

MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: Sept. 21, 1983

TIME: 9:45 A.M.

INVOCATION: Reverend Dorothy Sogg
First Christian Church

PLEDGE OF ALLEGIANCE: Given

BOARD OF CITY COMMISSIONERS

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

CITY ATTORNEY

GEORGE F. OGILVIE

☐
☐

☒ Chief Deputy City Attorney
Jan Stewart was present

APPROVED BY REFERENCE

July 18, 1984

ATTEST:

Carol A. Hawley
CITY CLERK

William H. Briare
MAYOR

AGENDA*City of Las Vegas*

September 21, 1983

Page 1

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM Council Action Department Action

I. 9:45 A.M.

A. COMMUNITY RELATIONSB. SPECIAL EVENTS

II. 10:00 A.M.

A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAWB. INVOCATION

Reverend Dorothy Sogg
First Christian Church

C. PLEDGE OF ALLEGIANCE

FULL BOARD PRESENT

CITY ATTORNEY GEORGE OGILVIE WAS
EXCUSED. CHIEF DEPUTY CITY
ATTORNEY JAN STEWART WAS PRESENT.

ANNOUNCEMENT MADE

INVOCATION GIVEN
BY REVEREND SOGG.

PLEDGE GIVEN

APPROVED AGENDA ITEM

Ashley Hall

(Posting required under the provisions of NRS CHAPTER 241)

0002

STATE OF NEVADA }
COUNTY OF CLARK } ss

Loretta A. Nail, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 16th day of September, 1983, at the hour of 8:30 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of a REGULAR MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on 21st day September, 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 Council Chambers)

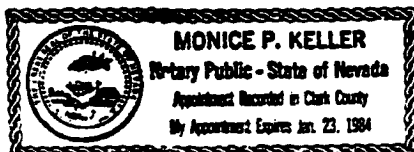
Loretta A. Nail
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

16th day of September, 1983

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



AFFIDAVIT OF MAILING

0003

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

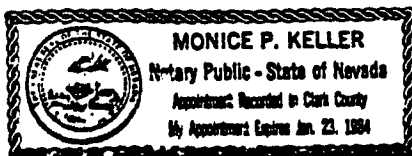
Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 16th day of September, 1983, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a REGULAR MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on the 21st of September, 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

16th day of September, 1983

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



0004

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITYJERRY J. CAHILL, DIRECTOR*CONSENT AGENDA

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

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

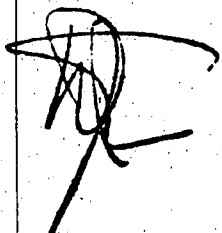
Family Child Care Homes

1. KATHY KUCHTA
113 Veeder Drive
4 children days
2. MARSHA LEROY
1013 Coldstream Drive
4 children days
3. KATHERINE MILLER
4300 Mott Circle
4 children days

Lurie -
APPROVED Items 1,
2 and 3.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM Council Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

*B. GAMING -- Additional

1. HOTEL NEVADA CORPORATION

Hotel Nevada & Casino
235 South Main Street
12 slots

Lurie -
APPROVED Items 1
thru 5.
Unanimous with
Lurie abstaining
on Item 3.

Staff to proceed

2. CARDIVAN COMPANY

Koala Motel
520 South Casino Center
3 slots

3. CASINO SERVICES

Aloha Specialties
113 North 4th Street
3 slots

Hotel Nevada & Casino
235 South Main Street
12 slots

Quick Stop Market
429 Las Vegas Blvd South
4 slots

4. GAMES OF NEVADA

Friendly Club
101 East Fremont
4 slots

5. NEVADA COIN MACHINE COMPANY

Rebel Plus #2
4325 West Sahara Avenue
1 slot

APPROVED AGENDA ITEM

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September 21, 1983

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CITY COUNCIL
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ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

C. LIQUOR -- New

1. *RENO ZACH
dba
RENO'S SWISS CHALET
1510 Las Vegas Blvd South

Beer/Wine On-Sale License

Reno Joseph Zach, 100%

*Subject to Fire codes and Health
Department regulations

2. *MANUEL GONZALEZ
dba
RANCHO LUNA RESTAURANT
1800 South Main Street

Beer/Wine On-Sale License

Manuel Gregorio Gonzalez, 100%

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

Lurie -
APPROVED Items 1
and 2 as recom-
mended, subject
to the provisions.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

0007

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM	Council Action	Department Action
<u>III. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)		
D. <u>PRIVATE INVESTIGATOR LICENSE -- New</u> 1. GEORGE W. ALLF dba GEORGE W. ALLF, PRIVATE INVESTIGATOR 3661 South Maryland Parkway George William Allf, 100%	Lurie - APPROVED Unanimous	Staff to proceed
E. <u>SECONDHAND DEALERS LICENSE -- New</u> 1. *JAMES L. GRINDLEY dba JIM'S FURNITURE 1315 South Main Street Class II James L. Grindley, 100% *Subject to the provisions of the Planning, and Fire codes	Lurie - APPROVED subject to the provisions. Motion carried with Briare voting "No."	Staff to proceed

TO AGENDA ITEM



0008

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)F. PAWNBROKERS LICENSE, SECONDHAND
DEALERS LICENSE & FIREARMS PERMIT --
Change of Location

1. From: 117 South Casino Center

TO: *BOCK & BOCK
dba
JOHN'S LOAN AND
JEWELRY COMPANY
128 South First Street

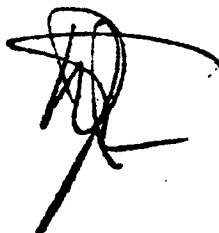
Class II

Caryl Bock, 50%
Howard G. Bock, 50%*Subject to the provisions of the
Planning, and Fire codesNOTE: To be considered following
2 p.m. Public Hearing on
Use Permit and VarianceChristensen -
APPROVED subject
to the provisions.
Motion carried
with Briare
voting "No."Note: This item was heard in the
afternoon session after
Item B under Public Hearings.
Refer to pages 28 and 29
for additional information.

Staff to proceed

Henry Kronberg
appeared.
Atty. Bruce Levin
appeared on behalf
of the Golden
Nugget in opposi-
tion.

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM	Council Action	Department Action
III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
G. AMBULANCE LICENSE -- Change of Location 1. From: 3121 South Maryland Parkway, Suite 114 TO: *MERCY, INC. dba MERCY AMBULANCE SERVICES 1130 South Highland Tom Bell, Pres, Dir, 49% Robert Forbuss, V. P., Exec Dir, 11% Herman Eminger, Secy, Treas, Dir, 40% *Subject to the provisions of the Planning, and Fire codes	Lurie - APPROVED subject to the provisions. Unanimous	Staff to proceed
H. SPECIAL EVENT LIQUOR LICENSE 1. LAS VEGAS SENIOR CITIZENS CENTER Location: Reed Whipple Field Dates: September 24 - 29, 1983 Responsible Licensee: LeRoy Nenneman Inn Zone Rainbow	Lurie - APPROVED Items 1, 2 and 3. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM	Council Action	Department Action
III. <u>DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd) H. <u>SPECIAL EVENT LIQUOR LICENSE</u> (cont'd) 2. KNPR/NEVADA PUBLIC RADIO Location: 821 Las Vegas Blvd North Dates: October 28, 29 & 30, 1983 Responsible Licensee: Joe Vranesh Brothers Market 3. DOMESTIC CRISIS SHELTER Location: 1100 East St. Louis Dates: September 24 & 25, 1983 Responsible Licensee: O.C. Lee DeBriefing Room I. <u>LIQUOR -- Request for Approval of Nonoperational Status</u> 1. SIDNEY DROBKIN dba SID'S 2300 Maryland Parkway General On-Sale Restaurant Ltd. Sidney Drobkin, 100% (Nonoperational status for period 6/22/83 to 9/22/83 approved 6/15/83. Request for approval of extension for additional three- month period: 9/22/83 to 12/22/83.)	APPROVED See Page 7 APPROVED See Page 7 Lurie - APPROVED Unanimous	Staff to proceed Staff to proceed Staff to proceed

City of Las Vegas

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

AGENDA DOCUMENTATION

0011
Date: September 9, 1983

TO:
The City Council

FROM:
DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- SEPTEMBER 21, 1983 CITY COUNCIL AGENDA
LIQUOR -- Request for Approval of Nonoperational Status

PURPOSE/BACKGROUND

Item, "I", 1.

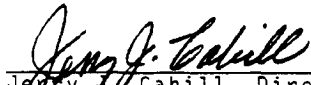
Standard request for extension of nonoperational status on liquor
license as follows:

1. Sidney Drobkin, dba Sid's

A copy of letter requesting extension is attached.

FISCAL IMPACT

RECOMMENDATIONS


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "I" 1

Sidney Drobkin
540 East Oakey
Las Vegas, Nevada 89104

September 2, 1983

Jerry J. Cahill, Director
Dept. Business Activities
400 E. Stewart
Las Vegas, Nevada 89101

Dear Mr. Cahill:

Please be advised that Sid's Restaurant is still closed.
I am still searching for a new location for my liquor
license.

I would appreciate my license remaining in the non-
operating status until further notice.

Very Truly

Sidney Drobkin

Sidney Drobkin

RECEIVED
BUSINESS DIVISION
SEP 6 12:17 PM '83

AGENDA*City of Las Vegas*

0013

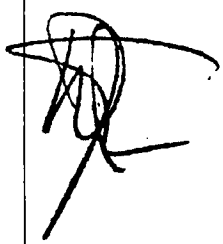
September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM	Council Action	Department Action
<u>III. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)		
J. <u>SECONDHAND DEALERS LICENSE -- Six Month Review</u> 1. MARY JANE ANDERSON dba CASINO CENTER COINS 119 North Third Street Class III-C Mary Jane Anderson, 100%	Levy - APPROVED as recom- mended on a perman- ent basis. Unanimous	Staff to proceed
<u>ABEYANCE ITEM -- Tabled 9/07/83</u>		
K. <u>LIQUOR -- Approval of Key Employees</u> 1. UNIVERSAL FAMILY PALACE, INC. dba MISS KITTY'S 111 Las Vegas Blvd South General On-Sale License Key Employees: Dennis Dale Sinatra, Talent Coordinator Paul P. Sinatra, Entertain- ment Director Duane Paul Sinatra, Stage Director	Christensen - Motion that applicants be found suitable was APPROVED with Briare voting "No." NOTE: A verbatim transcript made part of final minutes.	Staff to proceed Appearances: Marge Hether, Bus. Activity Gerald Gillock, Atty./Licensee Dennis, Paul and Duane Sinatra were present in the audience.

APPROVED AGENDA ITEM



AGENDA DOCUMENTATION

Date: September 12, 1983 0014

TO: The City Council

FROM: DON SAYLOR
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- SEPTEMBER 21, 1983 CITY COUNCIL AGENDA
SECONDHAND DEALERS LICENSE -- Six Month Review

PURPOSE/BACKGROUND

Item, "J", 1.

On March 2, 1983, the City Council approved Mary Jane Anderson, dba Casino Center Coins, 119 N. Third Street, for a new Secondhand Dealers License, Class III-C. The motion for approval was made "subject to a six-month review of the applicant."

An audit of the books and records of Casino Center Coins was conducted by the Department of Business Activity. Based on the results of the audit, I submit the following information:

1. The license fees paid on their general business license for a 38-month period appear to be correct. Sales have not been grouped in the periods they should have been, but over all for the 38-month period audited, the fees balance out.
2. In checking the sales records for 1983 which was when the Secondhand License was issued, secondhand sales approximate 25% of the total gross sales. Total sales are significantly down as the business appears to be run on a part-time basis.

In conclusion, the audit did not reveal any violations that would apply to the Secondhand Dealers ordinance.

FISCAL IMPACT

RECOMMENDATIONS


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III. J 1

LAW OFFICES

EDWIN J. DOTSON

311 NORTH SIXTH STREET
TELEPHONE
(702) 385-5071

LAS VEGAS, NEVADA 89101

September 19, 1983

Mr. Jerry J. Cahill, Director
Department of Business Activity
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada

Dear Mr. Cahill:

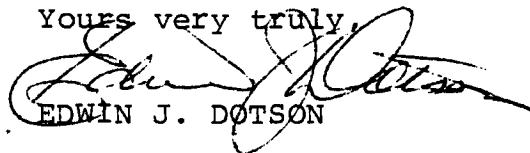
Re: Casino Center Coins
119 North Third Street
Secondhand Dealers License
Six Month Review

Your notification of September 12, 1983, as
above captioned, has been referred to me for reply.

My client has requested that I inform you
that she will be out of the city on September 21, 1983,
but has authorized me to appear in her behalf. I have
been requested to inform you that Casino Center Coins
has by mutual agreement given up its lease on October 31,
1983, at 119 North Third Street, and will discontinue
business in the city of Las Vegas on or before that
date.

I will be present in behalf of my client at
your meeting on September 21.

Yours very truly,


EDWIN J. DOTSON

EJD/wm

COPIED 9-21-83
ALL INFORMATION
IS CONFIDENTIAL

III, J. 1.

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 9, 1983TO:
The City CouncilFROM:
DON SAYLOR, DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- SEPTEMBER 21, 1983 CITY COUNCIL AGENDA
ABEYANCE ITEM -- LIQUOR -- Approval of Key EmployeesPURPOSE/BACKGROUND

Item, "K", 1.

Appearing as an abeyance item on the Department of Business Activity portion of the agenda is a request for approval of three key employees of Miss Kitty's, 111 Las Vegas Boulevard South, as follows:

Dennis Dale Sinatra	Talent Coordinator
Paul P. Sinatra	Entertainment Director
Duane Paul Sinatra	Stage Director

The Special/Privileged Investigations Section, Las Vegas Metropolitan Police Department has submitted an "unfavorable police report" on Dennis Sinatra. The confidential police reports will be furnished to the City Council members prior to the meeting.

FISCAL IMPACTRECOMMENDATIONS


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "K" 1

LAW OFFICES OF
**CROMER, BARKER, MICHAELSON,
 GILLOCK & RAWLINGS**

A PROFESSIONAL CORPORATION

514 SOUTH THIRD STREET
 LAS VEGAS, NEVADA 89101

(702) 384-4012

August 2, 1983

RENO OFFICE

WILLIAM S. BARKER
 VICTOR A. PERRY
 KENNETH R. BICK
 CHARLES W. SPANN

* of counsel

GEORGE A. CROMER
 WILLIAM S. BARKER
 KENT W. MICHAELSON
 GERALD I. GILLOCK
 HENRY M. RAWLINGS, JR.
 JAMES E. OLSON
 VICTOR A. PERRY
 WALTER E. CANNON
 JOHN D. NITZ
 MICHAEL A. KONING
 MICHAEL K. MANSFIELD
 JOHN E. OGBURN
 RICHARD E. DESRUSSAUX

JANICE J. BROWN
 KENNETH R. BICK
 PATRICK J. MURPHY
 DANA JONATHAN NITZ
 SALVATORE C. GUGINO
 EDWARD J. ACHREEM
 CARL M. HEBERT
 LYNN R. SHOEN
 KERRY L. EARLEY
 ROBERT E. OWENS
 CHARLES W. SPANN
 MICHAEL S. MYERS

Ms. Marge Heather
 City Licensing
 City Hall
 400 E. Stewart
 Las Vegas, NV 89101

Re: Universal's Family Palace Inc.

Dear Ms. Heather:

This letter is being written as a request to withdraw the earlier proposal submitted to the City of Las Vegas by Universal's Family Palace, Inc., concerning the proposed entertainment directors contract between Universal's Family Palace Inc. and Paul, Dennis and Dwayne Sinatra. I am sure you will recall that we received a response from Mr. Cahill indicating that the proposed arrangement would be unacceptable.

Subsequent to receipt of that letter and a conversation with the City Attorney's office, it was determined that we would not be going forward with that particular agreement. Therefore, this letter will bring you current on the present status of Miss Kitty's operation as it concerns the employment of Paul, Dennis and Dwayne Sinatra. Universal's Family Palace, Inc. has made a determination that it definitely wants to continue with the type of live entertainment proposed by the Sinatras in the earlier agreement since it would make a very valuable and meaningful addition to the downtown area. I am sure we would all agree that that particular corner has been a problem for the City of Las Vegas over the years and it is really necessary that it become a first class operation since it is the very heart and hub of the Las Vegas downtown area. Universal's Family Palace has hired Dennis Sinatra as a talent coordinator for the showroom, it has hired Dwayne Sinatra as stage director for the showroom and it has hired Paul Sinatra as the Entertainment Director. They are presently employees of Miss Kitty's and have no responsibility for the overall supervision of the bar personnel and/or any other aspect of the operation. They would not have any such responsibilities until they were given an opportunity to buy stock in Universal's Family Palace. Should that happen, we definitely would be submitting the proposed paperwork to the City for approval.

0018

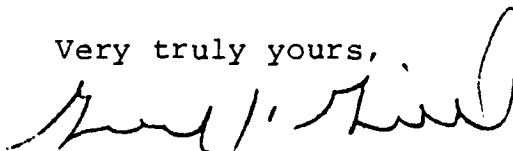
Marge Heather
August 2, 1983
Page 2.

I am sure you will recall that we have previously submitted applications for suitability for those three people and that they are presently under investigation from the investigative portion of your office. In light of the fact that they are employees of Universal's Family Palace, the City may want to continue with the investigation since they will be responsible for the publicity, promotion and the development of the entertainment phase of the business. However, in that regard, I would point out that they are supervised directly by myself and that I am the one that will be responsible for the operation of Miss Kitty's along with Mr. Cangialosi, who is the other 50% stockholder of Universal's Family Palace.

I am sure your file will reflect that we have earlier received a Live Entertainment use permit from the City for the variety acts and stage production that we have been conducting periodically since the lounge was opened as Margaritaville. The type of acts that Miss Kitty's will be operating in the showroom will not change substantially from those previously conducted with the exception that there will be some male dancers included in the acts who will be performing the stage type disco dancing. These dancers will be performing a burlesque-type dance much as you have seen on the recent major television networks. At all times we will remain in full compliance with City ordinances concerning live entertainment in establishments that serve alcoholic beverages. The dancers will be wearing a bathing suit type of trunks and the dances will be performed in such a manner as to make a first class attraction for the many tourists who visit the Las Vegas area. The shows will be suitable for the viewing by couples and we will not be appealing strictly to either an all male or an all female type of audience. I have reviewed the provisions of the applicable ordinances thoroughly with all the staff at Universal's Family Palace and we will make every effort to assure your office that there will be no violations of City ordinances. I can assure you that even though the City is interested in maintaining regulations of entertainment, their concern is not nearly as grave as mine since I have spent many years developing a good reputation in this community and we want to enhance the downtown area by providing the type of entertainment that is a credit to the City in every respect.

The entertainment shows will resume on Friday, August 5, 1983. The first show will consist of an Elvis Presley impersonator, a female impersonator, magic acts, singers, dancers, and perhaps a comedian. It would be my understanding that our earlier use permit covers this entertainment and we have included this further description of the acts simply to keep the City informed and to advise the City that I will be available to discuss any of the matters covered in this letter at any time should your department deem it necessary.

Very truly yours,



GERALD I. GILLOCK

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING MINUTES - SEPTEMBER 21, 1983
ITEM III-K - LIQUOR - APPROVAL OF KEY EMPLOYEES - UNIVERSAL FAMILY
PALACE, INC. dba MISS KITTY'S, 111 LAS VEGAS BOULEVARD SOUTH

PAGE 1

MAYOR BRIARE: Item K is an abeyance item that is shown as an approval -- pardon me -- a request for approval of key employees for the Universal Family Palace, Inc. doing business as Miss Kitty's. I have reviewed the material from the last meeting on this particular request and the only question I have at this time is from our own licensing department. Are we considering a request to approve key employees or are we considering a request to change the name?

MARGE HETHER: No, Your Honor. This is simply a request to approve three key employees of Miss Kitty's.

MAYOR BRIARE: Well, when do we get into the good part? (Laughter)

MARGE HETHER: I think you're probably referring to the Sinatra's Lounge. The business at this time is properly licensed under the name of Miss Kitty's. The name that they're using of Sinatra's is strictly the name of the lounge area within the establishment and as such, they're not required to file a name change.

MAYOR BRIARE: Now, is somebody kidding somebody. The name of the place is Sinatra's.

MARGE HETHER: Pardon me?

MAYOR BRIARE: The name of the place is Sinatra's, no matter what the book work says. Everybody in the United States of America is aware of that.

MARGE HETHER: Again, the paperwork that the attorney submitted to us assured us that the name will be continued to be under Miss Kitty's as far as their dba, reporting income tax, sales tax, everything else that's required of a business, and that the lounge area only is taking on this name of Sinatra's Lounge.

COUNCILMAN LEVY: What is left?

MARGE HETHER: There's another area. The lounge is located in the back portion of the premises where there is the bar and the entertainment. In the front portion there's a restaurant area and another bar. They also have a restricted slot license. They have 15 slot machines in a third area there. That's basically what they consider themselves as a mini-casino.

MAYOR BRIARE: Alright. The reason I bring this up for the members of the Council and anybody else that's interested, I, you know, don't want to kid anybody. As far as I'm concerned with the material that I have, these brothers are certainly

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING MINUTES - SEPTEMBER 21, 1983
ITEM III-K - LIQUOR - APPROVAL OF KEY EMPLOYEES - UNIVERSAL FAMILY
PALACE, INC. dba MISS KITTY'S, 111 LAS VEGAS BOULEVARD SOUTH

PAGE 2

MAYOR BRIARE:

eligible for approval as key employees. Now, whether an entertainer in this instance, and that's what I gather that these gentlemen are, entertainers -- now, if it's the policy of the City to approve entertainers as key employees, and I don't think it is, but if that is the policy of the City, then by all means let's bring all entertainers in to be either approved or disapproved, notwithstanding their name. Now, if we're talking about a change of a name, which I'm convinced we are, of an establishment, then let's talk about the change of a name of an establishment. And if they advertise it and if they put it on the side of a building, which I believe it is, is it not?

MARGE HETHER:

Yes.

MAYOR BRIARE:

It's on the side of the building, and if they advertise it as such, if they put it on the side of the building, it doesn't matter what your corporate papers say nor no matter what your license application says, in my opinion, that's the name of the business. And if there's going to be an argument about the name of the business, it's not for this Board to decide, but it's for the civil courts to decide. Mr. Stewart, do you mind my practicing without a license here?

CHIEF CIVIL DEPUTY CITY
ATTORNEY JAN STEWART:

No. Everybody else does. Go right ahead. (Laughter) There's a couple of things. Maybe I can clarify it a little bit. It is a close question. I think the Mayor's comments are appropriate in that Sinatra's appears quite big on the side of the building. A lot of casinos or hotels name their entertainment room. They have a special name. This is blank room. And that's certainly okay and you don't have to license that particular room, but they certainly don't put that out front on the marquee or the big sign out in front of the building, so perhaps that's an area that could be discussed with the licensee, but they have been called in, it's my understanding, as key employees for the reason that in the future they do have an interest of perhaps an option to purchase, and they would like to be approved as key employees so that -- which indicates that they're a little bit more than entertainers. If they're going to have an option to purchase at some future, they may want to be more involved than strictly entertainment. And so I believe that's one of the reasons why they've been submitted as key employees. Normally, we do not submit entertainers when that is all they are for key employee approval.

COUNCILMAN LEVY:

Well, let's ask Mr. Gillock exactly what they're going to be doing at this facility.

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ATTY. GERALD GILLOCK: Thank you, Councilman. I'm Gerald Gillock appearing on behalf of the applicants. First, they're not employed as entertainers. They're not doing the entertainment. One of them -- the key position we're applying for is a stage director, an entertainment coordinator -- pardon me -- talent coordinator, and entertainment director. And Mr. Stewart is right. Their intentions are to become at some point in time if their funds permit and so on and so forth, they do want to obtain an ownership interest in the corporation that's operating the business. As far as the name being on the side of the building, that apparently is a matter for the civil courts because as the Council is well aware, Mr. Sinatra has seen fit to file a lawsuit in the Federal Court. Secondly, we have an ice cream parlor in the place. The letters on the side of the building are about five times as big as the word "Sinatra's", so, I mean, all aspects of the building, every room, because the building's a long skinny building -- every room, we've placed on the outside of the building. That's -- we're not in for a name change at this time. We are applying for key employees for these three individuals.

COUNCILMAN LURIE: I have a question, Jerry. Why were these individuals doing the hiring and firing and everyday operation of management before they came in and applied for key employees?

ATTY. GERALD GILLOCK: Well, they have not been doing the hiring and firing. What they've been doing is interviewing and so forth and then at the end of the day, I meet with them, approve, disapprove. They're on the payroll as employees. It's my understanding as the key employees -- the reason we've submitted them as key employees is not because that they can hire or fire the talent that's on the stage, but so that at some point in time they might be able to obtain a percentage of the profits of the business if at some point in time there are any.

MAYOR BRIARE: Well, at that point in time then, to coin your phrase, why don't we consider it.

ATTY. GERALD GILLOCK: Well, Your Honor, Mr. --

MAYOR BRIARE: See, what I'm driving at is your clients are, you know, certainly getting a jillion dollars worth of publicity for this, and I don't like to be a part of the public relations team that's doing all this. I don't think that they're properly before us as key employees unless our ordinance that defines key employees is a little bit broader than I at this present time think it is.

ATTY. GERALD GILLOCK: Mr. Mayor, the reason we're here as key employees. As I outlined for the City in a letter, what their positions were going to be and how they would be working within the establishment, and at that time I said, "If you want us to

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- ATTY. GERALD GILLOCK: proceed as licensing as key employees so that the City can be assured as to their suitability to work in the business of Universal Family Palace, we will proceed." I then received a response back from Licensing that said, "We're not sure, but we do want to proceed with the investigation and please submit the necessary paperwork," which we did. That's why we're here, at the request of the City.
- COUNCILMAN LEVY: But didn't you say just a few minutes ago that there's a potential that you will be -- these people will be working on a percentage?
- ATTY. GERALD GILLOCK: No, I say in the future they may want -- in order for a person to be a key employee -- in order for a person to participate in the profits of any establishment, they have to be licensed as a key employee.
- COUNCILMAN LEVY: No, they should be license -- well, okay.
- ATTY. GERALD GILLOCK: If they become an owner of more than 5%, then they have to be licensed as an owner and they have to be listed and they have to purchase a liquor license if they own more than 5% of the operation under the ordinance, but if they want -- but if they're to participate even in 1%, we didn't want to take a chance of being in violation of anything. We're here at the request of the City so that the City can be assured that these people are suitable and that they're working as key employees.
- COUNCILMAN LEVY: Well, now, let's just talk about Mr. Dennis -- Dennis Dale Sinatra. In his application, he forgot to list a few things.
- ATTY. GERALD GILLOCK: No, Councilman, he forgot to list one thing and that was brought up at last week's meeting and Mr. Sinatra explained it at the direction of Councilman Christensen. First of all, he was involved in a high school prank when he was 19. He was charged. Then at a later date, he was told by the person that was supervising his probationary period, remembering he was 19 years old -- he was told that he had -- that this thing had been completely cleared and that he was cleared. He asked him specifically if he was required to report as a felon and he told him no he had been cleared. Then when he was filling out this application, he indicated to the Councilman that he did wrestle with the question, should he list it or not list it, and because he was told that his record had been cleared, he did not list the arrest, and I would indicate to the Council that this man has worked as a businessman managing large businesses for 13 years, is married and has two children, and has a totally 100% clean record since that time, and I --

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COUNCILMAN LEVY: What position did he have as a businessman?

ATTY. GERALD GILLOCK: He was the manager for Northbeach Leathers. In fact, opened the store at the new mall and has managed that right up until the present time. Prior to that, worked as a manager for two different locations of Northbeach Leathers in San Francisco for a ten-year period.

COUNCILMAN NOLEN: I have a question, Jerry.

ATTY. GERALD GILLOCK: Yes.

COUNCILMAN NOLEN: You said that they have not been involved in the daily operation of the business.

ATTY. GERALD GILLOCK: No, I didn't say that. I said that the final decision on the hiring and firing was done by myself. They have definitely been involved in the daily operation. They are there every single night. They're not participating in the profits.

COUNCILMAN NOLEN: Are they interviewing cocktail waitresses and other employees other than entertainment type people?

ATTY. GERALD GILLOCK: They have interviewed cocktail waitresses, not the bartenders. The entertainment type people, yes, they have, and -- but like I say, the final decision has rested with myself and I'm there on a daily basis.

COUNCILMAN NOLEN: Have they ever represented themselves to be directly related to Mr. Sinatra?

ATTY. GERALD GILLOCK: No, not to my knowledge, they've never. And it's interesting for the -- it's my understanding that their name is definitely Sinatra. It's not my understanding now, and what I'm beginning to find out is that Frank Sinatra's name is not Frank Sinatra. (Laughter)

MAYOR BRIARE: Well, again, I don't believe that we're here to become involved in a pretty good gimmick.

ATTY. GERALD GILLOCK: I agree with Council on that because I'm not so sure it's an advantage.

MAYOR BRIARE: No, and I wish that we had -- if you'd move to the side just a little bit so that I can talk to our License Department representative -- if we have a definition of what a key employee is, and while you're coming up here, if we do have a definition of what a key employee is, are these people considered key employees under that definition?

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COUNCILMAN LEVY: Hiring and firing.

MAYOR BRIARE: I beg your pardon.

COUNCILMAN LEVY: Hiring and firing.

MAYOR BRIARE: Well, there's an awful lot of people up and down Fremont Street, Councilman, that hire and fire but they're not licensed as key employees.

COUNCILMAN LEVY: In an approved business --

MAYOR BRIARE: You bet you.

COUNCILMAN LEVY: -- they should be.

MAYOR BRIARE: Well, I'm saying that like I have specific examples when I don't. I'm pretty sure that everyone who has the authority to hire and fire up and down Fremont Street is not listed in the records of City Hall as being quote, "key employees."

MARGE HETHER: The City Code does not have a definition of key employee. The City Code does have a definition of principal and under our privileged licensing area requires that all principals be investigated. There's a threefold definition of principals, the first being the owners, officers, directors, owners of the business; the second is any person who has any managerial or supervisory authority on the license premises and the third is quite vague. It basically says anybody who in the department's opinion has significant influence over the business.

MAYOR BRIARE: Okay. Maybe that is an obvious qualification then to come in and be licensed as a key employee.

MARGE HETHER: I think --

MAYOR BRIARE: But I think that name bears some influence.

MARGE HETHER: From what Mr. Gillock represented to us that the Sinatras would have the responsibility of doing all the advertising and promoting for the entertainment portion of that business and we did feel that they did fit under the significant influence.

COUNCILMAN LEVY: I'd like to ask one other question. What type operation are they perceiving to have there, Mr. Gillock, or are you going to be having at your facility?

ATTY. GERALD GILLOCK: Councilman, so far the entertainment has been -- they have an Elvis Presley impersonator; they had female impersonators; they've had comedy acts and singers, and we invite anyone to

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- ATTY. GERALD GILLOCK: come down. The entertainment is first class entertainment. It's not anything that's going to be degrading to the City or anything that's degrading to what we consider to be the central hub of Fremont Street, and it's going to be totally consistent with the entertainment that we've already received a special permit for and conducted there through the entire summer of 1982, and that's just a variety type stage act and we are in total compliance and we totally respect the City ordinances on entertainment, and we're totally apprised of them in every respect.
- COUNCILMAN LURIE: You don't have a male stripper?
- ATTY. GERALD GILLOCK: There was --
- COUNCILMAN LURIE: Is that one of the acts that you think is good for 5th and Fremont?
- ATTY. GERALD GILLOCK: Well, Councilman, there was a male dancer in the show initially. He did not strip beyond a bathing suit and the male stripper was removed from the show because in order to comply with the ordinance it was not -- we couldn't, in other words -- I guess you'd have to say the stripper could not strip like they do at Boogie's and which was exciting to the audience and still maintain compliance. So that was removed from the show.
- COUNCILMAN LURIE: My concern is the type of entertainment that these people are going to bring into the establishment downtown. You know, it's one thing about going back and looking at what Dennis Sinatra left off his application that happened in 1969 in which I thought he explained very well at the last meeting. I do have a problem with Paul Sinatra's arrest record. But my main concern is the type of entertainment and the type of image that that location is going to present to the people coming downtown to visit our city.
- ATTY. GERALD GILLOCK: That's the concern of these applicants as well as the concern of the principles of Universal Family Palace. I would indicate --
- COUNCILMAN LURIE: You see the important thing, you say "Universal Family Palace," well, if it's a family-orientated type of business, the type of business that you're going to bring down there as far as entertainment to me isn't family.
- ATTY. GERALD GILLOCK: No. The dba is Miss Kitty's Gambling Hall and Saloon. We don't even allow minors in the building other than in the central ice cream parlor portion of the building. But, Your Honor, what I have been able to find is the entertainment far exceeds the obscenity standards set by the ordinance and it also exceeds in quality that that

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ATTY. GERALD GILLOCK: is presently playing at two of the major hotels and also the one show that just left one other major hotel down the street six blocks, and the quality of entertainment far exceeds that in terms of its desirability and suitability, and I think that we are --

COUNCILMAN LURIE: I guarantee you that if it exceeds what the standards are, we'll be seeing you back here again very shortly.

ATTY. GERALD GILLOCK: I understand that. I understand that fully. That's why we are remaining in compliance with the City ordinances.

COUNCILMAN CHRISTENSEN: Your Honor?

MAYOR BRIARE: Councilman.

COUNCILMAN CHRISTENSEN: I agree with you. I think that we shouldn't put any more spotlight on this situation than we already have, and I think that perhaps if we're considering these licenses, this investigation and so forth at the request of the City Licensing Department, we just as well put it to rest. I am a little unhappy that I've been told by a tv station how to vote before I've got a chance to vote, and I realize that that's also given them some spotlight and I object to being put in that position because it places my vote in a little bit of jeopardy. If I vote against what the tv station thinks, then I'm a bad guy, and if I vote in favor of what the tv station thinks, I'm led by the tv station.

COUNCILMAN LEVY: Especially when they haven't read any reports.

COUNCILMAN CHRISTENSEN: Especially when they haven't had the benefit of the reports, the police reports and so forth. So I'm in a dilemma here. I had read the reports and I had an idea of what I was going to do and unfortunately, it's the same as the tv station, but anyone that knows me, knows that I don't buckle under the tv station. I really object to being put in that position. So I would move --

COUNCILMAN LURIE: Well, first of all, I'm sorry. I didn't hear what they said. Maybe you might refresh me on what happened so we have the same information you do concerning what was said on tv. I didn't see it.

MAYOR BRIARE: Paul and I watch all three channels at the same time.

COUNCILMAN LURIE: I don't watch it anymore. (Laughter)

MAYOR BRIARE: I've requested Councilman Christensen to withhold the motion and surrender the floor just a moment for me to comment as to what motion I would like to vote on, not knowing what Councilman Christensen's motion is yet. It was apparent

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MAYOR BRIARE:

and I think our Licensing Department did properly to consider the possibility that these people were key employees and so they responded correctly to your letter. But now, coming before this Council which has some discretion perhaps I am not convinced that indeed these people are key employees and, therefore, it could be the direction of this Council that we take no action on this on the basis the Sinatra Brothers are not key employees, and then the matter is determined. We haven't made any statement as to what you call your place. We're not entering ourselves into a civil matter between you and other litigants or anything of that nature. I'm not -- I'm only suggesting that, Councilman Christensen, just to -- just so that we're not -- I would vote against a motion to approve these people as key employees because I don't think they qualify as key employees.

COUNCILMAN LEVY:

There's only one problem with that, Mayor. There's implied that these people will be taking greater responsibility in the operation in the future, and I'd just as soon -- I think we should lay this to rest regarding the key employee situation because I know Mr. Gillock has other things to do and this is basically his corporation.

MAYOR BRIARE:

Right.

COUNCILMAN LEVY:

Because he's not going to be around and I think that we should make a decision on this and yea or nae it so that they can continue the operation as the indication is they're going to be in heavier positions.

MAYOR BRIARE:

Councilman Christensen, I hope you'll oblige to give up the floor.

COUNCILMAN NOLEN:

I have one question.

COUNCILMAN CHRISTENSEN:

I'll put a motion on the floor. I disagree with you, Mayor. I think that it's been shown that they're key employees, but the problem I have is I think that the arrest situation has been explained and it's been a long time and I think that those things have some bearing on it, and I would move that we license them.

MAYOR BRIARE:

Councilman Nolen.

COUNCILMAN NOLEN:

I still have a question as to whether they've been operating and running and doing the day-to-day management of this business in violation of the ordinance, not being licensed properly at that time. In light of what you've said, I would suggest that rather than approve, we ask the Business License Activity or Metro Police, whatever would be the appropriate entity, to investigate and find out if in fact

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- COUNCILMAN NOLEN: they haven't been responsible for the day-to-day operation, if in fact they have hired and fired employees, and see just what they have been doing up to this point and --
- COUNCILMAN LURIE: Made any investments or signed any checks.
- COUNCILMAN CHRISTENSEN: The problem I have with that theory is, what's gained?
- COUNCILMAN NOLEN: What's gained?
- COUNCILMAN CHRISTENSEN: Yes, what's gained?
- COUNCILMAN NOLEN: If there was any question it was in violation of the ordinance and what their intent is.
- COUNCILMAN CHRISTENSEN: But if there was a question of whether they should be licensed or not, we asked them to come in for licensing. Why have our Licensing Department go to a lot of extra work because that would be water under the bridge. If they're licensed, they're licensed. Then it's all done.
- COUNCILMAN NOLEN: From the point they were called for licensing to right now and including this day, they have no right to be involved in the operation of that business under the ordinance as I interpret it.
- COUNCILMAN CHRISTENSEN: Then are you going to use Licensing as punitive measure -- a punitive measure for a violation of the law or something?
- COUNCILMAN NOLEN: If you operate without a license, of course. You believe that a person can operate without a business license --
- COUNCILMAN CHRISTENSEN: No, I don't.
- COUNCILMAN NOLEN: -- and they're not in violation of the ordinance?
- COUNCILMAN CHRISTENSEN: But I have no indication that that's taken place. I think that the minute that the Licensing Department asked them to come in for licensing, they submitted to the investigation in a forthright manner and so I, you know -- whether I like the arrest record, whether I like the place, whether I like the entertainment -- all those things are really immaterial at this point.
- COUNCILMAN NOLEN: The arrest record has nothing to do with my comments.
- COUNCILMAN CHRISTENSEN: We're doing exactly what the Mayor was talking about. We're giving them all this free publicity, and I think we should just shut it down. I mean, let them pay for their own advertising. It's that simple.

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COUNCILMAN NOLEN: Well, I feel that they should definitely be investigated to find out if they have been operating this business. If they can withstand that investigation, I have no -- the arrest record, as far as the young man from back in 1969, I think he probably used bad judgement not putting it on, but I don't see any reason to hold that against him for that.

COUNCILMAN CHRISTENSEN: I think the proper way to --

COUNCILMAN NOLEN: I'm concerned with the arrest record of Paul even though there's no -- I think there's one conviction on there. You know, it does show a little bit of --

COUNCILMAN CHRISTENSEN: Well, the proper method of handling that, and I'm going to practice a little law without a license too, Jan, so you can correct me if I'm wrong, but the proper method of handling that is if the licensee of that establishment has allowed this to go on in violation of the ordinance, then what you do -- it's not a licensing matter of these people. It's a matter of calling the licensee in for a show cause hearing of why the license shouldn't be revoked for allowing this to go on, and that still doesn't effect these people. That's the proper method. You don't deny these people a license because the licensee allowed them to do something. It's the licensee that's on the hook if you do that. These people aren't the licensees.

COUNCILMAN LURIE: That's you, Jerry.

ATTY. GERALD GILLOCK: That's correct.

COUNCILMAN CHRISTENSEN: Am I correct in that assumption, Jan?

CHIEF DEPUTY CIVIL CITY
ATTORNEY JAN STEWART:

No, to some extent you are, but it is a ground to -- if a person is up in front of you for suitability and in his past you discover he's been acting in capacities that clearly require a finding of suitability, that can be a ground for denial or discipline or whatever. What you have here though is a situation where it's not clear --

COUNCILMAN CHRISTENSEN: That's right.

CHIEF DEPUTY CIVIL CITY
ATTORNEY JAN STEWART:

-- that they were obligated to come forth on the question of suitability. They are not officers. They are not directors. They are not owners. It's a question of having significant influence and it's a very judgmental call. In this case it is not clear in the past that they were required to come forth for suitability.

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COUNCILMAN LEVY: But Mr. Gillock jumped on the band wagon as soon as he was told to do it. He did it. I'm with you.

ATTY. GERALD GILLOCK: That's correct. The paperwork was submitted to the City immediately. I'm not talking about the next day even.

COUNCILMAN LEVY: I mean, I'd like to pick a fight with them, but, you know, he's done properly --

COUNCILMAN LURIE: Jerry, have they made any capital investment in the operation?

ATTY. GERALD GILLOCK: No, not at this point in time. We're discussing --

COUNCILMAN LURIE: Have they signed any agreements with you or did they sign any payroll checks?

ATTY. GERALD GILLOCK: We're awaiting the -- no, they did not. They're awaiting the determination of this Commission before we --

MAYOR BRIARE: But you're putting the cart before the horse when you come first to the Board --

ATTY. GERALD GILLOCK: No, I mean --

MAYOR BRIARE: -- to determine whether they can be key employees. Why don't you hire them as key employees and sell them a piece of the business or do whatever you have to do.

ATTY. GERALD GILLOCK: That's what we're trying to do.

MAYOR BRIARE: Because you know what I'm saying in this thing, and I've already indicated and I'm still going to vote against the motion to approved this, but I'm going to vote against it on the basis that I've already stated. These people, it's not necessary to bring them in. If their name was the O'Hulahan Brothers, it wouldn't make a bit of difference, right?

ATTY. GERALD GILLOCK: There would still -- I would still want them licensed as key employees so I can sell them part of the business, yes.

MAYOR BRIARE: No, wait a minute. Well, I'm not going to ask you to look me in the eye and tell me that.

ATTY. GERALD GILLOCK: I would point out to the Commission that we did not initiate that lawsuit nor the press that Mr. Sinatra brought down upon us.

MAYOR BRIARE: But what we're doing -- is there a representative of the other Mr. Sinatra?

ATTY. GERALD GILLOCK: He was at the last meeting.

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COUNCILMAN LURIE: He was here at the last meeting.

MAYOR BRIARE: I know that. I know that.

ATTY. GERALD GILLOCK: You see, what I'm doing, Your Honor, is we're attempting to license them as key employees because if they're not suitable to become key employees, then obviously, they're going to run into the same hurdle when it's time to sell them part of the business.

MAYOR BRIARE: I'm very confident of that, Mr. Gillock. I'm also saying that if the representative of Mr. Frank Sinatra were here, he would probably say that the City is now designating these people are key employees which is going to have some adverse effect on our civil action, or something like that, and I just hate for this Council to get involved in somebody else's litigation. I have no further comments. Any other comments by the Councilmen?

COUNCILMAN LEVY: Is there a motion?

MAYOR BRIARE: Councilman Christensen has a motion before us to approve the request that these be licensed as key employees -- these three gentlemen be licensed as key employees. That's the motion, correct, Councilman?

COUNCILMAN CHRISTENSEN: That's correct.

COUNCILMAN LURIE: I'd like to put an amendment on the motion that we review this application if this is to pass in six months.

MAYOR BRIARE: Do you want to vote on that condition? Do you want to accept that as a condition, or do you --

COUNCILMAN CHRISTENSEN: No. Vote on the amendment.

MAYOR BRIARE: The motion is on the amendment that this come back for review -- six months, Councilman?

COUNCILMAN LURIE: Yes.

MAYOR BRIARE: In six months. The amendment then that we're going to vote on now is that the application be amended to include the wording that it be brought back in six months for review. Questions? (No response.) Cast your votes. Post. The motion fails. (VOTE: Lurie, "Yes;" Nolen, Briare, Levy and Christensen, "No.") We are now to Councilman Christensen's motion. Are there any proposed amendments? (No response.) Okay, then, vote on Councilman Christensen's motion to approve the request. Post. Motion fails. (VOTE: Levy and Christensen vote "yes;" Nolen, Lurie and Briare vote "no.")

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MAYOR BRIARE: Your application is denied.

ATTY. GERALD GILLOCK: Alright. Now, is it denied because the Commission doesn't consider them to be key employees?

MAYOR BRIARE: You're going to have to figure that out for yourself when you read the transcript of the meeting. (Laughter)

COUNCILMAN LEVY: And when you figure it out, Jerry, let me know.

MAYOR BRIARE: In other words, I don't think there's any law -- maybe for your personal request, if you wanted to ask or poll any of the Councilmen at a later time. They might be willing to tell you the reason for their particular vote. I think I made it quite clear what my reason was.

ATTY. GERALD GILLOCK: Right. I understand.

MAYOR BRIARE: But I did that for my own --

COUNCILMAN CHRISTENSEN: Would you make it clear for me now just what the position of the Licensing Department is. What we've done is we've pulled the rug out from under the Licensing Department. They asked them to come in for licensing under the key employee status and what we did was we just shot them down and said they don't have to do that anymore, and I think you've established a very, very dangerous precedent, and I think we should clarify it for the Licensing Department so they know what they're supposed to do from now on.

COUNCILMAN NOLEN: Well, I think if they're not licensed as key employees, they don't have the right to engage in the day-to-day operation of the business and make day-to-day management decisions of the business and the hiring and firing of the business.

ATTY. GERALD GILLOCK: Such as the pit bosses and the bar managers.

COUNCILMAN CHRISTENSEN: But that wasn't the genesis of the Mayor's vote according to what he said, and I think we need to clarify it for the Licensing Department on just what exactly is a key employee forum so that they know, because they, following our orders as best they could -- our policy as best they could, asked these people to come in for licensing, and we've thrown them out and we're not sure based on suitability or whether we don't feel our Licensing Department should have called them in, and I think we need to clarify that for our Licensing Department. I would hate to run a department based on that, not knowing whether I call a key employee in for licensing or don't, and in which case, do we if his name's Sinatra, or do we if his name's not Sinatra, and what? That's the question that I think I'm probably putting -- saying too much, but --

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MAYOR BRIARE: No, that's a legitimate question, Councilman. You made a motion that didn't particularly refer to any of that material.

COUNCILMAN CHRISTENSEN: That's right.

MAYOR BRIARE: Your motion was to approve the request and that motion was denied on a three to two vote. Now --

ATTY. GERALD GILLOCK: At this point I'm not sure that the Commission has --

MAYOR BRIARE: -- another item that might come up --

COUNCILMAN LEVY: You didn't know the Commission fired them.

ATTY. GERALD GILLOCK: That's correct. And if it's a question that they're denied because they're not suitable, then the remedies are -- well, there's a certain remedy available. If they're denied because they're not key employees because they're functioning in the capacity of every bar manager, pit boss and employee up and down the street, as the Mayor's indicated, then there's no need for there to be any action or there's no need to take any further remedy.

MAYOR BRIARE: Well, sometimes the -- and I hope I'm saying this correctly. Sometimes the Gaming Control Board might -- the State of Nevada Gaming Control Board might call someone in to determine if that person should be licensed under the gaming statutes, right?

ATTY. GERALD GILLOCK: Right.

MAYOR BRIARE: And then sometimes it's determined that no, they should not have been called in because indeed they are not involved in the manner which the Gaming Control Board feels. I'm kind of taking the position that's the same thing here, that they were called in to determine if licensing was proper and I'm convinced in my mind at this moment that it was not necessary to call them in. But just because they were called in -- you know, it could happen to anybody.

COUNCILMAN LEVY: Well, let me ask you, Mayor. Does he fire these gentlemen now?

MAYOR BRIARE: If they begin acting as key employees, he should fire them.

COUNCILMAN LEVY: Well, I think they're acting as key employees right now.

MAYOR BRIARE: Well, see, that's where we differ.

COUNCILMAN LEVY: That's right, but --

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- MAYOR BRIARE: So we have a right to vote in accordance with the way we --
- COUNCILMAN LEVY: Oh, I know, but my problem is does he have to fire these guys? I'm saying he has to fire them. That's my opinion because they got turned down and they're key employees as far as I'm concerned.
- COUNCILMAN CHRISTENSEN: Your Honor, I'd offer another motion as long as we're still on the same subject.
- ATTY. GERALD GILLOCK: I'm at a loss.
- COUNCILMAN CHRISTENSEN: I would move since the other motion failed that we find these people suitable licensees.
- COUNCILMAN LEVY: If they were key employees.
- COUNCILMAN CHRISTENSEN: No. I didn't say that. I said suitable licensees.
- MAYOR BRIARE: Suitable licensees? There's a big difference between a licensee and a key employee.
- CHIEF CIVIL DEPUTY CITY
ATTORNEY JAN STEWART: Well, may I comment in here. I think what Councilman Christensen is trying to resolve is whether or not the denial was based on suitability or whether or not actually there hasn't been a denial. What there has been is a motion to approve has been denied. Now, normally, we say well, that's a denial. What would be appropriate perhaps at this time is a motion to deny based either on the fact that they are not suitable or on the fact that in the Board's opinion they don't require to be -- the work that they're doing -- or at least at this point the Board does not feel they need to come forth for suitability. I mean, one of those two things --
- COUNCILMAN CHRISTENSEN: That's exactly where I was trying to go, Jan.
- COUNCILMAN LURIE: But why do they have to come before the Board for suitability when you make all the decisions, Jerry?
- ATTY. GERALD GILLOCK: Well, I'm here at the City's request.
- COUNCILMAN LURIE: Then why don't you bring in a sale agreement or partnership agreement and then they can be licensed as an owner?
- COUNCILMAN LEVY: They're not licensed owners.
- ATTY. GERALD GILLOCK: Number one, we haven't agreed as to whether --
- COUNCILMAN LURIE: You know, my biggest question -- I'd have voted for the motion this morning if I could have had a review in six months

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COUNCILMAN LURIE: because I have a concern of what is going to take place down there as far as entertainment and that bothers me because of what went on there before they came in for suitability. That's what drew the attention to bring these people in for suitability because of the type of entertainment that was taking place.

ATTY. GERALD GILLOCK: Could I ask the Commission to reconsider the earlier motion with the voluntary provision on our part that we will submit back here in six months? Because I --

COUNCILMAN LURIE: Well, the Board voted it out. They didn't want to review it in six months.

ATTY. GERALD GILLOCK: Because if it's a question of suitability, then I definitely think that we're in compliance.

COUNCILMAN LEVY: Mr. Gillock, are you planning to give these people more authority --

ATTY. GERALD GILLOCK: I wanted to give them more authority pending this --

COUNCILMAN LEVY: -- if this should pass this Board?

ATTY. GERALD GILLOCK: Yes, I definitely want to give them more authority.

COUNCILMAN LEVY: You're planning to give them the ability to hire and fire within their --

ATTY. GERALD GILLOCK: That's correct.

COUNCILMAN LEVY: And that means that they need to be key employees.

ATTY. GERALD GILLOCK: That's correct, and that's the way I explained it to the City in the letter.

COUNCILMAN LEVY: That's exactly the way you explained it to me and that's what I heard, and that's why I felt our department did absolutely correct.

COUNCILMAN CHRISTENSEN: That's why my motion was the way it was. That's the way I understood it too.

MAYOR BRIARE: Last call. Does anyone wish to place any motions on the --

COUNCILMAN CHRISTENSEN: I did.

COUNCILMAN LEVY: We were in the minority, so --

COUNCILMAN CHRISTENSEN: I have a motion to find them suitable.

COUNCILMAN NOLEN: Your Honor, I would suggest leave things as they are and have the City Attorney's Office draft a specific ordinance

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- COUNCILMAN NOLEN: outlining what a key employee is so this gentleman and everybody else out there knows what a key employee is. We have no specific definition of key employee in accordance with what the License Activity people have just told us. It's vague. There are some areas where they can draw someone in for licensing suitability, but there are some vague areas. So why not clearly define that so that everyone knows.
- COUNCILMAN CHRISTENSEN: But after having her read the ordinance, I don't find it that vague.
- MAYOR BRIARE: Well, supposing we do this --
- COUNCILMAN LURIE: I have a question, Mayor, if I could, to the City Attorney. I don't mind making a motion to reconsider since I was on the winning side or prevailing side of the motion if I could reconsider it based on what I previously said to bring the application back in six months for review. Can that be done?
- MAYOR BRIARE: Well, let's don't get into any redundant matters.
- COUNCILMAN LURIE: I'm not a lawyer. I'm asking the City Attorney for a legal opinion.
- CHIEF CIVIL DEPUTY CITY
ATTORNEY JAN STEWART: You are in a position to make a motion to reconsider. One of the reasons why you want to bring up the six-month review again, that issue could be decided yes or no again by the entire Board, and there's no guarantee if you reconsider it, that the Board will be forced then to go along with the six months. That's a decision they can make again all over.
- COUNCILMAN LURIE: I don't particularly want my vote to show that I voted against the applicants because they're not suitable. I think that they've answered the questions and they're suitable. I told you what my problem is and that's why I don't feel it should reflect on the individuals themselves. So at this time I would move that the Board reconsider our previous vote and that the application be approved subject to review in six months.
- COUNCILMAN CHRISTENSEN: If you don't have a question on the suitability, what's the review in six months?
- COUNCILMAN LURIE: My concern is what brought this application before us in the first place and that's the type of entertainment that's going to be put on.

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COUNCILMAN CHRISTENSEN: If they violate the law, you can call them in for the show cause hearing.

COUNCILMAN LEVY: I think, if I'm not mistaken, Councilmen, that they're within a thousand feet of another adult type of facility. There's a movie theater across from the El Cortez, I think, down in that area there.

ATTY. GERALD GILLOCK: Right. That's why we're not engaging in that activity.

COUNCILMAN LEVY: Is that why?

ATTY. GERALD GILLOCK: That's the main --

COUNCILMAN LEVY: I knew there had to be a reason.

ATTY. GERALD GILLOCK: Well, but that's not the main reason, I mean, but we haven't considered engaging in it because there is an obscene theater --

COUNCILMAN LEVY: I think we would be able to have them in front of us real quick on that basis, and that's why --

COUNCILMAN LURIE: Okay, I'll just make a motion, Mayor, to reconsider the previous vote.

MAYOR BRIARE: Cast your votes.

COUNCILMAN CHRISTENSEN: In order to make this motion legal, I'll withdraw the one I had on the floor.

MAYOR BRIARE: Oh, I beg your pardon, Councilman Christensen. But you see, your motion was redundant and it wouldn't have been in order anyway.

COUNCILMAN CHRISTENSEN: On the contrary. It wasn't redundant.

MAYOR BRIARE: You moved to have it approved and that motion failed. Then you moved it again just now to have it approved.

COUNCILMAN CHRISTENSEN: I moved to find them suitable and that was the difference because you weren't voting on the suitability the first time you said.

MAYOR BRIARE: We were only voting on their request --

COUNCILMAN CHRISTENSEN: Yes.

MAYOR BRIARE: -- to be key employees. Okay. Well, thank you for withdrawing your motion. Then the motion now. Shall we reconsider it. Cast your votes. Post. The motion's approved. (VOTE: Lurie, Levy and Christensen vote "yes;" Briare and Nolen vote "no.")

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MAYOR BRIARE: We are not right back where we began. Now, Councilman, perhaps your motion is in order unless you want to make one for six months

COUNCILMAN LEVY: Now, it's up to you, Ron.

MAYOR BRIARE: We've washed the slate clean.

ATTY. GERALD GILLOCK: Yes, that's where we are.

COUNCILMAN LURIE: My motion is going to be as it was previously that we approve the application subject to review in six months.

MAYOR BRIARE: Are there questions on that motion? Comments? (No response.) Cast your votes. Post.

COUNCILMAN CHRISTENSEN: I'm going to vote in favor of this motion --

MAYOR BRIARE: Hold the vote.

COUNCILMAN CHRISTENSEN: -- but the problem is that I see no purpose in the six months. All that is is redundant paperwork for us and for the Licensing Department and everything else because if you're going to review the license application in six months, the license application is going to be exactly the same. If you want to review the type of business they're doing in six months, then what you do is you call for a show cause hearing if they're violating the law. What's to review?

COUNCILMAN LURIE: We just approved an application a couple of items back and we took the review off that we reviewed for about two years on an application downtown for a pawn shop license.

COUNCILMAN CHRISTENSEN: Yes, and it was my motion that took it off too.

COUNCILMAN LURIE: That's right. So this is no different than we've done in the past.

MAYOR BRIARE: Further comments? Are you ready for the vote? Cast your votes. Post. The motion fails. (VOTE: Lurie and Christensen vote "yes;" Nolen, Briare and Levy vote "no.") So now we are through for this morning on this application. We had a main motion to approve and it be brought back for reconsideration in six months and that motion has failed. Any discussion further?

COUNCILMAN CHRISTENSEN: Yes. I have a motion to put on the floor that they be found suitable.

COUNCILMAN LEVY: To be key employees.

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COUNCILMAN CHRISTENSEN: I said suitable.

COUNCILMAN LURIE: We're going to get the right motion yet.

COUNCILMAN CHRISTENSEN: Well, that gives him the opportunity to go the direction he has to go. Without that motion, he doesn't know what direction he's supposed to go. We put these people in a very untenable position and you put our Licensing Department in an untenable position.

ATTY. GERALD GILLOCK: I think that the problems that we're having here this morning are indicative of the reason that I wrote the letter to the City in the first place. Number One, are these key employee positions and if so, shall I proceed with licensing. It is a problem area and I think that's why I asked in the first place. I think that anybody that hired a talent coordinator, etcetera, etcetera, would not even have submitted. They would have waited for the City to file a show cause in the first place against them, but that is a grey area, but I do think that if I could get a showing by the Commission that they are suitable, then while the City is either grappling with the ordinance or while they're grappling with whether or not they're key employees, then the operation on the corner of 5th and Fremont is not crippled, and there's been -- I've invested a substantial amount of money -- literally hundreds of thousands of dollars on that corner for the benefit of the City as well as for the benefit of that corporation.

COUNCILMAN LURIE: You understand that if the Board does find them suitable, Jerry --

MAYOR BRIARE: Excuse me. Do you have that letter that you made the request? It wasn't in the transcript, so I don't know what the letter said. Do you have Mr. Gillock's original letter (asking Marge Hether, Business Activity)?

COUNCILMAN LURIE: I just have the same question I had before. If the Board approves them as being suitable, if there's any violations of any other ordinances, you're the one that's going to be called before the Board at a show cause hearing.

COUNCILMAN CHRISTENSEN: Your Honor, I'd request a five-minute recess.

MAYOR BRIARE: You got it. Are you going to get that letter for us (asking Marge Hether, Business Activity)?

(RECESS - OFF THE RECORD)

MAYOR BRIARE: The Council is back in order now. We have before us a motion to find the applicants suitable for licensing as

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MAYOR BRIARE: key employees. Is that correct, Councilman?

COUNCILMAN CHRISTENSEN: My motion was to find them suitable. Suitable as key employees didn't fly. It didn't fly because of some of whether they even needed to be licensed as key employees. So I don't care if you license them as key employees or not, as long as you find them suitable, so if they don't have to be key employees, they're okay, and if they do have to be key employees, they're okay. Just find them suitable. That's all my motion states.

MAYOR BRIARE: Suitable for what?

COUNCILMAN CHRISTENSEN: That brings us to the crux of the problem, doesn't it?

MAYOR BRIARE: Well, does any other Councilman want to make any comment? I would abstain on a motion like that because I can't even understand suitable for what. Are we going to license them -- co-license -- are you the sole licensee, Mr. Gillock?

ATTY. GERALD GILLOCK: No, I have -- there's another fifty percent person on the license.

MAYOR BRIARE: Well, you might have some more partners here, or at least as far as your license's concerned, and you don't know about it.

ATTY. GERALD GILLOCK: Well, see, that's what I'm looking forward in the future to do, but I wanted to get this problem out of the way first.

MAYOR BRIARE: You don't say anything -- I don't believe -- this is a two-page letter, Mr. Gillock. I don't know what you're saying in here about it, but there is a portion here where you indicate these gentlemen -- I'm just paraphrasing your letter -- that one is a stage talent coordinator, one is a stage director and the other is the entertainment director. "They are presently employees of Miss Kitty's and have no responsibility for the overall supervision of the bar personnel and/or any other aspect of the operation. They would not have these responsibilities until they were given an opportunity to buy stock in Universal Family Palace," and that gets right down to where you're intending to sell them some stock in Universal Family Palace?

ATTY. GERALD GILLOCK: That's right.

MAYOR BRIARE: You are going to do that?

ATTY. GERALD GILLOCK: If we can work out the details. If not, then they'd remain on as key employees.

MAYOR BRIARE: So right now, if they were to -- are these the Sinatra Brothers here?

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ATTY. GERALD GILLOCK: Yes. They're three.

MAYOR BRIARE: If they were to say to you, "I want to buy some stock at such and such a price," you're going to say, "Okay?"

ATTY. GERALD GILLOCK: Subject to the City then approving them as owners on the license.

MAYOR BRIARE: So --

COUNCILMAN LEVY: Are they going to be working full time?

ATTY. GERALD GILLOCK: Yes. In fact, they're working full time in the business, I think, and only two of them are actually working serving beverages now, supervising no one. The operation only has one other cocktail waitress on duty in addition to them working there anyway. So there's not -- it's a small operation. I was talking to the Councilman. It's a very small operation. We are doing a minimal amount of business. It's a small business that's trying to get off the ground.

COUNCILMAN LEVY: I can imagine.

MAYOR BRIARE: Well, the basis I'm going to presume although Councilman Christensen won't say why -- I'm going to presume the motion is to find them suitable as key employees because that's the only thing that we have on our agenda. We don't have suitability for anything else, so I'm presuming, Councilman, even though you won't say it, that the motion is to approve these as suitable employees. I still maintain that they're not necessarily -- have to come before us for that determination to be made, so I'm going to vote like I did before against the motion.

COUNCILMAN LEVY: But they are here.

MAYOR BRIARE: But I don't know that they should be. Further comments? (No response.) Cast your votes. Post. The motion's approved at last. (VOTE: Nolen, Lurie, Levy and Christensen vote "yes;" Briare votes "no.") Your suitable for whatever you wish to be suitable for.

(END OF DISCUSSION ON THIS ITEM.)

ch

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

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City of Las Vegas

September 21, 1983

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

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

- 1103
- A. DISCUSSION AND POSSIBLE ACTION ON THE STATUS OF THE APPLICATION PROCESS, THE SELECTION PROCEDURES AND JOB DESCRIPTION FOR A NEW CITY MANAGER.
- 1107
- B. DISCUSSION AND POSSIBLE ACTION ON THE NOMINATION OF THREE NAMES BY EACH COUNCIL MEMBER FOR POSSIBLE APPOINTMENT TO A CITIZENS COMMITTEE WHO WILL REVIEW APPLICATIONS AND RECOMMEND FIVE FINALISTS TO BE INTERVIEWED BY THE COUNCIL FOR THE POSITION OF CITY MANAGER.
- 1107
1109
- C. DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT OF AN ACTING CITY MANAGER UNTIL FINAL SELECTION BY THE COUNCIL OF A CITY MANAGER.
- 1109
- D. DISCUSSION AND POSSIBLE ACTION ON SUGGESTIONS BY THE CITY COUNCIL AND CITY MANAGER TO DISCUSS PRESENT AND POTENTIAL INTERLOCAL AGREEMENTS WITH GOVERNMENTAL AND PRIVATE ORGANIZATIONS WHICH MAY ENHANCE THE SHARING OF SERVICES AND EQUIPMENT.

Lurie -
Motion to follow
recommendations of
City Manager was
APPROVED unanimously

Staff to proceed

Christensen -
APPROVED motion to
concur in the
appointment of 15
members to Committee
as listed at bottom
of page.
Unanimous

Staff to proceed
Notification of
Committee assigned
to Don Saylor and
City Clerk.

Lurie -
APPROVED motion to
follow recommenda-
tion of City Manager
and appoint Don J.
Saylor as Acting
City Manager.
Unanimous

Staff to proceed

Christensen -
APPROVED motion to
follow recommenda-
tions of City
Manager.
Unanimous

Staff to proceed

ITEM B - CITIZENS COMMITTEE

Dr. James B. McMillan, Henry (Hank)
Chism, Rulon Earl, William Wayne
Bunker, Gill Blonsley, Robert Rivas,
Robert Bugbee, William Pearson,
John Moran, Jr., Bob Bailey, Glenn
Hales, Loyd Katz, Oran Gragson,
Larue Worthen, Madeleine Andress

City of Las Vegas

0043

AGENDA DOCUMENTATION

Date: September 19, 1983TO:
The City CouncilFROM: *Russ Dorn*
RUSSELL W. DORN
CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE STATUS OF THE APPLICATION PROCESS, THE
SELECTION PROCEDURES AND JOB DESCRIPTION FOR A NEW CITY MANAGER.PURPOSE/BACKGROUND

The attachments in your back-up material are status reports on the recommended City Manager selection process.

- Exhibit A outlines the number of classified advertisements that have been placed in national, regional and local publications.
- Exhibit B outlines the recommended selection process, the time frame proposed for the process and the responsibility of each participant in the process.
- Exhibit C is a copy of the duties and responsibilities associated with the City Manager position.

FISCAL IMPACT

N/A

RECOMMENDATIONS

It is the City Manager's recommendation that the proposed City Manager selection procedure be adopted and that the job description of the City Manager position be approved.

Agenda Item

IV(a) A.

CITY MANAGER POSITION

Advertisement

National publications:	Advertisement Runs	10
Regional publications:	Advertisement Runs	3
Local publications:	Advertisement Runs	<u>15</u>
Total advertisements printed in national, regional and local publications		<u>28</u>

Publications

National: Wall Street Journal

National League of Cities Weekly

International City Management Association Newsletter

Regional: Los Angeles Times

Western Cities Magazine (California League of Cities publication)

Local: Review Journal

Las Vegas Sun

Valley Times

RECOMMENDED CITY MANAGER SELECTION PROCESS

0045

PROCESSDATES AND TIMEFRAME*

- | | |
|---|--|
| 1. Place advertisements for City Manager position
(National, Regional and Local Coverage) | September 13, 1983 |
| 2. Filing period for City Manager position | September 18 - October 24, 1983 |
| 3. Five (5) member Staff Committee appointed | September 19, 1983 |
| 4. Department Director Committee formed (15 members) | September 20, 1983 |
| 5. Fifteen (15) member Citizen Select Committee
ratified by the Las Vegas City Council | September 21, 1983 |
| | |
| 6. <u>Staff Committee:</u>
Develop criterion standards
Process applications
Recommend top 25 applicants | September 19 - 28, 1983
September 19 - October 28, 1983
November 4, 1983 |
| | |
| 7. <u>Department Director Committee:</u>
Evaluate top 25 candidates
Recommend 15 candidates | November 4 - November 7, 1983
November 10, 1983 |
| | |
| 8. <u>Citizen Select Committee:</u>
Receive Department Director Committee's
evaluation on 15 candidates
Evaluate 15 top applicants' resumes
Recommend 5 finalists to be interviewed by
Mayor and City Councilmen | November 15, 1983
November 15 - December 3, 1983
December 7, 1983 |
| | |
| 9. <u>Las Vegas City Council:</u>
Personal interviews with the 5 final
candidates
City Council selects the new City Manager | December 16, 17 & 18, 1983
December 21/January 4 or
Special Meeting |

*Dates may change due to scheduling

JOB DESCRIPTION FOR THE POSITION OF
CITY MANAGER

0046

GENERAL DEFINITION

The City Manager, under the direction of the 5-member Mayor and Council, serves as the chief administrative officer of the City, exercising administrative direction over all municipal departments/agencies, personnel, services and functions in accordance with the City Charter and the City Council's policies.

SCOPE OF RESPONSIBILITIES

. Administrative Operations

Directs the administration of all City departments and agencies; formulates and recommends to the City Council policies for the management and operation of City services; establishes and implements managerial and administrative guidelines for the performance of City departments/agencies, services and functions and performs related management and administrative functions as required; ensures that all laws, charter provisions, ordinances and acts of the City Council are enforced; establishes the process for accountability of management systems, financial management systems, productivity studies and reports, and implements cost-saving methods, productivity improvements and delivery systems; responsible for the implementation of policies adopted by the City Council; responsible for planning and evaluating public services to be provided to the community; responsible for executing all contracts and other documents and initiating legal proceedings, if necessary, to protect the interests of the City; other related duties required.

. Administrative Support for the Mayor and Councilmen

Formulates and recommends to the City Council policies for the present and future management and operation of City services; prepares agenda for City Council meetings and provides such administrative support as may be necessary or appropriate; responsible for the preparation and development of the City's legislative program; responsible for working with the State Legislature to ensure adoption of the City's legislative program; other related duties required.

. Budget Planning and Development

Directs the planning and administration of a capital and operating budget; responsible for the direction of an on-going budget analysis and evaluation system and for the development and implementation of an effective project management system; other related duties required.

. Organizational and Management Development

Reviews and evaluates activities and organizational performance and implements solutions to problems; subject to ratification by the City Council, appoints each department head, except as otherwise provided by law; employs effective management and organizational procedures, techniques and methods and implements changes in management and administrative systems as needed; other related duties required.

. Public and Intergovernmental Relations

Establishes cooperative relationships with other agencies of government, public and private groups and organizations in the interests of City operations; establishes and maintains an effective public information system to apprise the press and the general public of the City's activities, programs and services; other related duties required.

EMPLOYMENT STANDARDS

A Master's Degree in Management, Public Administration, Business Administration or a related field is preferred. Extensive administrative experience at the managerial level is required, some of which preferably was with a governmental entity comparable to the City of Las Vegas.

Thorough knowledge of the principles and practices of municipal administration and management; thorough knowledge of Federal, State and local law and practices pertaining to public administration, finance and budgeting; thorough knowledge of management control systems; experience in administration and implementation; ability to analyze and resolve problems and to exercise good judgment in making decisions and policy recommendations; ability to plan and to implement plans, to delegate responsibility and authority and to monitor such delegations; ability to communicate orally and in writing with elected officials, administrative staff and various public groups and individual citizens; ability to gain the confidence and trust of and to establish and maintain effective working relationships with elected officials, management and administrative staffs and the general public.

COMPENSATION

The City Manager position's salary range is from \$45,000-\$55,000 depending on qualifications. Additionally, the City will pay moving expenses that normally will include at least one month's salary plus reasonable travel costs.

CITIZENS COMMITTEE - CITY MANAGER POSITION

9/21/83

Dr. James B. McMillan
705 Twin Lakes Drive
Las Vegas, Nevada 89107

Mr. John T. Moran, Jr.
2500 Pinto Lane
Las Vegas, Nevada 89107

Mr. Henry A. (Hank) Chism
3216 Mason Avenue
Las Vegas, Nevada 89102

Mr. William H. (Bob) Bailey
2021 Mills Circle
Las Vegas, Nevada 89106

Mr. Rulon A. Earl
1314 South Fifth Place
Las Vegas, Nevada 89104

Mr. Glen Herbert Hales
1213 North Mojave Road
Las Vegas, Nevada 89101

Mr. William Wayne Bunker
900 Ironwood Drive
Las Vegas, Nevada 89108

Mr. Loyd Katz
1273 Park Circle
Las Vegas, Nevada 89102

Mr. Gill Blonsley
2012 Plaza De Cielo
Las Vegas, Nevada 89102

Mr. Oran Gragson
3700 Apache Lane
Las Vegas, Nevada 89107

Mr. Robert Y. Rivas
1629 North Cordoba Lane, Apt #B
Las Vegas, Nevada 89108

Ms. Larue S. Worthen
504 North 15th Street
Las Vegas, Nevada 89101

Mr. Robert W. Bugbee
2100 Plaza Del Cerro
Las Vegas, Nevada 89102

Ms. Madeleine Andress
2105 Al Hambra Circle
Las Vegas, Nevada 89104

Dr. William U. Pearson
1322 Comstock Drive
Las Vegas, Nevada 89106

City of Las Vegas

0049

AGENDA DOCUMENTATION

Date: September 20, 1983

TO:
The City CouncilFROM: *Russ Dorn*
RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE NOMINATION OF THREE NAMES BY EACH COUNCIL MEMBER
FOR POSSIBLE APPOINTMENT TO A CITIZENS COMMITTEE WHO WILL REVIEW APPLICATIONS AND
RECOMMEND FIVE FINALISTS TO BE INTERVIEWED BY THE COUNCIL FOR THE POSITION OF CITY MANAGER

PURPOSE/BACKGROUND

On September 7, 1983, the City Manager was requested by the City Council to proceed with developing an open recruitment process to select a new City Manager. (A key element in the selection process is the establishment, by the City Council, of a Citizen Select Committee.)

The Mayor and City Councilmen were each to nominate three (3) Las Vegas residents to serve on the Committee and ratification of those nominees is to take place at the September 21, 1983 City Council meeting.

FISCAL IMPACT

N/A

RECOMMENDATIONS

It is the City Manager's recommendation that the City Council ratify the nominations presented by the Council to establish a Citizen Select Committee charged with the responsibility of selecting the top City Manager candidates for interviews with the Mayor and Councilmen.

Agenda Item

IV(a) B.

AGENDA DOCUMENTATION

Date: September 19, 1983TO:
The City CouncilFROM: *Russ Dorn*
Russell W. Dorn
City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT OF AN ACTING CITY MANAGER
UNTIL FINAL SELECTION BY THE COUNCIL OF A CITY MANAGER.

PURPOSE/BACKGROUND

Since the selection process for hiring a new City Manager is a fairly lengthy task, the best interests of the City of Las Vegas will be served if an individual is appointed during this interim to serve as the Acting City Manager. The City is fortunate to have in Mr. Don Saylor a dedicated, professional employee whose 25 years of service to the City will benefit the Council and the City during this transition period.

FISCAL IMPACT

N/A

RECOMMENDATIONS

It is the City Manager's recommendation that the City Council appoint Don Saylor, Deputy City Manager of Community Services, as the Acting City Manager until a permanent City Manager is hired.

Agenda Item

IV(a) C.

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 19, 1983

TO:
The City CouncilFROM: *Russ Dorn*
RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON SUGGESTIONS BY THE CITY COUNCIL AND CITY MANAGER TO DISCUSS PRESENT AND POTENTIAL INTERLOCAL AGREEMENTS WITH GOVERNMENTAL AND PRIVATE ORGANIZATIONS WHICH MAY ENHANCE THE SHARING OF SERVICES AND EQUIPMENT.

PURPOSE/BACKGROUND

The City of Las Vegas has entered into 20 or more cooperative service agreements with local governmental entities and private agencies. The City Council requested the City Manager to review the City's present and potential interlocal agreements and offer suggestions which may increase the sharing of resources and result in cost savings to taxpayers. In order for the City to improve its cost effectiveness and accrue savings to City taxpayers, the following programs and services should be discussed with Clark County and other local entities:

- Exclusive fire and emergency medical protection provided by the City of Las Vegas to County residents in the northwest section of the County.
- Fire Services Mutual Aid Agreement.
- Services and equipment provided by the Las Vegas Bomb Squad.
- Fire Services Communication Dispatching Services.
- Animal Control Center's facility.
- Lower Court Counseling Services.
- The Clark County Library District Cooperative Service Agreement.
- Administrative functions contracted by JTPA (Job Training Partnership Act).
- Future expansion, operation and maintenance of the Senior Citizen Center.
- Sharing the costs for the Senior Citizen Law Project.
- Privatization of Woodlawn Cemetery.
- Privatization of one or both City-owned downtown garages.

FISCAL IMPACT

N/A

RECOMMENDATIONS

It is recommended by the City Manager that the City Council request the City Manager and staff to schedule discussions with the appropriate governmental entities and private agencies to update present agreements and develop future cooperative services contracts. This recommendation should not be construed in any way as endorsing or advocating consolidation of governments. The recommendation is intended to explore the feasibility of sharing resources with private enterprise and other local governments for effective operations and cost savings to our taxpayers.

Agenda Item

IV(a) D.

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IV(a) ADMINISTRATIVE AGENDA CONT'D.

- 1123 9
E. DISCUSSION AND POSSIBLE ACTION BY THE CITY COUNCIL TO AUTHORIZE CITY STAFF AND THE CITY ATTORNEY'S OFFICE TO PREPARE AND ADVERTISE A PROPOSAL FOR AN OPEN AND COMPETITIVE PUBLIC BIDDING DOCUMENT FOR THE RIGHT TO LEASE THE CARSON STREET PARKING GARAGE.

Lurie -
APPROVED as recommended by the City Manager.
Unanimous

Staff to proceed

Note: Councilman Levy requested staff to notify the two parties that were interested in purchasing the garage in 9/81 so they could bid on leasing the parking garage.

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 20, 1983

TO:
The City CouncilFROM: *Russ Dorn*
RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION BY THE CITY COUNCIL TO AUTHORIZE CITY STAFF AND THE CITY ATTORNEY'S OFFICE TO PREPARE AND ADVERTISE A PROPOSAL FOR AN OPEN AND COMPETITIVE PUBLIC BIDDING DOCUMENT FOR THE RIGHT TO LEASE THE CARSON STREET PARKING GARAGE.

PURPOSE/BACKGROUND

As the City Council may recall, on September 15, 1981, the City Manager recommended to the City Council that they reject all bids (2) for the sale of the Carson Street parking facility. The Council's recommendation not to accept the bids at that time was based upon the passage of new state legislation. This legislation, effective July 1, 1982, was expected to give local governing bodies greater flexibility in disposing of this type of property.

It was the stated belief of the City Manager at that time that the Carson Garage could produce a greater return on more favorable terms to the City if a sale or lease of the facility was conducted in the future. The City Manager suggests that now is the proper time to develop and advertise an open and competitive bid proposal for the long term lease (25 or 50 years) of the Carson Garage which, if successful, would generate millions of dollars in new revenue over the life of the lease to the City of Las Vegas. Besides generating a new and needed additional revenue source, a long term lease agreement would allow the City to keep a valuable asset while the responsibility for annual maintenance and liability would rest with the lessor.

FISCAL IMPACTRECOMMENDATIONS

It is the recommendation of the City Manager that the City Council authorize City Staff and the City Attorney's Office to prepare a proposal for an open and competitive public bidding document for the right to lease the Carson Street Parking Garage. It is also the recommendation of the City Manager that the open and competitive public bidding document and bidding procedure be presented to the City Council for their final consideration and approval before advertising the bidding process to lease the Carson Street Parking Garage.

Agenda Item

IV(a) E.

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council 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 Council and may be enacted by one motion. However, any items may be discussed if a Council member or citizen so requests.

A. SERVICE AND MATERIAL WARRANTS/PAYROLL
WARRANTS/OTHER WARRANTS AND INVESTMENTS

1. Service and Material Warrants
In the amount of \$4,384,276.57
2. Payroll Warrants
In the amount of \$695,022.09
3. Other Warrants and Investments
In the amount of \$176,222.92

Lurie -
APPROVED Items 1,
2 and 3.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Ashley Hall

0055

[illegible]

NO	<u>116938</u>	THRU	<u>118302</u>	AMT	<u>\$ 695,022.09</u>	DESCRIPTION	<u>PP/E Aug. 27, 1983</u>

CITY CLERK

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

0056

City of Las Vegas

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council 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

NO ITEMS FOR CONSIDERATION

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 14, 1983TO:
The City CouncilFROM:
MICHAEL P. COOL, DIRECTOR
PERSONNEL & EMPLOYEE RELATIONSSUBJECT:
VACANCY REPORTPURPOSE/BACKGROUND

The last vacancy report showed a total of sixty-three (63) vacancies. Since then sixteen (16) of those vacancies have been filled, three (3) deleted, and eight (8) new vacancies incurred, making the total number of vacancies as of this report fifty-two (52).

FISCAL IMPACT

The total dollar savings realized through vacancies thus far in the new fiscal year is \$165,621. If the positions that are currently vacant were to remain vacant for the rest of fiscal year 1983-'84, the estimated total savings for the fiscal year would be \$863,850.

RECOMMENDATIONS

Agenda Item

IV.(c).

AGENDA*City of Las Vegas*

Sept. 21, 1983

Page 14

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM Council Action Department Action

IV(e) SENIOR CITIZEN CENTER
BOB LIGHT, DIRECTOR

A. DISCUSSION AND POSSIBLE ACTION ON THE
RECOMMENDATION OF THE SENIOR CITIZEN
ADVISORY BOARD TO ESTABLISH A FEE
SCHEDULE FOR VARIOUS CLASSES AND
ACTIVITIES OFFERED AT BOTH SENIOR
CENTER LOCATIONS.

Lurie -
APPROVED as recom-
mended by the Senior
Citizen Advisory
Board.
Unanimous

Staff to proceed

B. DISCUSSION AND POSSIBLE ACTION ON THE
RECOMMENDATION OF THE SENIOR CITIZEN
ADVISORY BOARD TO ESTABLISH A FEE
SCHEDULE FOR SUPPORT OF AN EVENING
OPERATION AT THE SENIOR CITIZEN
CENTER AT BONANZA AND LAS VEGAS
BOULEVARD.

Lurie -
APPROVED as recom-
mended by the Senior
Citizen Advisory
Board.
Unanimous

Staff to proceed

Bob Light,
Director, Senior
Citizens Center,
and Dr. Witkow,
Chairman, Advisor
Board, appeared.

Rebel Brothers
appeared in
opposition to
Items A and B.

AGENDA DOCUMENTATION

Date: September 19, 1983

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDATION OF THE SENIOR
CITIZEN ADVISORY BOARD TO ESTABLISH A FEE SCHEDULE FOR VARIOUS CLASSES
AND ACTIVITIES OFFERED AT BOTH SENIOR CENTER LOCATIONS

PURPOSE/BACKGROUND

The Advisory Board of the Senior Citizen Center has spent a substantial amount of time investigating and evaluating various methods of reactivating various programs and activities which were terminated due to budgetary responsibilities. The Advisory Board recommended that a fee schedule be established to support various classes and activities at both of the centers.

The proposed fee schedule would require each person to pay \$1.00 as a registration fee for each 8 or 10 week class. Additionally, each person would pay \$1.00 for each two-hour class allowing for an adjustment in this rate for shorter or longer classes.

The purpose of this fee would be to provide funds for classes which are not now given but for which there has been an indicated interest by the seniors. The program would be predicated upon it being self-supporting and those classes which are not self-supporting would be dropped.

This program will not create any revenue beyond the cost of offering the program, but it will allow more activities to be made available to the seniors at no cost to the City.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that the recommendation of the Senior Citizen Advisory Board be adopted.

Agenda Item

IV(e) A.

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 19, 1983

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDATION OF THE SENIOR CITIZEN
ADVISORY BOARD TO ESTABLISH A FEE SCHEDULE FOR SUPPORT OF AN EVENING
OPERATION AT THE SENIOR CITIZEN CENTER AT BONANZA AND LAS VEGAS BOULEVARDPURPOSE/BACKGROUND

The Senior Citizen Center Advisory Board has recommended that a fee schedule be established which will allow the center at Bonanza and Las Vegas Boulevard to stay open during evening hours. In order to do this, sufficient revenue will have to be generated to allow the hiring of employees for both the programming and the responsibility of the building being open.

Two fees are being proposed, one fixed and one variable. The fixed fee would be a \$1.00 charge to all persons using the building during the evening. This charge would provide entry only and would not allow participation in any activity. If the person wishes to engage in any activities, an additional fee would be charged in an amount necessary to cover the cost of providing that particular activity. For example, if a person wishes to participate in a square dance activity in the evening, they would pay \$1.00 to get into the building and an additional fee to cover the cost of putting on the square dance program which would involve paying for a caller. The participation fees will be nominal and in most cases would be probably no more than \$1.00.

This proposed fee schedule would provide adequate income to pay for the cost of keeping the building open in the evening and would not incur any additional financial obligation on the part of the City, yet would provide a greater range of activities at the Senior Center.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that the recommendation of the Senior Citizen Advisory Board be adopted

Agenda Item

IV(e) B.

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

City of Las Vegas

0061

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IV (g) DEPARTMENT OF GENERAL SERVICES

DAN R. PILKINGTON, DIRECTOR

*CONSENT AGENDA

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

PURCHASING & CONTRACTS DIVISION

*A. AWARD OF BIDS

1. Cedar Avenue Drainage Channel Improvements
Department of Engineering Services

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. Expendable Vehicle Tires and Tubes
Department of General Services
2. Vehicle Tire Repair
Department of General Services
3. Vehicle Washing
Department of General Services
4. Expendable Automotive Electrical Parts
Department of General Services
5. Automotive Glass Replacement
Department of General Services
6. Expendable Automotive Belts and Hoses
Department of General Services
7. Expendable Automotive Mechanical Parts
Department of General Services

Lurie -
APPROVED Items A,
B and C as recom-
mended by staff.
Unanimous

Staff to proceed

APPROVED
See Above

Staff to proceed

APPROVED AGENDA ITEM

Osley de la

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

1. <u>BID TITLE:</u>	CEDAR AVENUE DRAINAGE CHANNEL	<u>BID NUMBER:</u>	83.3550.14
<u>ITEM:</u>	CAPITAL IMPROVEMENT	<u>ESTIMATE:</u>	\$1,700,000.00
<u>DEPARTMENT:</u>	ENGINEERING SERVICES	<u>INVITATIONS MAILED:</u>	30
<u>FUNDING:</u>	CLARK COUNTY FLOOD BOND ISSUE 1982	<u>RESPONSES RECEIVED:</u>	5

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY FOR CONSTRUCTION IMPROVEMENTS TO THE CEDAR AVENUE DRAINAGE CHANNEL BETWEEN PECOS ROAD AND LAS VEGAS WASH.

BID ABSTRACT SUMMARY

BID GROUP I, I ADD. CONST., II,
AND II ADDITIVE ITEM

C & S COMPANY	LAS VEGAS	NV	\$1,532,756.22
CORTI CONSTRUCTION	RENU	NV	\$1,806,692.97
J. R. JACKS	LAS VEGAS	NV	\$1,886,927.61
STEED BROTHERS	LAS VEGAS	NV	\$1,957,269.61
FREHNER CONSTRUCTION	NORTH LAS VEGAS	NV	\$2,001,684.29

STAFF RECOMMENDATION OF AWARD SUBJECT TO CLARK COUNTY COMMISSION APPROVALTHAT THE LOW BID BE AWARDED TO:

C & S COMPANY	LAS VEGAS	NV	\$1,532,756.22
---------------	-----------	----	----------------

WITH APPROVAL TO ALLOW CONTINGENCIES NOT TO EXCEED, IN THE AGGREGATE, TEN PERCENT (10%) OF THE CONTRACT AMOUNT.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE CLARK COUNTY FLOOD BOND 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: SEPTEMBER 9, 1983TO:
The City CouncilFROM:
ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. <u>BID TITLE:</u>	ANNUAL TIRE AND TUBE CONTRACT	<u>BID NUMBER:</u>	82.9999.30
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$22,000.00 ANNUAL
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO REPLACE TIRES AND TUBES ON CITY OWNED EQUIPMENT IN SUPPORT OF DAILY OPERATIONS.

CONTRACT EXTENSION

SUPERIOR TIRE, INC. HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDSTHAT THE TWELVE (12) MONTH EXTENSION BE GRANTED TO:

SUPERIOR TIRE, INC.	LAS VEGAS	NV	\$ 1,288.97 TOTAL UNIT PRICE
	ESTIMATED ANNUAL USAGE:		\$22,000.00

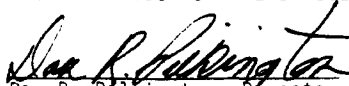
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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, Director
Department of General Services

Agenda Item

SECTION B PAGE 1
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM:

ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

2. <u>BID TITLE:</u>	TIRE REPAIR	<u>BID NUMBER:</u>	82.9999.31
<u>ITEM:</u>	SERVICES	<u>ESTIMATE:</u>	\$14,350.00 ANNUAL
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THIS SERVICE IS NEEDED TO PROVIDE TIRE REPAIR SERVICES FOR THE ENTIRE VEHICLE AND EQUIPMENT FLEET OF THE CITY OF LAS VEGAS.

CONTRACT EXTENSION

SUPERIOR TIRE, INC. HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDSTHAT THE TWELVE (12) MONTH EXTENSION BE GRANTED TO:

SUPERIOR TIRE, INC.	LAS VEGAS	NV	\$36.25 TOTAL UNIT PRICE
ESTIMATED ANNUAL USAGE:			\$14,350.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR B3-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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, Director
Department of General Services

Agenda Item

SECTION B PAGE 2
IV (g)

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

3. <u>BID TITLE:</u>	VEHICLE WASHING	<u>BID NUMBER:</u>	82.9999.34
<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$9,000.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THE NEED FOR THIS SERVICE IS BASED UPON A NEED TO KEEP THE CITY'S VEHICLE FLEET IN A CONDITION THAT REFLECTS AN ATTITUDE PER VEHICLE OF CARE AND CONCERN.

CONTRACT EXTENSION

RANCHO CIRCLE CAR WASH HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

RANCHO CIRCLE CAR WASH LAS VEGAS NV \$2.51 PER VEHICLE
ESTIMATED ANNUAL USAGE: \$9,000.00

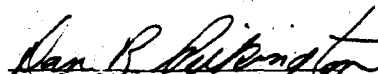
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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, Director
Department of General Services

Agenda Item

SECTION B PAGE 3
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

4. <u>BID TITLE:</u>	ANNUAL ELECTRICAL PARTS CONTRACT	<u>BID NUMBER:</u>	82.9999.54
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$5,000.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE VARIOUS ELECTRICAL PARTS USED IN THE PROGRAMMED MAINTENANCE SCHEDULE FOR ALL VEHICLES AND MOTORIZED EQUIPMENT USED BY THE CITY.

CONTRACT EXTENSION

CLARK COUNTY WHOLESALE HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

CLARK COUNTY WHOLESALE	LAS VEGAS	NV	\$5,000.00 ESTIMATED ANNUAL USAGE
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FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 4
IV (g)

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

5. <u>BID TITLE:</u>	ANNUAL AUTO AND TRUCK GLASS REPLACEMENT CONTRACT	<u>BID NUMBER:</u>	82.9999.55
<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$5,000.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THE NEED FOR THIS SERVICE IS BASED UPON THE REQUIREMENTS OF REPLACING BROKEN GLASS THROUGHOUT THE ENTIRE VEHICLE AND EQUIPMENT FLEET OF THE CITY.

CONTRACT EXTENSION

SAFELITY AUTO GLASS HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984, AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

SAFELITY AUTO GLASS	LAS VEGAS	NV	\$5,000.00 ESTIMATED ANNUAL USAGE
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FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 5
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983TO:
The City CouncilFROM:
ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

6. <u>BID TITLE:</u>	ANNUAL RUBBER PRODUCTS CONTRACT	<u>BID NUMBER:</u>	82.9999.56
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$5,000.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE VARIOUS RUBBER PRODUCTS SUCH AS AUTOMOTIVE BELTS AND HOSES USED IN THE SCHEDULED MAINTENANCE AND REPAIR PROGRAM FOR THE VEHICLE AND EQUIPMENT FLEET OF THE CITY.

CONTRACT EXTENSION

CLARK COUNTY WHOLESALE HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984, AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDSTHAT THE TWELVE (12) MONTH EXTENSION BE GRANTED TO:

CLARK COUNTY WHOLESALE	LAS VEGAS	NV	\$5,000.00 ESTIMATED ANNUAL USAGE
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FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 6
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

7. <u>BID TITLE:</u>	ANNUAL MECHANICAL PARTS CONTRACT	<u>BID NUMBER:</u>	82.9999.57
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$5,000.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE VARIOUS MECHANICAL PARTS USED IN THE PROGRAMMED MAINTENANCE SCHEDULE FOR ALL VEHICLES AND MOTORIZED EQUIPMENT USED BY THE CITY.

CONTRACT EXTENSION

JENIK AUTO DISTRIBUTORS HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1983, THROUGH OCTOBER 31, 1984, AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1984 AT 1983 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

JENIK AUTO DISTRIBUTORS	LAS VEGAS	NV	\$5,000.00
			ESTIMATED ANNUAL USAGE

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 7
IV (g)

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

0070

City of Las Vegas

September 21, 1983

Page 16

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IV (g). DEPARTMENT OF GENERAL SERVICES
PURCHASING & CONTRACTS DIVISION CONT'D

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS
CONTINUED

APPROVED
See Page 15

Staff to proceed

8. Expendable Automotive Air, Fuel, and Oil
Filters
Department of General Services

9. Automotive Radiator Repair
Department of General Services

10. Expendable Automotive Spark Plugs
Department of General Services

11. Expendable Street Sweeper Brooms
Department of General Services

12. Expendable Solvent Supplies
Department of General Services

13. Expendable Computer Stock Paper
Department of Management Information
Services

*C. PURCHASE ORDER APPROVAL

APPROVED
See Page 15

Staff to proceed

1. Computer Memory Capacity
Department of Management Information
Services

2. Central Fire Complex Contract Modification
Department of Architectural Services

APPROVED AGENDA ITEM

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

8. BID TITLE: ANNUAL AUTOMOTIVE AIR, FUEL, AND OIL FILTER CONTRACT BID NUMBER: 83.9999.34

ITEM: EXPENDABLE SUPPLIES ESTIMATE: \$13,200.00
ANNUAL USAGE

DEPARTMENT: GENERAL SERVICES INVITATIONS MAILED: 15

FUNDING: VEHICLE SERVICES RESPONSES RECEIVED: 4

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE VARIOUS FILTERS USED IN THE PROGRAMMED MAINTENANCE SCHEDULE FOR ALL VEHICLES AND MOTORIZED EQUIPMENT USED BY THE CITY.

BID ABSTRACT SUMMARY

GREEN OIL AND TIRE	LAS VEGAS	NV	12,600 POINTS
NEVADA DIESEL SERVICE	NORTH LAS VEGAS	NV	10,650 POINTS
CHARLESTON AUTO PARTS	LAS VEGAS	NV	8,500 POINTS
CLARK COUNTY WHOLESALE	LAS VEGAS	NV	7,600 POINTS

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

GREEN OIL AND TIRE LAS VEGAS NV \$13,200.00 ESTIMATED ANNUAL USAGE

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 8
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

9. <u>BID TITLE:</u>	ANNUAL RADIATOR REPAIR CONTRACT	<u>BID NUMBER:</u>	83.9999.39
<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$16,500.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	21
<u>FUNDING:</u>	VEHICLE SERVICES	<u>RESPONSES RECEIVED:</u>	3

NEED FOR PURCHASE

THE NEED FOR THIS SERVICE IS BASED UPON THE REQUIREMENT OF REPAIRING, MAINTAINING, AND/OR REPLACING RADIATORS THROUGHOUT THE ENTIRE VEHICLE AND EQUIPMENT FLEET OF THE CITY.

BID ABSTRACT SUMMARY

			<u>UNIT PRICE</u>
LAS VEGAS RADIATOR	LAS VEGAS	IV	\$1,188.72
DON'S RADIATOR REPAIR	LAS VEGAS	NV	\$1,243.50
JIMMY C SHAFFER	LAS VEGAS	NV	\$1,508.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

LAS VEGAS RADIATOR	LAS VEGAS	NV	\$ 1,188.72 TOTAL UNIT PRICE
			\$16,500.00 ESTIMATED ANNUAL USAGE

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREE.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 9
IV (g)

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

10. <u>BID TITLE:</u>	ANNUAL SPARK PLUG CONTRACT	<u>BID NUMBER:</u>	83.9999.46
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$4,622.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	13
<u>FUNDING:</u>	VEHICLE SERVICES	<u>RESPONSES RECEIVED:</u>	4

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE VARIOUS ENGINE SPARK PLUGS USED IN THE SCHEDULED MAINTENANCE AND REPAIR PROGRAM FOR THE VEHICLE AND EQUIPMENT FLEET OF THE CITY.

BID ABSTRACT SUMMARY

		<u>BID GROUP I</u>	<u>BID GROUP II</u>	<u>BID GROUP III</u>
CHARLESTON AUTO PARTS	LAS VEGAS NV	\$1,770.00	\$3,920.00	\$2,495.00
NEVADA DIESEL SERVICE	LAS VEGAS NV	NO BID	\$2,655.00	\$2,655.00
CLARK COUNTY WHOLESALE	LAS VEGAS NV	\$2,065.00	NO BID	NO BID
CHEM OIL AND TIRE	LAS VEGAS NV	NO BID	NO BID	\$2,300.00

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

CHARLESTON AUTO PARTS	LAS VEGAS NV	\$1,770.00	BID GROUP I ONLY
CHEM OIL AND TIRE	LAS VEGAS NV	\$2,300.00	BID GROUP III ONLY
		ESTIMATED ANNUAL USAGE: \$4,622.00	

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 10
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

11. <u>BID TITLE:</u>	ANNUAL STREET SWEEPER BROOM AND CHAIN CONTRACT	<u>BID NUMBER:</u>	83.9999.48
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$27,500.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	25
<u>FUNDING:</u>	VEHICLE SERVICES	<u>RESPONSES RECEIVED:</u>	9

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK AND REPLACE STREET SWEEPER BROOMS AND CHAINS USED IN THE PROGRAMMED MAINTENANCE SCHEDULE FOR ALL MOBIL STREET SWEEPERS USED BY THE CITY.

BID ABSTRACT SUMMARY

			<u>B.G. I</u>	<u>B.G. II</u>	<u>B.G. III</u>	<u>B.G. IV</u>
VABCO, INC.	LENEXA	KS	\$4,898	\$13,040	\$ 6,369	\$2,000
SWEEPSTER	DEXTER	MI	\$6,688	\$28,440	\$ 7,906	\$2,045
LAKE SHORE	LAS VEGAS	NV	\$7,500	\$18,250	\$23,100	\$2,700
OLD DOMINION	RICHMOND	VA	\$5,700	NO BID	\$ 4,829	\$2,050
MONARCH BROOM	GARDENA	CA	\$5,697	NO BID	\$ 6,598	\$1,788
AMERICAN EQUIP.	LAS VEGAS	NV	(INC) \$3,000	NO BID	\$ 8,855	NO BID
BACON'S	LAS VEGAS	NV	NO BID	\$14,500	NO BID	NO BID
NIXON	SANTA FE SPRINGS	CA	NO BID	NO BID	\$ 4,840	NO BID
TERRANT CO.	ANAHEIM	CA	NO BID	NO BID	NO BID	\$2,760

STAFF RECOMMENDATION:

REJECTION OF VABCO, INC., BID GROUP II, BASED ON A COST BENEFIT ANALYSIS OF INVENTORY COSTS OF HAVING TO STOCK AN ADDITIONAL TEN (10) BROOM CORES OVER AND ABOVE THAT ANTICIPATED DUE TO SHIPPING LAG.

THAT THE LOW BID(S) BE AWARDED TO:

VABCO, INC.	LENEXA	KS	BID GROUP I ONLY	\$ 4,898
BACON'S	LAS VEGAS	NV	BID GROUP II ONLY	\$14,500
OLD DOMINION	RICHMOND	VA	BID GROUP III ONLY	\$ 4,829
MONARCH BROOM	GARDENA	CA	BID GROUP IV ONLY	\$ 1,788

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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 11
IV (g)

City of Las Vegas

0075

AGENDA DOCUMENTATION

Date: SEPTEMBER 9, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

12. <u>BID TITLE:</u>	ANNUAL TOLUENE CONTRACT	<u>BID NUMBER:</u>	83.9999.52
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$8,165.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	10
<u>FUNDING:</u>	VEHICLE SERVICES	<u>RESPONSES RECEIVED:</u>	3

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO OBTAIN A MATERIAL THAT REDUCES THE QUANTITY OF PAINT REQUIRED TO PAINT TRAFFIC LANES ON CITY STREETS AS WELL AS RESTORATION OF PAINT ON DAMAGED VEHICLES AND EQUIPMENT IN THE CITY'S FLEET.

BID ABSTRACT SUMMARY

CHEM OIL AND TIRE	LAS VEGAS	NV	\$7,755.00
MCRESSON CORP.	GLENDALE	AZ	\$8,283.00
U & G OIL CO., INC.	LAS VEGAS	NV	\$8,349.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

CHEM OIL AND TIRE	LAS VEGAS	NV	\$7,755.00
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AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR B3-B4. FUNDS ARE AVAILABLE IN THE VEHICLE SERVICES 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, Director
Department of General Services

Agenda Item

SECTION B PAGE 12
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 14, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

13. <u>BID TITLE:</u>	ANNUAL COMPUTER STOCK PAPER	<u>BID NUMBER:</u>	83.9999.84
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$24,000.00
<u>DEPARTMENT:</u>	MANAGEMENT INFORMATION SERVICES	<u>INVITATIONS MAILED:</u>	26
<u>FUNDING:</u>	GENERAL	<u>RESPONSES RECEIVED:</u>	5

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO STOCK VARIOUS SIZES OF COMPUTER PAPER USED IN THE PROGRAMMED COMPUTER OPERATIONS THROUGHOUT THE CITY.

BID ABSTRACT SUMMARY

VANIER GRAPHICS CORP.	LAS VEGAS	NV	\$23,036.15
STANDARD REGISTER CO.	LAS VEGAS	NV	\$23,815.04
THE ARNOLD CORP.	LAS VEGAS	NV	\$23,903.58
MOORE BUSINESS FORMS	LAS VEGAS	NV	\$25,605.70
ADS-TECH SYSTEMS, INC.	LAS VEGAS	NV	\$36,663.79

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

VANIER GRAPHICS CORP.	LAS VEGAS	NV	\$20,972.08
	BID ITEMS 1, 2, 3, 4, 8, 9, 10, 11, 12, 13		
MOORE BUSINESS FORMS	LAS VEGAS	NV	\$ 1,770.45
	BID ITEMS 5, 6, 7, 14, 15		

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT AN ADDITIONAL TWELVE (12) MONTHS AT THE END OF THE ORIGINAL CONTRACT IF PRICES CAN BE NEGOTIATED THAT ARE NOT MORE THAN TEN PERCENT (10%) OF THE ORIGINAL CONTRACT PRICES. THE EXTENSION PROVISION WAS MADE A PART OF THE INVITATION FOR BID CONDITIONS TO WHICH ALL PROSPECTIVE BIDDERS AGREED.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. 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 E PAGE 13
IV (g)

AGENDA DOCUMENTATION

Date: SEPTEMBER 14, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (g). DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

1. <u>ITEM:</u>	CAPITAL EQUIPMENT	<u>PURCHASE REQUEST:</u>	1340-502
<u>DESCRIPTION:</u>	MEMORY CAPACITY FOR COMPUTER CPU	<u>FUNDING:</u>	MANAGEMENT SYSTEMS DEVELOPMENT
<u>DEPARTMENT:</u>	MANAGEMENT INFORMATION SERVICES	<u>ESTIMATE:</u>	\$7,500.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO ACQUIRE ADDITIONAL MEMORY CAPACITY WITHIN THE COMPUTER CENTRAL PROCESSING UNIT TO SUPPORT ONGOING PROGRAMS BEING USED BY CITY OF LAS VEGAS DEPARTMENTS AND DIVISIONS. RATHER THAN CONTINUE TO LEASE A MEMORY MODULE (THE CITY HAS BEEN LEASING THE MODULE SINCE OCTOBER, 1981), IT WOULD BE IN THE BEST FISCAL INTEREST OF THE CITY TO PURCHASE THE MEMORY. SOLE SOURCE

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

BURROUGHS CORPORATION LAS VEGAS NV \$7,448.81

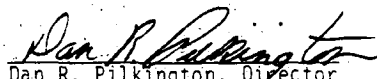
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE MANAGEMENT SYSTEMS DEVELOPMENT 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, Director
Department of General Services

Agenda Item

SECTION C PAGE 1
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

Date: SEPTEMBER 19, 1983

TO: The City Council

FROM: ASHLEY HALL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - SEPTEMBER 21, 1983
IV (9) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

2. <u>ITEM:</u>	CAPITAL PROJECT	<u>PURCHASE REQUEST:</u>	0810-48.2
<u>DESCRIPTION:</u>	CONSTRUCTION OF FIRE DEPARTMENT COMPLEX	<u>FUNDING:</u>	SHORT TERM LOAN
<u>DEPARTMENT:</u>	ARCHITECTUAL SERVICES	<u>ESTIMATE:</u>	\$46,000.00

NEED FOR PURCHASE

THE NEED FOR THIS ACTION IS BASED ON A REQUIREMENT IN THE CONTRACT DOCUMENTS TO FINALIZE IN WRITING THE ACTUAL AMOUNTS TO BE PAID THE GENERAL CONTRACTOR FOR THE INSTALLATION OF THE FIRE ALARM DISPATCH SYSTEM AND THE FACILITY'S TELEPHONE COMMUNICATIONS SYSTEM. AT TIME OF AWARD THE BOARD OF CITY COUNCILMEN AUTHORIZED ALLOWANCE FUNDS FOR THESE SYSTEMS SUBJECT TO THE GENERAL CONTRACTOR FINALIZING THE ACTUAL SUB-CONTRACTS FOR THESE SYSTEMS.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

AMAROSO CONSTRUCTION CO.	SPARKS	NV	\$45,882.00
ORIGINAL CONTRACT AWARD			\$3,969,000.00
MODIFICATION NO. 1	(CREDIT)	\$	(8,241.00)
THIS MODIFICATION		\$	<u>45,882.00</u>
TOTAL CONTRACT AMOUNT			
INCLUDING THIS MODIFICATION			\$4,006,641.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE FROM A SHORT TERM LOAN.

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 C PAGE 2
IV (9)

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

City of Las Vegas

0079

Sept. 21, 1983

Page 117

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IV (i). DEPARTMENT OF ENGINEERING SERVICES

C. E. GILPIN, 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 Council and may be enacted by one motion. However, any item may be discussed if a Council member or citizen so requests.

*A. RELEASE OF CONTRACT RETENTION

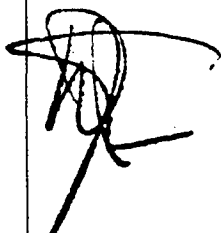
All work has been completed in accordance with contract plans and specifications and the work has been inspected.

1. Bid No.: 83.3530.3
Contractor: Wells Cargo, Inc.
For: Annual Street Overlay,
Stewart Ave. from
Maryland Parkway to
28th St. and Tonopah
Dr. from Washington
Ave. to Mills St.
August 26, 1983
Notice of
Completion:
Release Date: September 30, 1983
2. Bid No.: 83.3530.4
Contractor: Slurry Seal of
Arizona, Inc.
For: Annual Slurry Seal,
Part of Crestwood
Subdivision streets
bound within Charles-
ton Blvd., Eastern
Ave., Sweeney Ave.,
and Burnham Ave.
August 26, 1983
Notice of
Completion:
Release Date: September 30, 1983

Lurie -
APPROVED Items A
and B as recom-
mended by staff.
Unanimous

Clerk to notify
and staff to
proceed.

APPROVED AGENDA ITEM



AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

City of Las Vegas

0080

Sept. 21, 1983

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CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IV (i). DEPARTMENT OF ENGINEERING SERVICES
(Continued)

*B. ACCEPTANCE OF RIGHT OF WAY ITEMS

1. Grant Deed

From: Housing Authority of
the City of Las Vegas,
Nevada
To: City of Las Vegas
For: Portion of Fairview
Tract
11th St. (8/22/83)

2. Grant Deed

From: Becker & Sons, a
Nevada Partnership
To: City of Las Vegas
For: Portion of NW-1/4,
Sec. 13, T20S, R60E
Cheyenne Ave. and
Michael Way (8/26/83)

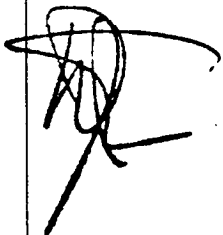
3. Grant Deed

From: Tom Jenkins and
Louise Jenkins, hus-
band and wife and
Claude Burton and
Juanita Burton, hus-
band and wife all as
joint tenants
To: City of Las Vegas
For: Portion of Lots 60C
and 60D, Vegas Heights
Tract Unit No. 4
Highland Ave.
(5/24/83)
Recorded as Instru-
ment No. 1741780 in
Book 1782 on August
4, 1983

APPROVED
See Page 17

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

0081

Sept. 21, 1983

Page 19

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM**Council Action****Department Action****IV (i). DEPARTMENT OF ENGINEERING SERVICES
(Continued)*****B. ACCEPTANCE OF RIGHT OF WAY ITEMS
(Continued)****4. Grant Deed****From:**Ivan A. Raynor and
Mona Raynor, husband
and wife as joint
tenants**To:****For:**City of Las Vegas
Portion of Lot 20,
Block 2
Happy Valley Ranchos
Radius Marion Ave.
and Monroe Dr.
(9/2/83)5. Application for Transportation and
Utility Systems and Facilities on
Federal Lands. Westcliff Drive. Portion
of Sections 27 and 28, T20S, R60E.6. Application for Transportation and
Utility Systems and Facilities on
Federal Lands. Durango Drive. Portion
of Section 28, T20S, R60E.**C. REPORTS/ACTION**1. Agreement with the Nevada Department
of Transportation for protection of City
of Las Vegas sanitary sewer lines at
I-515 and East Glen Avenue.2. Approval of increase to annual
street repair contract.**APPROVED**
See Page 17

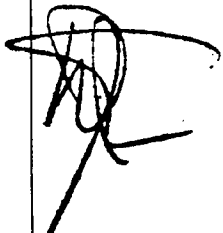
Staff to proceed

Lurie -
APPROVED Agreement
as recommended by
Director of
Engineering Services.
Unanimous

Staff to proceed

Lurie -
APPROVED increase
as recommended by
staff.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 8, 1983

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: AGREEMENT WITH THE NEVADA DEPARTMENT OF TRANSPORTATION FOR PROTECTION
OF CITY OF LAS VEGAS SANITARY SEWER LINES AT I-515 AND EAST GLEN AVENUEPURPOSE/BACKGROUND

The Nevada Department of Transportation is proceeding with plans for I-515 between Charleston Boulevard and Boulder Highway. The City of Las Vegas has an existing 24" sanitary sewer line and a proposed 48" sanitary sewer line in the path of the Freeway.

The Nevada Department of Transportation has requested the City of Las Vegas enter into the attached agreement which provides that:

1. NDOT will design, prepare plans and specifications for, and install corrugated metal pipes for the protection of the existing and proposed lines, at no cost to the City.
2. City of Las Vegas will determine the final location of the pipes, assume maintenance responsibility upon completion, and will apply for a Right of Way Occupancy Permit.

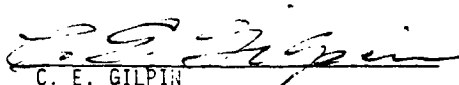
The City Attorney's office has reviewed the agreement.

FISCAL IMPACT

None

RECOMMENDATIONS

The Director of Engineering Services recommends that the City Council authorize the Mayor to sign the agreement.


C. E. GILPIN
Director of Engineering Services

Agenda Item 9/21/83

IV (i). C. 1.

Hwy. Agreement No. P327-83-010

AGREEMENT

THIS AGREEMENT, made and entered into this 17th day of October, 1983, by and between the STATE OF NEVADA, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "STATE" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, STATE proposes to construct a portion of I-515 from Charleston Boulevard south to the Boulder Highway, in Clark County, Nevada, more specifically depicted as the "B" Line on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, CITY is desirous of constructing a 48 inch sanitary sewer line across the STATE's right-of-way at East Glen Avenue, as shown on Exhibit "A"; and

WHEREAS, CITY has constructed a 24 inch sanitary sewer line across the STATE's right-of-way at East Glen Avenue, as shown on Exhibit "A"; and

WHEREAS, CITY is desirous of protecting the integrity of the aforementioned Sanitary Sewer Lines; and

WHEREAS, STATE has agreed with CITY to pay any and all costs associated with providing the aforementioned protection to the two Sanitary Sewer Lines.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto agree as follows:

STATE AGREES

1. To construct the portion of I-515 from Charleston Boulevard south to the Boulder Highway, approximately, as shown on Exhibit "A" to Federal Highway Administration Interstate standards.
2. To perform necessary Preliminary Engineering which includes, but is not limited to, Design, Testing, Survey, Preliminary Construction Work; acquire needed rights-of-way including relocation of affected utilities; and any and all incidentals connected thereto.
3. To provide a 72" nestable corrugated metal pipe (10 gage) for the protection of the 48" sanitary sewer line.
4. To provide a 36" nestable corrugated metal pipe (12 gage) for the protection of the 24" sanitary sewer line.
5. To locate the two nestable CMP's as directed by the CITY's Engineer.
6. To allow CITY to review plans, specifications and estimates for the project prior to advertising.
7. To submit to CITY for review and comment, all change orders,

W(1) C-1

modifications and supplements pertaining to CITY related items.

8. To award and administer the contract.

CITY AGREES

1. To accept full maintenance responsibility of the aforementioned pipes upon completion of the project. It is further understood that the CITY will be responsible for any loss, damage, liability, cost or expense caused by the actions or non-actions of its employees, servants or agents resulting from the maintenance of the pipes as set forth in this Agreement by the CITY from the date of the completion of the project.

2. To determine final location of the aforementioned pipes and to direct STATE's Resident Engineer as to said location.

3. That CITY's representatives shall have the right to inspect and observe construction progress; however, they shall report only to STATE's Resident Engineer and not to STATE's Contractor.

4. That, upon completion of the design of the proposed CITY-owned improvements, CITY will submit an application for a Right-of-Way Occupancy Permit to STATE to accommodate the occupancy of said improvements within STATE's highway right-of-way.

IT IS MUTUALLY AGREED

1. That this project is contingent upon the availability of funds and the CITY and STATE reserve the right to withdraw their obligations as set forth in this Agreement at any time prior to advertising the contract.

2. That STATE will award the contract in accordance with its rules and procedures to the lowest responsive and responsible bidder on the estimated construction costs, plus seven percent (7%) of the Engineer's Estimate.

Reviewed and Recommend Approval

Eugene F. Wright
District Engineer

Attest:

[Signature]
Administrative Officer

Approved as to Legality and Form:

William W. Raymond
Deputy Attorney General
Assistant Chief Counsel

STATE OF NEVADA, by and through
its Department of Transportation

[Signature]
Director

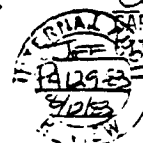
CITY OF LAS VEGAS

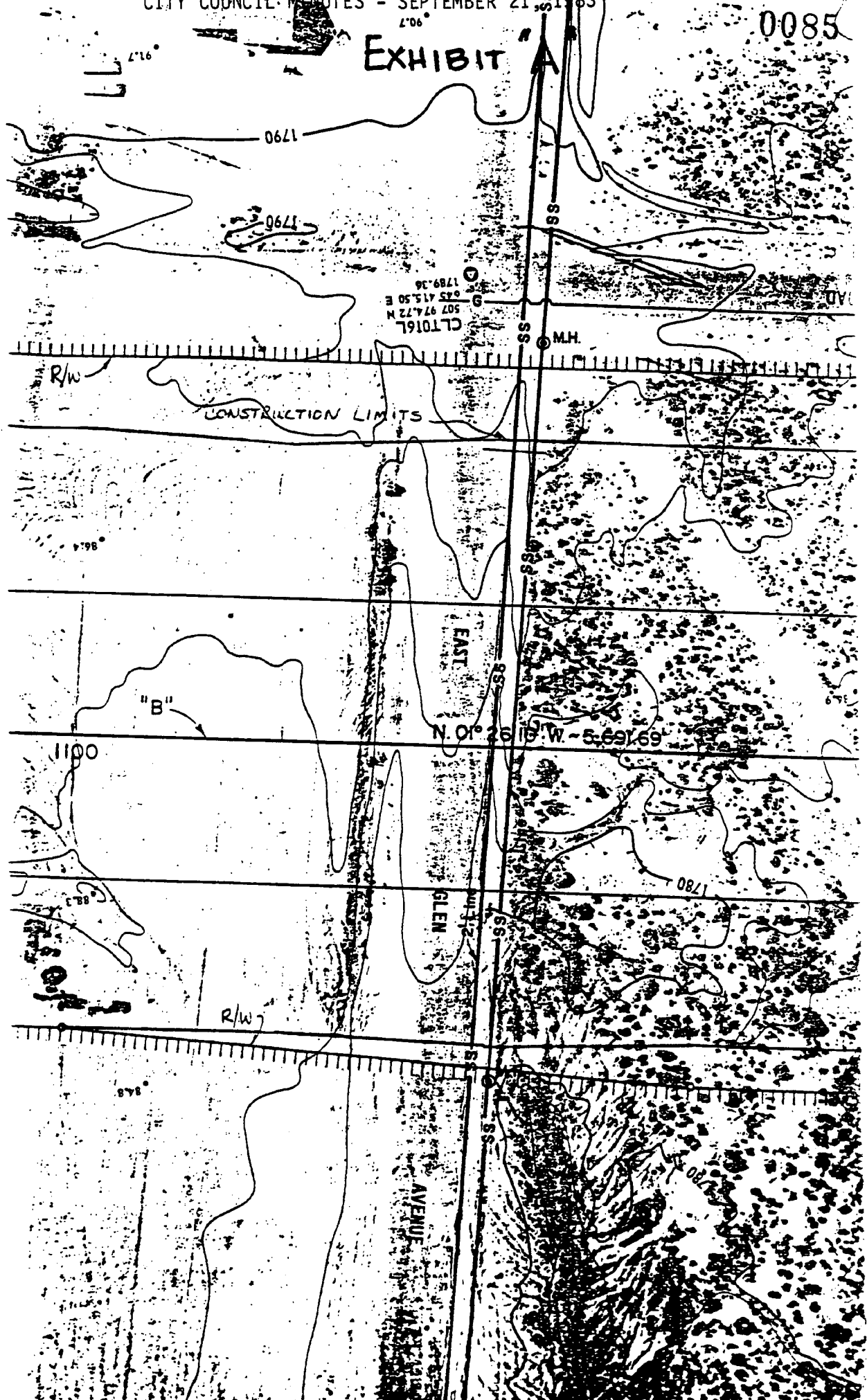
William H. Brainerd
Mayor

Reviewed Rose [Signature]
City Services 8-18-83

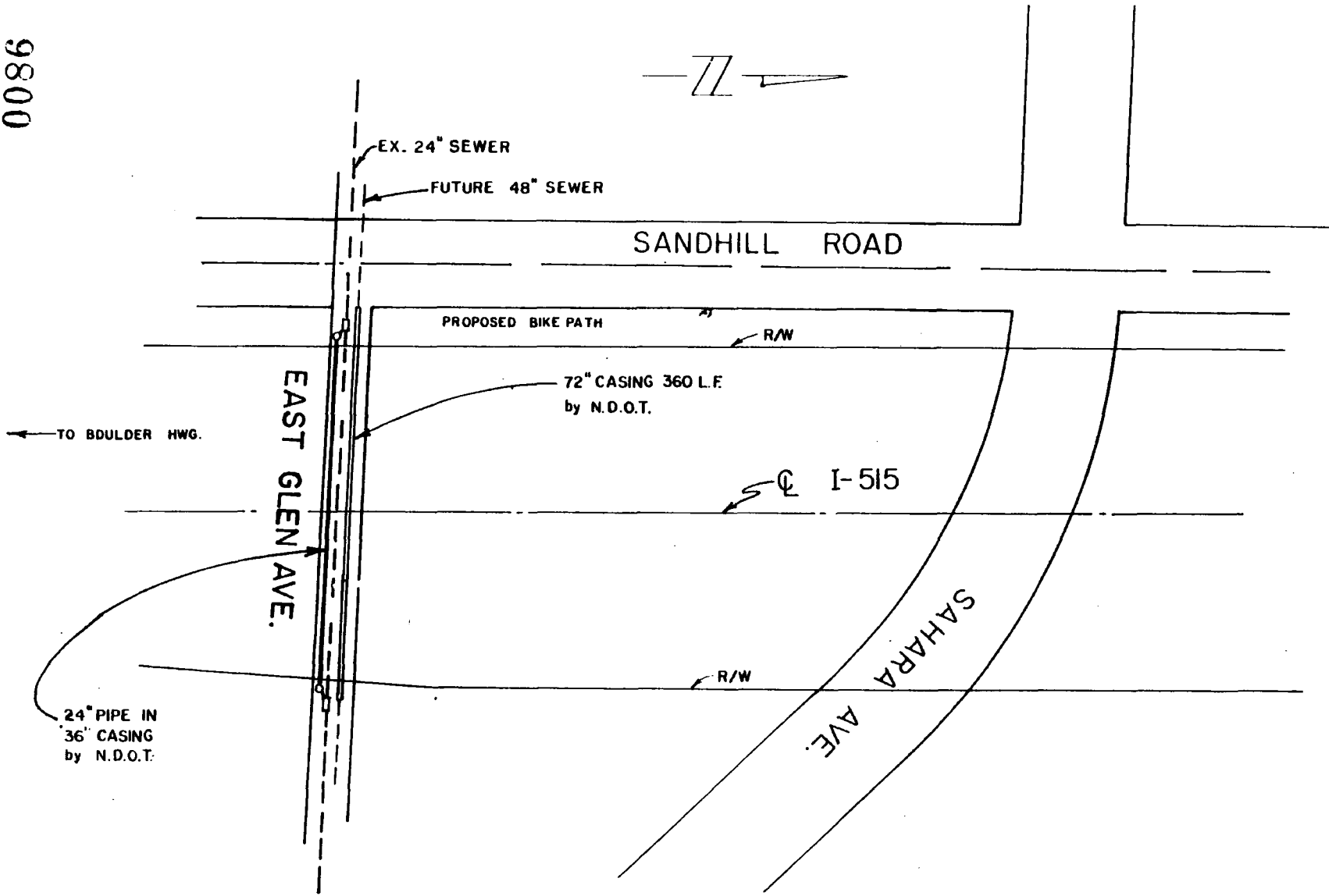
ATTEST:

Carol A. Hanley
CITY CLERK





0086



City of Las Vegas

AGENDA DOCUMENTATION

Date: September 12, 1983

TO:
The City CouncilFROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: APPROVAL OF INCREASE TO ANNUAL STREET REPAIR CONTRACT

PURPOSE/BACKGROUND

Womack Construction Company is the City's contractor for annual patching. The amount of work performed under this annual contract is normally less than \$229,100.00. However, the amount of work performed under this year's contract exceeded the original estimate by \$40,399.65 (15%).

Original Contract Amount	\$229,100.00
Increased Amount	40,399.65
Total Amount	<u>\$269,499.65</u>

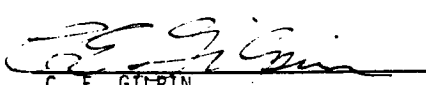
Costs for the annual patching contract are billed to the utility companies and contractors for whom the work was performed.

FISCAL IMPACT

\$40,399.65. Funds will be reimbursed to the City through the Patching Reimbursement Fund.

RECOMMENDATIONS

The Director of Engineering Services recommends the City Council approve the additional expenditure.


C. E. GILPIN

Director of Engineering Services

Agenda Item 9/21/83

IV (i). C. 2.

AGENDA*City of Las Vegas*

0088

Sept. 21, 1983

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CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IV (i). DEPARTMENT OF ENGINEERING SERVICES
(Continued)C. REPORTS/ACTION (Continued)3. Request for approval of overhead
power distribution lines along Washburn
Rd.

Levy -
Approved request
subject to polling
persons on route
and no cost to the
City.
Unanimous

Staff to proceed

Bob Hutto, 650
Sierra Madre Villa
Suite 300,
Pasadena, CA 91107
Atty. Jeff Zucker,
Lionel, Sawyer &
Collins; David
Duran, Satellite
TV; Mike Boyd;
and Atty. Bob
Faiss, Lionel,
Sawyer & Collins
appeared.

Note: Councilman Lurie directed
City Manager to have City
Attorney's office draft
an ordinance to charge a
fee for Satellite TV and
introduce as new bill on
10/5/83 agenda.

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 12, 1983

TO: The City Council

FROM: OON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST FOR APPROVAL OF OVERHEAD POWER DISTRIBUTION LINES ALONG
WASHBURN RD.PURPOSE/BACKGROUND

A request has been received on behalf of Satellite Television Corporation to allow a 4,480 foot section of existing overhead power service on Washburn Rd. to be re-erected. The request is to replace existing poles with a fewer number new-style gray poles without cross arms.

Title 13, Chapter 13.52 Section 010 of the City of Las Vegas Code requires that existing overhead distribution lines needing replacement be placed underground. City Code defines "replace" to mean and to include any reconstruction, re-erection or relocation of the overhead distribution lines.

According to Section 170 of this Chapter there are only four conditions by which a waiver may be granted:

1. If the request for overhead lines is less than 1/2 mile in length;
2. In cases of emergency where public health and safety will be injured;
3. Unavailability of materials for underground installation;
4. Topographical or subsurface conditions making such underground installation economically unreasonable or impractical.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Director of Engineering Services recommends the City Council deny the request.


C. E. GILPIN
Director of Engineering Services

Agenda Item 9/21/83

IV (i). C. 3.



August 26, 1983

Mr. Ashley Hall
Deputy City Manager
City of Las Vegas
400 East Stewart
Las Vegas, Nevada 89101

Re: Satellite Television Corporation
Ground Broadcast Complex
Highway 95 Near Tule Springs, Nevada
Electrical Service to Project Site

Dear Ashley:

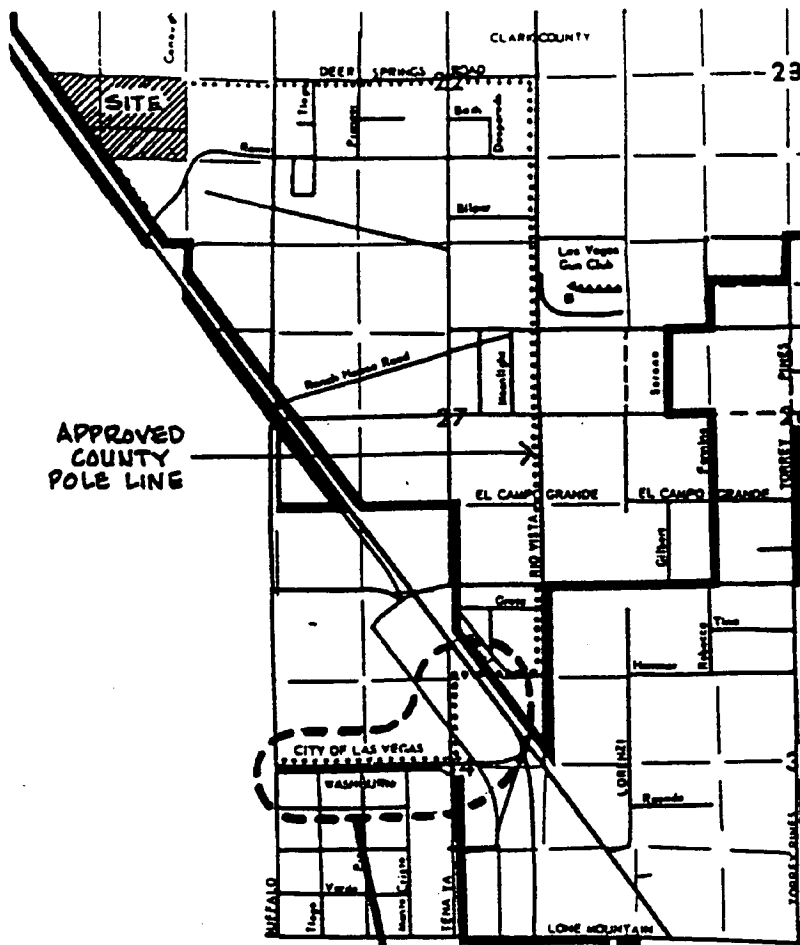
Pursuant to our meeting at the Holiday Inn, I met with Jim Johnson and Richard Rial of the Nevada Power Company to secure additional details and supporting documents surrounding the STC application for electrical service routing through the City of Las Vegas jurisdiction. The enclosed sketch identifies the area in question which is a section of Washburn Way near the intersection of Tenaya Way adjacent to Highway 95. In order to service the STC project site, Nevada Power Company is reconductoring a 4,480 foot section of existing overhead service along Washburn Way as shown on the drawings. An application was made to the City of Las Vegas Public Works Department for approval of this service replacement. Mr. Gilpin of the Public Works Department turned down the request by the Nevada Power Company, indicating the desire for service to be underground.

Nevada Power Company tells us that the adjacent service in this particular area is all overhead service and this is not a request for new service. The reconductoring will be placed on a fewer number of new-style gray poles without cross arms so aesthetics of the area will still be enhanced by this replacement. We were told by Nevada Power Company representatives that Eugene Rogers of the Public Works Department was also aware of this situation; however, Mr. Gilpin was the individual who actually turned down the request.

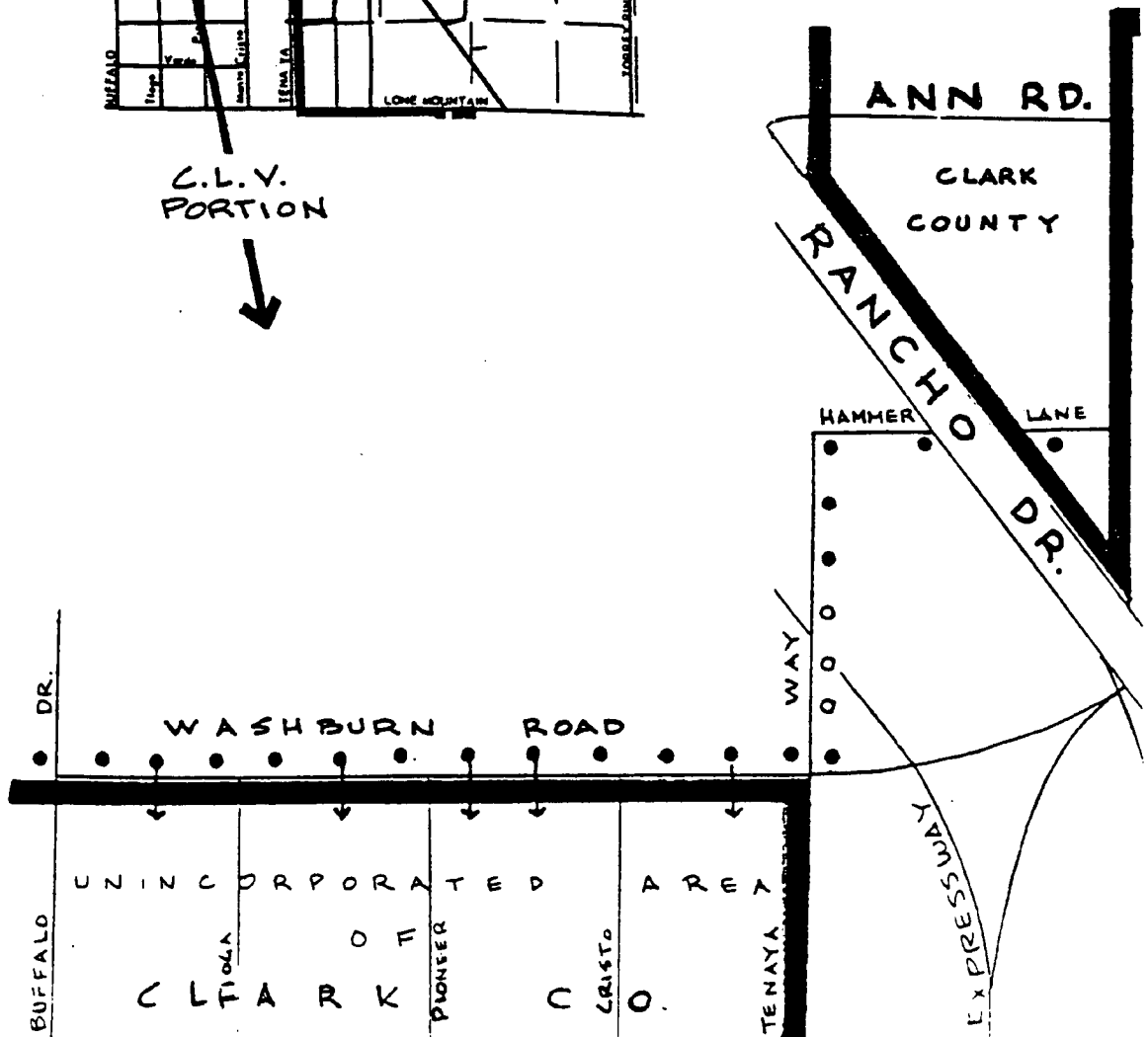
With the many design changes that occur in a prototype complex such as the subject project, our construction budget has become very tight so it is important to us, as well as to our client, that the additional cost of underground service be avoided if at all possible. We appreciate your offer to look into this matter for us and we trust that this is sufficient detail to further review this matter and reach a decision. If additional information or discussion is warranted, please feel free to contact me at (213) 351-5521. Your attention to this matter is most appreciated.

Most sincerely,

A handwritten signature in cursive script that reads 'Robert E. Hutto'.
Robert E. Hutto, PE
Project Manager



C.L.V.
PORTION



AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

City of Las Vegas

0092

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

Page 21
September 21, 1983

ITEM

Council Action

Department Action

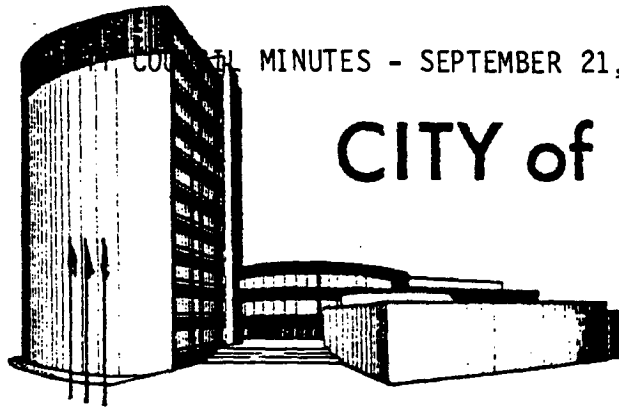
V. GEORGE F. OGILVIE - CITY ATTORNEY	Levy - Appeal GRANTED, sub- ject to fry cook job at Union Plaza only.	
38 A. Appeal of Work Card Denial: William J. Torma Note: This item heard at 1:30 P.M.	Temp. work card to be issued until 12/83. Any change requires Council approval. Unanimous Report by LVMPD, SIB, to Board re appellant made part of record and on file at LVMPD & Appellant's letters.	Clerk to notify. Appellant appeared Lt. Hanief, Metro, appeared.
42 B. Appeal of Work Card Denial Frank La Pena Note: This item heard in afternoon session after Item X. P.	Levy - ABEYANCE Motion carried with Nolen "Abstaining." Report by LVMPD, SIB, to Board re appellant made part of record and on file at LVMPD.	10/19/83 Agenda. Clerk to notify. Appellant appeared Atty. Gary Gowen appeared on behalf of appellant. Lt. Hanief, Metro, appeared.
52 C. Wrongful Death Claim of Mark Van Reenan	Lurie - APPROVED Claim as recommended by City Attorney's office. Unanimous	Staff to proceed
53 D. Approval of Mutual Aid Agreement with the Department of the Air Force for Fire Protection and Rescue Services	Lurie - APPROVED Agreement Unanimous	Staff to proceed

MAYOR BILL BRIARE

COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL W. DORN



CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

0093

CITY of LAS VEGAS

August 26, 1983

Mr. William J. Torma
3755 North Nellis Blvd.
Las Vegas, Nevada 89115

Dear Mr. Torma:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, September 7, 1983, at the regularly scheduled City Council 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 wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons that your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so. Also, you should bring to the hearing all other materials which you feel may assist you in your appeal.

Sincerely,

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

cc: City Attorney
Metropolitan Police Department - SIB



August 26, 1983

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

Dear Ms. 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 City Council.

Sincerely, 

William J. Torma
3755 North Nellis Blvd.
Las Vegas, Nevada 89115

643-7692

DISTRICT OFFICES

100 CALIFORNIA AVENUE
RENO, NEVADA 89509

A. A. CAMPOS BUILDING
215 E. BONANZA STREET
LAS VEGAS, NEVADA 89158

850 ELM STREET
ELKO, NEVADA 89801

106 E. ADAMS, ROOM 206
CARSON CITY, NEVADA 89710

977 W. WILLIAMS
FALLON, NEVADA 89406

STATE OF NEVADA



RICHARD H. BRYAN
GOVERNOR

DEPARTMENT OF PAROLE
AND PROBATION

ROBERT N. CALDERONE, CHIEF
CAPITOL COMPLEX
1100 E. WILLIAM, SUITE 206
CARSON CITY, NEVADA 89710
(702) 885-5040

September 20, 1983

To Whom It May Concern:

This will introduce William James Torma, a Nevada State parolee under my supervision since February 2, 1982. Mr. Torma is currently appealing the City Commission regarding his denial of a Sheriff Work Card.

It has been my observation that Bill Torma has become increasingly responsible and conscientious with regard to his obligations, both to his family and his parole status. He is cheerful and cooperative at all times, and has maintained an optimistic enthusiasm even in the face of adverse or hindering circumstances.

It is my opinion that favorable consideration of his appeal of the work card denial would be in the best interest of the community and Mr. Torma, in that it would enhance his ability to continue to be a responsible, productive member of society.

Please feel free to contact me if any further information or assistance in this matter is desired.

Respectfully,

ROBERT N. CALDERONE, CHIEF

A handwritten signature in cursive script, reading "Richard H. Sigmund".

Richard H. Sigmund, Officer
CPR Unit
District #4, Las Vegas, Nv.

RHS/ac

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING MINUTES - SEPTEMBER 21, 1983
ITEM V-B - APPEAL OF WORK CARD DENIAL - FRANK LA PENA

PAGE 1

MAYOR BRIARE: Are you the counsel for Mr. La Pena?

ATTORNEY GARY GOWEN: Yes.

MAYOR BRIARE: I'm sorry that we had to continue so long. I hope you were successful in court on your other matter.

ATTORNEY GARY GOWEN: That's alright.

MAYOR BRIARE: Yourname and address and so forth.

ATTORNEY GARY GOWEN: Yes. My name's Gary Gowen. I'm an attorney-at-law for Frank La Pena. My address is 1000 South Third Street, Suite D.

MAYOR BRIARE: The last name again?

ATTORNEY GARY GOWEN: Gowen, G-O-W-E-N.

MAYOR BRIARE: Before you start, Mr. Gowen, the City Attorney would like to make some statements for the record.

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY
CIVIL DIVISION

At this time I'd request that the investigative report be made a part of the record for the purpose of these proceedings and the original report be allowed to be maintained in the Special Investigations Section of the Las Vegas Metropolitan Police Department. This work card was denied and this is the appeal of Mr. La Pena. I think the allegations are similar as the other, failure to list all the arrests on his application.

MAYOR BRIARE: Mr. Gowen, are you familiar with the rap sheet that we have here? Do you have a copy of it?

ATTORNEY GARY GOWEN: No, I don't. We have no --

COUNCILMAN LEVY: Did you try to see it?

ATTORNEY GARY GOWEN: No, I frankly haven't.

COUNCILMAN LEVY: Well, then it's certainly your fault that you haven't got a copy of it.

ATTORNEY GARY GOWEN: No, no, really I think that we asked for a reason for the denial and were verbally given the reason that Mr. La Pena had failed to list certain arrests that occurred some 20 years ago, and that's the extent of our knowledge of denial or basis of denial. Now, I assume from what the City Attorney has read into the record is yet the basis for maintaining that the denial should be upheld. We are aware of arrests that occurred.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING MINUTES - SEPTEMBER 21, 1983
ITEM V-B - APPEAL OF WORK CARD DENIAL - FRANK LA PENA

PAGE 2

MAYOR BRIARE: I hope I'm reading this right, Mr. Gowen. Officer, from this report that we have from the United States Department of Justice on April 21, 1982, that we don't have a disposition with robbery with a weapon and attempted murder. Murder?

COUNCILMAN LEVY: Murder.

MAYOR BRIARE: There's no disposition indicated on that report, and you might have it somewhere in there. It's just that I haven't been able to thumb through all of this information yet.

ATTORNEY GARY GOWEN: Well, as far as the --

MAYOR BRIARE: Just a minute. I'm asking our Officer here.

LT. HANIEF, LVMPD: Lt. Hanief, Las Vegas Metropolitan Police. We show on our files that that's a rebooking -- apparently, a Supreme Court decision that the charges be reheard. Part of a comment why he was denied, he showed another officer in our section a newspaper clipping that the charges had been dropped. We'd ask that he provided us --

MAYOR BRIARE: Have we heard further from that?

LT. HANIEF, LVMPD: No. We -- our records show nothing that the case has been dropped.

MAYOR BRIARE: Counselor, were you aware of that? Are you aware of the --

ATTORNEY GARY GOWEN: I'm not certain exactly which one he's talking about. If he's talking about the murder case which involves a Hilda Krause murder by Gerald Weakland in 1974, yes, I am acquainted with the present stance of that case. Mr. La Pena was indeed convicted by a jury of the contract murder of Hilda Krause which was supposed to have been committed by one Gerald Weakland. The Supreme Court has seen this case, or similar cases, a number of times, the last time was last April in which the Supreme Court ordered the convictions reversed based upon their merits. The case is now a posture of being retried. I brought a petition myself before the Supreme Court on behalf of Mr. La Pena in which it recently received a ruling from the Supreme Court, either the Police do a certain thing or dismiss the case. And that's where we are at the present time.

COUNCILMAN LEVY: Does the employer know, Mr. La Pena? Have you got a letter from them?

FRANK R. LA PENA: No, sir, I don't have a letter from him. Mr. Gill Cohen from the Sundance Hotel -- I explained to him my situation and he had hired me for the job, and --

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COUNCILMAN LEVY: Did you ask him for a letter?

FRANK R. LA PENA: No, sir, I didn't.

COUNCILMAN LEVY: Did you read the letter you received from our City Clerk?

FRANK R. LA PENA: Yes, sir, I did.

COUNCILMAN LEVY: What did it say?

FRANK R. LA PENA: It said basically that I could go back and get a letter of recommendation from him.

COUNCILMAN LEVY: But you decided not to?

ATTORNEY GARY GOWEN: No, he did not get a letter from his employer.

COUNCILMAN LEVY: He said that.

MAYOR BRIARE: How about from a probation officer? Are you on probation?

ATTORNEY GARY GOWEN: No.

FRANK R. LA PENA: No, sir. I --

MAYOR BRIARE: Did you serve time?

FRANK R. LA PENA: I spent nine years for --

MAYOR BRIARE: So you served and now you're through. There's no --

ATTORNEY GARY GOWEN: No, Your Honor.

FRANK R. LA PENA: I have no conviction as a matter of law. I was reversed by the Supreme Court. I came back. We put in a motion for the production of an informant that the police had concealed from me back in 1974 when I was going before my preliminary hearing. The concealment was of an informant whose statement showed I was not involved in the murder.

MAYOR BRIARE: Nine years?

FRANK R. LA PENA: Yes, sir. The Supreme Court agreed with us on August 31 that this informant was indeed necessary in our retrial, and if they do not produce the informant, the case is to be dismissed.

COUNCILMAN LURIE: So is it dismissed now? There's no --

LT. HANIEF, LVMPD: The case is still pending. Retrial is pending.

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COUNCILMAN LURIE: So now you have to go back and be retried with this informant that's going to speak on your behalf? Is that --

ATTORNEY GARY GOWEN: No. What happened -- Mr. La Pena, I think, is trying to explain some technical points of law. The posture of the case is simply this. The Supreme Court of Nevada, after Mr. La Pena had been incarcerated for some nine years reversed the case to the effect that the earlier convictions could not stand as a matter of law, and he is now in the posture of possible retrial. Recently, I brought another petition before the Supreme Court to force the investigating officers to do certain things. The Supreme Court in an extraordinary writ of mandate ordered the police department to do these certain things or in the alternative two weeks from now, dismiss the case -- all charges against Mr. La Pena, and that's where we are right now as far as that particular case is concerned.

MAYOR BRIARE: When did you get out?

FRANK R. LA PENA: April 25 --

ATTORNEY GARY GOWEN: No, he was reversed and remanded to local county custody. I obtained bond for him -- bail for him -- in June, I think it was.

MAYOR BRIARE: So you're out on bail now?

ATTORNEY GARY GOWEN: Yes.

COUNCILMAN NOLEN: Your Honor, I have a comment to make. I'd have to declare a conflict on this case and explain why. Sometime in 1976 or '77, I was hired by his then legal counsel to do defense-oriented work for his case and, therefore, I can't take part in these proceedings at all. I'll have to abstain.

COUNCILMAN LEVY: Why?

COUNCILMAN NOLEN: I've been advised by legal counsel that that's my position.

ATTORNEY GARY GOWEN: Your Honor, there are some documents that I would like to submit. Since we now have a foundation for the denial of the work permit --

MAYOR BRIARE: Have you worked at all since April?

FRANK R. LA PENA: Yes, sir. I had a job as a driver for Lucky 7 Limousine and I worked from 7 until 3 o'clock in the afternoon, and after 3 o'clock I would go down to the Union, which I was reinstated again, and I was trying to get a job back in the hotel as a bellman or a doorman or a baggage man, and I was able to obtain this job here at the Sundance Hotel and as a result, I told my other employer that I had been

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FRANK R. LA PENA: hired and they replaced me as far as the other job, so I'm without a job.

ATTORNEY GARY GOWEN: If I might at this time, this matter was brought on the same basis --

MAYOR BRIARE: Would you come here a second?

LT. HANIEF, LVMPD: Surely.

(BRIEF OFF-THE-RECORD DISCUSSION)

MAYOR BRIARE: You've kept everybody pretty busy, Mr. La Pena. How do you say your last name?

FRANK R. LA PENA: La Pena (La-Peen-a).

MAYOR BRIARE: La Pena. You've kept everybody pretty busy, haven't you? Are you innocent on all of them?

FRANK R. LA PENA: Pardon, sir?

MAYOR BRIARE: Are you innocent on all of these charges?

FRANK R. LA PENA: Yes, sir. I was never convicted of them.

COUNCILMAN LEVY: Nothing ever?

FRANK R. LA PENA: Nothing ever.

MAYOR BRIARE: Somebody sure doesn't like you.

COUNCILMAN LURIE: You put nine years in the State Penitentiary and haven't been convicted of anything?

ATTORNEY GARY GOWEN: Oh, he's been convicted, but that conviction has been reversed by the Supreme Court.

MAYOR BRIARE: On a technicality --

ATTORNEY GARY GOWEN: It took them nine years to decide the case.

MAYOR BRIARE: -- or on new evidence or something?

ATTORNEY GARY GOWEN: No, no. It was on the merits of the case. On the other things, Mr. Mayor, that you're referring to, our convictions, or rather arrests, like, for instance, the smuggling arrest. That's a typical thing I'd like to refer to. I'd like to paraphrase --

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MAYOR BRIARE: Well, I want to know about some of these batteries and murders and assaults and stuff. I don't care about your -- what did you say that -- well, no, I mean about that one thing that you just mentioned.

ATTORNEY GARY GOWEN: It was a smuggling thing.

MAYOR BRIARE: Smuggling.

ATTORNEY GARY GOWEN: Alright.

MAYOR BRIARE: I'm talking about physical -- all this physical stuff.

ATTORNEY GARY GOWEN: All of those things that were brought up, they were tried and Mr. La Pena is totally exonerated of those matters.

COUNCILMAN LEVY: Is that right, Hash?

LT. HANIEF, LVMPD: Basically, he's talking about coming to trial again in two weeks on those. As far as exonerated forever --

COUNCILMAN LEVY: Is it all around one case?

LT. HANIEF, LVMPD: It's basically that same situation.

COUNCILMAN LEVY: The whole thing?

COUNCILMAN LURIE: The one from the Hacienda Hotel and --

LT. HANIEF, LVMPD: No.

COUNCILMAN LURIE: What was the disposition of that one? What happened on that case?

ATTORNEY GARY GOWEN: The Supreme Court reversed a conviction in the Obenhauer case and the State has elected not to proceed. In other words, they shot their -- everything they had and the Supreme Court said that wasn't enough.

COUNCILMAN LURIE: What nine years did you spend? On which case?

ATTORNEY GARY GOWEN: It's the Hilda Krause murder case.

COUNCILMAN LURIE: Oh, that one. Okay.

ATTORNEY GARY GOWEN: It occurred in 1974 when Gerald Weakland cut a woman's throat from ear to ear.

LT. HANIEF, LVMPD: The other case involves a victim called William Obenhauer. That was the use of a deadly weapon. That was the arrest of 4-18-74.

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- ATTORNEY GARY GOWEN: That again involved Mr. Gerald Weakland where he took Mr. Obenhauer out in the desert and shot his knees off
- COUNCILMAN LURIE: I remember reading that.
- LT. HANIEF, LVMPD: You've been talking about the old arrests. The one thing we did bring up -- the one that doesn't show good on the FBI printout is a '70 arrest for pandering. The one also, one he did fail to list that we've talked about -- one of the reasons we give here is basically falsifying the work app. He had been arrested on prior occasions for falsifying his work app also. So it makes twice he's done that.
- MAYOR BRIARE: To say the least.
- LT. HANIEF, LVMPD: Pardon?
- MAYOR BRIARE: To say the least.
- LT. HANIEF, LVMPD: Yes, well, I'm not -- he's listed the heavy arrests, but in 1969 he was arrested for falsifying a work app then, listing no arrests. He'd neglected to list the prior arrests, which he's done again.
- COUNCILMAN CHRISTENSEN: What you're saying is that when you falsify a work application by failure to list the arrests and they're told about it, he ought to remember it the next time.
- LT. HANIEF, LVMPD: Basically, yes. That's very true.
- FRANK R. LA PENA: In '69, I was working at the Sands Hotel and when I made out my application, they had put down, "Have you ever been arrested" as opposed to "Have you ever been convicted of a crime," and I had said, "No." But what I had done, I had explained to the police officer that prior to that when I was living in California that I was dealt with that so-called smuggling. I was hitchhiking. I was in Tijuana. I was hitchhiking and I was picked up by four guys. When we got to the border, they pulled them over to the side and they found marijuana in their car. The FBI took everybody down there. They told the FBI agent they had just picked me up and he said, "Go ahead. Go on." That was the disposition, but it was put down as smuggling. And that's what I explained to the officer. I was not convicted or arrested for anything.
- COUNCILMAN LEVY: Then you didn't do it again this time.
- FRANK R. LA PENA: No, sir, I didn't.
- ATTORNEY GARY GOWEN: There has been an adjudication of this point that has been raised and I'd like to file with the Commission a copy of a petition that was filed in February the 15th, 1974, where a work application, this same identical one, was summarily withdrawn and taken from Mr. La Pena, and this is

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ATTORNEY GARY GOWEN: that petition filed in Eighth Judicial District Court. Mr. Woofer, who was your City Attorney at that time, did file a response which I --

COUNCILMAN LEVY: Who?

ATTORNEY GARY GOWEN: Roy Woofter.

COUNCILMAN LEVY: He was never our City Attorney, was he?

ATTORNEY GARY GOWEN: District Attorney. I'm sorry. In which he filed an Answer and Response to that Petition wherein the Metropolitan Police Department was a party defendant, and thereafter, they entered into a Consent, Permanent Injunction, which I consider the Metropolitan Police Department now in violation of, and I'll give you a copy of that Permanent Injunction which -- it was signed February the 21st of 1984, which is permanent and now in effect.

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY-CIVIL DIV. Enjoining what?

ATTORNEY GARY GOWEN: Enjoining the withdrawal of Mr. La Pena's work permit, or his work card at that time, and restraining -- permanently restraining any interference with his work card thereafter.

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY
CIVIL DIVISION You're suggesting from that point forever he could no longer be denied a work permit?

ATTORNEY GARY GOWEN: Well, no. This provided within the decree itself with the grounds that may be used to attack his work -- possession of his work card.

MAYOR BRIARE: When is this hearing, Officer? Well, when is this hearing that we're talking about? A couple of weeks, or --

ATTORNEY GARY GOWEN: Oh, to determine whether or not the State is going to proceed with the murder case. It will be the 5th of October. They have to decide whether or not to meet the Supreme Court's demands or dismiss the case.

MAYOR BRIARE: And you had a job offer to be a valet parker?

FRANK R. LA PENA: Yes, sir. A doorman. I had --

MAYOR BRIARE: Tell me what the difference is between a doorman and a valet parker?

COUNCILMAN LURIE: A doorman opens -- just takes the luggage.

FRANK R. LA PENA: A doorman just opens the door and greets the people that come in there and at times, if they've got luggage there at

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FRANK R. LA PENA: the Sundance Hotel, you take the luggage into the lobby and turn it over to the bellman.

ATTORNEY GARY GOWEN: In that connection, I would like to offer a classification in evidence of employment with the Sundance along with an identification card which had been issued to Mr. La Pena.

MAYOR BRIARE: Why don't you just hold them because we're not that formal right now, Counselor. I don't think -- are we at this time, Mr. Stewart? He wants to introduce something as evidence and we're not taking any evidence right now. We would concede. Are you working for the Sundance now?

FRANK R. LA PENA: No, sir.

MAYOR BRIARE: Were you, or what's this you have in your hand.

ATTORNEY GARY GOWEN: Well, he was hired subject to the ability to obtain a work card.

MAYOR BRIARE: And as soon as you were denied by the --

FRANK R. LA PENA: They hired someone else.

MAYOR BRIARE: And then you just held on to that little thing that your lawyer's got in his hand?

COUNCILMAN LEVY: You don't have no job then? I mean, if we approve this, would you be able to go to work tomorrow?

FRANK R. LA PENA: Yes, sir.

COUNCILMAN LEVY: Oh, they'll still hire you?

FRANK R. LA PENA: Well, I talked -- when I talked to Mr. Gill Cohen, he said, "If you can get your work card," he said, "I will at the next opening hold a position for you."

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY
CIVIL DIVISION

Mayor, I'm not sure what the offer of evidence was, but generally, yes, you have to receive evidence from --

COUNCILMAN LEVY: It wasn't --

COUNCILMAN CHRISTENSEN: It's his I.D. badge.

COUNCILMAN LEVY: It's his I.D. badge from the Sundance if he gets a job.

ATTORNEY GARY GOWEN: Well, he was hired.

COUNCILMAN LEVY: I know. You want to put this as part of the evidence?

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ATTORNEY GARY GOWEN: Not particularly, if you'll acknowledge the fact that the Sundance had hired him indeed and subject to the obtaining of a work permit, or work card, Sheriff's card.

LT. HANIEF, LVMPD: Well, the work application that he brings in is basic evidence that he's been hired.

MAYOR BRIARE: Well, gentlemen. It's a tough case, Mr. La Pena. You sat through this thing this morning when you saw that fellow, Torma, that was a fry cook. You were here.

FRANK R. LA PENA: Yes, I was. I didn't --

MAYOR BRIARE: Well, the only reason I say it is he had a lot of problems and he was going to work as a fry cook and the Council restricted him to that sole use and for that sole employer and all that sort of stuff, but, boy, he wasn't -- he didn't have hanging over his head what you've got hanging over your head. You know, we're not a judicial body. You know that, don't you?

FRANK R. LA PENA: That's true. Yes, sir, I understand that.

MAYOR BRIARE: And supposedly, we're supposed to use a lot of common sense and follow recommendations and look at the law books and see what they say and gosh, I can't vote for you. Man, I wished you'd get a job because I'd rather have you working where you're doing something, not out beating people up and --

FRANK R. LA PENA: Sir, I've worked all my life.

MAYOR BRIARE: I know of nine years of hard labor.

FRANK R. LA PENA: I was a Law Clerk up there. I was a Law Clerk up there for four years.

COUNCILMAN LEVY: He was a Law Clerk.

COUNCILMAN NOLEN: Inmate Law Clerk.

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY-CIVIL DIV. A prison lawyer.

MAYOR BRIARE: Is that right?

FRANK R. LA PENA: Yes, sir. I was Senior Law Clerk up there. I took a correspondence course

COUCILMAN LEVY: I was going to make a joke, but I won't. (Laughter)

ATTORNEY GARY GOWEN: I know what you're thinking about, Councilman Levy. I was semi-retired from '77 until a couple or three years ago, and I donated my time to the prison systems in teaching law.

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- MAYOR BRIARE: What do you expect, Counselor? You know, level with us now? What do you expect on October whatever it is? Is it going to be something that's going to go in to October, November, December, January?
- ATTORNEY GARY GOWEN: No. No, Your Honor. As I told Judge Mendoza who appointed me to this, or asked that I accept this appointment in defense of Mr. La Pena, that I have to be personally convinced of a person's innocence before I would get into a murder case, and I am totally convinced that this is one of the most weird cases that I have ever been confronted with in my life.
- MAYOR BRIARE: Well, how long a case are you going to have on October whatever it is?
- ATTORNEY GARY GOWEN: I say I anticipate if the -- if what has happened in past years -- and nine years this man has been strung out -- on October the 5th, the case will be ordered dismissed in accordance with the Supreme Court of Nevada's dictates.
- MAYOR BRIARE: Will they expunge his record, or something like that?
- ATTORNEY GARY GOWEN: I will -- well, yes. There are other pieces of litigation pending in Federal Court that addresses itself to expungement and for those who are responsible for visiting this traumatic situation upon Mr. La Pena.
- FRANK R. LA PENA: Sir, in nine years of imprisonment I was never once ever cited for any violations of any rules, regulations or procedures of the Department of Prisons. Not one time.
- ATTORNEY GARY GOWEN: As a lawyer, I personally would like to see the case tried because I think that's the only place that expungement can be total.
- MAYOR BRIARE: He doesn't have the advantage of this other fellow here that we sent through where he had a recommendation from his Parole Officer and he had a recommendation from somebody else for a Fry Cook.
- ATTORNEY GARY GOWEN: Well, that's in cases where a person has been convicted of something.
- MAYOR BRIARE: Yes. Somebody is out --
- ATTORNEY GARY GOWEN: Mr. La Pena has not been convicted of anything. In fact, he's an innocent person that stands before you as a matter of law.
- COUNCILMAN LEVY: Accepting this job as a Fry Cook, he had no meeting of the public.
- COUNCILMAN CHRISTENSEN: There's another circumstance here too that technically, the man is not convicted of anything, but he was convicted of something and the conviction was overturned and he'll be

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COUNCILMAN CHRISTENSEN: retried again. So we don't know whether he's convicted really until the next time the trial's held. I think we're premature in considering this.

MAYOR BRIARE: Wait until October the 5th.

COUNCILMAN CHRISTENSEN: Wait until something's done.

ATTORNEY GARY GOWEN: That's the technical part of it. Wait until October the 5th is a technicality you're addressing yourself. At the present time the Supreme Court of Nevada reversed this case on its merits.

COUNCILMAN CHRISTENSEN: You see, I have no problem --

(NOTE: This transcript is typed from a tape recorder. There was a small portion that failed to record due to a tape change at this time, and for that reason is omitted.)

FRANK R. LA PENA: -- pre-trial writ of habeas corpus in 1974. That pre-trial writ of habeas corpus dealt with the issue of -- the essence of probable cause. It ended up in a 3-2 split decision by the Supreme Court, notwithstanding the fact at that time we had not known that the police had maliciously suppressed the exculpatory police reports of the informant that clearly stated I was not involved in the crime.

MAYOR BRIARE: That was suppressed? It wasn't brought out in the trial?

FRANK R. LA PENA: It was maliciously suppressed.

COUNCILMAN CHRISTENSEN: See that's withheld. I don't have the knowledge of that.

COUNCILMAN LEVY: I'd like to see --

ATTORNEY GARY GOWEN: We're talking about the merits of the case at the present time, and I again -- I would love to debate this case all day long.

COUNCILMAN LEVY: Well, not today -- not today. Mayor, I personally would like to hold this, I think, until the meeting of the 19th and hear what some kind of results you get on the 5th or so, and then maybe we can -- maybe by then you're going to be able to determine if it's necessary to continue this.

ATTORNEY GARY GOWEN: I think, Councilman Levy -- I understand your caution. I sympathize with that, you know.

COUNCILMAN LEVY: Dealing with the public.

ATTORNEY GARY GOWEN: Dealing with the public, but now, you have to also understand my position and Mr. La Pena's position. If we are, and if

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- ATTORNEY GARY GOWEN: Mr. La Pena is an innocent person standing before you as a matter of law -- that's a presumption that each one of you gentlemen enjoy as well as I.
- COUNCILMAN LEVY: I'm really not interested in the matter of law. I'm more interested in the matter of principle.
- ATTORNEY GARY GOWEN: I understand that, and principle, I'm addressing myself --
- COUNCILMAN LEVY: In other words, if he got -- if the Councilman consequently got by on a technicality, that's not a principle.
- MAYOR BRIARE: You know, I think just by our trying to discuss this with you, Counselor, we're indicating some kind of sympathy for your client because of the apparent mess he's had for the last 10 or 11 years, whatever it is, but on the other hand, if we wanted to get technical like the law allows us to be technical, this mere withholding of information would be simple enough. We could deny it and walk away from here saying, "Heck, we're dealing with a technicality. Now, we feel good about it." Or --
- COUNCILMAN CHRISTENSEN: We're all talking about one conviction, Mayor, that may be done. There's a couple of other circumstances here that have been brought out that nobody's ever cleared up. You know, every two years to get a medical certificate to fly an airplane, I have to list all the arrest records on any arrest I've had. I continue to list those. Even though I've listed them about 14 times, I continue to list them. Now, I could adopt this gentleman's attitude and say, "Hey, I don't have to list that anymore." I'm talking about traffic arrests. I have a list of my traffic arrests, both of them, and they're down -- both of them, and I continue to list them because that's what the little box says: "List here any arrests since a certain age," and I forget what the age is, "include traffic arrests," and I continue to include those. This gentleman saw fit not to do that.
- MAYOR BRIARE: Yes, well, that's why I say if we wanted to use just that --
- COUNCILMAN CHRISTENSEN: Just that is enough to deny a work card.
- MAYOR BRIARE: But I'm of the impression that I would like to, if Councilman Levy were to move that this be tabled, which means -- which doesn't help you one bit. It just means you're still out of work, but at least it would hold it open until some of this record could be knocked out of here as a result of your court appearance in October. It may or may not make a difference in my book.
- ATTORNEY GARY GOWEN: Well, what has to happen, and what should have happened years ago, was that there should have been an expungement effort on behalf of Mr. La Pena to wipe those unfortunate things off his record. For instance, the arrests that I alluded to is

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ATTORNEY GARY GOWEN: what Bubba Smith use to characterize is "attack on the back field." He scouped them all up and started pitching out people until he come to the man with the ball, and that's what happens and a lot of times these, which I term, roust arrests, and unfortunately, there are those kids sometimes that are hitchhiking and get caught up much like what has happened here, and it should have been addressed years ago, but after those things have been laid to rest, who wants to really dig them up again. I'll assure you, after -- to fulfill my involvement in this case, there will be expungement proceedings brought and a judicial pronouncement, which was done in 1974, but in a different way. In 1974, the permanent injunction said that it was no longer a ground for you to withhold his work card.

MAYOR BRIARE: And you're going to know that pretty soon, aren't you?

COUNCILMAN CHRISTENSEN: But did it ever say anywhere in that permanent injunction that you don't have to list the fact that you've been arrested?

ATTORNEY GARY GOWEN: No, I don't think so. It just said that his failure to list those arrests in 1974 or prior to that time is not a basis for withdrawal of his work card, and there has not been a withdrawal of his work card since that time. It has expired.

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY
CIVIL DIVISION

There's a couple of things here. I think the main reason for the court's decision was the fact that there was no procedure for an appeal for this man to take the case. There was no guidelines for the Sheriff to pull the work card. All that has now been changed. We have an appeal. We have guidelines and so that's one point. And, further, in reference to the prior taking of the work card, work cards are only good for a certain number of years. They expire by law. So I don't think there's any question that that injunction issued many years ago has any application today. The work card that was issued back there has expired by law. Finally, to make sure that there's no misunderstanding here. Even though you may have the record expunged, so to speak, the applicant is still obligated to list those arrests on those questions. That expungement of record applies in certain other categories for enhancement of criminal activities. It applies if you have to register as an ex-felon -- all those things are wiped away. But you still have the obligation to list arrests when they are asked on a privileged investigation inquiry into a -- for a privileged activity. And the other thing I'd like to ask is do you have a copy of the Supreme Court decision that reversed Mr. La Pena's conviction?

ATTORNEY GARY GOWEN: Not with me. I do have it in my office, of course. And, of course, the other two previous decisions are in the reports.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING MINUTES - SEPTEMBER 21, 1983
ITEM V-B - APPEAL OF WORK CARD DENIAL - FRANK LA PENA

PAGE 15

JANSON F. STEWART
CHIEF DEPUTY
CITY ATTORNEY
CIVIL DIVISION

Well, I only asked the question because I think we'd like to see, I would at least, a copy of that.

COUNCILMAN LEVY:

I move that we hold this until our second meeting in October.

MAYOR BRIARE:

Comments by the Council? (No response.) Cast your votes.
Post. The motion is approved. The matter is going to be held.
(VOTING "YES" TO APPROVE THE MOTION WERE LURIE, BRIARE, LEVY
AND CHRISTENSEN. NOLEN ABSTAINED FROM VOTING.)

*City of Las Vegas*AGENDA DOCUMENTATION

Date: September 6, 1983

TO: The City Council

FROM: *J. Stewart*
Janson P. Stewart
Chief Civil Deputy AttorneySUBJECT:

Wrongful Death Claim of Mark Van Reenan

PURPOSE/BACKGROUND

On June 15, 1983, one of the City's employees was involved in a vehicle accident involving a City truck and a motorcyclist. As a result of the accident, Mark Van Reenan, the driver of the motorcycle was killed. Investigation by the City's insurance adjusters show that the City is liable for the claim brought on by Mr. Van Reenan's representatives. Mr. Allan R. Earl, Attorney for Van Reenan has made an offer of settlement in the amount of \$50,000.00. The City's insurance adjusters have advised that acceptance of this settlement offer would be in the best interests of the City.

FISCAL IMPACT

\$50,000.00

RECOMMENDATIONS

It is recommended that the City Council approve payment of this claim in the amount of \$50,000.00.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item _____

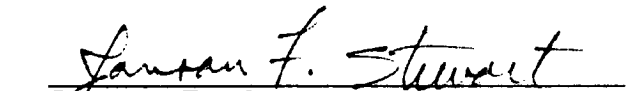
INTER-OFFICE MEMORANDUM

September 13, 1983

TO: Mayor William H. Briare Councilman Paul Christensen Councilman Al Levy Councilman Ron Lurie Councilman Bob Nolen	FROM: Janson F. Stewart, Chief Deputy City Attorney
SUBJECT: Recommendation: Self Insurance Committee, Mark Van Reenan Claim	COPIES TO:

It is the recommendation of the Self Insurance Committee that the above claim, resulting from the untimely death of Mr. Van Reenan, be settled in the amount of fifty thousand dollars (\$50,000.00). The Self Insurance Trust Fund has as of June 30, 1983, a reserve balance of \$1,395,161.00.


Marvin A. Leavitt,
Director of Financial Management


Janson F. Stewart,
Chief Deputy City Attorney


Dan R. Pilkington,
Director of General Services


David R. Parks,
Director of Budget & Management

AGENDA DOCUMENTATION

Date: September 13, 1983

TO:
The City Council

FROM: Val Steed *Val Steed*
Deputy City Attorney

SUBJECT:

Approval of Mutual Aid Agreement with the Department of the Air Force
for Fire Protection and Rescue Services

PURPOSE/BACKGROUND

The proposed agreement will create a mutual aid arrangement between the fire departments of the City and Nellis Air Force Base. The agreement provides that either party may request and receive, from the other, supplemental aid in providing fire protection and rescue services in extraordinary situations where the requesting party cannot respond adequately.

The proposed agreement -- similar to agreements which the City has with other local fire departments -- is nonfinancial in nature and does not modify the parties' existing obligations or create new liabilities with respect to emergency services.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council approve this agreement and authorize the Mayor to execute the same on behalf of the City of Las Vegas.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V-D

FIRE PROTECTION AND RESCUE SERVICES

THIS AGREEMENT, made and entered into on the 21st day of September 1983, by and between the Department of the Air Force, a governmental agency located at Nellis Air Force Base, and the City of Las Vegas, a municipal corporation of the State of Nevada.

W I T N E S S E T H:

WHEREAS, the parties to this agreement provide fire protection and rescue services within their respective territorial limits.

WHEREAS, it is to the mutual advantage and benefit of the parties to this agreement to render supplemental fire protection and rescue services to each other in the event of a fire or other local emergency which is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of the agency having jurisdiction over the area in which the emergency occurs and which requires the services of the other party to control.

WHEREAS, the exchange of services under such conditions is authorized by law.

NDW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. There is hereby created a mutual aid between the Department of the Air Force and the City Fire Department that will allow the nearest fire suppression and rescue units and manpower or special equipment to be utilized at the scene of an emergency through the request of either party.

Further, at the request of either party, City and Nellis units shall be provided and dispatched, as available, through the parties dispatching system.

2. Each party shall designate one or more officers-in-charge from their respective Fire Departments, who will have the authority to request assistance hereunder, and each party shall notify the other of the designation.

Details as to methods of requesting assistance, and such other planning as may be necessary to effectuate the purpose of this agreement, may be covered by supplementary agreements between the parties.

3. Any personnel furnished will work insofar as possible under their own supervisors, and the equipment furnished will insofar as possible be operated by the personnel of the party furnishing the equipment. The overall command of the forces engaged in controlling a particular emergency situation shall be retained by the appropriate officers of

4. No party furnishing aid pursuant to this agreement shall be entitled to compensation for services rendered to the requesting agency, it being understood that the respective covenants contained in this agreement shall constitute the sole consideration for such services.

5. It is mutually understood and agreed that this agreement does not relieve either party from the necessity and obligation of furnishing adequate fire and rescue protection within its own area.

6. It is mutually understood and agreed that the party requesting assistance is not required to indemnify the party furnishing assistance as to any liability or damage imposed by law upon the assisting party by reason of an act or omission of its employee occurring in the performance of the service. The requesting party shall not be responsible only for acts of the employees of the responding party at the scene of the emergency, except for such acts as are performed at the specific direction of an employee of the requesting party.

7. This agreement shall not be construed as nor deemed to be an agreement for the benefit of any third or party or parties, and no third party or parties shall have a right of action hereunder for any cause whatsoever.

8. Any services performed or expenditures made in connection with the furnishing of assistance hereunder shall conclusively be presumed to be for the direct protection of the inhabitants and property of the party furnishing the assistance and for the direct benefit of all the inhabitants and citizens of Nellis Air Force Base and the City of Las Vegas.

9. This agreement shall become effective when approved and executed by the parties and shall remain operative and effective until participation in this agreement is terminated by either party. Either may terminate at its participation at any time by giving to the other party of at least thirty (30) days written notice of its intention to do so.

IN WITNESS WHEREOF, this agreement has been executed and approved and is effective and operative as to each of the parties as herein provided the day and the year first above written.

CITY OF LAS VEGAS, NEVADA

By *Ron Lurie*
RON LURIE, Mayor PRO-TEM

ATTEST:

Carl A. Hawley
City Clerk

APPROVED AS TO FORM:

James F. Stewart
City Attorneys Office

DEPARTMENT OF THE AIR FORCE
NELLIS AIR FORCE BASE

James F. Hogan, Jr., Major, USAF
Chief, Resource Plans Division

ATTEST:

Nellis Air Force Base Attorney

INTER-OFFICE MEMORANDUM

June 14, 1984

TO: DON J. SAYLOR DEPUTY CITY MANAGER	FROM: CAH CAROL ANN HAWLEY CITY CLERK
SUBJECT: MUTUAL AID AGREEMENT FOR FIRE PROTECTION & RESCUE SERVICES WITH NELLIS AFB	COPIES TO:

This is to formally advise that the above reference agreement (copy attached) was never approved by officials of Nellis AFB. This agreement was approved by the City Council on 9/21/83 and my office has kept the minutes file open for the return of the fully executed agreement. Larry Powell and George Judd have advised that this document will not be completed and that they have advised the City Attorney accordingly.

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

City of Las Vegas

0118

Page 22

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

September 21, 1983

ITEM

Council Action

Department Action

V. GEORGE F. OGILVIE - CITY ATTORNEY (cont.)

E. Annexation Resolution A-10-83

Property Located: West of Lorenzi Boulevard,
between Westcliff Drive
and Washington Avenue

Petitioned By: Thomas T. Beam, et al

Acreage: Approximately 922 Acres

Zoned: R-E and P-F (County
classification)
N-U and C-V (City
equivalent)

Christensen -
ADOPTED Resolution
Unanimous

Staff to proceed

F. Resolution Accepting Bids for S.I.D. No. 443

Step No.: 12B - Resolution Accepting Bids

Improvements: Include the installation of
standard "L" type curbs and
gutters, parking lanes,
standard commercial driveways,
installation of street lighting,
sewer laterals and concrete
sidewalks.

Location: Along the west side of Nellis
Boulevard from Charleston
Boulevard to Owens Avenue and
along both sides of Bonanza
Road from the Vegas Wash to
Nellis Boulevard

Lurie -
ADOPTED Resolution
Unanimous

Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

Date: September 12, 1983

TO:
The City CouncilFROM: Val Steed *Val Steed*
Deputy City Attorney

SUBJECT: Annexation Resolution A-10-83

PURPOSE/BACKGROUND

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

The following is pertinent information:

Annexation No.:	A-10-83
Property Located:	West of Lorenzi Boulevard between Westcliff Drive and Washington Avenue
Petitioned By:	Thomas T. Beam, et al. 1267 Strong Drive Las Vegas, Nevada 89102
Acreage:	Approximately 922 Acres
Zoned:	R-E and P-F (County classification) N-U and C-V (City equivalent)

FISCAL IMPACTRECOMMENDATIONS

It is recommended that the City Council take the appropriate steps to adopt the attached resolution.

Agenda Item

V-E

R E S O L U T I O N

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 21st day of September, 1983:

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

Those portions of Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

PARCEL 1

The South Half (S 1/2) of Section 27, Township 20 South, Range 60 East, M.D.M.

EXCEPT THEREFROM the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 27.

PARCEL 2

The South Half (S 1/2) of Section 28, Township 20 South, Range 60 East, M.D.M.

EXCEPT THEREFROM the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

ALSO EXCEPTING THEREFROM the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

ALSO EXCEPTING THEREFROM the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

PARCEL 3

The East Half (E 1/2) of Section 29, Township 20 South, Range 60 East, M.D.M.

1 2. That said City Council shall meet on Wednesday,
2 November 2, 1983, at the hour of 2:00 o'clock p.m. in the Council
3 Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada,
4 to conduct a public hearing on the question of such annexation.

5 3. That the City Clerk be, and she hereby is, directed
6 to give notice of such public hearing by publication thereof
7 at least three (3) times in the Las Vegas Sun, a newspaper
8 published in the City of Las Vegas and of general circulation
9 in the above-described territory; the first publication to be
10 at least twenty (20) days prior to the said November 2, 1983,
11 and not less than six (6) days shall intervene between the
12 first publication and the last publication, and by mailing
13 notice thereof by certified mail, return receipt requested,
14 to each record owner of real property within the said described
15 territory, said notice to be mailed at the time of the first
16 publication thereof. Said notice shall be in substantially the
17 same form as attached hereto as Exhibit "A".

18 4. That the Director of Engineering Services and the
19 Director of Community Planning and Development are hereby directed
20 to prepare and submit to the said City Council of the City of
21 Las Vegas, on Wednesday, October 5, 1983, a report setting
22 forth plans for the extension into said described territory
23 all major municipal services presently furnished by the City
24 of Las Vegas to its residents and citizens, which report shall
25 include, but not be limited to:

26 A. An accurate map or plat of the territory
27 proposed to be annexed, prepared under the
28 supervision of a competent surveyor or
29 engineer;

30 B. A map or maps of the City and the adjacent
31 territory to show the following information:
32 . . .

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

10 C. A statement showing that the territory proposed to
11 be annexed is eligible for annexation under
12 N.R.S. 268.570 to 268.608, inclusive.

13 PASSED, ADOPTED and APPROVED this 21st day of September,
14 1983.

15 APPROVED:

16 
17 By William H. Briare
18 WILLIAM H. BRIARE, Mayor

19 ATTEST:

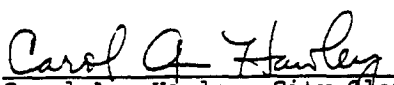
20 
21 Carol Ann Hawley
22 Carol Ann Hawley, City Clerk
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EXHIBIT "A"

NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY WITHIN PROPOSED LAS VEGAS, NEVADA, ANNEXATION A-10-83:

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

1. The City Council of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 21st day of September, 1983, declared its intention to annex to said City the territory generally located west of Lorenzi Boulevard between Westcliff Drive and Washington Avenue.

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

Those portions of Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

PARCEL 1

The South Half (S 1/2) of Section 27, Township 20 South, Range 60 East, M.D.M.

EXCEPT THEREFROM the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 27.

PARCEL 2

The South Half (S 1/2) of Section 28, Township 20 South, Range 60 East, M.D.M.

EXCEPT THEREFROM the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

ALSO EXCEPTING THEREFROM the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

ALSO EXCEPTING THEREFROM the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 28.

PARCEL 3

The East Half (E 1/2) of Section 29, Township 20 South, Range 60 East, M.D.M.

2. That said City Council shall meet on Wednesday, November 2, 1983, at the hour of 2:00 o'clock p.m. in the Council Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, to conduct a public hearing on the question of such annexation.

3. That a report setting forth the plans for the extension into said territory of all major municipal services presently furnished by the City to its residents and citizens will be available for examination by the public in the Office of the City Clerk, City Hall, 400 East Stewart Avenue, Las Vegas,

Nevada, twenty (20) days prior to the date of the public hearing. Such report shall include:

A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;

B. A map or maps of the City and the adjacent territory to show the following information:

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

C. A statement showing that the territory proposed to be annexed is eligible for annexation under N.R.S. 268.570 to 268.608, inclusive.

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

<u>NAME & ADDRESS</u>	<u>PARCEL NUMBER</u>
Evans, Percy Trs et al. 3812 Apache Lane Las Vegas, NV 89107	450-220-002
Scott, Frank L. & Bernice B. Sisselman Neal M. & Marion 3650 Russell Road Las Vegas, NV 89120	450-220-003
Woofter, Roy A. 436 No. 23rd Las Vegas, NV 89101	450-220-004
Hammerbacher, Paul M. & Alice R. Box 22 Coleville, CA 96107	450-220-005
Hazan, Morris A. 925 No. Beverly Drive Beverly Hills, CA 90210	450-220-006
Eckert, John et al. 7234 W. Tara Avenue Las Vegas, NV 89117	450-220-007
Fremont & Buffalo 1000 E. Garces Avenue Las Vegas, NV 89101	450-220-008 450-220-019
Crosby, Mary Lee 6913 Conifer Lane Las Vegas, NV 89107	450-220-009
Judd, Paul Trs 5028 W. Lake Mead Las Vegas, NV 89108	450-220-015

Kunich, John L. & Florence 32679 Seagate Drive #D Rancho Palos Verdes, CA 90274	450-220-016	
Curtis, Arthur W. Trs 3619 Industrial Road Las Vegas, NV 89119	450-220-017	
Tallman, John C. Box 1826 St. Thomas, VI 00801	450-220-018	
Grows, Eugene A. 532 6th Street Boulder City, NV 89005	310-140-004	
Beam, Thomas T. 1267 Strong Drive Las Vegas, NV 89102	310-140-005 310-140-006 310-140-007 310-140-008 310-140-009 310-140-010 310-140-011 310-140-012 310-140-013 310-140-014 310-140-015	310-140-028 310-140-029 310-140-030 310-140-031 310-140-032
Church Baptist Twin Lakes 5700 Vegas Drive Las Vegas, NV 89108	310-140-016 310-140-017	
USA Washington, DC	310-140-018 310-140-019	
Scalise, Guy 1876 Leonard Lane Las Vegas, NV 89108	310-140-020	
Witsell, Ben F. Taylor, J.D. 2001 Santa Ynez Las Vegas, NV 89104	310-140-021	
DeLuna, Leonardo V. Garrett, Thomas A. 2104 Saratoga Street Las Vegas, NV 89102	310-140-022	
Yee, Gar Jing & Lorraine 1371 41st Avenue San Francisco, CA 94122	310-140-023	
Hunter, Dick & Margueritte SR 42 Box 3020 Las Vegas, NV 89124	310-140-024 310-140-025 310-140-026 310-140-027	

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

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

By ORDER of the City Council of the City of Las Vegas,
Nevada.

DATED this 21st day of September, 1983.


CAROL ANN HAWLEY, CITY CLERK

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 31, 1983

TO:
The City CouncilFROM:
GEORGE F. OGILVIE
City Attorney

SUBJECT: RESOLUTION ACCEPTING BIDS FOR SPECIAL IMPROVEMENT DISTRICT NO. 443.

PURPOSE/BACKGROUND

S.I.D. NO.

443

STEP NO.

12B - Resolution Accepting Bids

IMPROVEMENTS

Include the installation of standard "L" type curbs and gutters, parking lanes, standard commercial driveways, installation of street lighting, sewer laterals and concrete sidewalks.

LOCATION

Along the west side of Nellis Boulevard from Charleston Boulevard to Owens Avenue and along both sides of Bonanza Road from the Vegas Wash to Nellis Boulevard.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council take the appropriate steps to adopt this Resolution.

Agenda Item

V-F

RESOLUTION ACCEPTING BIDS

WHEREAS, the City Council of the City of Las Vegas has taken steps to create certain public improvements within the City of Las Vegas, all as designated as Las Vegas Special Improvement District No. 443; and

WHEREAS, by resolution passed, adopted and approved on the 1st day of December, 1982, the City Clerk and City Engineer were directed to publish notice of the receipt of bids for the furnishing of labor, materials, transportation and services for the improvements called for in said Special Improvement District No. 443; and

WHEREAS, proper notices were given by publication of the receipt of bids for the furnishing of such labor, materials, transportation and services; and

WHEREAS, bids were received and opened on the 6th day of May, 1983, and the 11th day of August, 1983, and confirmation was continued to a regular meeting; and

WHEREAS, the time has now arrived to award the construction contracts in accordance with Chapter 271 of Nevada Revised Statutes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, at a regular meeting thereof held on the 21st day of September, 1983, that the following bid be, and the same hereby is, accepted:

WELLS CARGO in the amount of \$99,765.95

LAS VEGAS PAVING CORPORATION in the amount of \$220,945.64

. . .

. . .

. . .

. . .

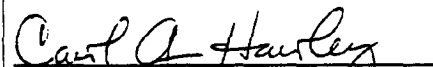
. . .

1 BE IT FURTHER RESOLVED that the Mayor and Clerk of the
2 City of Las Vegas be, and they hereby are, authorized to execute
3 any and all documents necessary to carry this Resolution into
4 effect.

5 PASSED, ADOPTED AND APPROVED this 21st day of September,
6 1983.

7 
8 WILLIAM H. BRIARE, MAYOR

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11 ATTEST:

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13 CAROL ANN HAWLEY, CITY CLERK

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AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

1354 VI. REPORTS FROM RECOMMENDING COMMITTEES

- 1354 A. BILL NO. Z-83-2 - AMENDS THE LAND USE
PLAN MAP OF THE CITY OF LAS VEGAS BY
CHANGING VARIOUS ZONE DESIGNATIONS.
Committee: Councilmen Lurie and Levy

First Publication: SUN - 8/31/83

Committee Recommendations:

Adoption at 9/21/83 City Council meeting.

Lurie -
Second Reading and
Bill ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

- 1354 B. BILL NO. 83-47 - SIMPLIFIES THE PROCEDURES
FOR OBTAINING SPECIAL USE PERMITS AND
VARIANCES FOR CERTAIN USES WHICH REQUIRE
BOTH.
Committee: Councilmen Lurie and Levy

First Publication: SUN - 8/31/83

Committee Recommendation:

Adoption at 9/21/83 City Council meeting.

Lurie -
Second Reading and
Bill ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

APPROVED AGENDA ITEM:

Ashley Hall

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 10, 1983

TO:

The City Council

FROM:

C. VAL STEED
Deputy City Attorney

SUBJECT:

BILL NO. Z-83-2

PURPOSE/BACKGROUND

The purpose of the proposed ordinance is to rezone those properties in the City of Las Vegas that have been approved for rezoning in the last six (6) months by the City Council, either pursuant to a Resolution of Intent where the conditions have been satisfied or pursuant to an unconditional approval. Approximately twice a year, the Council adopts a comprehensive rezoning ordinance covering all rezonings that have occurred since the last ordinance rather than adopting ordinances for each rezoning on an individual basis.

FISCAL IMPACTRECOMMENDATIONS

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

Agenda Item

VI - A.

City of Las Vegas

0132

AGENDA DOCUMENTATION

Date: August 12, 1983

TO:
The City CouncilFROM: Val Steed *Val Steed*
Deputy City AttorneySUBJECT:

Bill #83-47: Provides for City Council review of certain uses which require both a special use permit & a variance, & clarifies procedures relating thereto

PURPOSE/BACKGROUND

This bill, if adopted, will:

1. Make variance procedures with respect to certain uses consistent with current special use permit procedures for those same uses.
2. Provide for City Council review of all such uses, whether sought by way of special use permit or variance.
3. Include in the list of such uses all secondhand dealers, except for antique stores and used car lots.
4. Allow uses which require both a special use permit and a variance to be approved by means of variance alone.
5. Clarify the voting requirements for variance and special use permit appeals to the City Council.
6. Make miscellaneous technical corrections.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

INTER-OFFICE MEMORANDUM

August 30, 1983

TO:

FILE

FROM:

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
AUGUST 29, 1983

COPIES TO:

Agenda Blue Books for 9/7/83 Council Meeting
City Attorney's Office
Business Activity Department
Community Planning and Development
Building and Safety
Engineering Services

HELD:

4:00 P.M., City Manager's Conference Room, 10th Floor,
City Hall. Meeting adjourned at 4:15 P.M.

ATTENDANCE:

Councilman Lurie
Councilman Levy
Councilman Nolen
City Manager Russ Dorn
Deputy City Manager Don Saylor
Deputy City Attorney Jan Stewart
Harold Foster, Director, Community Planning and Development
Carol Ann Hawley, City Clerk
Linda Owens, Deputy City Clerk
Jerry Ralya, Las Vegas SUN
James W. Tyree, Executive Director, E.O.B.A. BILL NO. Z-83-2 - AMENDS THE LAND USE PLAN MAP OF THE CITY OF LAS VEGAS BY CHANGING
VARIOUS ZONE DESIGNATIONS.Committee: Councilmen Lurie and Levy

This Bill puts into ordinance form all the rezonings that were approved by the City Council from January through June of 1983. No one appeared in opposition to this Bill. Committee recommended adoption at 9/21/83 City Council meeting.

B. BILL NO. 83-47 - SIMPLIFIES THE PROCEDURES FOR OBTAINING SPECIAL USE PERMITS AND
VARIANCES FOR CERTAIN USES WHICH REQUIRE BOTH.Committee: Councilmen Lurie and Levy

Harold Foster stated this Bill will streamline the process when a Use Permit and Variance are required. The applicant can apply for a Variance only and pay one fee of \$100. A Variance goes with the land and not with the business on that property. No one appeared in opposition to this Bill. Committee recommended adoption at 9/21/83 City Council meeting.

RECOMMENDING COMMITTEE MEETING
AUGUST 29, 1983
PAGE 2

REAL ESTATE COMMITTEE:

- C. REQUEST OF E.O.B. TO ALLOW THE CONSTRUCTION OF A SENIOR DAY CARE CENTER ON A TWO AND ONE HALF ACRE PARCEL OF CITY-OWNED LAND LOCATED AT HARRIS AND EASTERN AVENUE.

Real Estate Committee: Councilmen Levy and Lurie

E.O.B. Executive Director James Tyree advised that only 1 acre was desired (not 2½ as originally requested). Committee advised Tyree they would want to receive the appraised value. The City is to get an appraisal, E.O.B. Director to seek further advice from his Board, and all resultant information to be presented to the full Council at the 9/7/83 meeting.

(Posting required under the provisions of NRS CHAPTER 241)

0135

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

Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 18th day of August, 1983, at the hour of 4:00 pm there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 P.M. on Monday, August 29, 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 Council Chamber)

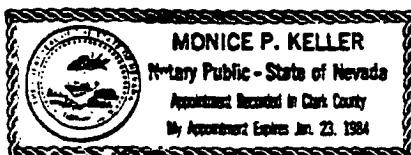
Loretta A. Hall
SIGNATURE

Clerk
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

18th day of August, 1983

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



(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

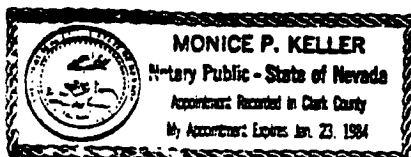
Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 22nd day of August, 1983, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00pm on Monday August 29, 1983, 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

22nd day of August, 1983

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



August 17, 1983

N O T I C E

The following Bills proposed for adoption by the City Council of the City of Las Vegas, Nevada, and Real Estate item will be the subject of PUBLIC COMMENT before the respective Recommending Committees at the hour of 4:00 P.M., Monday, August 29, 1983, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. Z-83-2 - AMENDS THE LAND USE PLAN MAP OF THE CITY OF LAS VEGAS BY CHANGING VARIOUS ZONE DESIGNATIONS.
Committee: Councilmen Lurie and Levy
- B. BILL NO. 83-47 - SIMPLIFIES THE PROCEDURES FOR OBTAINING SPECIAL USE PERMITS AND VARIANCES FOR CERTAIN USES WHICH REQUIRE BOTH.
Committee: Councilmen Lurie and Levy

REAL ESTATE COMMITTEE:

- C. REQUEST OF E.O.B. TO ALLOW THE CONSTRUCTION OF A SENIOR DAY CARE CENTER ON A TWO AND ONE HALF ACRE PARCEL OF CITY-OWNED LAND LOCATED AT HARRIS AND EASTERN AVENUE.
Real Estate Committee: Councilmen Levy and Lurie

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 Bills can be obtained through the Office of the City Clerk, Monday through Friday, 8 A.M. to 5 P.M.

AGENDA*City of Las Vegas*

September 21, 1983

Page 24

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Contd)REAL ESTATE COMMITTEE:

- C. REQUEST OF E.O.B. TO ALLOW THE CONSTRUCTION OF A SENIOR DAY CARE CENTER ON A TWO AND ONE HALF ACRE PARCEL OF CITY-OWNED LAND LOCATED IN THE VICINITY OF HARRIS AND EASTERN AVENUE.

Real Estate Committee: Councilmen Levy
and Lurie

Committee Recommendation:

E.O.B. Executive Director James Tyree advised that only 1 acre was desired (not 2½ as originally requested). Committee advised Tyree they would want to sell at the appraised value. The City is to get an appraisal, E.O.B. Executive Director to seek further advice from his Board, and all resultant information to be presented to the full Council at the 9/7/83 meeting.

(Councilman Nolen reported at the 9/7/83 City Council meeting that E.O.B. did not have a quorum at their meeting, but would be able to advise their disposition at the 9/21/83 City Council meeting.)

Referred back to
Real Estate
Committee.

To be placed back
on agenda at
request of E.O.B.

Sylvia Staples,
E.O.B. appeared.

APPROVED AGENDA ITEM

Ashley Hall

1356

Date: August 15, 1983

AGENDA DOCUMENTATION

TO:
The City Council

FROM: *Russ Dorn*
RUSSELL W. DORN
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST OF E.O.B. TO ALLOW THE
CONSTRUCTION OF A SENIOR DAY CARE CENTER ON A 2½ ACRE PARCEL OF CITY-OWNED
LAND LOCATED IN THE VICINITY OF HARRIS AND EASTERN AVENUE

PURPOSE/BACKGROUND

This property is located immediately adjacent to the new senior citizen housing project which was developed by the NAACP. E.O.B. is seeking a site for their senior day care center and have not been able to find a suitable location in terms of existing buildings; consequently, they are proposing to construct a facility. The property in question had previously been proposed for a senior citizen park/garden type of development, however, that never materialized.

The staff of the Housing Authority has advised me that they have no objection to this proposed use, and City staff feels that the use would be appropriate at this location.

E.O.B. has not submitted a detailed site plan, consequently, the exact amount of land cannot be determined at this time. We do not have an updated appraisal, but the property immediately adjacent sold for approximately \$45,000.00 per acre so I think it is safe to assume that this property would be somewhat less but in the same ballfield.

FISCAL IMPACT

Proceeds from the sale of the property.

RECOMMENDATIONS

This item should be referred to the Real Estate Committee.

2-74



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AGENDA*City of Las Vegas*

September 21, 1983

Page 25

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Contd)

The following Bills have received a recommendation as noted; however, no action may be taken at the 9/21/83 meeting:

- 1358 D. BILL NO. 83-48 - DEFINES THE RESPONSIBILITIES OF PROPERTY OWNERS IN CONNECTION WITH THE RIGHT-OF-WAY ABUTTING THEIR PROPERTY, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO COMMENCE REMEDIAL ACTION IN THE EVENT THE PROPERTY OWNER IGNORES HIS RESPONSIBILITIES CONCERNING THE ABUTTING RIGHT-OF-WAY AND IMPOSING VARIOUS REQUIREMENTS CONCERNING THE CONSTRUCTION OF NEW SIDEWALKS OR THE REPAIR OF EXISTING SIDEWALKS.

Committee: Councilmen Lurie and Christensen

First Publication: SUN - 9/21/83

Committee Recommendation:

Adoption at 10/05/83 City Council meeting as per First Amendment.

Recommendation
Noted

- 1358 E. BILL NO. 83-49 - AMENDS THE PROCEDURE FOR OBTAINING A BUSINESS LICENSE BY ELIMINATING THE REQUIREMENT THAT THE DEPARTMENT OF BUILDING AND SAFETY INSPECT AND APPROVE THE BUILDING WHERE THE BUSINESS OR FACILITY WILL BE CONDUCTED.

Committee: Councilmen Lurie and Nolen

First Publication: SUN - 9/21/83

Committee Recommendation:

Adoption at 10/05/83 City Council meeting.

Recommendation
Noted

APPROVED AGENDA ITEM

Ashley Hall

AGENDA*City of Las Vegas*

September 21, 1983

Page 26

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Contd)

58 F. BILL NO. 83-50 - SPECIAL IMPROVEMENT DISTRICT NO. 433. STEP NO. 11-B, ORDINANCE CREATING DISTRICT. IMPROVEMENTS INCLUDE THE INSTALLATION OF A PARKING LANE FROM LAKE MEAD BOULEVARD TO CAREY AVENUE, STANDARD "L" TYPE CURBS AND GUTTERS, STREET LIGHTING, SEWER LATERALS FROM CHARLESTON BOULEVARD TO CAREY AVENUE. LOCATION: ALONG BOTH SIDES OF HIGHLAND DRIVE FROM CHARLESTON BOULEVARD TO CAREY AVENUE.

Committee: Councilmen Lurie and Christensen

First Publication: SUN - 9/21/83

Committee Recommendation:

Adoption at 10/05/83 City Council meeting.

Recommendation
Noted

APPROVED AGENDA ITEM

Ashley Hall

CITY OF LAS VEGAS

Date

0143

INTER-OFFICE MEMORANDUM

September 19, 1983

TO:

FILE

FROM:

Carol Ann Hawley
CAROL ANN HAWLEY, CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING -
SEPTEMBER 19, 1983

COPIES TO:

Agenda Blue Books for 9/21/83 City Council Mt
City Attorney's Office
Business Activity Department
Community Planning and Development Department
Building and Safety
Engineering Services
Metro
Fire Services

MEETING HELD:

Monday, September 19, 1983, City Manager's Conference
Room, 10th Floor, City Hall, Meeting began at 4:00 PM;
adjourned at 4:15 PM.

PRESENT:

Councilman Ron Lurie
Councilman Paul J. Christensen
Councilman Al Levy
Councilman Bob Nolen
Acting City Attorney Jan Stewart
Deputy City Manager Ashley Hall
Deputy City Manager Don Saylor
City Clerk Carol Ann Hawley
Gene Donovan, Director, Public Services
Dave Parks, Director, Office of Budget & Management
Jim Gist, Dept. of Public Services
Nancy Payan, Dept. of Public Services

- A. BILL NO. 83-48 - DEFINES THE RESPONSIBILITIES OF PROPERTY OWNERS IN CONNECTION WITH THE RIGHT OF WAY ABUTTING THEIR PROPERTY, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO COMMENCE REMEDIAL ACTION IN THE EVENT THE PROPERTY OWNER IGNORES HIS RESPONSIBILITIES CONCERNING THE ABUTTING RIGHT OF WAY AND IMPOSING VARIOUS REQUIREMENTS CONCERNING THE CONSTRUCTION OF NEW SIDEWALKS OR THE REPAIR OF EXISTING SIDEWALKS.

Committee: Councilman Lurie and Christensen

Acting City Attorney Jan Stewart introduced an Amendment to this Bill on Page 3, Lines 10-14 (whenever the property owner has failed to install a new sidewalk maintain or repair an existing sidewalk or maintain a transition strip as required by this Chapter, the Director of Public Services may notify the abutting property owners). No one spoke in opposition. Committee recommended adoption, as amended by the City Attorney, at the first meeting in October.

September 19, 1983
Recommending Committee Meeting
Page 2

- B. BILL NO. 83-49 - AMENDS THE PROCEDURE FOR OBTAINING A BUSINESS LICENSE BY ELIMINATING THE REQUIREMENT THAT THE DEPARTMENT OF BUILDING AND SAFETY INSPECT AND APPROVE THE BUILDING WHERE THE BUSINESS OR FACILITY WILL BE CONDUCTED.
Committee: Councilmen Lurie and Nolen

Deputy City Manager Saylor advised that this Bill is another example of many of the City trying to do away with duplicative and unnecessary requirements. The Committee recommended adoption without amendment at the first meeting in October.

- C. BILL NO. 83-50 - SPECIAL IMPROVEMENT DISTRICT NO. 443, STEP NO. 11-B, ORDINANCE CREATING DISTRICT. IMPROVEMENTS INCLUDE THE INSTALLATION OF A PARKING LANE FROM LAKE MEAD BOULEVARD TO CAREY AVENUE, STANDARD "L" TYPE CURBS AND GUTTERS, STREET LIGHTING, SEWER LATERALS FROM CHARLESTON BOULEVARD TO CAREY AVENUE. LOCATION: ALONG BOTH SIDES OF HIGHLAND DRIVE FROM CHARLESTON BOULEVARD TO CAREY AVENUE.
Committee: Councilmen Lurie and Christensen

Councilman Nolen advised that he had met with property owners from his ward whose rear property abutts the property between Washington and Owens who were in opposition to the installation of street lights on their side of subject property. Councilman Nolen stated that it was felt that adequate lighting could be provided by just having street lights on the commercial side. Jim Gist of the Public Services Dept. advised the Council members that it was possible there were other similar situations in the special improvement district; however, after discussion and consideration of the fact that property owners in those areas had not protested, it was decided by the Committee not to pursue any further changes. Acting City Attorney Stewart advised the ordinance had been introduced and already incorporated the deletion of street lights on the residential side of Washington and Owens and that no amendment was required. The Committee recommended adoption at the first meeting in October.

CH

(Posting required under the provisions of NRS CHAPTER 241)

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

Laurie DeCunzio, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 12th day of September, 1983, at the hour of 8:45 am 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 pm on Monday, September 19th, 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 Council Chamber)

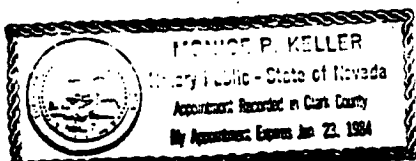
Laurie DeCunzio
SIGNATURE

City Clerk
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

12th day of September, 1983

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



CITY COUNCIL MINUTES - SEPTEMBER 21, 1983
AFFIDAVIT OF MAILING

0146

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

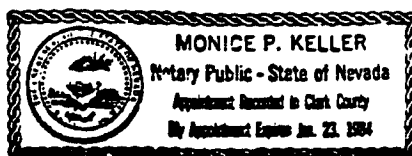
Laurie DeCunzio, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 9th day of September, 1983 a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 PM, on Monday September 19, 1983, 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).

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

Subscribed and sworn to before me this

9th day of September, 1983

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



September 7, 1983

N O T I C E

The following Bills proposed for adoption by the City Council 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, September 19, 1983, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. 83-48 - DEFINES THE RESPONSIBILITIES OF PROPERTY OWNERS IN CONNECTION WITH THE RIGHT OF WAY ABUTTING THEIR PROPERTY, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO COMMENCE REMEDIAL ACTION IN THE EVENT THE PROPERTY OWNER IGNORES HIS RESPONSIBILITIES CONCERNING THE ABUTTING RIGHT OF WAY AND IMPOSING VARIOUS REQUIREMENTS CONCERNING THE CONSTRUCTION OF NEW SIDEWALKS OR THE REPAIR OF EXISTING SIDEWALKS.

Committee: Councilmen Lurie and Christensen

- B. BILL NO. 83-49 - AMENDS THE PROCEDURE FOR OBTAINING A BUSINESS LICENSE BY ELIMINATING THE REQUIREMENT THAT THE DEPARTMENT OF BUILDING AND SAFETY INSPECT AND APPROVE THE BUILDING WHERE THE BUSINESS OR FACILITY WILL BE CONDUCTED.

Committee: Councilmen Lurie and Nolen

- C. BILL NO. 83-50 - SPECIAL IMPROVEMENT DISTRICT NO. 433. STEP NO. 11-B, ORDINANCE CREATING DISTRICT. IMPROVEMENTS INCLUDE THE INSTALLATION OF A PARKING LAN. FROM LAKE MEAD BOULEVARD TO CAREY AVENUE, STANDARD "L" TYPE CURBS AND GUTTERS, STREET LIGHTING, SEWER LATERALS FROM CHARLESTON BOULEVARD TO CAREY AVENUE. LOCATION: ALONG BOTH SIDES OF HIGHLAND DRIVE FROM CHARLESTON BOULEVARD TO CAREY AVENUE.

Committee: Councilmen Lurie and Christensen

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 Bills can be obtained through the Office of the City Clerk, Monday through Friday, 8 A.M. to 5 P.M.

AGENDA*City of Las Vegas*

0148

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

Page 27
September 21, 1983

ITEM Council Action Department Action

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

A. Bill No. 83-51 -- Amends the C-V District
Zoning Regulations Relating to Temporary Uses
and Establishes for Said District Accessory
Uses and Excluded Uses

Sponsored by: Councilman Ron Lurie

First Reading and
Referred -
Lurie and
Christensen

10/4/83 Agenda
Recommending
Committee

B. Bill No. 83-52 -- Annexation No. A-8-83(A)

Property Located: Northwest corner of
Buffalo and Alta Drive

Petitioned by: Donald Draper

Acreage: Approximately five acres

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

Sponsored by: Councilman Ron Lurie

First Reading and
Referred -
Lurie and
Christensen

10/4/83 Agenda
Rcommending
Committee

C. Bill No. 83-53 -- Annexation No. A-7-83(A)

Property Located: North of Vegas Drive,
East of Torrey Pines Drive

Petitioned by: Michael James Gaffey, et al

Acreage: Approximately 6.6 acres

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

Sponsored by: Councilman Ron Lurie

First Reading and
Referred -
Lurie and
Christensen

10/4/83 Agenda
Recommending
Committee

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

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

- A. U-60-83 - Application of HENRY KRONBERG, ET AL, for a Use Permit to allow a pawn shop on property located at 128 South 1st Street in Zoning District C-2.

Board of Zoning Adjustment unanimously recommends APPROVAL.

Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED as recommended by BZA and staff.
Motion carried with Briare voting "No."

Note: Refer to Pages 6 and 29 for additional information.

Clerk to notify and Planning to proceed.

Henry Kronberg appeared.

Bruce Levin, V.P. and General Counsel for Golden Nugget, appeared in opposition.

APPROVED AGENDA ITEM

Ashley Hall

To: The City Council
 Re: Public Hearing Agenda Item
 September 21, 1983 City Council Agenda

IX.

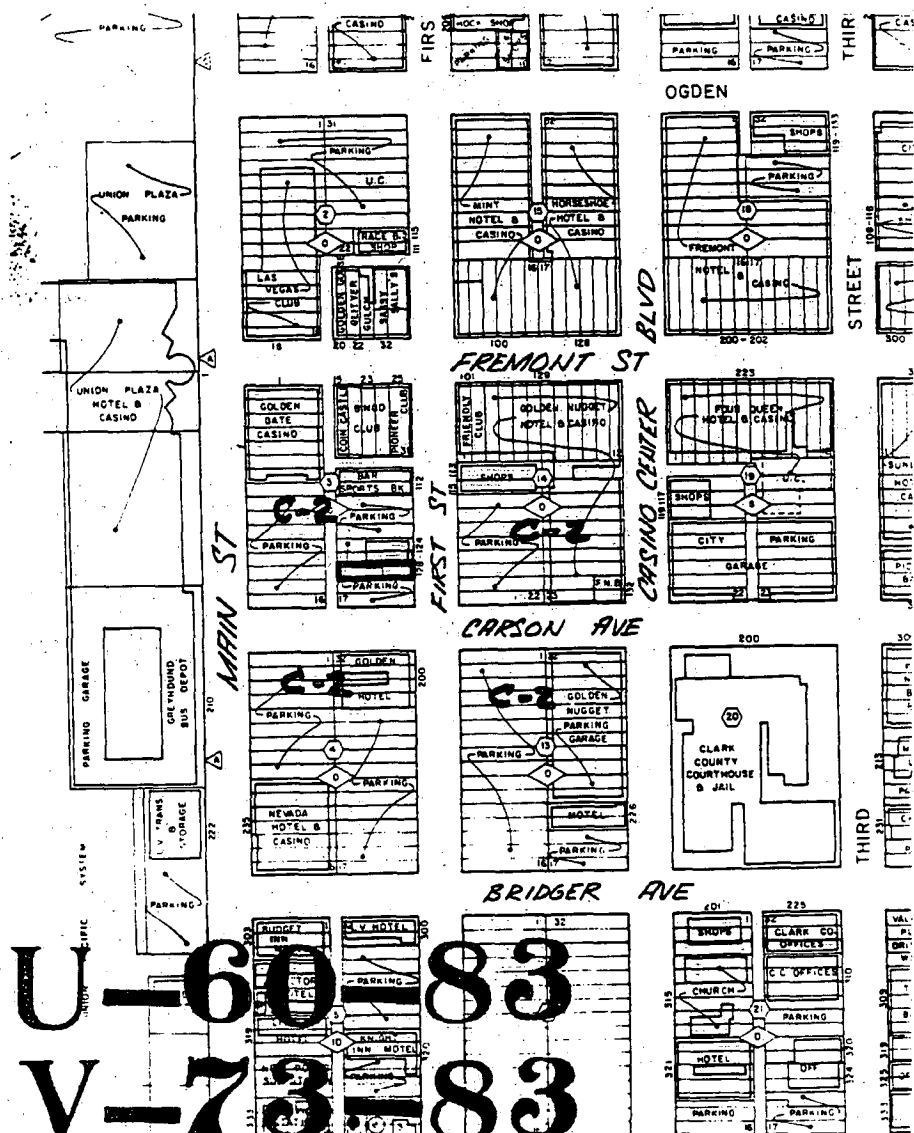
A. USE PERMIT - U-60-83 - HENRY KRONBERG, ET AL

This use permit is being submitted to you for final decision because it involves a pawn shop operation. The use permit is being requested to allow the transfer of John's Loan and Jewelry from 117 S. Casino Center Boulevard to this location at 128 S. 1st Street because, I believe, they lost their lease. This site where they propose to relocate was formerly a pawn shop (The Hock Shop) which has since relocated to North 1st Street. The next item on your agenda (Item B) is related to this application which is a variance to allow the buying and selling of certain secondhand merchandise in connection with this pawn shop operation. The applicant has a secondhand license at his present location and wants this same use at the new location. The secondhand merchandise will involve such items as tools, musical instruments, precious metals, etc. and will not involve large items such as appliances or furniture. There is a pawn shop existing in the same building immediately to the north of this property.

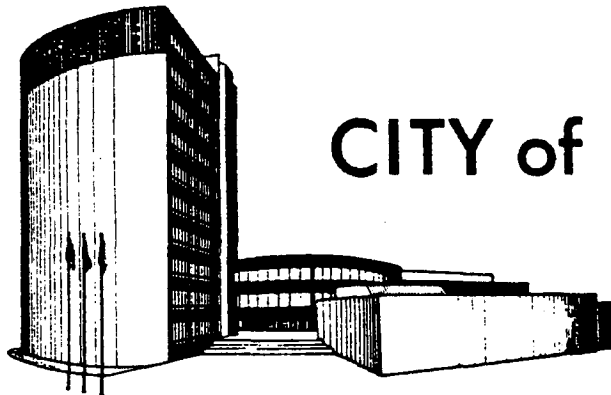
BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
RUSSELL W. DORN



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

SEPTEMBER 21, 1983

NOTICE IS HEREBY GIVEN that on September 21, 1983 at 2:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will again consider the application of:

- U-60-83 HENRY KRONBERG, ET AL, FOR A USE PERMIT TO ALLOW A PAWN SHOP ON PROPERTY LOCATED AT 128 SOUTH 1ST STREET IN ZONING DISTRICT C-2, AND
- V-73-83 HENRY KRONBERG, ET AL, FOR A VARIANCE TO ALLOW THE BUYING AND SELLING OF SECONDHAND MERCHANDISE ON PROPERTY LOCATED AT 128 SOUTH 1ST STREET IN ZONING DISTRICT C-2 (GENERAL COMMERCIAL DISTRICT).

THE PROPERTY IS LEGALLY DESCRIBED AS LOT 19, IN BLOCK 3 OF CLARK'S LAS VEGAS TOWNSITE.

ANY AND ALL INTERESTED PERSONS may appear and be heard or, prior to said Hearing, may file written objection thereto or approval thereof with the City Clerk.


CAROL ANN HAWLEY
CITY CLERK





BRUCE A. LEVIN
Vice President
General Counsel

September 19, 1983

City Council of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

Re: U-60-83 and V-73-83

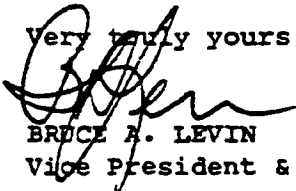
Gentlemen:

As you know, we recently commenced a \$50,000,000 expansion in our continuing endeavor to create a truly world class luxurious destination resort in downtown Las Vegas. As a result, we must express our objection to the pawn shop proposed by Mr. Kronberg on property legally described as Lot 19 in Block 3.

We submit that pawn shops produce a negative image, are offensive to the patrons we attract to downtown Las Vegas and the proliferation of such businesses should not be permitted in the general area of downtown Las Vegas.

Thank you for your consideration.

Very truly yours,


BRUCE A. LEVIN
Vice President & General Counsel

BAL:pc

cc: Mayor Bill Briare
Paul Christensen
Al Levy
Ron Lurie
Bob Nolen

AGENDA*City of Las Vegas*

September 21, 1983

Page 29

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)

- 16
- B. V-73-83 - Application of HENRY KRONBERG, ET AL, for a Variance to allow the buying and selling of secondhand merchandise on property located at 128 South 1st Street in Zoning District C-2 (General Commercial).

Board of Zoning Adjustment unanimously recommends APPROVAL, subject to the following conditions:

1. The Use shall be limited to relatively high value non-bulky merchandise such as tools, musical instruments, and precious metals.
2. This Use shall be allowed in conjunction with U-60-83 only and shall cease when the pawn shop use ceases.

Staff Recommendation: DENIAL

PROTESTS: 0

Christensen - APPROVED subject to the conditions. Motion carried with Briare voting "No."

Note: Refer to pages 6 and 28 for additional information.

Clerk to notify and Planning to proceed.

Henry Kronberg appeared

Bruce Levin, V.P. and General Counsel for Golden Nugget, appeared in opposition.

APPROVED AGENDA ITEM

Ashley Hall

To: The City Council
 Re: Public Hearing Agenda Item
 September 21, 1983 City Council Agenda

IX.

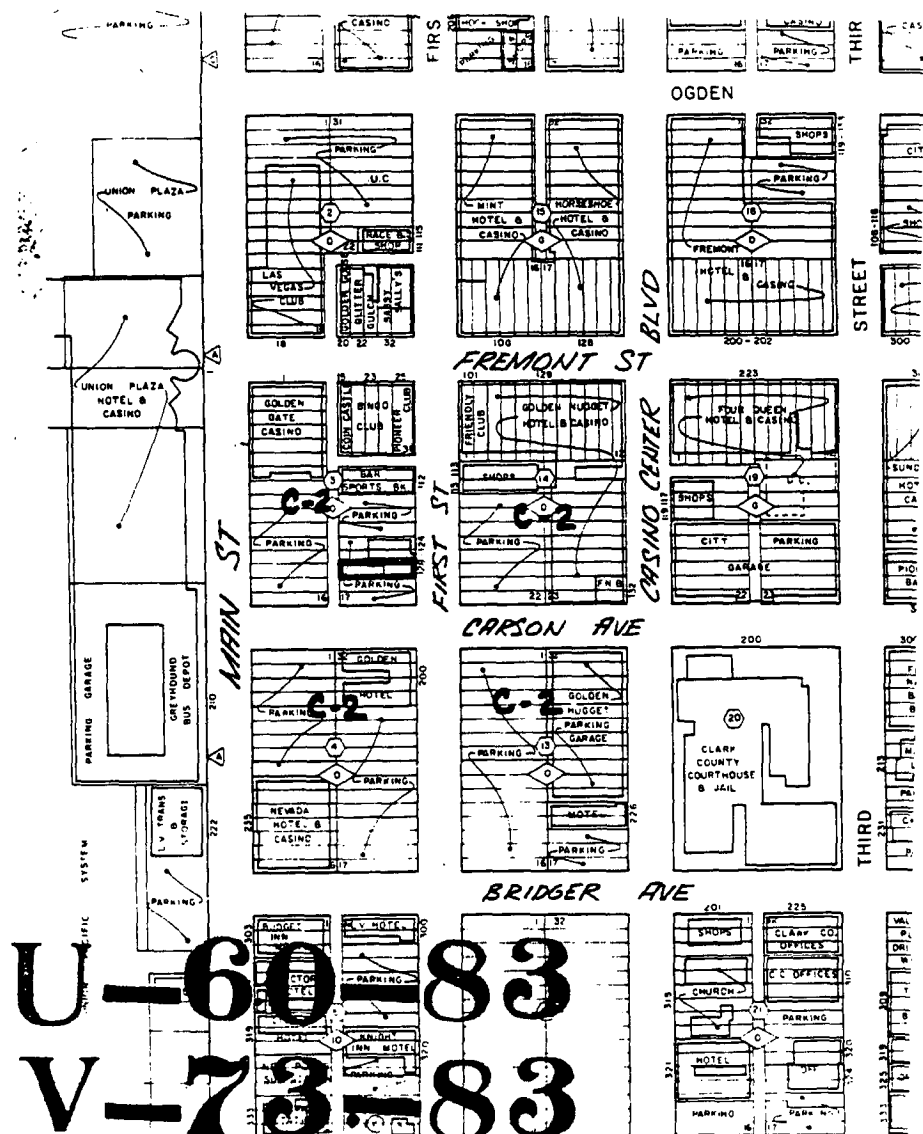
B. REVIEW REQUESTED BY THE CITY COUNCIL ON THE VARIANCE APPLICATION OF
 HENRY KRONBERG, ET AL - V-73-83

A review was requested by the Mayor so this application could be considered in conjunction with the use permit for the pawn shop operation under Item A. A variance is being requested to allow the buying and selling of secondhand merchandise in connection with the pawn shop operation. The applicant has a secondhand license at 117 S. Casino Center Boulevard and he wants to move it to this new location in connection with the pawn shop operation. The applicant intends to only handle such non-bulky merchandise as tools, musical instruments, precious metals, etc. that would normally be found in a pawn shop operation. This property is zoned C-2 and secondhand operations require C-M or M zoning.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL - Subject to this use being conducted in conjunction with the pawn shop operation.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 0



MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

PAUL J. CHRISTENSEN

AL LEVY

BOB NOLEN

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

RUSSELL W. DORN



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

SEPTEMBER 21, 1983

NOTICE IS HEREBY GIVEN that on September 21, 1983 at 2:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will again consider the application of:

- U-60-83 HENRY KRONBERG, ET AL, FOR A USE PERMIT TO ALLOW A PAWN SHOP ON PROPERTY LOCATED AT 128 SOUTH 1ST STREET IN ZONING DISTRICT C-2, AND
- V-73-83 HENRY KRONBERG, ET AL, FOR A VARIANCE TO ALLOW THE BUYING AND SELLING OF SECONDHAND MERCHANDISE ON PROPERTY LOCATED AT 128 SOUTH 1ST STREET IN ZONING DISTRICT C-2 (GENERAL COMMERCIAL DISTRICT).

THE PROPERTY IS LEGALLY DESCRIBED AS LOT 19, IN BLOCK 3 OF CLARK'S LAS VEGAS TOWNSITE.

ANY AND ALL INTERESTED PERSONS may appear and be heard or, prior to said Hearing, may file written objection thereto or approval thereof with the City Clerk.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK





BRUCE A. LEVIN
Vice President
General Counsel

September 19, 1983

City Council of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

Re: U-60-83 and V-73-83

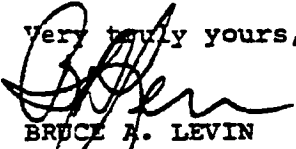
Gentlemen:

As you know, we recently commenced a \$50,000,000 expansion in our continuing endeavor to create a truly world class luxurious destination resort in downtown Las Vegas. As a result, we must express our objection to the pawn shop proposed by Mr. Kronberg on property legally described as Lot 19 in Block 3.

We submit that pawn shops produce a negative image, are offensive to the patrons we attract to downtown Las Vegas and the proliferation of such businesses should not be permitted in the general area of downtown Las Vegas.

Thank you for your consideration.

Very truly yours,


BRUCE A. LEVIN
Vice President & General Counsel

BAL:pc

cc: Mayor Bill Briare
Paul Christensen
Al Levy
Ron Lurie
Bob Nolen

AGENDA*City of Las Vegas*

September 21, 1983

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)

- C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS to the action of the Board of Zoning Adjustment in APPROVING the application of WAYNE AND DIANE ROGERS for a Variance to allow the keeping of homing pigeons where such use is not permitted on property located at 5901 Balzar Avenue in Zoning District R-1 (Single-Family Residence).

Board of Zoning Adjustment recommends APPROVAL by a 4/1 vote.

Staff Recommendation: DENIAL

PROTESTS: 1

Nolen -
DENIED Appeal,
allowing Variance,
subject to the
existing loft being
removed by 12/15/83.
Motion carried with
Levy voting "No."

Clerk to notify
and Planning to
proceed.

Mr/Mrs James Adams
appellants, 5048
Auburn Ave.,
appeared on behalf
of their property
at 5905 Balzar Ave

Mr/Mrs Wayne Roger
appeared.

Dewey Vaughn
appeared in
protest as the
resident at 5905
Balzar Ave.

Dr. L. Williams,
Animal Control,
appeared.

APPROVED AGENDA ITEM

Ashley Hall

To: The City Council
 Re: Public Hearing Agenda Item
 September 21, 1983 City Council Agenda

IX.

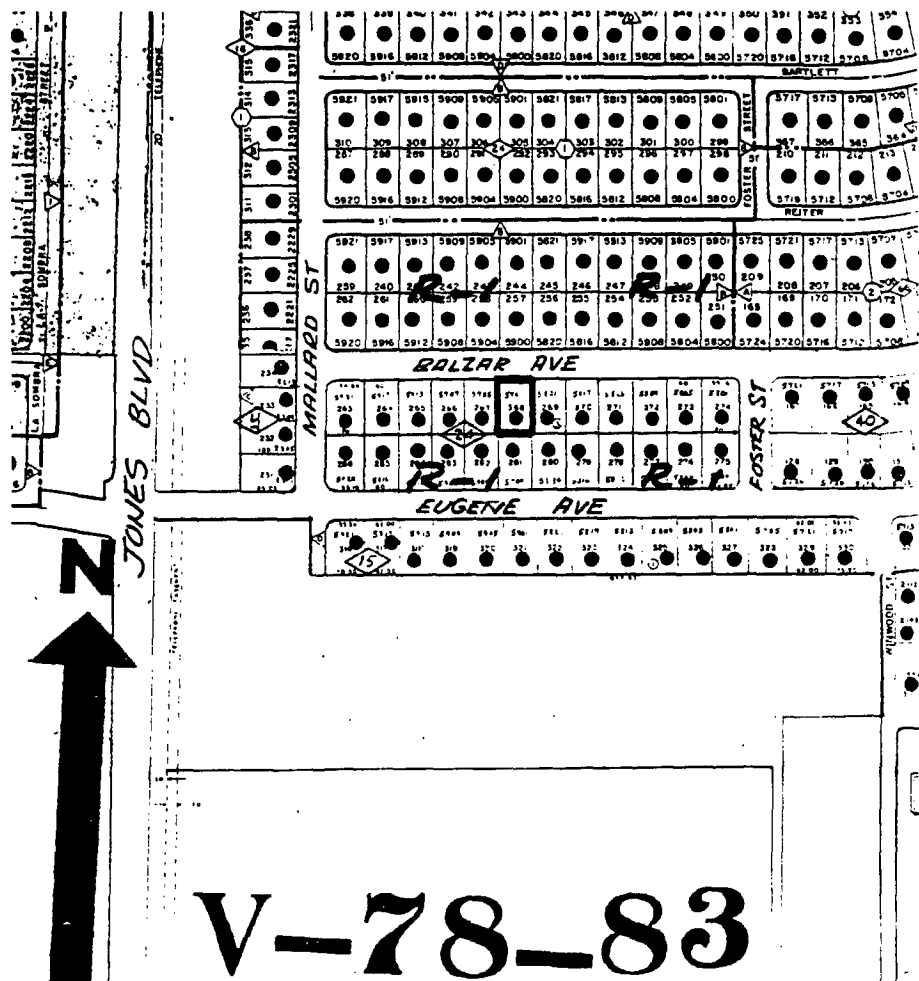
- C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS TO THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN APPROVING THE APPLICATION OF WAYNE AND DIANE ROGERS FOR A VARIANCE TO ALLOW THE KEEPING OF HOMING PIGEONS WHERE SUCH USE IS NOT PERMITTED

The request involves an appeal by a protestant to the action of the BZA in approving the variance to allow the keeping of homing pigeons in an R-1 zone at 5901 Balzar Avenue. This property is in a developed subdivision and the applicants requesting the variance have already constructed a pigeon coop on the roof of their residence for the keeping of approximately 40 pigeons. The pigeons are being kept as a hobby which are transported by the owners many miles away and then the pigeons fly back to the residential property. The pigeon coop on the residence is approximately 5' high and in the opinion of staff aesthetically detracts from the appearance of the residence and is noticeable in the neighborhood. The protestants at the BZA meeting were opposed to this variance because of the appearance of the coop on the residence as well as they are subject to droppings from the pigeons.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL

STAFF RECOMMENDATION: DENIAL - Insufficient justification for this variance and the use is not compatible in this type of residential neighborhood.

PROTESTS: 1 - Letter



EXCERPT - CITY COUNCIL MEETING - SEPTEMBER 21, 1983

IX. PUBLIC HEARINGS

C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS

PAGE 1

MAYOR BRIARE:

Now, we'll get to Roman Numeral IX on Council's page 30. This is an appeal filed by Mr. and Mrs. James Adams to an action of the Board of Zoning Adjustment when they approved the request of Wayne and Diane Rogers for a variance to allow the keeping of homing pigeons. The Board of Zoning Adjustment's recommendation was that it be allowed or actually they did the approval. Staff recommendation was for denial and then we have this appeal is a representative or Mr. and Mrs. Adams present? You folks will be allowed to present your appeal and then the applicant who was approved by the BZA will be able to rebut whatever arguments you have. So, will you come forward at this time and give us your feelings about your not wanting to have them there. I'm very intimidated by all your books there. I would like you to know for the record we have -- each of us have been given a substantial history on bird diseases and so forth.

JAMES ADAMS:

Yes, I understand.

MAYOR BRIARE:

You're not going to use those are you?

JAMES ADAMS:

Just to verify that information.

MAYOR BRIARE:

One looks like the bible. If you want to leave that one, that's alright but --

JAMES ADAMS:

No, just to verify the information in the information package.

MAYOR BRIARE:

Can we stipulate to those books that contain everything that he says they contain? Go easy on us. We've only got about ten minutes for this particular hearing.

JAMES ADAMS:

Before we start, my name is James Adams. I live at 5048 Auburn Avenue. My wife and I own the residence adjacent to the Rogers. We own the residence at 5905 Balzar. Before I make my presentation, you said the other party had the rebuttal. At the Board of Zoning Adjustment meeting, they had a presentation. I had an argument. They had a rebuttal. I had no chance to rebuttal, to re-rebut. At that time --

MAYOR BRIARE:

It's reversed this time.

JAMES ADAMS:

Alright, but if -- a lot of erroneous information was given and published from their rebuttals. I had no chance to rebut their rebuttals. Would I be allowed that chance here at this meeting?

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C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS

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- MAYOR BRIARE: Let me clarify before you go any further so everybody'll understand. Not only for this, but it's the policy of this Council that the applicant -- that's you and Mrs. Adams -- are allowed to present your case. Then the other party is allowed to make his case, or her case. Then the only thing that you can talk about on your second time around, are things that have not already been addressed.
- JAMES ADAMS: I see.
- MAYOR BRIARE: In other words, you can rebut their arguments but you can't represent your application --
- JAMES ADAMS: Understood.
- MAYOR BRIARE: -- or add anything further to your application. This is purely rebuttal.
- JAMES ADAMS: Understood.
- MAYOR BRIARE: Yes, indeed you have that opportunity.
- JAMES ADAMS: Alright. Fine. To begin with, the thing I had against this whole thing to begin with was the health factor, a definite tentative health factor. I say, tentative, because apparently no one believes the things that I have said that is documented in these multiple medical journals, both in veterinary medicine and in human medicine. The only reason I compiled this information as to the veterinary medicine in conjunction with the human medicine was to prove it's the same causative agent. It is found in the same definite places. It affects lower animals and mankind the same way in the same areas; and the only difference between lower animals and man, the veterinarian will tell you, is that the lower animals can't tell you where it hurts, or how much, or when. To illustrate that, if you so choose, in this book is pictorial evidence of what can and does happen to your pets if they accumulate any severe degree of any of the four classifications of one disease and one classification of a second disease, if you care to look at it.
- MAYOR BRIARE: At this moment, does anyone have any comments or questions about that particular volume?
- COUNCILMAN LURIE: No, when you're finished, I'm going to ask Dr. Williams to come up here and explain to me what you're talking about. He's sitting out in the audience and I think he can put it in terms that we can understand.
- JAMES ADAMS: Fine, he can try.

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COUNCILMAN LURIE: Be thinking about it, Doctor.

JAMES ADAMS: In addition to the informational packet, the general information I've highlighted, is a couple of other ones that were rather lengthy to copy and lengthier yet to read. I held them in abeyance and highlighted them. They are also available. One was a twenty year study, a research study, on the two fungus diseases in a clinic by a group of veterinarian doctors. Again I say, I can't stress this too much -- it's the same diseases that affect the lower animals and man both. This is a twenty year study if you care to look at it.

MAYOR BRIARE: Why don't you just keep them together. For as we progress, perhaps there'll be need for them.

JAMES ADAMS: Alright. If you read this --

MAYOR BRIARE: This is one that we all have.

JAMES ADAMS: Alright. The informational packet -- the same thing you can re-read some of it to verify that you have the same thing or do you wish me to?

MAYOR BRIARE: I think we can tell. It's identifiable because of the manner in which it was xeroxed or copied there.

JAMES ADAMS: Do you care to look at it?

COUNCILMAN LEVY: I got it right here.

JAMES ADAMS: Alright. Item number one, Histoplasma capsulatum -- in animals now -- the lower animals, dogs and cats -- evidence like coughing, dysentery, pulmonary nodules, emaciation, ulceration and mucous membranes resembling tuberculous, etc., etc.

MAYOR BRIARE: Is this the same one? Are you reading with him by any chance?

COUNCILMAN LURIE: That's the same one.

JAMES ADAMS: Cats, cattle, horses, sheep, pigs and wild animals also become infected with the disease. The capsulatum grows in soil. Infection is acquired by inhalation of the fungus or rarely by the oral route. There's also one other one that I'll bring up. It's called ocular histoplasmosis, that nails you in the eyes. Dogs are represented if they have a chronic cough or diarrhea.

COUNCILMAN CHRISTENSEN: Excuse me. I've read your information and I've been subjected to this before; and the question always comes

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COUNCILMAN CHRISTENSEN: to my mind and I never can seem to get an answer for it. When I was in grade school in this town, the school walk was full of pigeons. The downtown area has been full of pigeons. Unless you take extra precaution, any sign in town is full of pigeons. This town is full of pigeons. Now, I guess my question is very simple. Do these diseases -- are they carried only by domestic trained pigeons or are they also carried by wild pigeons; and if they're carried by wild pigeons as well as domestic pigeons, then if I allow the pigeons to roost in my yard and don't do something about them then what's the difference? And if I do do something about them, how do I do it because the Humane Society won't let you kill them?

JAMES ADAMS: Alright. First questions first. The City is inundated with pigeons. Other like cities, New York, Chicago, etc. have introduced and promoted the breeding and living of falcons, hawks, in the inner cities to help control the pigeon population.

COUNCILMAN CHRISTENSEN: But it hasn't done it.

JAMES ADAMS: I don't know.

COUNCILMAN CHRISTENSEN: I do.

JAMES ADAMS: But they have tried.

COUNCILMAN CHRISTENSEN: Because if you go to New York, you see people sitting in the parks feeding the pigeons, hundreds of them.

COUNCILMAN NOLEN: They've got fat hawks and falcons.

JAMES ADAMS: In all medical journals, lower animals or man, there's no differentiation in pigeons, homing versus wild, or tumblers, or ruffling pigeons, or fantails, or turtle doves. The other causative agents of the fecal matter from the other animals, such as cows with mastitis, infected dogs or cats -- you have to watch all the excrements because you can reinfect the soil if they already have it or have acquired it. Chickens -- it doesn't differentiate breeds of chickens -- plymouth rocks or nothing else.

COUNCILMAN CHRISTENSEN: I'm aware of that, but you're still way -- round and around my question instead of directly to the point. If a person has 20 pigeons in their yard and you don't allow them to have 20 pigeons in their yard, do you change the situation any with 200 million pigeons around the town?

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- JAMES ADAMS: Only in a matter of numbers. The degree of the risk of incidence is all; but you see the thing is --
- COUNCILMAN CHRISTENSEN: Except the only difference is that with tame pigeons you do have some control -- the wild ones you don't.
- JAMES ADAMS: You have more control.
- COUNCILMAN CHRISTENSEN: Yes. Some control I said.
- JAMES ADAMS: Yes, some.
- MAYOR BRIARE: Mr. Adams --
- COUNCILMAN CHRISTENSEN: You see, I understand what you're getting at with all this medical and you can convince me that all these diseases are bad; but where I'm having trouble is convincing me that these diseases can be prevented or eradicated by not allowing someone to have some pigeons when there's already zillions of pigeons in this town, that's where I have my problem.
- JAMES ADAMS: Perhaps this photograph will enlighten your view on it -- taken from our backyard to their backyard showing the loft and roof adjacent to our property.
- COUNCILMAN NOLEN: You said, from our backyard? You said you don't live there. You mean the backyard of the property that you own? Is that what you're saying?
- MRS. ADAMS: That's right.
- JAMES ADAMS: We rent it to renters and friends. They've been friends for over 12 years.
- COUNCILMAN NOLEN: I think we should make that clear when you're saying our backyard. This is rental property. This is not property where you live.
- JAMES ADAMS: The loft and roof of the carport adjacent to the canvassed area where the strawberries are grown. This is -- the 55 gallon covered drum behind the carport with the fecal matter slurried in water in the drum -- this is where the problem arises. You don't have the plasmosis or the Cryptococcosis until you put the fecal matter in the soil. That's where it grows. It can grow there 30 years from now -- if not today, up to 30 years from today.
- MAYOR BRIARE: Mr. Adams, where do you and Mrs. Adams live?
- JAMES ADAMS: 5048 Auburn.

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MAYOR BRIARE: Pardon.

JAMES ADAMS: 5048 Auburn.

MAYOR BRIARE: What proximity is that?

JAMES ADAMS: About 5, 6 blocks.

MRS. ADAMS: About one mile.

MAYOR BRIARE: Your optometrist has written a letter on your behalf and talking about the problem you have with your eyes.

MRS. ADAMS: That's correct.

MAYOR BRIARE: Is this particular pigeon coop -- what do you call them? Pigeon coop -- is that so close that it still influences your eye problem?

MRS. ADAMS: Yes.

MAYOR BRIARE: Six blocks away will do it?

MRS. ADAMS: Well, no it isn't that; but when I go over there it influences it.

JAMES ADAMS: We're over there over twice a week --

MRS. ADAMS: Twice or three times a week.

JAMES ADAMS: -- because our son -- the people that rent the house are his adoptive grandparents. So we're over there over twice a week.

MAYOR BRIARE: Okay, I think the gist of your objection -- your appeal then, Mr. Adams, is that it's a health problem.

JAMES ADAMS: Basically.

MAYOR BRIARE: Right. Could we -- do you have anything else other than the health matter that you wanted --

JAMES ADAMS: I talked to a resident or the local office manager of an ERA office -- my sister's looking to buy a house. In the process of her looking to buy a house, I asked him if he would have difficulty selling the house headon if the house next door had a pigeon loft on the roof and the house that he was trying to sell had the backyard covered with feathers, which is the other picture I've handed you; and he said, yes, he would have a hard time selling it. So property value is to be considered but only secondarily, only secondarily. There is a consideration yes.

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MAYOR BRIARE: Go ahead and proceed if you have another point that you wish to make.

JAMES ADAMS: Well, other than the points -- if you don't want me to go at length through all --

MAYOR BRIARE: Please, let's leave the medicine alone.

JAMES ADAMS: Alright. Okay. The variance was rendered on the basis -- or the petition acquired by the Rogers to keep the pigeons -- the neighbors petitions. Not all of them agreed with them. Not all of them objected like I did; but some of the neighbors didn't agree with it either, they just didn't sign it. They didn't say nothing. They didn't want to get involved. The Rogers have pleaded the fact that they didn't know they had to have a variance to have the pigeons. Okay, now along with that they'll probably -- they're also going to plead -- they already have -- beyond me about other violations. I'm not going to get into that; but I'm trying to establish is some kind of a pattern here of what we're faced with. There are two other building violations that are not pertinent to this hearing now. But it might establish a pattern.

MAYOR BRIARE: Anything else, Mr. Adams?

JAMES ADAMS: That's all.

MAYOR BRIARE: At this point, do any Councilmen have any questions? Then, Mr. and Mrs. Adams, you may be seated and we'll see if Mr. and Mrs. Rogers are present or have a representative present. Yes.

DIANE ROGERS: I'll make it simple.

MAYOR BRIARE: Please.

DIANE ROGERS: I'll try for you. We're asking our variance be upheld --

MAYOR BRIARE: For the record, we first of all --

DIANE ROGERS: I'm sorry, you need my name.

MAYOR BRIARE: Because we keep a tape and we have to have it.

DIANE ROGERS: My name is Diane Rogers. I live at 5901 Balzar.

WAYNE ROGERS: My name is Wayne Rogers, Diane's husband. I live at 5901 Balzar.

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DIANE ROGERS:

We're asking that our variance be upheld for very simply three reasons. One, we don't feel Mr. Adams's complaint is a viable one because he doesn't represent the consensus of the neighborhood. Before we built the loft, we went around and asked the neighbors. No one objected, including the tenant of Mr. Adams. When we did go around and ask if people would be willing to put this on black and white, his tenant stated simply that he didn't care one way or the other if we kept the birds; but he didn't want to put anything on paper because he doesn't want to ruin that relationship between he and his landlord, which we can understand. We -- at our last hearing, we had two neighbors come up and say that they didn't object. One of them wanted to come this time and he couldn't. So instead he wrote just a note that he wanted to share with you. Just a very simple pass out along with the petitions that were signed; and you'll notice, on the petitions it does say that our loft is clean, that it creates no nuisance and we've invited everyone of our neighbors to come up there, police it if they like. If they feel that our loft isn't clean, to tell us so and they've been up there several times. In fact, the only person that has not signed a petition is, of course, Mr. Adams's tenant because he doesn't want to be in jeopardy with his own landlord. Regarding the health, it's our second point. Well, first of all what we did -- we asked a veterinarian to come over. We asked Dr. Roger Williams to come over, look at the lofts and give us his honest opinion of if we were indeed a hazard because I don't sleep well if I know I have pigeons that are causing problems, causing people to be ill. He came over, spent an hour there, examined the loft, examined each bird. He wrote us a letter. What he said was honestly what he thought. In addition, the day after our hearing, even though we had received the variance, we sent off four samples of pigeon droppings to Home Art Laboratories, which is a laboratory in Washington state and all they do is pigeon research; and, you know, they have no reason to tell us, yes, we did good or, no, we did bad, or we have sick pigeons, or -- they have no interest. Their idea is just to examine. Both the results are here.

WAYNE ROGERS:

Excuse me, Diane, In those results, you'll also find that they did take samples of the droppings of birds and check them for Histoplasmosis and the droppings -- that the local veterinarian here -- they were examined here; and also the droppings that we sent to the Home Art Laboratory and everything has come out negative. As a matter of fact, our birds don't even have worms, which most dogs around do.

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DIANE ROGERS:

The letter that Dr. Williams wrote basically says that the facility is neat and orderly. The nests and perching areas inside can be disassembled and each part can be cleaned very thoroughly. I inspected the food and water facilities and they use galvanized containers for water. The food is stored in covered galvanized cans. Next, I examined at random ten of the pigeons, their breasts were full, color good, alert, no ulcers in their mouth. In fact, the pigeons are very healthy and well taken care for. The stool was examined by microscope and the results were negative for intestinal parasites. They mentioned Histoplasmosis as a complaint. Histoplasmosis is a chronic systemic fungal disease, usually respiratory in origin with a geographic distribution to areas near the Great Lakes, the Appalachian Mountains, Mississippi, Ohio and St. Lawrence Rivers. I think it's important to note here that because it is a fungus it needs a humid damp climate to germinate. It's not indigenous to this area. I talked to Dr. Neal Patten at the Rainbow Animal Clinic. He had to look it up because he said he's never treated an animal in this area for Histoplasmosis. He says that the fungus cannot germinate here because the climate is too dry. In conclusion, the Roger's are not showing any signs of Histoplasmosis, the pigeon coop is neat, clean and orderly. The pigeons are healthy and shouldn't be a threat of transmitting any disease to humans. Now that's -- you know, we went to the veterinarian and we found that out. The senior animal control officer, Michael Fielding, came over unannounced one day -- wanted to look at the loft. We have no scruples about anybody ever looking at that loft. We're proud of it. He went up there and he told us that he thought it was clean. He noted that it had good ventilation and the birds appeared healthy. Also, Building Inspector Craig Moore came over apparently after a complaint from Mr. Adams stating that the house adjacent to us had pigeon droppings on it. Inspector Moore went over there. He found nothing. He found no feathers. Went over and talked to the tenant. The tenant said the same things he's been saying. He's indifferent about this thing. If we have them, fine. He's -- the man doesn't bother anybody and he's just -- you know, he doesn't care one way or the other. He's never voiced an objection to us having the pigeons. He's been up in the loft. He's seen it. He doesn't mind.

COUNCILMAN LURIE:

Can I ask you a question?

DIANE ROGERS:

Yes.

COUNCILMAN LURIE:

Did you have a building permit to build this loft on top of your roof?

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- WAYNE ROGERS: Sir, if I can answer that? No, we didn't. That was a big boo boo of mine.
- COUNCILMAN LURIE: It doesn't look like it's to code. I know if you were my neighbor and I saw something like this on your roof over there, you would have been reported a long time ago.
- WAYNE ROGERS: Okay, could I say something about that? The Building Inspector has come over. What is his name, Craig Moore? And by December 1st the loft will be down off the roof and with a Building Permit for a new one in the backyard. It is coming down off the roof by December 1st.
- DIANE ROGERS: In fact, if Mr. Adams had come to us, which we wish he would have done -- knocked on our door and talked to us, he would have found out that the loft was going to be removed anyway. There was a specific reason for it being up there and that was because this is our very first year of flying. We compete in races. We have young birds. They are very susceptible to wires. At this point, we don't have very many birds. We can't afford to lose many to wires. Once those pigeons get beyond the young bird stage and they're able to manipulate much better, they can go in the back yard and they can fly out of there and they can maneuver in and out of those wires. We're just trying to save our pigeons from any more hazards than they need. I think it's important to note the difference between the two different types of pigeons. There's common pigeons and there's homing pigeons.
- MAYOR BRIARE: Now, is that really going to make a difference, Mrs. Rogers? We're all going to become experts on -- Is it necessary -- we're talking about a zoning adjustment where you've been approved. No matter what kind -- I don't think -- do we care what kind they are, what breed they are? This is very important and I'm not trying to make fun of it. We have an awful lot of business to take care of today.
- DIANE ROGERS: Okay. I can wrap this up very quickly.
- MAYOR BRIARE: I'm fascinated. Sometime I'd love to talk to you about your pigeons.
- DIANE ROGERS: Okay. Come over look at the loft.
- MAYOR BRIARE: Please, not right now.

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DIANE ROGERS:

What I was pleading to very briefly was that I feel the ordinance itself is inappropriate. There are two conflicting ordinances on the books and we looked at the wrong one. Animal Control says, yes, you can have pigeons if you get the signatures of all your neighbors within 200 feet. We have less than 12 pair of breeders. We complied to both those stipulations, thought we were in -- found out, no, there's another contrary ordinance that says no pigeons. So basically we would just like our variance approved because we don't feel Mr. Adams represents the neighborhood which is our main concern. I think it should be the concern of any ordinance. Number 2, I think we've proved that the health problem is not anything that we should worry about in our particular case because it's not indigenous to this area. Our pigeons are healthy. They are not flying around the neighborhood. They stay in their loft. We take them out anywhere from 25 to 100 -- sometimes up to 500 miles. They fly home. They get home. They go immediately in that loft and they don't come out. They aren't around that neighborhood. They couldn't mess up a neighbor if they wanted to.

WAYNE ROGERS:

Okay. If I could say something about the --

MAYOR BRIARE:

This is going to be the last comment, Mr. Rogers.

WAYNE ROGERS:

Okay -- about the Histoplasmosis --

MAYOR BRIARE:

Oh, please don't give us anything about Histoplasmosis.

WAYNE ROGERS:

No. Okay. One thing I want to say about it is we've checked with doctors, locally, and the best and they've never heard of a case in this part of the country.

DIANE ROGERS:

They've never treated anybody.

WAYNE ROGERS:

They've never heard of a case of Histoplasmosis.

MAYOR BRIARE:

Okay. Thank you, Mr. Rogers. Alright now, is there anything else you'd like to say in your behalf because this is your last chance?

WAYNE ROGERS:

We've brought a couple of people with us that would like to say something in our behalf.

MAYOR BRIARE:

Well, are they already included in the petitions that you've given us?

DIANE ROGERS:

No, they're not.

WAYNE ROGERS:

No, they're not.

EXCERPT - CITY COUNCIL MEETING - SEPTEMBER 21, 1983

IX. PUBLIC HEARINGS

C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS

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MAYOR BRIARE: What are they going to say that you can't say?

WAYNE ROGERS: Well, they can --

COUNCILMAN LURIE: Are they neighbors?

WAYNE ROGERS: No, they're fellow pigeon flyers.

DIANE ROGERS: We're not the only ones.

MAYOR BRIARE: This is a zoning matter. This isn't on a hobby.

DIANE ROGERS: Okay.

WAYNE ROGERS: Okay.

MAYOR BRIARE: This is a zoning matter; and I was going to say, what could they say -- although we'd love to listen to them and say hello to them -- what can they say that you can't say?

WAYNE ROGERS: I don't know.

MAYOR BRIARE: Are they going to add something that you're --

COUNCILMAN LEVY: Regarding zoning not --

DIANE ROGERS: Okay, basically that we're not the only people that's going to be having this problem.

MAYOR BRAIRE: Sure, we understand that.

COUNCILMAN LURIE: Do you have a club -- is there a club here that raises pigeons?

DIANE ROGERS: Yes, we have two clubs.

MAYOR BRIARE: These are fellow club members?

DIANE ROGERS: Yes.

WAYNE ROGERS: Yes, they are.

MAYOR BRIARE: I'll bet they're going to say nothing but nice things about you.

DIANE ROGERS: Well, technically, I mean, we're all illegal.

MAYOR BRIARE: Sure.

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IX. PUBLIC HEARINGS

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- DIANE ROGERS: It's scary to have a hobby and a sport and a competition --
- MAYOR BRIARE: This is a zoning matter and, of course, health is an important thing on zoning and so is property value is a important thing on zoning. Did you want to make any comments about Mr. Adams saying that he talked to a real estate broker?
- DIANE ROGERS: Yes, that loft's going to be removed. That's not going to be there.
- WAYNE ROGERS: Okay, now we just had an appraisal done on our house --
- MAYOR BRIARE: No, they talked about what would happen to a value of a home if somebody -- a perspective buyer came and said, oh, oh, the next door neighbor raises pigeons.
- WAYNE ROGERS: Okay. I was going to say -- could I comment on that? We just recently had our home appraised. We refinanced a second mortgage on it; and our appraisal which I wish I had with me --
- MAYOR BRIARE: How do you talk about -- how do you address the point that he made that if somebody wanted to buy a house and it was next door to you?
- WAYNE ROGERS: Right, right.
- MAYOR BRIARE: That that next door house would go down in value --
- DIANE ROGERS: The appraisal --
- MAYOR BRIARE: -- because you raise pigeons? Do you say "yes or no" to that?
- WAYNE ROGERS: No, absolutely not. Most people that we talked to are for pigeons. I don't know how many people I've talked to that don't have pigeons now that have had pigeons with their kids. They know about pigeons -- the homing pigeons. I don't think --
- MAYOR BRIARE: Okay, folks. I think now we're going to have to conclude our portion of where you've presented your case. Thank you very kindly. I'm going to ask Mr. and Mrs. Adams then to come forward and only for the purpose of rebutting statements that were made by Mr. and Mrs. Rogers; and then we're going to ask our veterinarian from out at the Animal Shelter as to what he might want to add to this probably with respect to health or anything else.
- MRS. ADAMS: May I make one statement, please?

EXCERPT - CITY COUNCIL MEETING - SEPTEMBER 21, 1983

IX. PUBLIC HEARINGS

C. V-78-83 - APPEAL FILED BY MR. AND MRS. JAMES ADAMS

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MAYOR BRIARE: Mrs. Adams, if it's in rebuttal to what they have presented to us.

MRS. ADAMS: Yes, Mr. Rogers says the doctors here in Las Vegas have never seen a patient with Histoplasmosis. I lost my upper lobe to Histoplasmosis right here in Las Vegas and Dr. Christensen did the surgery.

JAMES ADAMS: Another part of the rebuttal is they kept referring to the tenants next door. The tenants are here if you wish to question them yourself directly. Again to what I'm -- I don't really want to establish a pattern here but I think it's evident if you want to question the tenants, they're here also.

MAYOR BRIARE: Continue.

JAMES ADAMS: Well now, without me readdressing anything that I've gone into -- you said I couldn't do that.

MAYOR BRIARE: Please. That's correct.

JAMES ADAMS: The Attorney General's office told me point blank that irregardless of what they can't get involved in with the City matters, zoning, etc., etc., that as a landlord I am responsible for that property. I am responsible for the health and the welfare of those tenants; and that's the basis I'm fighting for, especially when the health aspect of it; and if you've read most or all of the information packet, we're not only talking Histoplasmosis, we're talking Cryptococcosis which is more deadly than Histoplasmosis.

MAYOR BRIARE: Okay, now you're adding on to your original presentation, Mr. Adams, does that conclude your part?

JAMES ADAMS: The tenants are here if you want to question them?

MAYOR BRIARE: Do any of the Councilmen want to address?

COUNCILMAN LURIE: Just the one. The tenant that you rent to -- he supposedly has no problem with the loft.

JAMES ADAMS: That's what they say.

COUNCILMAN LURIE: Well, is he here?

JAMES ADAMS: The tenant's here.

COUNCILMAN LURIE: Well, let him state something for the record then that he's opposed to it then.

MAYOR BRIARE: Where's the tenant? Just your name and your address that you live, sir.

DEWEY VAUGHN: I'm Dewey Vaughn. My address is 5905 Balzar Avenue and Mr. and Mrs. Roger's pigeon loft is exactly 12 foot from my bedroom window. I don't like it. I didn't like the pigeons before they got them there and I've told them. They came around and asked me to sign a petition -- I said, "no." I don't want them. I didn't like them then --

MAYOR BRIARE: Okay. Mr. Rogers, you might as well sit down because you're not going to get another crack here. We're not going to get into a debate with neighbors. Thank you, Mr. Vaughn, you've made your statement. I don't believe that the Council needs to hear much more on the thing. Would you want to hear from Dr. Williams to see -- Dr. Williams, did you have -- I think you -- Councilman Lurie indicated your presence here and I'm sure it wasn't for this specific matter; but do you have any comment you'd like to add which might be of help to his Board?

DR. WILLIAMS: I'll answer any questions.

MAYOR BRIARE: Come forward. I don't think you're involved. I think the Health Department is involved. If anybody were to complain about the Roger's pigeons, they could go to -- first of all, start with the Health Department to determine if there's a health hazard. They wouldn't call you at the Animal Shelter would they?

COUNCILMAN LURIE: Well, have you had any calls concerning this problem?

DR. WILLIAMS: We have not had any calls to my knowledge. However, there is an Animal Control ordinance with regard to pigeons like they mentioned; and any questions that you might have that I can answer in a clarifying way I'd be happy to.

MAYOR BRIARE: For example, what would be something in that ordinance?

DR. WILLIAMS: In the Animal Control ordinance?

MAYOR BRIARE: Yes.

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IX. PUBLIC HEARINGS

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DR. WILLIAMS: As they mentioned, 12 pairs are allowed. They must be more than 200 foot from the nearest neighbor; and they must be kept in a clean, healthy sanitary condition.

COUNCILMAN LEVY: What was that first point again?

MAYOR BRIARE: Twelve pair.

DR. WILLIAMS: Twelve pair.

MAYOR BRIARE: How many pair do you have, Mr. Rogers? Do you have five pair? Ten birds?

WAYNE ROGERS: We have five pair of breeders. I think we have 24 young ones. The ordinance states that --

MAYOR BRIARE: That's alright, I can hear you.

WAYNE ROGERS: The ordinance states that you can have no more than five pair of breeders. It does not state how many youngsters. We only have 24 youngsters.

MAYOR BRIARE: I see. Is that -- Dr. Williams, is that --

DR. WILLIAMS: The ordinance as far as the Animal Control ordinance states that they should be limited to 12 pair over the age of 12 months. So that's the Animal Control. Now I don't know whether the Animal Control ordinance is involved here or not.

COUNCILMAN LEVY: What was the second point?

DR. WILLIAMS: The second item is that they must be more than 200 feet from the dwelling of another person.

COUNCILMAN LURIE: This one says is 12 feet. That the loft is 12 feet from this gentleman's bedroom. You say the ordinance says 200 feet.

DR. WILLIAMS: That's the Animal Control ordinance. Now, there's a zoning ordinance here involved also that I'm not able to testify to. I can testify to the public health significance of the matter, however.

HAROLD FOSTER: In terms of the zoning, it just doesn't allow it.

COUNCILMAN CHRISTENSEN: Dr. Williams, can you answer the question that I asked before and tell me if there's any significant difference between the wild pigeons and the tame pigeons, as far as the incidence of disease would be in this community?

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DR. WILLIAMS:

Yes I can; and there is not -- first of all, it's important to clarify the issue that pigeons do not transmit or do not get Histoplasmosis or Coccidiaomicos or Cryptococcosis or any of the rest of them. The pigeons do not do that. The thing that happens with those diseases is that any purine or high protein, such as any bird droppings or any other source of protein, will concentrate the soil and make it a soil that has a high amount of Histoplasmosis in the soil provided the atomspheric and climatic conditions are correct. Now Las Vegas does not have atomspheric or climatic conditions correct for Histoplasmosis. The optimum temperature for that diseased and for that Histo capsulatum has been mentioned previously is a humidity of 67 to 87 percent humidity; and as far as temperature is concerned, the optimum temperature for Histoplasmosis is 20 degrees to 32 degrees centigrade which translates to 68 to 90 degrees fahrenheit, so, it's obvious that the Las Vegas area is not going to be an important area for Histoplasmosis. That's not to say that there's not other public health significance with having pigeons living in contact with people. I think there would be but I don't think it'd be on the basis of Histoplasmosis.

COUNCILMAN CHRISTENSEN:

That's close. (Laughter) I guess what I'm asking -- to get right down bluntly, I guess what I'm asking is what difference does 12 more pair of pigeons make in this community whether they're tame or wild because you're not allowed to kill the wild ones we got? You're not allowed to poison them. You're not allowed to do away with them. If you don't want pigeons, sometimes you've got them anyway and there's nothing you can do about it. So what's the difference?

DR. WILLIAMS:

From the standpoint of public health significance and Histoplasmosis, certainly there would be no difference whether its wild or whether its next door.

MAYOR BRIARE:

Thank you, Doctor.

DR. WILLIAMS:

I don't think there'd be a problem in any case with Histoplasmosis.

MAYOR BRIARE:

You see, folks, you're getting --

COUNCILMAN LEVY:

What is this 200 foot part of our ordinance then?

COUNCILMAN CHRISTENSEN:

Public harrassment.

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COUNCILMAN LEVY: Why is it 200 foot between another residence?

DR. WILLIAMS: That I don't know.

COUNCILMAN LEVY: It's nothing to do with health?

DR. WILLIAMS: Well, it could be with health.

COUNCILMAN LURIE: Well, probably maybe the pigeons had to be in an R-E zone; I mean, not an R-1 zone, so that it's farther from the residence. R-E you can have them.

HAROLD FOSTER: They're prohibited from being in any R zone. So they'd have to be like in a commercial or industrial type zone.

COUNCILMAN CHRISTENSEN: Well there's sure a lot of them there.

HAROLD FOSTER: Right. They'd have to be 200 feet from any residential property.

DR. WILLIAMS: Commissioner Christensen, I would certainly agree with you. As supervisor of animal control, we do -- or we could have a pigeon problem in this town that a lot of pigeons running and flying is of some significance; but it's not only true of this City, it's other cities as well

COUNCILMAN CHRISTENSEN: True of all of them.

DR. WILLIAMS: And, those other cities as we have never found a proper solution for the problem.

MAYOR BRIARE: Thanks, Doctor.

COUNCILMAN LEVY: Thank you, Doctor.

MAYOR BRIARE: It's amazing. It's just amazing what you can learn at a City Council meeting. I want you all to go to the library and get some books on raising pigeons. Well, the public hearing is closed now on this pigeon issue and as so many of these are it's very difficult to look upon something from sometimes -- not in this instance, thank heaven, there's no emotional issue involved but there's certainly personal issues involved in that we've got a wholesome, healthy, in my opinion, hobby of taking care of pigeons; and we've got some people around that don't want the pigeons. So in the pigeon issue, what is the pleasure of the Commission? The appeal has been filed to reverse the approval of the BZA.

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- COUNCILMAN CHRISTENSEN: I'd like to ask our staff a question. How close are we to the County line here?
- HAROLD FOSTER: About three-eighths of a mile to the east and to the southeast about a quarter of a mile.
- COUNCILMAN CHRISTENSEN: Another sidelight to this is that the people that have had the problem with the pigeons, as far as the disease and so forth is concerned, could have pigeons much closer than the house they own, because in the County they don't have the same restrictions. You can have chickens. You can have ducks. You can have livestock.
- COUNCILMAN LEVY: Or eagles.
- COUNCILMAN CHRISTENSEN: It doesn't make any difference. In the County, you can have a chicken coop in your backyard, raise chickens if you live in the County. A lot of people do it. You go out there and listen to the roosters crow and so forth. What I'm getting at is I -- I guess what I'm saying is that the birds in this community really know no boundaries.
- MAYOR BRIARE: Further comments? What's the pleasure of the Council on the appeal?
- COUNCILMAN NOLEN: Your Honor, I have a motion. I make a motion that we deny the appeal with the stipulation that the loft be removed from its present location as they've indicated they intend to do and that that be done by December 15th; and would instruct staff to verify with inspection.
- MAYOR BRIARE: Comments by the Council? Cast your votes. As a clarification, Councilman Nolen, you're --
- COUNCILMAN NOLEN: Motion was to deny the appeal.
- MAYOR BRIARE: To deny the appeal.
- COUNCILMAN CHRISTENSEN: That means allow the pigeons provided they move the loft?
- COUNCILMAN NOLEN: That's right.
- MAYOR BRIARE: Exactly. Cast your votes. Post. Motion's approved. (Motion carried with Levy voting "No") You can keep your pigeons but you do them in accordance with the rules and regulations and they're going to check you out on December the 15th.

END OF EXCERPT

MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
RUSSELL W. DORN



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

SEPTEMBER 21, 1983

NOTICE IS HEREBY GIVEN THAT on Wednesday, September 21, 1983, at the hour of 2:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following:

V-78-83 APPEAL FILED by MR. AND MRS. JAMES ADAMS to the action of the Board of Zoning Adjustment in APPROVING the application of WAYNE AND DIANE ROGERS for a Variance to allow the keeping of homing pigeons where such use is not permitted on property located at 5901 Balzar Avenue in Zoning District R-1 (Single-Family Residence District).

THE PROPERTY IS LEGALLY DESCRIBED AS LOT 268 IN
BLOCK 3 of CHARLESTON HEIGHTS UNIT #50-C.

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.

A handwritten signature in cursive script that reads "Carol Ann Hawley".

CAROL ANN HAWLEY
CITY CLERK



Animal Kingdom Veterinary Hospital
Joanne Stefanatos, D.V.M.

1325 VEGAS VALLEY DRIVE
LAS VEGAS, NEVADA 89109

TELEPHONE 735-7184

September 14, 1983

To Whom It May Concern:

On September 13, 1983 I went to Wayne Roger's home to inspect their pigeon coup, which is located on top of their garage.

This facility is neat and orderly and was built so they can clean it easily. All the nest and perching areas inside can be disassembled and each part can be cleaned very thoroughly. I inspected the food and water facilities and they use galvanized containers for water. The food is stored in covered galvanized cans.

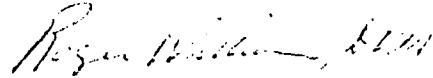
Next, I examine at random ten of the pigeons. their breast were full, color good, alert, and no ulcers in their mouths. In fact the pigeons are very healthy and well taken cared for. The stool was examined by microscope and the results were negative for intestinal parasites.

They mentioned Histoplasmosis as a complaint. Histoplasmosis is a chronic systemic fungal disease, usually respiratory in origin, with a geographic distribution to areas near the Great Lakes, the Appalachian Mountains and the Mississippi, Ohio and St. Lawrence River Valleys.

0180.

In conclusion, the Roger's are not showing any signs of Histoplasmosis, the pigeon coup is very neat, clean and orderly. The pigeons are healthy and shouldn't be a threat of transmitting any disease to humans.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Roger Williams, D.V.M.", written in dark ink.

Roger Williams, D.V.M.

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

Home Art Laboratory Inc.

Cathlamet Wash. 98612

(206) 7953647

#89108

0181

For diagnostic Lab. use only.

Host. Name -----

Wayne Rogers

Date received

Specimens Submitted

Confidential (no copy)

Tests Requested

Necropsy

Histopathology

Virology

Parology

Bacterology (Culture)

Antibiogram

Other

Necropsy

Wayne Sorry we are late
on this report - I try to get
the problem test results out first.

all counts near perfect -

Coccidia counts real low

Very good -

No worms

No worm eggs

Cocci Counts - Fine

Trick count Nil %

KARL M. LARSEN, O.D., LTD.

Optometry

TELEPHONE 642-5900

1703 CIVIC CENTER DRIVE - NORTH LAS VEGAS, NEVADA 89030

(7)

September 12, 1983

Re: Mary Ellane Adams DOB 4/9/33

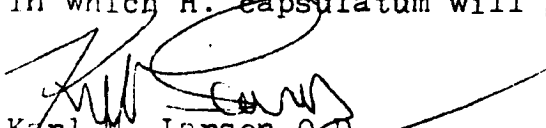
Mrs. Adams has been a patient for a number of years. I first saw her 4/12/79 and my last full examination was 11/15/82. She is a contact lens wearer and therefore I see her frequently.

She has a history of a fungus lung lesion, that she remembers being histoplasmosis. She states that it was removed surgically. She has had other health problems including a recent mastectomy for cancer, with subsequent radiation therapy. She has lived in many foreign countries and was raised around fowl as a kid.

Her last examination showed her uncorrected visual acuity to be right eye 20/30 and left eye 20/70. Her corrected visual acuity with her contact lenses was 20/20 in both eyes. Her cornea in the left eye revealed an irregularity in the endothelium with scarring of descemet's membrane. She states that this was from trauma do to a dogs claw on the eye.

The fundus of the left eye appeared normal but the right eye did not. The right eye appeared to have some small inactive lesions just nasal to the disc and just inferior to the macula. These were inactive lesions that were very suggestive of presumed ocular histoplasmosis.. The lesions were irregular, roundish, depigmented with clumped pigment centrally, and eccentrically present within the borders of the choroidal scar. These lesions were about .2 to .6 disc diameters in size.

It was my impression that Mrs. Adams had presumed ocular histoplasmosis lesions in her right eye, a result of the fungus that she apparently had in her lungs some years ago. This is only an impression based on the clinical picture of the fundus not upon a skin test for histoplasmosis. It was assumed that she remembered receiving the correct diagnosis of histoplasmosis when she had her first lung problem. The lesions have remained inactive during the last four years. I have advised her to avoid areas of the country and local areas where growth of the histoplasmosis fungus is prominent. This would include, but not be limited to, the Mississippi valley area and local areas where accumulated droppings from chickens, pigeons, starlings and other birds as well as from bats act as fertilizer for the soil in which *H. capsulatum* will grow.


Karl M. Larsen, O.D.

AGENDA*City of Las Vegas* September 21, 1983CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

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ITEM

Council Action

Department Action

**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, Engineering 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.
6. Approval of the parking and driveway plans by the Traffic Engineer.

APPROVED AGENDA ITEM


AGENDA*City of Las Vegas*

September 21, 1983

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

7. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
8. Provision of fire hydrants and water flow as required by the Department of Fire Services.

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. 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.

Final Maps:

1. Conformance with the tentative map.

All Vacations shall conform to the following general conditions:

1. Satisfaction of the requirements of the various utility companies.

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

September 21, 1983

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

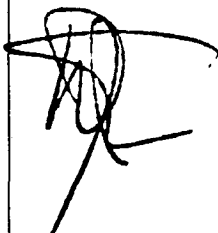
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

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



AGENDA*City of Las Vegas* September 21, 1983CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)A. ABEYANCE ITEM - ZONE CHANGE - Z-66-83 -
W. G. STONE, M.D.Reclassification of property generally
located on the southwest corner of Kingsbury
Lane and Pinto Lane.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Offices

Planning Commission recommends DENIAL (5-2
vote). If approved, following are the
recommended conditions:

1. Resolution of Intent with a twelve (12)
month time limit.
2. Dedication of a 15' radius at the
intersection of Kingsbury Lane and
Pinto Lane as required by the Department
of Engineering Services.
3. Install sidewalk and street lighting on
Kingsbury Lane and Pinto Lane as required
by the Department of Engineering Services.
4. Access from Kingsbury Lane only with a
20' setback on Pinto Lane and a
decorative wall 4' high and the area
between the wall and Pinto Lane
landscaped.

Staff Recommendation: DENIAL

PROTESTS: 5

DENIED
(Nolen's motion
to approvewith no access off
Pinto with block
wall as shown on
revised plot plan
failed with Briare,
Lurie and Levy
voting "No.")Clerk to notify
and Planning to
proceed.Dr. W. G. Stone,
Atty. Mike Leavitt
and Ken Templeton
appeared on behalf
of application.Protests:Pete Barbutti
716 RoseRobert Petroni
2000 Pinto LaneHilda Lee Painter
1921 Pinto Lane

APPROVED AGENDA ITEM

To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

A. ABEYANCE ITEM - ZONE CHANGE - Z-66-83 - W. G. STONE, M.D.

This item was held in abeyance for a full board to consider the request because it is a deviation from the approved Special Activity Center Plan for this neighborhood. The Plan calls for this area to be part of the expansion area for Valley Hospital, whereas this request from R-1 to P-R is for an independent doctor's office (psychiatry) that would generate traffic on these interior residential streets to this property. The P-R zoning across Kingsbury Lane to the east was approved with the condition that there be no access to Kingsbury Lane or Pinto Lane and all persons using these facilities would utilize the contiguous parking facilities of Valley Hospital. Further, there are fences between the buildings in this P-R Zone to prevent persons from parking on Kingsbury Lane and Pinto Lane to enter the Valley Hospital complex. You will remember the objections from the residents in the R-1 about the parking of the hospital employees on these residential streets. That was finally eliminated through the cooperation of the hospital that required its employees to park in its facilities and not on these residential streets as well as the City imposed time restrictions for parking on Pinto Lane. It is conceivable if this property and others are approved for P-R on an independent basis, the employees and possibly some of the customers will be parking on these streets. There are four R-1 properties in this hospital expansion area that are shown on the Plan that are located south of Pinto between Kingsbury and Rose Street. The intent is to allow these four properties to transition to P-R if there was no access from the abutting streets and all access and parking is from the Valley Hospital site. The residents to the south and west that abut the property involved in this application are in protest because they intend to remain on these properties for some time and feel that an office that is not tied into Valley Hospital would have an adverse affect on their properties. It is not possible to physically connect this property with the Valley Hospital property because it is separated by another R-1 parcel. The Plan has been followed and has been very helpful as a zoning guide since it was adopted. This Plan will be evaluated during the General Plan Update and the recommendations of the consultant will be available for consideration towards the end of the year.

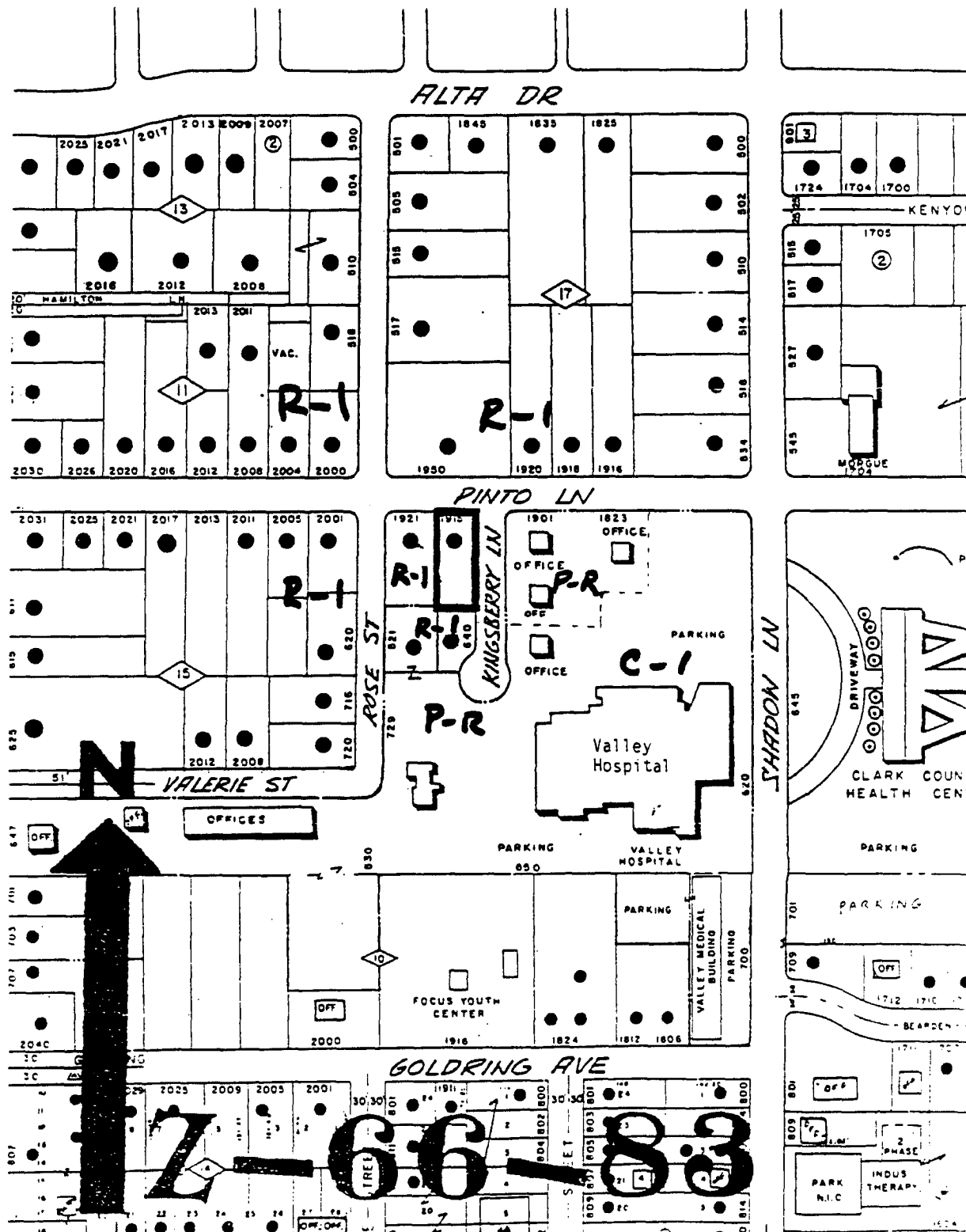
PLANNING COMMISSION RECOMMENDATION: DENIAL - Contrary to the intent of the adopted Special Activity Center Plan.

STAFF RECOMMENDATION: DENIAL - Contrary to the approved Plan for this area.

PROTESTS: 5 - 4 Letters
1 Person spoke at Planning Commission meeting

LOCATION MAP ATTACHED

A. LOCATION MAP - Z-66-83



AGENDA*City of Las Vegas* September 21, 1983CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

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ITEM

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Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)B. ABEYANCE ITEM - ZONE CHANGE - Z-65-83 -
CAROLYN THRESHER AND GRETA STOLZLECHNERReclassification of property generally
located on the northeast corner of Buckskin
Avenue and Lorenzi Boulevard.

From: R-E (Residence Estates)

To: R-D (Single Family Residence,
Restricted) and

R-1 (Single Family Residence)

Proposed Use: Medium Low Density Detached
Single Family ResidentialPlanning Commission recommends APPROVAL (5-2
vote), subject to the following condition:

1. The south 170' be zoned R-D and the
remainder R-1.

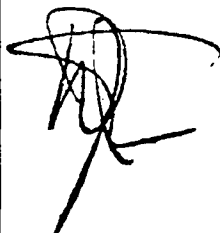
Staff Recommendation: APPLICATION BE
AMENDED TO R-D

PROTESTS: 129

Nolen -
DENIED
Motion carried
with Briare voting
"No."

Clerk to notify

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

B. ABEYANCE ITEM - ZONE CHANGE - Z-65-83 - CAROLYN THRESHER AND
GRETA STOLZLECHNER

This request to rezone this 28.5 acre parcel from R-E to R-D and R-1 was held in abeyance because there were only three Council members present at the last meeting and it was felt the alternate suggestions by the members should be considered by the full board. It was suggested that the Council consider amending the entire application to R-D or to require that a row of R-E lots be retained on the north side of Buckskin and the remainder of the parcel be considered for R-D or R-1. R-E would allow half-acre sized lots and R-D would be quarter-acre lots. The applicant is requesting 16 R-D and 107 R-1 lots for a total of 123. Several meetings ago an application for R-1 and R-CL was denied on this property for 194 lots. The applicants did not have to wait the four month time period because this new application is requesting lower density zoning. This parcel abuts the R. E. Tobler Elementary School to the east and the Las Vegas Valley Water District to the north. North of that is R-1 and R-CL on the relatively large Collins Brothers development. To the west is a vacant strip of R-E zoned land that was required when the R-1 and R-PD20 was approved to the west of this strip. To the south is R-E zoned land in the County which is predominantly developed. At the Planning Commission meeting the representative of the applicants indicated the proposed homes would range in size from 1,450 square feet to 1,600 square feet on the R-1 lots and the homes would be larger on the R-D lots. The row of R-D lots along Buckskin is to provide for a transition between the R-E and the R-1. The applicant indicated he would be constructing a 6' block wall to the rear of the requested R-D lots to act as a buffer to the requested R-1 to the north. The Council may wish to consider requiring construction on the R-D lots prior to or simultaneously with the R-1 to the north if it is approved, otherwise, there may be another request in the future for higher density zoning on these lots on the north side of Buckskin if they remain vacant.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Compatible with the surrounding zoning pattern.

STAFF RECOMMENDATION: APPLICATION BE AMENDED TO R-D

PROTESTS: 129 - 4 Letters
4 Persons spoke at Planning Commission meeting
6 Persons in audience at Planning Commission meeting
Petition with 115 signatures

SEE ATTACHED PAGE FOR IMPACT DATA ON SCHOOLS, FIRE SERVICES AND TRAFFIC
LOCATION MAP ALSO ATTACHED

- B. ABEYANCE ITEM - ZONE CHANGE - Z-65-83 - CAROLYN THRESHER AND Greta Stolzlechner

IMPACT DATA - SCHOOL, FIRE SERVICES AND TRAFFIC DATA:

SCHOOL DATA:

<u>Schools</u>	<u>Based on R-D & R-1 as requested by the applicant</u>	<u>Based on this request plus approved Collins Bros. development (800 units) to the north</u>
R.E. Tobler Elementary School Current enrollment = 623 Operational capacity = 655		
No. of Students from this project	25	188
Over or under operational capacity	8 under	155 over
Brinley Jr. High School Current enrollment = 1,189 Operational capacity = 1,308		
No. of Students from this project	9	65
Under operational capacity	110 under	54 under
Sixth Grade Center	5 bussed	34 bussed
Western High School Current enrollment = 2,060 Operational capacity = 2,354		
No. of Students from this project	12	93
Under operational capacity	282 under	201 under

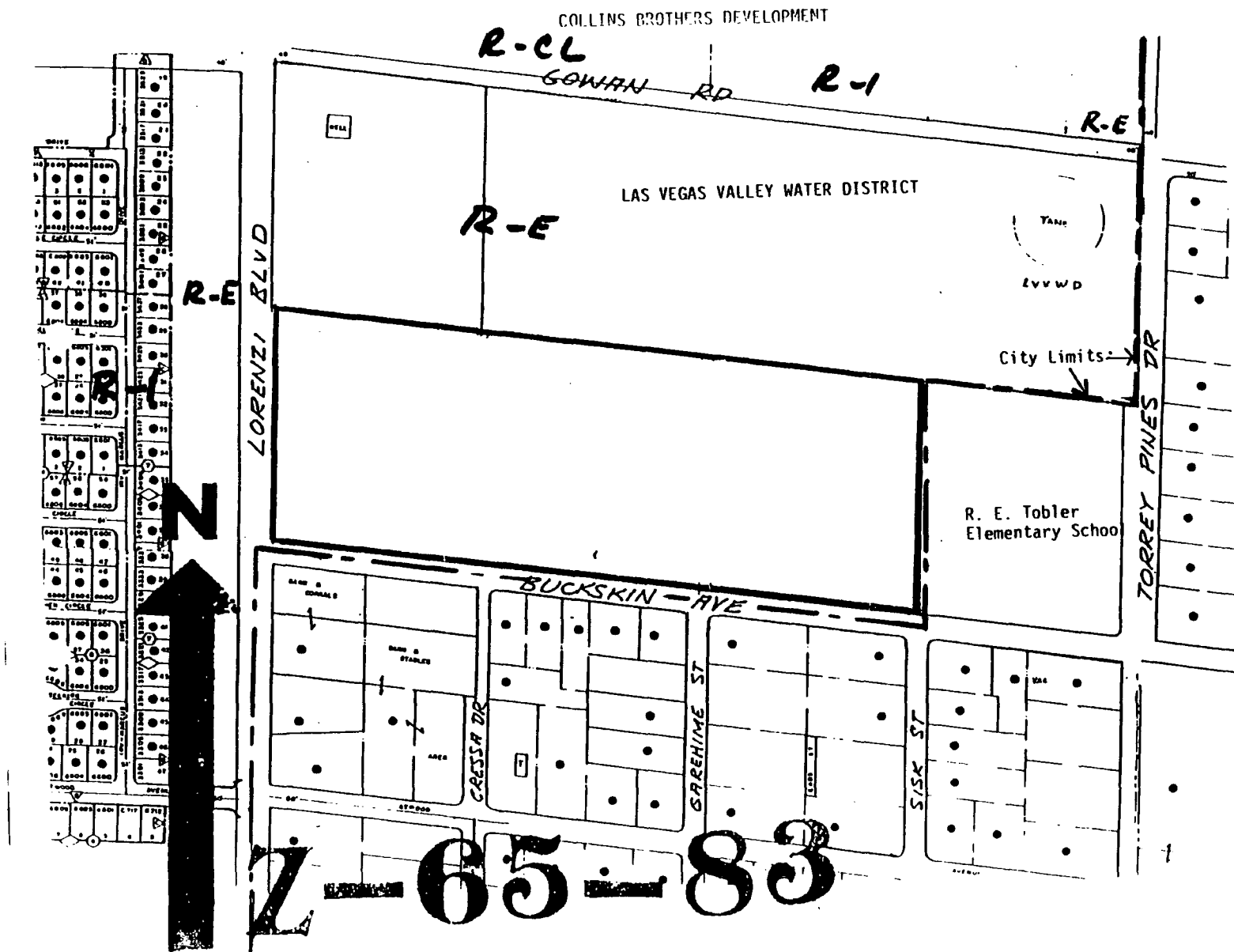
FIRE SERVICES DATA:

Fire Station #9 serves this area at Lone Mountain between Rancho Drive and Rainbow Boulevard. There is one fire engine and one pumper that are manned by 5 employees at all times. The response time is approximately 5 minutes.

TRAFFIC DATA:

	<u>Based on R-D & R-1 as requested by the applicant</u>
No. of Trips Per Day	1,230
The ultimate carrying capacity of Lorenzi Boulevard and Torrey Pines Drive, when improved, will be 15,000 cars per day. According to the Traffic Engineer both streets carry very low volumes at this time.	

B. LOCATION MAP - Z-65-83



AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

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City of Las Vegas

September 21, 1983

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

C. ABEYANCE ITEM - TENTATIVE MAP - LIBERTY VILLAGE

Nolen -
DENIED
Unanimous

Clerk to notify

Property generally located on the northeast corner of Buckskin Avenue and Lorenzi Boulevard, R-E Zone (proposed R-D and R-1).

Owner: Carolyn Thresher & Greta Stolzlechner

Subdivider: Gerald Nicholas

No. of Acres: 28.5 No. of Lots: 123

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

1. Approval of zoning request Z-65-83.
2. Conformance to the conditions of approval of Z-65-83.
3. No vehicular access to Lorenzi Boulevard from the abutting lots.
4. If a wall is constructed on an exterior boundary street, the Conditions, Covenants and Restrictions shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.
5. A waiver be permitted for the length of Blocks 1 and 4.
6. Submit a petition of vacation for the easterly 10' of Lorenzi Boulevard previously dedicated.
7. Reduce R-1 lot depths to 100' and increase the R-D lots to 140'.

Staff Recommendation: APPROVAL

APPROVED AGENDA ITEM

To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

C. ABEYANCE ITEM - TENTATIVE MAP - LIBERTY VILLAGE

This is the tentative map tied into Item B. If that application is approved as requested, then this map is in order to be approved because it substantially conforms to the Subdivision Regulations. However, if the zoning is amended by the Council, then the map could be approved subject to being revised to conform to the approved zoning for this site.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)D. ABEYANCE ITEM - REVIEW OF CONDITION -
ZC-90-81 - SUBURBAN DEVELOPMENT CORPORATION

Review of Condition regarding the required 6' high perimeter block wall on property generally located on the northwest corner of Vegas Drive and Burningwood Lane (Sweetwater Canyon Subdivision), R-E Zone (under Resolution of Intent to R-PD14).

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

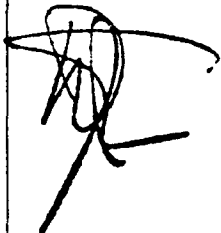
1. Conformance to the site plan.
2. Conformance to all other original conditions of approval of ZC-90-81.

Staff Recommendation: APPROVAL

Christensen -
APPROVED as recommended by Planning Commission and staff.
Unanimous
(Lurie excused)

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

D. ABEYANCE ITEM - REVIEW OF CONDITION - ZC-90-81 - SUBURBAN DEVELOPMENT CORPORATION

This item was held in abeyance because a representative of the applicant was not present at the meeting. The request involves a review of the condition which required a 6' block wall on the sides and rear of a condominium project which was zoned in the County and then annexed into the City. Block walls ranging in height from 5' to 7' have been constructed adjacent to portions of this condominium project and the applicant is requesting that these existing walls satisfy this condition along with constructing 6' block walls on the portions where no wall presently exists. This request appears to be logical because adding a course or two on the existing walls would not substantially increase the protection to the abutting residential properties and it is conceivable the add-on would be noticeable and not particularly attractive.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)E. 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 (Single Family Compact Lot)

Proposed Use: Medium Density Detached
Single Family Dwellings

STRIKEN FROM AGENDA
AT REQUEST OF
APPLICANT.

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 - Should be
stricken

PROTESTS: 28

from agenda.
See Backup

APPROVED AGENDA ITEM

To: The City Council
 Re: Community Planning and Development Agenda Item
 September 21, 1983 City Council Agenda

X.

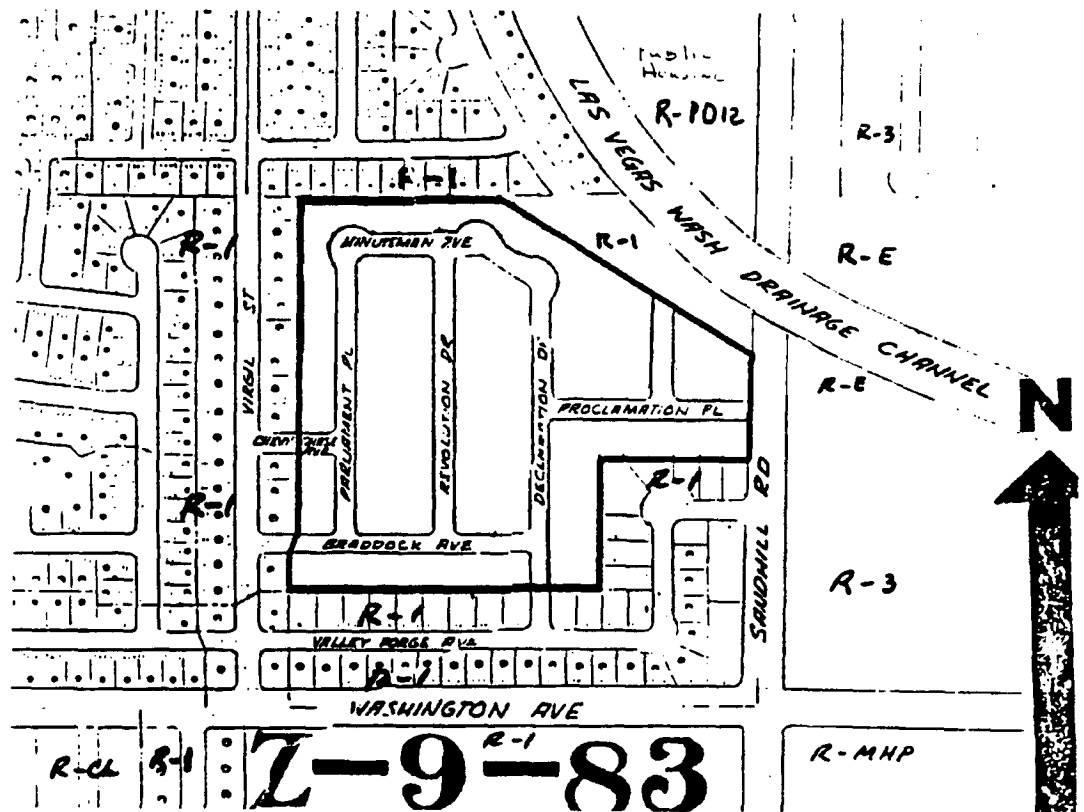
E. ABEYANCE ITEM - ZONE CHANGE - Z-9-83 - 8IVINS CONSTRUCTION CO., INC.

This item should be stricken from the agenda because the new owner of the property does not wish to pursue the R-CL zoning on this property. You will remember the applicant requested this item be held in abeyance to resolve the litigation on this property. While this item was held in abeyance, the property was sold to R. A. Homes and staff has been informed that this new owner does not wish to pursue the R-CL zoning requested in this application. Consequently, it would be staff's recommendation the application be stricken from the agenda.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL (Strike from agenda - the new owner does not wish to pursue the R-CL zoning requested on this property.)

PROTESTS: 28 - 1 Letter
 Petition with 27 signatures



AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

0199

City of Las Vegas

September 21, 1983

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

F. TENTATIVE MAP - MONROE MANOR II

Property generally located on the southeast corner of Monroe Avenue and "N" Street, R-1 Zone (under Resolution of Intent to R-PD10).

Owner/Subdivider: Dalton Properties, Inc.
No. of Acres: 1.04 No. of Lots: 14

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

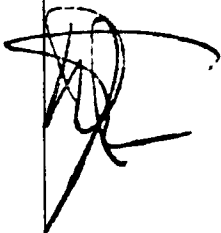
1. Conformance to the conditions of approval for Z-112-80.
2. A 6' block wall to be provided along the rear of the lots abutting Hand Place.
3. If a wall is constructed on an exterior boundary street, the Conditions, Covenants and Restrictions shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items F
and G, subject to
conditions.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



1539

To: The City Council
Re: Community Planning and Development Agenda Item
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X.

F. TENTATIVE MAP - MONROE MANOR II

This map substantially conforms to the Subdivision Regulations and the approved zoning plan and is in order to be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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ITEM Council Action Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

G. FINAL MAP - MONROE MANOR II

Property generally located on the southeast corner of Monroe Avenue and "N" Street, R-1 Zone (under Resolution of Intent to R-PD10).
Owner/Subdivider: Dalton Properties, Inc.
No. of Acres: 1.04 No. of Lots: 14

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

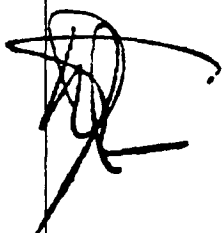
1. Approval of the tentative map.
2. Conformance to the conditions of approval for the tentative map.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items F
and G, subject to
conditions.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

G. FINAL MAP - MONROE MANOR II

This final map is for all the lots on the tentative map under Item F. If Item F is approved, then this map can also be approved because it conforms to the tentative map.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

0203

City of Las Vegas

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

H. TENTATIVE MAP - PARK NORTH VILLAS

Property generally located north of Searles Avenue, between 22nd Street and 23rd Street, R-3 Zone.

Owner: M & M Builders

Subdivider: Jose Morata

No. of Acres: 2.6 No. of Lots: 14

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

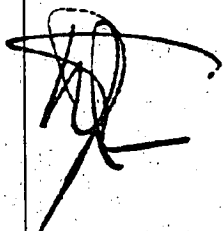
1. Approval of variance application V-83-83.
2. Conformance to the conditions of approval for V-83-83.

Staff Recommendation: APPROVAL

Lurie -
APPROVED as recommended, subject to conditions.
Unanimous

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



1539

To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

H. TENTATIVE MAP - PARK NORTH VILLAS

The tentative map is to subdivide an existing apartment development so the individual fourplexes can be sold. The map substantially conforms to the Subdivision Regulations. A variance has been approved for the reduction of the front setbacks from 20' to 10'. The front yard areas that will be created through this subdivision were formerly side yards.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

I. EXTENSION OF TIME - Z-67-80 - DOUGLAS E. SIMMS

Extension of Time on property generally located on the northwest corner of Stewart Avenue and Lamb Boulevard, R-E Zone (under Resolution of Intent to C-1).

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

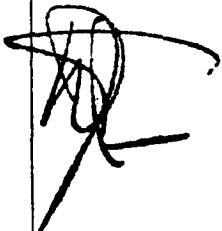
1. Extension of Time shall expire September 10, 1984.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items I
and J as recom-
mended by Planning
Commission and
staff.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



1540

To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

1. EXTENSION OF TIME - Z-67-80 - DOUGLAS E. SIMMS

This is the third request for an extension of time. The applicant is still pursuing the financing for this project.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

AGENDA*City of Las Vegas*

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)J. EXTENSION OF TIME - Z-32-80 - LAS VEGAS
BOARD OF REALTORS

Extension of Time on property generally located on the north side of East Sahara Avenue, between Burnham Avenue and Spencer Street, C-1 Zone.

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

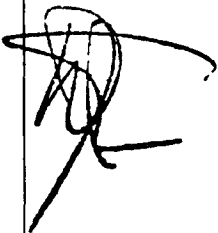
1. Extension of Time shall expire September 25, 1984.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items I
and J as recom-
mended by Planning
Commission and
staff.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

J. EXTENSION OF TIME - Z-32-B0 - LAS VEGAS BOARD OF REALTORS

This is the second request for an extension of time. The applicant needs additional time to develop this property.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

AGENDA*City of Las Vegas*

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

K. PLOT PLAN REVIEW - Z-31-73(15) - JUDY DAWSON

Plot Plan Review on property located at
1515 South Maryland Parkway, R-1 Zone (under
Resolution of Intent to P-R).

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

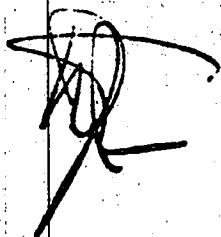
1. Conformance to the elevations and amended plot plan.
2. Increase the curb cut width to a minimum of 16'.

Staff Recommendation: APPROVAL

Levy -
APPROVED as recom-
mended by Planning
Commission and
staff.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

K. PLOT PLAN REVIEW - Z-31-73(15) JUDY DAWSON

The plot plan review requested in this application is being submitted to you for final approval because it was required under the original zoning approval. The applicant proposes to renovate the entire building with a new facade. There is adequate landscaping and off-street parking.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - SEPTEMBER 21, 1983

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City of Las Vegas

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

L. COUNTY REFERRAL - ZONE CHANGE - ZC-184-83 -
ROBERT AND PATRICIA SCHNIDER

Request for a Zone Change from R-E (Rural Estates Residential) to R-D (Suburban Estates Residential) to construct and maintain a single family residential subdivision consisting of fourteen (14) 10,000 square foot minimum lots on property generally located on the south side of Peak Drive and the west side of Jones Boulevard.

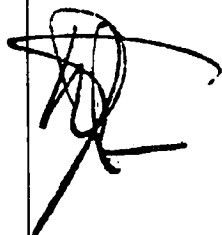
Planning Commission unanimously recommends DENIAL.

Staff Recommendation: DENIAL

Levy -
DENIED as recommended by Planning Commission and staff.
Motion carried with Briare "Abstaining" and Christensen voting "No."

Clerk to notify

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

L. COUNTY REFERRAL - ZONE CHANGE - ZC-184-83 - ROBERT AND PATRICIA SCHNIDER

This is a County referral on a parcel of land adjacent to the City limits. The applicant is requesting R-D zoning for fourteen 10,000 square foot lots southwest of Peak Drive and Jones Boulevard. There is scattered R-E development in the County to the west and north and developed R-E to the east. A partially developed R-PD2 project is located to the northeast in the City.

PLANNING COMMISSION RECOMMENDATION: DENIAL - Not compatible with the predominant R-E zoning pattern in the area.

STAFF RECOMMENDATION: DENIAL

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Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)M. ZONE CHANGE - Z-67-83 - CLIFFORD AND JANE
CARTER

Reclassification of property generally
located on the north side of Del Rey Avenue,
330' east of Rainbow Boulevard.

From: N-U (Non-Urban)

To: R-3 (Limited Multiple Residence)

Proposed Use: Medium High Density
Residential (Apartments)

Planning Commission recommends APPROVAL (3-2
vote), subject to the following conditions:

1. Resolution of Intent with a twelve (12)
month time limit.
2. Approval of the final site design,
building siting and elevations by the
Department of Community Planning and
Development, utilizing joint access to
parking to the rear of the buildings.
3. Dedication of 30' of right-of-way for
Del Rey Avenue as required by the
Department of Engineering Services.
4. Install street improvements on Del Rey
Avenue as required by the Department of
Engineering Services.

Staff Recommendation: APPROVAL - For a
maximum of
PROTESTS: 0 8 units
per acre

Nolen -
APPROVED Items M
and N as recom-
mended by Planning
Commission and
staff, subject to
conditions.
Unanimous

Clerk to notify
and Planning to
proceed.

Bob McNutt
appeared on
behalf of
applicants.

APPROVED AGENDA ITEM

To: The City Council
 Re: Community Planning and Development Agenda Item
 September 21, 1983 City Council Agenda

X.

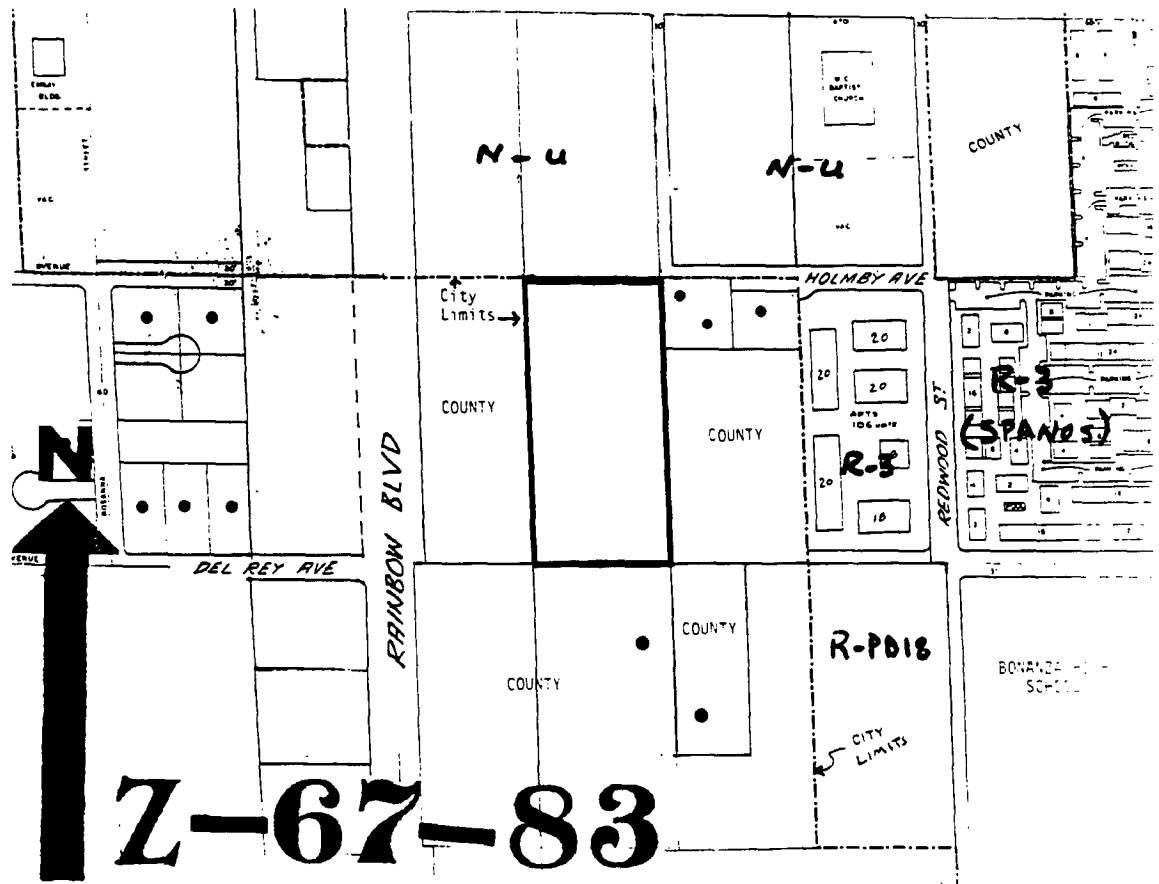
M. ZONE CHANGE - Z-67-83 - CLIFFORD AND JANE CARTER

The request is to rezone this property from N-U to R-3 on land that was annexed into the City recently. The applicant is requesting 22 fourplex lots for a total of 88 units which will be at a density of 16 units per acre. On the parcel to the east, the Council recently voted to recommend a maximum of 8 units per acre on a County referral where a density of 15 units per acre was being requested. The applicants on that parcel have requested the County to hold that application in abeyance pending the outcome of this application in the City. To the east of the County referral parcel there is developed R-3 and vacant R-PD18 zoning. Further east there is more R-3 for the 516 unit Spanos development. To the north is N-U zoning on the parcels that front on Charleston and to the west and south is land located in the County. According to the County there is approved zoning at 16 units per acre that was approved recently and was inadvertently not sent to the City for a recommendation. Staff pointed out at the Planning Commission meeting that due to the existing amount of multi-family zoning in this neighborhood and the possibility that some of the vacant parcels along Charleston Boulevard to the north and Rainbow to the west may transition to higher density that these interior parcels should be developed at a lower density to prevent this neighborhood from substantially exceeding the designed population.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL - For a maximum of 8 units per acre.

PROTESTS: 0



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PHONE 386-6011

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

N. TENTATIVE MAP - DEL REY PLAZA

Property generally located on the north side
of Del Rey Avenue, east of Rainbow Boulevard,
N-U Zone (proposed R-3).

Owner: Clifford and Jane Carter

Subdivider: Robert McNutt

No. of Acres: 5.2 No. of Lots: 22

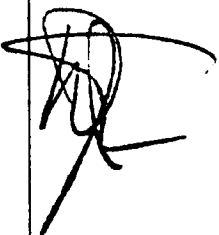
Planning Commission unanimously recommends
APPROVAL, subject to the following conditions:

1. Approval of zoning application Z-67-83.
2. Conformance to the conditions of approval
for Z-67-83.
3. Provide a hydrology report as required
by the Department of Engineering Services.
4. If a wall is constructed on an exterior
boundary street, the Conditions, Covenants
and Restrictions shall contain wording
to the effect that each property owner
of a lot backing up to said wall shall be
responsible for the continued maintenance
of the exterior side of the wall and the
ground area at the exterior base of the
wall.
5. A waiver be permitted for the length of
the cul-de-sac street.

Staff Recommendation: APPROVAL

Nolen -
APPROVED Items M
and N as recom-
mended by Planning
Commission and
staff, subject to
conditions.
UnanimousClerk to notify
and Planning to
proceed.Bob McNutt
appeared on
behalf of
applicants.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
September 21, 1983 City Council Agenda

X.

N. TENTATIVE MAP - DEL REY PLAZA

This is the tentative map for the rezoning application under Item K.
If that application is approved, then this map is in order to be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)O. ZONE CHANGE - Z-68-83 - WILLIAM RAY ANDERSONReclassification of property located at
1404 South Eastern Avenue.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Offices

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

1. Resolution of Intent with a twelve (12) month time limit.
2. Conformance to the plot plan amended to provide five parking spaces and the elimination of the proposed northerly curb cut on Eastern Avenue as required by the Department of Community Planning and Development.

Staff Recommendation: APPROVAL

PROTESTS: 0

Lurie -
APPROVED subject
to conditions.
UnanimousClerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM

To: The City Council
 Re: Community Planning and Development Agenda Item
 September 21, 1983 City Council Agenda

X.

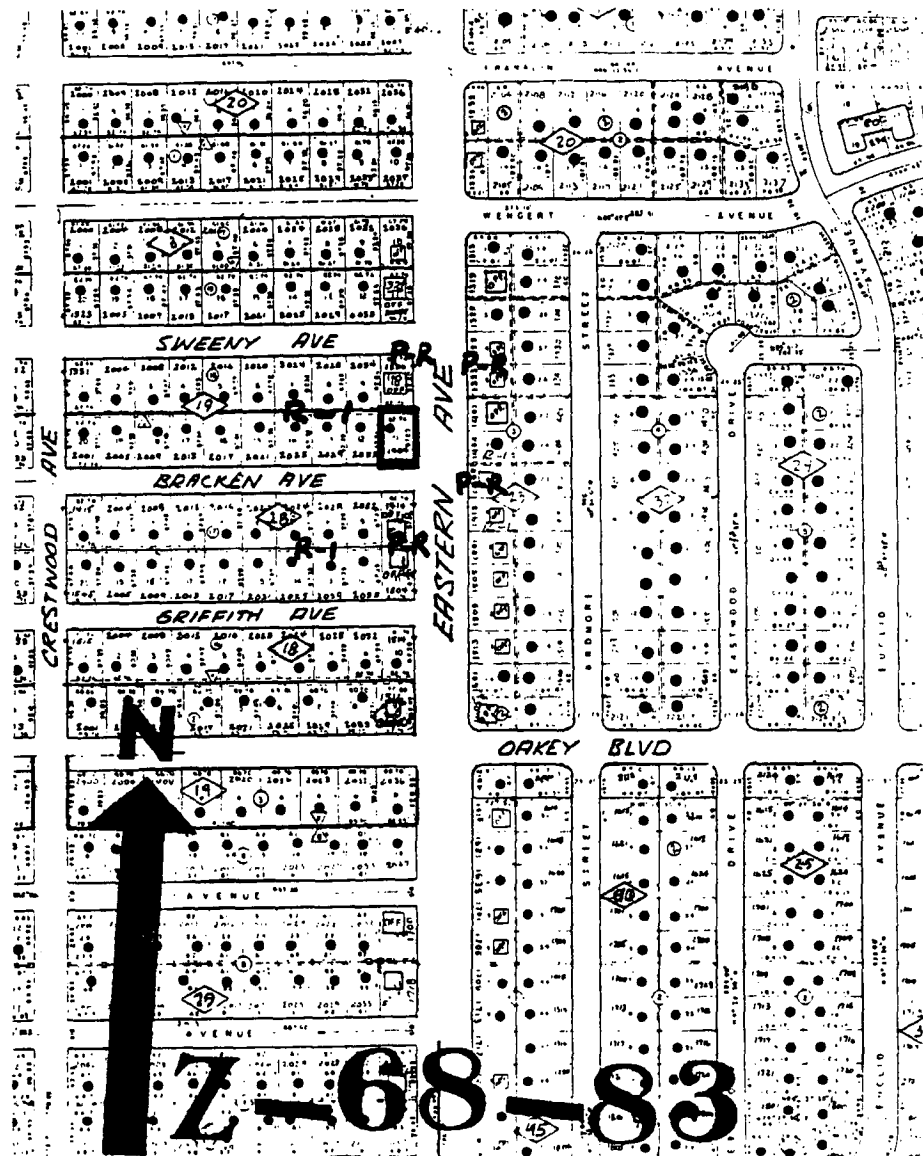
0. ZONE CHANGE - Z-68-83 - WILLIAM RAY ANDERSON

This request from R-1 to P-R is in accordance with the transitioning zoning pattern on this segment of Eastern Avenue. The applicant will be converting the existing building on the property to office use.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)P. ZONE CHANGE - Z-70-83 - RICHARD N. AND
GUNILLA I. KINGReclassification of property located at
2511 West Bonanza Road.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Offices

Planning Commission unanimously recommends
DENIAL. If approved, following are the
recommended conditions:

1. Resolution of Intent with a twelve (12)
month time limit.
2. Conformance to the plot plan amended to
provide five (5) off-street parking spaces.
3. Provision of a 6' block wall along the
south property line except in the front
yard where it shall be 4' high with the
top 2' fifty percent open.

Staff Recommendation: DENIAL

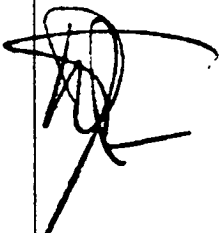
PROTESTS: 1

Levy -
ABEYANCE
UnanimousNote: To be placed
back on agenda after
Variance application
is acted upon.

Clerk to notify.

Atty. George
Rudiak, 302 E.
Carson, appeared
on behalf of
applicants.Applicant to file
for Variance
instead of Zone
Change.

APPROVED AGENDA ITEM



To: The City Council
 Re: Community Planning and Development Agenda Item
 September 21, 1983 City Council Agenda

X.

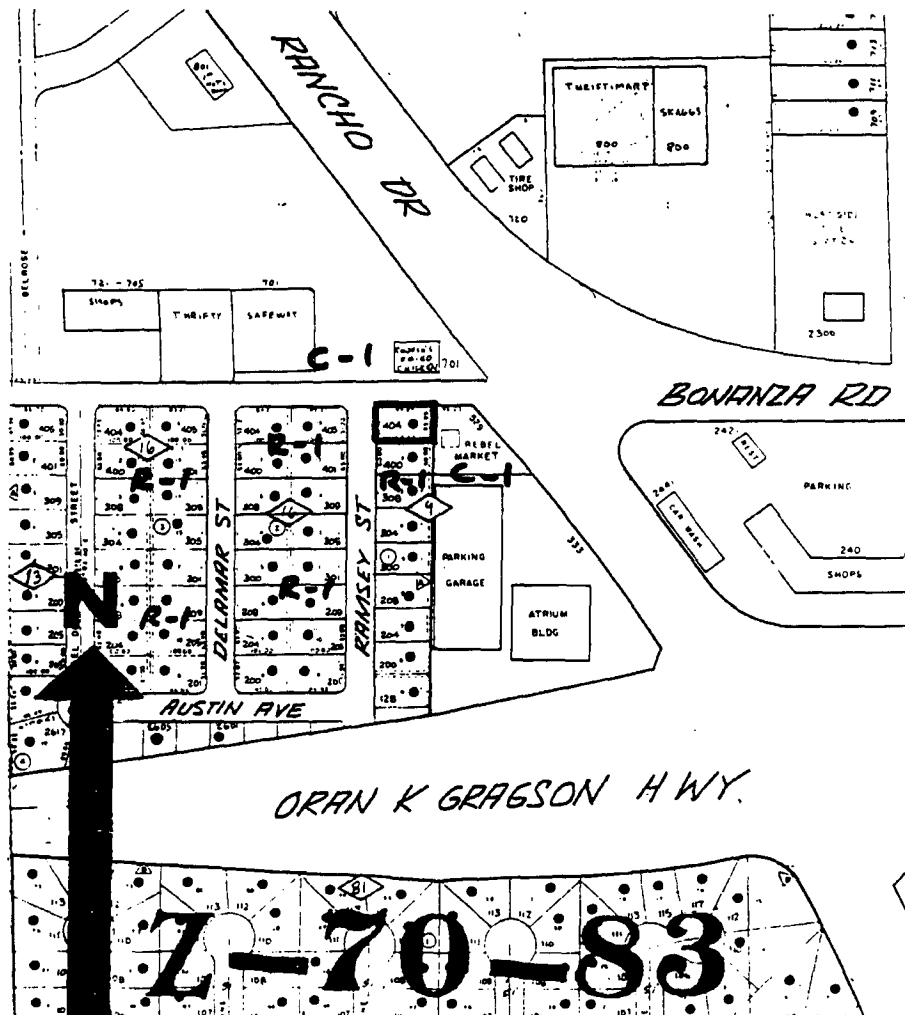
P. ZONE CHANGE - Z-70-83 - RICHARD N. AND GUNILLA I. KING

The applicants are requesting this property be rezoned from R-1 to P-R for office use. A request for P-R zoning was denied in 1979 and a home occupation permit for a real estate office was also denied in 1972. The applicants have two approved home occupation uses on this property, one for fire extinguisher sales and the other for bookkeeping. The applicant is proposing to move from this property to a new home and would like P-R zoning so they can use it for their real estate office. This property backs up to C-1 and there is C-1 on the north side of Bonanza, however, it is part of a homogeneous R-1 neighborhood. If this parcel is approved for P-R, then the other parcels to the west along Bonanza would also be requesting P-R and there would be no logical stopping point that would have an adverse affect on the other residential properties in this neighborhood. A minimum of 6 off-street parking spaces are requested and only 5 can be provided. Two of the 5 would have to back out onto Bonanza which would not be desirable. The Council has the authority to reduce the parking from 6 to 5 if there are extenuating circumstances.

PLANNING COMMISSION RECOMMENDATION: DENIAL

STAFF RECOMMENDATION: DENIAL

PROTESTS: 1 - Spoke at Planning Commission meeting



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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)Q. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE CITY PLANNING COMMISSION AT ITS
SEPTEMBER 8, 1983 MEETING.

VAC-11-83

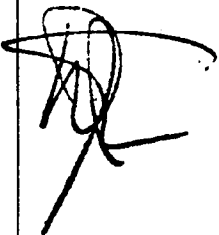
10/5/83 Agenda

R. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD AUGUST 25, 1983.

V-11-83

10/5/83 Agenda

APPROVED AGENDA ITEM



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XI. ADDENDUM ITEMS

NONE

NONE

APPROVED AGENDA ITEM

Ashley Hall

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XII. CITIZEN PARTICIPATION

Items raised under this portion of the Agenda cannot be acted upon by the City Council 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.

Rebel Brothers spoke re a plan he had devised to increase the hours of the Senior Citizens Center and to save money in operation costs. Mayor Briare advised him to present same to the Senior Citizens Advisory Board for review and recommendation.

MEETING ADJOURNED AT 4:30 P.M.