
8.	Dave Bowen	2955 Maverick	645-6661
9.	MARTIN C Hatop	6540 ATWOOD AVE	645-6715
10.	Donald L. Adams		645-1157
11.	Joe & Sally Requenas	3030 Yarrow [illegible]	645-2870
12.	Susan E Ball	6160 W Duncan Dr	645-5231
13.	Stephanie Klackner	6821 White Shell Cir	645-1579
14.	John Klackner	6821 WHITE SHELL CIR	645-1579
15.	Donald L. Adams	3740 N Torrey Pines	645-1157
16.	Lois Adams	3740 N Torrey Pines	645-1157
17.	Peggy Byrnate	5817-C Snake Rock Rd	645-6653
18.	Richard Jenkins	3490 N. Torrey Pines	645-6875
19.	Phyllis McNeill	6813 White Fern	645-3078
20.	Jeannie Bennett	6804 High Bluff Way	645-9141

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	E. McKENZIE	5521 EUGENE AVE.	648-5042
2.	Rick [illegible]	3112 Terry ST	645-3441
3.	Sharon McKenzie	5521 Eugene Ave	648-5042
4.	[illegible] Benson	5333 ALEXANDER RD	645-1945
5.	Joe PORTENSTEIN	4809 Rickey RD	645-2560
6.	[illegible]	6644 [illegible] Resort	645-3482
7.	[illegible]	6905 OLD CASTLE DR. L.V. NV 89106	645-0097
8.	[illegible]	3284 [illegible] Dr. LV.	645-5207
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

MARCH, 1983

I AM A HOMEOWNER LIVING IN THIS NEIGHBORHOOD AND I OPPOSE THIS DEVELOPMENT, Z-16-83

	NAME	ADDRESS	PHONE #
1.	Joan Marko	3710 Maverick	645-7792
2.	Nick [illegible]	" "	" "
3.	Jean Thrush	3640 N. Maverick	645-3177
4.	David Thrush	" "	645-4998
5.	[illegible] Thrush	" "	645-3177
6.	Mary M. Wirt	3660 N. Maverick	645-5354
7	[illegible] Wirt	3660 N. Maverick	645-5354
8.	Cindy L. Seaford	4228 Sawyer Ave	647-4934
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

AGENDA

City of Las Vegas

March 16, 1983 0199

BOARD OF CITY COMMISSIONERS

Page 44

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Actic
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
K. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE PLANNING COMMISSION AT ITS MARCH 10, 1983 MEETING.	Street Name Change (Dusty Trail/Ackerman Avenue)	4/6/83 Agenda
L. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD FEBRUARY 24, 1983.	None	

APPROVED AGENDA ITEM

ITEM	Commission Action	Department Action
XI. ADDENDUM ITEMS	NONE	

APPROVED AGENDA ITEM

Ashley Hall

AGENDA

City of Las Vegas

March 16, 1983

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
XII. CITIZENS 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	
	MEETING ADJOURNED AT APPROXIMATELY 3:45PM	

APPROVED AGENDA ITEM

Ashley Hall