

MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: February 1, 1984

TIME: 9:45 A.M.

INVOCATION: Reverend Melvin A. Pekrul
Retired, Former Pastor First Baptist 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

☒ ☐ ☐

APPROVED BY REFERENCE June 20, 1984

ATTEST:

Carol F. Hawley

William H. Brune

AGENDA*City of Las Vegas*

February 1, 1984

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

ITEM

Council Action

Department Action

I. 9:45 A.M.

FULL BOARD PRESENT
CITY ATTORNEY GEORGE OGILVIE PRESENTA. COMMUNITY RELATIONS

NONE

B. SPECIAL EVENTS

NONE

II. 10:00 A.M.

A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN
MEETING LAW

ANNOUNCEMENT MADE

B. INVOCATIONINVOCATION GIVEN BY
REVEREND PEKRUL.Reverend Melvin A. Pekrul
Retired, Former Pastor First Baptist ChurchC. PLEDGE OF ALLEGIANCEMAYOR LED AUDIENCE
IN PLEDGE.

APPROVED AGENDA ITEM

mp Cool

(Posting required under the provisions of NRS CHAPTER 241)

0002

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 27th day of January, 1984, at the hour of 10: 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 1st day February, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

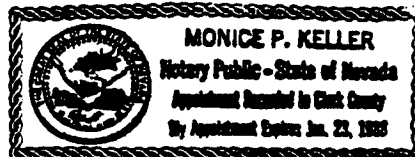
1. In the United States Post Office (Downtown), 301 Stewart Avenue;
2. In the Federal Building, 300 Las Vegas Boulevard South;
3. In the Clark County Courthouse, 200 East Carson Avenue;
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 East Stewart Avenue (near the entrance to the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

Subscribed and sworn to before me this

30th day of January, 1984

Monice P. Keller
NOTARY PUBLIC in and for said County
and State.
My Commission expires: 1/23/88



AFFIDAVIT OF POSTING
CITY COUNCIL MINUTES - FEBRUARY 1, 1984
(Posting required under the provisions of NRS CHAPTER 241)

0003

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 27th day of January, 1984, at the hour of 2 PM there were posted copies of ADDENDUM NO. 1 to the AGENDA (NOTICE), of a Regular MEETING of the CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 1st day of February, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

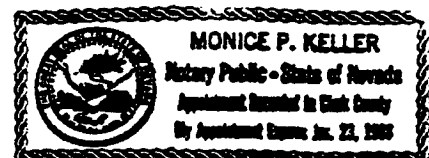
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Loretta A. Hall
SIGNATURE

Clerk
DEPARTMENT

Subscribed and sworn to before me this
30th day of January, 1984

Monice P. Keller
NOTARY PUBLIC in and for said County
and State.
My Commission expires: 1/23/88



(Mailing required under the provisions of NRS CHAPTER 241)

0004

STATE OF NEVADA)
)
 COUNTY OF CLARK) ss

Loretta A. Hall

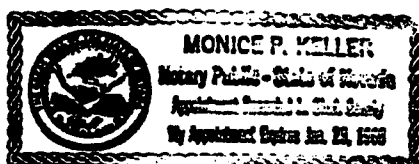
_____, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 27 th day of January, 1984, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a REGULAR MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on the 1 st of February, 1984, 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). and Addendum No. 1

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

Subscribed and sworn to before me this

27th day of January 1983

Monice P. Keller
 NOTARY PUBLIC in and for said County
 and State.

My Commission expires: 1/23/88

AGENDA*City of Las Vegas*

February 1, 1984

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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. LIQUOR -- Additional

1. BINGO PALACE CASINO, INC.

Bingo Palace Casino
2411 West Sahara Avenue
2 bars

Lurie -
APPROVED
Unanimous

Staff to proceed

*B. GAMING -- Additional

1. GOLDEN NUGGET, INC.

Golden Nugget
129 East Fremont
10 slots

Lurie -
APPROVED Items 1
thru 4.
Unanimous with the
exception that
Lurie abstained
on Item 2.

Staff to proceed

2. CASINO SERVICES

Golden Gate Casino
#1 Fremont Street
17 slots

Lady Luck Casino
206 North 3rd Street
2 slots

Larry's Fireside Inn
3535 North Rancho
4 slots

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*B. GAMING -- Additional
(cont'd)APPROVED
See Page 2

See Page 2

3. NEVADA COIN MACHINE COMPANY

Fast Break Lounge
2245 North Decatur
1 slot

4. SUNSET AMUSEMENT COMPANY

Mercado Plaza Laundromat
1504 North Jones
1 slotC. LIQUOR -- NewLurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

1. *C.F.R., INC.

dba
VERRAZANO PIZZA
240 South Rainbow, E-3

Beer/Wine On-Sale License

Victor Frank Colosi, Pres,
Dir, 25%
Edwin James Field, Secy, Dir,
50%
Phillip Ruffino, Treas, Dir,
25%*Subject to the provisions of the
Fire codes

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

February 1, 1984

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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)

D. LIQUOR -- Change of Ownership

1. From: Bar-Vic, Inc. --
Victor Martin, Pres,
Treas, Dir, 50%
Barbara Reynolds,
V. P., Secy, Dir,
50%

TO: *FLORO & FLORO
dba
PEACE PIPE COCKTAIL
LOUNGE
2327 South Eastern

General On-Off Sale

Robert Stanley Floro,
50%
Ruth Mae Floro, 50%

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

Lurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

E. LIQUOR -- Approval of Manager

1. RULEAN CORPORATION
dba
RUBEN BULLOCK'S WESTSIDE
STORY
901 West Owens

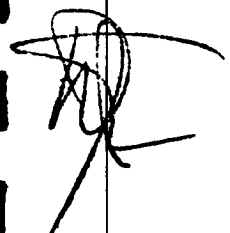
General On-Sale Restaurant
Limited

Manager:
Murray Kenneth Robinson, Jr.

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

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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)F. LIQUOR & GAMING -- Change of Ownership

1. From: Russell F. Jacoby, 100%

TO: CHEYENNE, INC.
dba
INN ZONE-CHEYENNE
BAR & RESTAURANT
3103 N. Rancho Drive

General On-Sale License
Restricted Gaming:
15 slots

Derek Whittaker, Pres,
Dir, 25%
Walter Frabbiele,
Asst. V. P., Dir, 20%
Robert E. Ralenkotter,
Asst. V. P., Dir, 15%
Russell F. Jacoby,
Secy/Treas, Dir, 40%

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

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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. LIQUOR & GAMING -- Change of Business Name

1. From: Bingo Palace Casino
- TO: BINGO PALACE CASINO,
INC.
dba
PALACE STATION
2411 West Sahara Avenue
- General On-Off Sale
Nonrestricted Gaming
- Frank Fertitta, Pres,
Dir
Delise F. Sartini, V.P.,
Dir
Victoria K. Fertitta,
Secy/Treas, Dir
Fertitta Trust, Frank
Fertitta - Trustee,
100% stockholder

Lurie -
APPROVED
Unanimous

Staff to proceed

H. GAMING -- New

1. RAMOS & BRAVO
dba
THE BRASS MONKEY
840 N. Decatur Blvd., #D-E
- Restricted Gaming: 10 slots
- Stephen M. Ramos, 50%
Benjamin Bravo, 50%

Lurie -
APPROVED Items 1
thru 5.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



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CITY COUNCIL
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ITEM

Council Action

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)H. GAMING -- New
(cont'd)APPROVED
See Page 6

See Page 6

2. J.R. & G., INC.

dba

TWIN LAKES LIQUOR

1032 North Rancho

Restricted Gaming: 11 slots

Robert Gordon, Pres, Dir, 90%

Michael R. Gordon, Secy,

Treas, Dir, 10%

3. CRESTVIEW INVESTMENTS, INC.

dba

RONZ O PIZZA

212 West Sahara Avenue

Restricted Gaming: 8 slots

Phillip R. Fortner, Pres, Dir

Virginia C. Fortner, Secy,

Treas, Dir

4. LLOYD & CHARLENE HUNTER

dba

7-ELEVEN FOOD STORE #15974

6950 West Charleston Blvd.

7-ELEVEN FOOD STORE #13681

4950 West Charleston Blvd.

Restricted Gaming:

3 slots per location

Lloyd E. and Charlene Hunter,

100% jointly as husband

and wife

APPROVED AGENDA ITEM



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CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)H. GAMING -- New
(cont'd)APPROVED
See Page 6

See Page 6

5. AMERICAN COIN ENTERPRISES,
A PARTNERSHIP
dba
AMERICAN COIN ENTERPRISES
COMPANY
2020 Western Avenue

Slot Operator License

Rudolph La Vecchia, 33 1/3%
Rudolph Michael La Vecchia,
33 1/3%
Frank A. Romano, 33 1/3%

I. PRIVATE INVESTIGATOR/POLYGRAPH
OPERATOR -- New

Lurie -
APPROVED, subject
to the provisions.
Motion carried
with Nolen
abstaining.

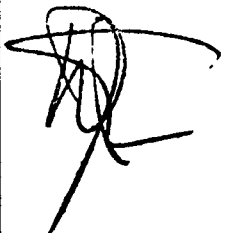
Staff to proceed

1. *ROBERT NOLEN
dba
CORPORATE INTELLIGENCE
INTERNATIONAL
3601 West Sahara, #208

Robert Lynn Nolen, 100%

*Subject to the provisions of the
Fire codes

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

February 1, 1984

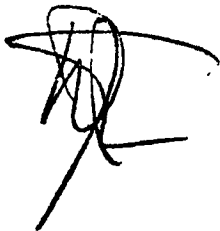
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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Council Action	Department Action
<u>III. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)		
J. <u>PROCESS SERVER/POLYGRAPH OPERATOR -- Change of Location</u> 1. From: 413 Bridger TO: *HERBERT BARRETT dba BARRETT INVESTIGATIONS 1000 South Third Street Herbert L. Barrett, 100% *Subject to the provisions of the Fire codes	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed
K. <u>PRIVATE INVESTIGATOR LICENSE -- Change of Location</u> 1. From: 413 Bridger TO: *D. RICHEY MANAGEMENT CORPORATION dba D. RICHEY MANAGEMENT CORPORATION 1000 South Third Street David L. Richey, Pres Herbert L. Barrett, Qualifying Agent *Subject to the provisions of the Fire codes	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

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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)

L. PRIVATE INVESTIGATOR/PRIVATE
PATROLMAN/POLYGRAPH OPERATOR --
Change of Location/Approval of
Additional Corporate Officer

1. From: 1785 East Sahara

TO: COLT PROTECTIVE
SECURITY, INC.
dba
COLT PROTECTIVE
SECURITY, INC.
2001 East Flamingo,
Suite 205

Anthony R. De Sio,
Pres, Dir, 100%

Additional Officer:
June E. De Sio, Secy,
Treas, Dir

Lurie -
APPROVED
Unanimous

Staff to proceed

M. SECONDHAND DEALER LICENSE -- New

1. MARGUERITE ROCKNE
dba
SNOOTY SECONDS
103 East Charleston

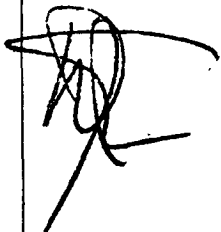
Class II

Marguerite Rockne, 100%

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

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ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)N. ROCK CONCERT LICENSE -- New

1. MICHAEL SCHIVO PRESENTS, INC.
dba
MICHAEL SCHIVO PRESENTS, INC.
953 East Sahara, Suite 15A

Michael Lawrence Schivo, Pres,
Secy, Treas, 100%

Approval of Rock Concert Permit

Applicant: Michael Schivo
Presents, Inc.

Location: Cashman Field
Complex

Dates: February 11 & 12,
1984

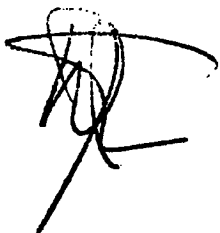
Lurie -
APPROVED with
waiver of bond
allowed as requested
by applicant.
Unanimous

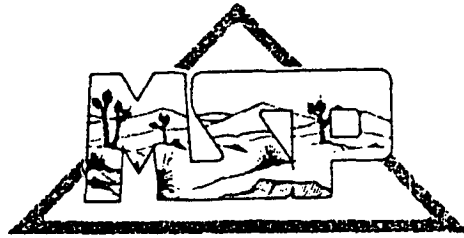
Staff to proceed
Michael Schivo
appeared.

Ron Bradshaw,
Metro, appeared.

Jerry Cahill,
Business Activity,
appeared.

APPROVED AGENDA ITEM





MICHAEL SCHIVO PRESENTS

953 E Sahara Ave. Suite 15A, Las Vegas, Nevada 89104-3077 (702)746-6405

January 17, 1984

Las Vegas City Councilmen
P.O. Box 1900
Las Vegas, Nevada 89125

RE: 6.31.180 Bond

Gentlemen:

This letter will act as a request of a waiver of any surety bonds required by the business license department for rock concerts. I am requesting that the Board of City Councilmen consider my reputation as a concert producer in the State of Nevada for the past 17 years.

Presently, I am holding a privileged license to produce rock concerts in Clark County, a license I have had for four years. Within the guidelines for doing business in Clark County I already maintain a \$10,000 surety bond with Clark County.

Further bonds requested from the office of the labor commissioner in similar amounts have been waived based on my reputation as a concert producer in Reno and Las Vegas.

It is my policy, as well as the buildings I work with, to maintain an insurance policy in the amount of one half million to one million dollars, covering the facility and the consumer, as well as myself, in producing any concert within the State of Nevada.

Thank you for your consideration;.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Michael Schivo'.

Michael Schivo, President
MICHAEL SCHIVO PRESENTS

MS/pa

AGENDA*City of Las Vegas*

February 1, 1984

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CITY COUNCIL
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ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

ABEYANCE ITEM -- Tabled 1/18/84

0. LIQUOR -- Change of Business Name

1. From: Chopsticks Restaurant

TO: CHOPSTICKS, INC.
dba
CHOPSTICK CHARLIE
LATIN QUARTER
827 Las Vegas
Boulevard South

General On-Off Sale

Frank Q. S. Fong, Pres,
Secy, Treas, Dir,
67.86%

Guillermo Apostol
Benito, V.P., Dir,
10.71%

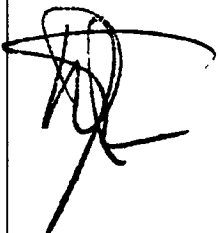
Chul Kim, V. P., Dir,
21.43%

Levy -
APPROVED
Unanimous

Staff to proceed
Frank Q. S. Fong
appeared.

Jerry Cahill,
Business Activity,
appeared.

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

February 1, 1984

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

IV(a) ADMINISTRATIVE AGENDA
ASHLEY HALL, CITY MANAGER

10:30

- A. DISCUSSION AND POSSIBLE ACTION ON
ACCEPTING CASH OFFER ON SALE OF
PROPERTY AT 1115 NORTH "H" STREET.

Levy -
APPROVED cash offer
of \$39,000.
Unanimous

Staff to proceed

10:32

- B. DISCUSSION AND POSSIBLE ACTION ON
EXTENDING THE OPTION TO CATHOLIC
WELFARE LEAGUE FOR ONE (1) YEAR FOR
PURCHASE OF PROPERTY GENERALLY
LOCATED BETWEEN 30TH AND MOJAVE,
BONANZA AND CEDAR.

Lurie -
APPROVED
Unanimous

Staff to proceed

Tom Miller,
Catholic Welfare,
was present.

3:57

- C. DISCUSSION AND POSSIBLE ACTION ON
SELECTION OF A CITIZEN PRIORITY
ADVISORY COMMITTEE.

ADDENDUM NO. 1 - See Page 51

NOTE: This item to be heard after
3:00 P.M. to comply with the
Open Meeting Law.

Christensen -
Motion APPROVED
unanimously to
establish the
committee as recom-
mended by the City
Manager with added
stipulations that
each member have
an alternate to
serve in his behalf
in case of absences
at meetings and
that all members be
City residents.
(City Manager Ashley
Hall advised the
first meeting of
this committee will
be on 2/8/84 at
4 P.M. Councilman
Lurie directed that
all meetings be
properly posted
and that the media
be invited.)

City of Las Vegas

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0018

AGENDA DOCUMENTATION

Date: January 31, 1984

TO:
The City Council

FROM:
[Signature]
DAN J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON ACCEPTING CASH OFFER OR SALE OF
PROPERTY AT 1115 NORTH "H" STREET.

PURPOSE/BACKGROUND

On August 4, 1980, the City acquired title to a single family house located at 1115 North "H" Street through the Block Grant funded Model House Project. The structure was completely rehabilitated and in August of 1982 we received permission from the Council to sell the property at the appraised value of \$40,000. We have received a cash offer of \$39,000 which is less than the appraised value but actually results in more money to the City because if the property had to be refinanced, the costs of refinancing would result in a lesser net income.

FISCAL IMPACT

\$39,000.00 minus the normal closing costs. These funds go back into the revolving Rehabilitation Loan Fund.

RECOMMENDATIONS

The City Manager recommends that we be authorized to accept the cash offer of \$39,000.00.

Agenda Item 2-1-84

IV(a) A.

City of Las Vegas

MINUTES - FEBRUARY 1, 1984

0019

AGENDA DOCUMENTATION

Date: January 30, 1984

TO:
The City Council

FROM:
ASHLEY HALL
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON EXTENDING THE OPTION TO CATHOLIC WELFARE LEAGUE FOR ONE (1) YEAR FOR PURCHASE OF PROPERTY GENERALLY LOCATED BETWEEN 30TH AND MOJAVE, BONANZA AND CEDAR.

PURPOSE/BACKGROUND

In February of 1983 the City granted an option to purchase to Nevada Catholic Welfare for City property generally located between Bonanza and Mojave, Cedar and 30th Street. The option was for one year, terminating on February 29, 1984. The option would allow Nevada Catholic Welfare to purchase the property consisting of approximately 2.5 acres for \$100,000. They recently received a letter from HUD indicating approval of funding had been delayed but could be anticipated some time in the near future; therefore, they are requesting the one-year extension on the option.

FISCAL IMPACT

\$100,000 if the sale is consummated.

RECOMMENDATIONS

The City Manager recommends that the option for extension of one-year be granted subject to the terms and agreements of the previous option.

Agenda Item 2-1-84

IV(a) B.

AGENDA DOCUMENTATION

0020

Date: February 1, 1984

TO:
The City Council

FROM:
Ashley Hall
City Manager

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON SELECTION OF A CITIZEN PRIORITY ADVISORY COMMITTEE

PURPOSE/BACKGROUND

On January 30, 1984, Councilmen Ron Lurie and Paul Christensen announced their interest in establishing a Citizen Priority Advisory Committee to work with the City Manager and staff in reviewing priorities for the City's Fiscal Year 1984/85 budget.

The Committee would be composed of residents of Las Vegas who are involved in community activities, prominent business persons, professionals, and homemakers. The Committee would be responsible for reviewing the expenditure patterns of the City for the past two fiscal years, examining the proposed FY 1984/85 budgets for each department and presenting to the City Council their observations and recommendations as to how the City can better allocate their resources to meet the service needs of the community.

I hope to convene the first meeting of the Committee on Wednesday, February 8, at 4:00 P.M. in the City Manager's Conference Room. This meeting would be for the purpose of Committee organization - selecting their own chairperson/spokesperson - orienting the Committee to the City's budget process, identifying the expenditure and revenue patterns of the past few years, and discussing the expectation the City has for the Committee.

After the initial meeting, the Committee would begin a detailed examination of the City's proposed budget. The overall observations and recommendations reached by the Committee would be presented to the City Council prior to the adoption of the City budget for FY 1984/85.

FISCAL IMPACT

None

RECOMMENDATIONS

It is the City Manager's recommendation that the City Council approve the establishment of a Citizen Priority Advisory Committee to review and make recommendations on the allocation of resources for the City's FY 1984/85 budget. It is further recommended that the Mayor and each Councilman submit the names of three City residents to serve on the Committee, as soon as possible, and also allow the City Manager the prerogative of adding other individuals that may be necessary, after proper consultation with members of the City Council.

Agenda Item

IV(a) C.

Dr. James B. McMillan
705 Twin Lakes Drive
Las Vegas, Nevada 89107
(384-1276)

Ms. Larue S. Worthen
504 North 15th Street
Las Vegas, Nevada 89101
(382-8763)

Mrs. Lavonne Lewis
4224 Snead Drive
Las Vegas, Nevada 89107
(295-1961)

Mr. Henry A. (Hank) Chism
3216 Mason Avenue
Las Vegas, Nevada 89102
(873-4940)

Mr. William Wayne Bunker
900 Ironwood Drive
Las Vegas, Nevada 89108
(646-2609)

Mr. Gill Blonsley
2012 Plaza De Cielo
Las Vegas, Nevada 89102
(384-7982)

Mr. Robert Y. Rivas
1629 North Cordoba Lane, Apt. #B
Las Vegas, Nevada 89108
(384-3290)

Mr. Robert W. Bugbee
2100 Plaza Del Cerro
Las Vegas, Nevada 89102
(877-1400)

Mr. Marvin Myers
2304 Windjammer Way
Las Vegas, Nevada 89107
(384-6234)

Mr. Barry Becker
817 Chabot Drive
Las Vegas, Nevada 89107
(870-0212)

Ms. Wanda Schick
4710 O'Bannon Drive
Las Vegas, Nevada 89108
(878-6068)

Mr. Virgil Slade
1704 South 17th Street
Las Vegas, Nevada 89104
(735-5732)

Mr. Robert Bailey
2021 Mills Circle
Las Vegas, Nevada 89106
(384-3293)

Ms. Eva Garcia
501 South 7th Street
Las Vegas, Nevada 89101
(384-8484)

AGENDA*City of Las Vegas*

February 1, 1984

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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 \$1,914,640.26
2. Payroll Warrants
In the amount of \$703,518.14
3. Other Warrants and Investments
In the amount of None

Lurie -
APPROVED Items 1,
2 and 3.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

mp Cool

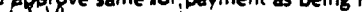
SERVICE & MATERIAL WARRANTIES AND OTHER WARRANTIES

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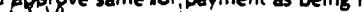
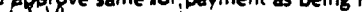
NO. <u>130907</u>	THRU <u>132262</u>	AMT. <u>\$ 703,518.14</u>	DESCRIPTION: <u>P/R 1-14-84</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TOTAL NET AMOUNT \$2,618,158.40

and approve same for payment as being in compliance with all applicable laws, to the best of my knowledge and belief.



DIRECTOR OF FINANCIAL MANAGEMENT

 APPROVED: 

CITY MANAGER

paid and the City treasurer is hereby ordered to disperse the warrants as presented.

William H. Dreier
MAYOR

ATTEST: Carol A. Hantley
CITY CLERK

2/02

AGENDA*City of Las Vegas*

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

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ITEM

Council Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

JAN TAIT, ACTING DIRECTOR

AUTHORIZATION TO FILL
POSITIONS (CRITICAL HIRES)

I. BUDGETED VACANT POSITIONS TO BE FILLED:

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Custodian (2)	General Services	\$1,157- \$1,407	General

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM
MP Cool

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT:
DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS - AUTHORIZATION TO FILL POSITIONSPURPOSE/BACKGROUND

Of the 1,454 positions in the City's 1983-84 Fiscal Budget, 9% (134 positions) are currently vacant.

The staff is recommending the filling of only two (2) critical entry-level custodian positions at this time.

The chart below gives you a summary of our current staffing, as well as showing you that there are only the two requests to be filled at this time.

STAFFING SUMMARY

	CURRENT STAFFING			REQUESTS TO BE FILLED		
	<u>AUTHORIZED POSITIONS</u>	<u>NUMBER OF EMPLOYEES</u>	<u>VACANCIES</u>	<u>FILL EXISTING VACANCIES</u>	<u>FILL NEW POSITIONS</u>	<u>TOTAL REQUESTED</u>
Appointive	151	138	13	0	0	0
Classified	1147	1091	56	2	0	2
Contract	18	15	3	0	0	0
Elective	9	9	0	0	0	0
Hourly	<u>129</u>	<u>67</u>	<u>62</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1454	1320	134	2	0	2

FISCAL IMPACT

The vacant and budgeted positions shown above are included in the 1983-'84 budget of the requesting department. There are no additional non-budgeted expenses associated with this position.

The total dollar savings realized through vacancies thus far in fiscal year 1983-'84 is \$572,219. If the positions that are currently vacant were to remain vacant for the remainder of fiscal 1983-'84, the estimated total savings for the year would be \$1,118,282.

RECOMMENDATION

Staff recommends the filling of the two (2) vacancies listed above.

Agenda Item

IV. (c)

AGENDA*City of Las Vegas*

February 1, 1984

Page 16

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

ITEM

Council Action

Department Action

IV(f) DEPARTMENT OF RECREATION & LEISURE
ACTIVITIES - RICHARD L. CAMPBELL, DIRECTOR

10:34
to
10:47

- A. Request permission to solicit proposals from outside contractors to run the City's Softball Program.

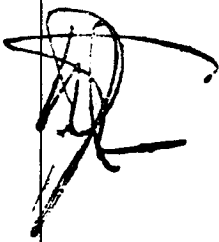
Lurie -
APPROVED motion to allow the City to enter into negotiations for a professional services contract for the '84 Softball Program with contract subject to all conditions as outlined in agenda backup documentation and that contract be brought back to Council for final approval. Briare and Christensen voted "No."

2/15/84 Agenda

NOTE: Councilman Levy requested that subject contract allow the City control of rates and that contractor provide performance bond.

NOTE: Councilman Christensen moved to TABLE this item and the motion was defeated with Nolen, Lurie and Levy voting "No."

APPROVED AGENDA ITEM



AGENDA DOCUMENTATION

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN THE CITY'S SOFTBALL PROGRAM

PURPOSE/BACKGROUND

The Department of Recreation and Leisure Activities requests permission to solicit and accept proposals to run our softball program, and that a committee be established to evaluate the proposals submitted similar to the format used for the golf course.

Currently the Sports Division of the Department has three full-time people and an operating budget of approximately \$100,000 which is general fund money. The softball program costs an additional approximately \$167,000 which is enterprise account funds. The Sports Division operates both softball and basketball; however, the basketball program could be absorbed into the various recreation centers. Therefore, if we use an independent contractor to operate the softball program, we could eliminate the \$100,000 general fund obligation of the Sports Division. The independent contractor would be responsible for the approximately \$167,000 additional costs which he would get reimbursed for through the fee schedule. Last season 325 teams paid \$515.00 each for a total of \$167,375.

We would propose that the independent contractor be required to:

1. Pay for all electrical energy used.
2. Prepare the infield at his own expense on a daily basis.
3. Pay all umpires and officials.
4. Provide the necessary softballs and bases.
5. Program leagues by skill level of individual players.
6. Provide a minimum of 17 games per team.
7. Provide trophies to winning teams.
8. Handle all administration and record keeping.
9. Provide an end-of-season tournament.

The Recreation Department would provide the following services through their normal maintenance program:

1. Water and maintain all turf areas.
2. Irrigation repairs.
3. Pre-season cut out and reseeding of the ballfields.

FISCAL IMPACT

The City would have an immediate savings of approximately \$100,000 yearly in salaries and supplies plus the potential of receiving a percentage of profits earned by the contractor. We believe that with proper advertising, promotion, etc., the contractor could generate sufficient revenue through weekend tournaments and special events to make the venture economically sound and feasible for the contractor.

RECOMMENDATIONS

The Las Vegas Park and Recreation Advisory Board at their November meeting approved in concept the accepting of proposals to operate various programs and facilities for the Department of Recreation and Leisure Activities. The contracting of programs and facilities has become quite popular in California following Proposition 13. The Department of Recreation and Leisure Activities recommends that we be allowed to solicit proposals from qualified contractors.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

0028

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

PAGE 1

MAYOR BRAIRE:

The next on page 16, Department of Recreation & Leisure Activities, we have one item on the agenda and Mr. Campbell's here to talk on it.

RICHARD CAMPBELL:

Good morning, Mayor and Council. We originally requested permission to solicit proposals to put our softball program out to a private enterprise. As you are aware, it costs us approximately \$100,000 to administer our sports office and going through evaluation and looking at some of the things that have happened in California with Prop. 13, they are contracting out facilities. Originally we were going to request permission to seek proposals; however, I've been advised -- it's probably too short a time period to get proposals out and get them back in time for this current softball season. However, an alternative may be a professional service contract or something similar.

COUNCILMAN LURIE:

A question I have to the City Attorney, Mayor. George, can we enter into a professional service contract and not go out to proposals from outside?

CITY ATTY GEORGE OGILVIE:

This is legally proper, yes.

COUNCILMAN LURIE:

Mayor, I had originally asked for this item to be placed on the agenda because I had a request from the individual who runs our sports information office who wanted the contract for the softball program and take the program over and then that would show a savings to the City of \$100,000. Based on the comments this morning, I would like to move that we allow the City to enter into negotiations for a professional service contract for the softball program for this year, subject to all of the conditions that were stated in the proposal that we were going to request from outside contractors. I think all of those things that have to be written into a professional service contract and brought back to this Board for approval.

COUNCILMAN LEVY:

Mr. Mayor.

MAYOR BRIARE:

Councilman Levy.

COUNCILMAN LEVY:

There are two things that I'd like to see -- make sure that we do have in our agreement. One, of course, is that we're going to control the rates, and secondly, I want to make sure we have a performance bond. The applicant, or whoever we put this together with, has the funding to make sure

COUNCILMAN LEVY:

that the program is completed for the summer. Other than that, if we can save ourselves \$100,000 and give the same services to our citizens of Las Vegas, I think we're dedicated that we have to go forward with this program.

COUNCILMAN CHRISTENSEN:

Is this the request for proposal, or a request to approve somebody that we don't even know who it is we're approving, or what exactly was the motion, I guess I missed part of that, Ron?

COUNCILMAN LURIE:

Well, the motion is to allow the City to enter into working out a professional service contract with the Bill Gladding who runs our Sports and Information office now who's going to give up that position to enter into the professional service contract to operate the softball program.

MAYOR BRIARE:

If I understand, Councilman Lurie, it's because of the fact that to go out for a request for proposal and do the other matters that are -- that normally might be done would preclude our doing it at all for this year --

COUNCILMAN LURIE:

Yes.

MAYOR BRIARE:

Then I think if I understood you -- if we went to a professional service contract this year because of the time element that perhaps next year would be a request for proposals sort of thing, which we could learn an awful lot on this one-year basis.

COUNCILMAN CHRISTENSEN:

Well, the problem I have with -- we're talking about entering into a contract and establishing the policy that we're going today to get out of the baseball or softball business, and then the only thing left for us to do is to negotiate the terms of the contract. We've already picked the contractor and everything else by any action that this Board would take today that's affirmative, and I think that's too soon. There's a lot of questions that I would have to ask about the softball program. For instance, when it comes time to run the annual Budweiser Classic, how does that fit in? How does other uses of the field for other leagues fit in? There's all kinds of questions that nothing's been addressed here.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

0030

IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

PAGE 3

COUNCILMAN LURIE:

You'll have a chance to ask all those questions when the contract's brought back to you at the next meeting.

COUNCILMAN CHRISTENSEN:

But that isn't what the motion was. The motion was to go ahead and do it, and the only thing we discuss is the contract. I've got to have more information. I can't go along with doing away with the City's softball program in one fell swoop like that and having nothing left other than to negotiate the terms of the contract. I think we're making a major policy decision here without very much backup.

MAYOR BRIARE:

Well, I couldn't agree more with you as far as making a policy decision here, Councilman, because even though we might like to feel that we're the most modern-thinking city in the nation, I would like to think that we are, this is a step in a direction I think that governments all over the country are going to be taking and we have talked about them numerous times. Many times, not all the times, private enterprise can do things better than we must admit government can do.

COUNCILMAN CHRISTENSEN:

I recognize that. This calls for the --

MAYOR BRIARE:

Let me finish. I have the floor now. I think that if an agreement were to be put together and certainly it has to be brought back to us -- I would be anxious to try to do something this year if we can save \$100,000 in this year's budget. If we can't or if it's not thought to be wise and judicious at this time to do it, by all means we should have that opportunity to look at it. Now I think that we certainly should have a little bit of time -- if as small as two weeks to go over this matter with a little more detail. Quite frankly, when I talked to the City Manager about this this morning -- no, I guess it was something else, Ashley. I've just gotten this. I have not really had an opportunity to look at this too thorough myself, but my immediate reaction was this is great -- this is a great way to go. In other words, I think what I'm saying, Paul, is I'd like to hold this for a couple of weeks, what do you say?

COUNCILMAN LEVY:

You mean hold it to see what we can work out?

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

PAGE 4

COUNCILMAN CHRISTENSEN:

No, that's what bothers me with the motion. It's not to see if we can work something out, the motion is that we will pick the independent contractor and decide what we're going to do today and the only thing we have to work out is the contractual arrangements. That's what I have the problem with. You could have -- you're telling me that -- what you're doing is notifying -- how many people do we have on our baseball or softball leagues?

RICHARD CAMPBELL:

Approximately 8,000.

COUNCILMAN CHRISTENSEN:

You're notifying 8,000 people that as of today they're going to contract with an individual and we've already named the individual.

COUNCILMAN LEVY:

Well, we're controlling the rates.

COUNCILMAN CHRISTENSEN:

You're going to control the rates, but what if 8,000 of those people can come forth and say, we don't like this individual. We've had problems with him for years. We would like to propose this individual to do this job.

MAYOR BRIARE:

Actually, what my thinking was when I said this should be held for a couple of weeks was the suggestion that maybe a motion to table would at least receive one vote because -- it's not the action that Councilman Lurie -- I happen to be in favor of Councilman Lurie's motion, but I also feel that we should have a couple of weeks to look, to look it over.

COUNCILMAN CHRISTENSEN:

I think you need more than two weeks.

COUNCILMAN LURIE:

Well, if you do it more than two weeks, you might as well forget about it for this season; and the second thing is, you have to realize the savings that we're going to have and this is a one year contract, and if it doesn't work out, we don't enter into it next year, and you've got to give it a chance. If you have an individual you'd like to put before the Board to recommend as a person to be considered for a professional service contract, let's hear who it is. The third thing is that what I'm asking for today is for staff to enter into the contract and bring it back before this Board. You don't have to vote for it after it's brought back before the Board if you don't think it's right or there's other things you need added or questions --

IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

PAGE 5

COUNCILMAN CHRISTENSEN:

You don't have to remind me as to what I can vote for and what I can't. I have the privilege of voting for or against anything that comes before this Board, but I just think you're bypassing the public's input on something by picking a contractor and negotiating only the contract. Putting the softball program out to bid -- not even out to bid -- leasing it out to a person to run the softball program supposedly saving the City a \$100,000 a year may be the most expensive \$100,000 that the City's ever saved. You're doing it without benefit of any public input. That's what bothers me.

MAYOR BRIARE:

Councilman Levy.

COUNCILMAN NOLEN:

My only question of a couple of comments -- number one, are you confident that we would save \$100,000?

RICHARD CAMPBELL:

Yes, I am.

COUNCILMAN NOLEN:

Number two, if -- what kind of timeframe are we under to get this thing going to insure we have a good softball program this year, if we decide to go the contract route?

RICHARD CAMPBELL:

In the normal time to solicit proposals, advertise for it and draw it up, I don't think it's possible to -- you could go to proposal this season. We normally start our games the first of April.

COUNCILMAN NOLEN:

First of April?

RICHARD CAMPBELL:

Right.

COUNCILMAN NOLEN:

And if we decide to stay like we are because of time constraints or for whatever reason, this individual that Councilman Lurie just referred to is the one that the softball program is going to deal with anyway because he's on staff right now?

RICHARD CAMPBELL:

That's correct.

COUNCILMAN NOLEN:

Alright, thank you.

COUNCILMAN LEVY:

I'd just like to make a comment.

MAYOR BRIARE:

Councilman Levy.

IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

PAGE 6

COUNCILMAN LEVY:

I somewhat agree with Councilman Christensen in some respects, but I have the confidence in Mr. Gladding. If he were a complete stranger, it would be one thing, but he has done our program for many many years and I'm sure that he can see where the errors are and because it is a City function and government, he can save some money and probably make some money off of us and I would imagine that's what he's looking at. If it were a complete stranger like we did with the golf course, I could understand it, but I have to agree with Councilman Lurie in that there is a necessity to move very quickly. I have the confidence in Mr. Gladding if we can get the right contract and one that we will approve -- if we can in a couple of weeks, and therefore, I'm going to move to go on with this program.

COUNCILMAN CHRISTENSEN:

I move we table this item.

MAYOR BRIARE:

The motion is to table the motion and there's no time put on that motion so if it were to pass it could come up at any time at the request of the majority of the Council. I'm going to support your motion, Councilman Christensen, but I would intend no matter what anybody else would feel like, and if I had to make a motion myself, I would move at the next meeting -- the next regular meeting which is the 15th of February, is it? I would move at that time that we bring it back from it's place on the table, that's providing we find those three votes on that thing, but I wanted to let you know I'm supporting it, but I would support it with a time -- earlier this week I had a conversation with an esteemed member of the fourth estate about ending balances in the budgets, so on and so forth, and I would sure like to be able to see any opportunity like this be given at least three weeks thought rather than go on it today. I kind of squeezed in a little discussion on this.

COUNCILMAN LEVY:

You sure did.

MAYOR BRIARE:

The motion is to table.

COUNCILMAN LURIE:

We didn't say anything.

IV(f) DEPARTMENT OF RECREATION & LEISURE ACTIVITIES

A. REQUEST PERMISSION TO SOLICIT PROPOSALS FROM OUTSIDE CONTRACTORS TO RUN
THE CITY'S SOFTBALL PROGRAM.

0034

PAGE 7

MAYOR BRIARE:

No, I know. You were very thoughtful.
The motion is to table. Cast your votes.
Post. The motion fails. (Nolen, Lurie,
Levy and Briare voted "no") Wait a minute
pardon me, I'm voting in favor of that. Would
you clear the board and let me see a green
light up there.

COUNCILMAN CHRISTENSEN:

It doesn't make any difference, the motion
failed.

MAYOR BRAIRE:

I know, but I -- thank goodness I made a
comment, Councilman, because it looks like --

COUNCILMAN CHRISTENSEN:

I think we've made a grievous mistake.
We've bypassed the public input on a factor
that affects 7 to 8,000 people and we've
just run this down their throats and that
bothers me. I think that's not the democratic --

MAYOR BRIARE:

Mrs. Hawley, have the record reflect that my
vote was in favor of the motion to table.
In addition to losing my hearing, I'm going
color blind. The motion fails. We now have
a motion before us that we've already heard
one comment. Is there any other comment?
Cast your votes. Post. Now, the light's correct.
The motion's approved. Councilman Lurie's motion
is the rule of the day. (Motion carried with
Briare and Christensen voting "no")

COUNCILMAN CHRISTENSEN:

I think there's a good chance we'll end up in
a lawsuit over this too.

END OF EXCERPT

AGENDA*City of Las Vegas*

February 1, 1984

Page 17

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

0:47

***A. AWARD OF BIDS**

1. Freedom Park Fencing
Department of Recreation & Leisure Activities

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

Staff to proceed

***B. AWARD OF ANNUAL CONTRACTS & AGREEMENTS**

1. Expendable Survey Supplies
Department of Engineering Services

APPROVED
See Above

See Above

***C. PURCHASE ORDER APPROVAL**

1. Security Alarm Services
Department of General Services
2. Fire Alarm Control Unit
Department of Fire Services
3. Repairs of Ogden Parking Structure Elevator
Department of Public Services
4. Office Furniture
Department of Fire Services

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

MP Cool

City of Las Vegas

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

AGENDA DOCUMENTATION

0036

Date: January 19, 1984

TO:
The City Council

FROM:
MIKE COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF BIDS

1. <u>BID TITLE:</u>	FREEDOM PARK FENCE INSTALLATION	<u>BID NUMBER:</u>	84.2620.2
<u>ITEM:</u>	CAPITAL PROJECT	<u>ESTIMATE:</u>	\$12,000.00
<u>DEPARTMENT:</u>	RECREATION & LEISURE	<u>INVITATIONS MAILED:</u>	17
<u>FUNDING:</u>	LAS VEGAS VISITORS AND CONVENTION AUTHORITY	<u>RESPONSES RECEIVED:</u>	7

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO COMPLETE THE PERIMETER FENCING AT FREEDOM PARK
SO THAT THE RECENTLY IMPOSED CURFEW CAN BE MORE ADEQUATELY ENFORCED.

BID ABSTRACT SUMMARY

NEVADA FENCE & SUPPLY	LAS VEGAS NV	\$ 8,935.00
FENCING SPECIALIST, INC.	LAS VEGAS NV	\$10,622.50
TIBERTI CO.	LAS VEGAS NV	\$10,709.00
BEST BILT FENCE CO.	LAS VEGAS NV	\$11,995.00
FORTUNE FENCING	HENDERSON NV	\$12,951.00
AAA FENCE CO.	LAS VEGAS NV	\$18,667.00
FENCING, INC.	LAS VEGAS NV	\$19,685.45

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

NEVADA FENCE & SUPPLY	LAS VEGAS NV	\$ 8,935.00
-----------------------	--------------	-------------

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE LAS VEGAS VISITORS
AND CONVENTION AUTHORITY GRANT 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 ITEM BE AWARDED.


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 1
IV(g)

City of Las Vegas

MINUTES - FEBRUARY 1, 1984

0037

Date: January 19, 1984

AGENDA DOCUMENTATION

TO: The City Council

FROM: MIKE COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. <u>BID TITLE:</u>	SURVEY SUPPLIES	<u>BID NUMBER:</u>	84.9999.83
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$8,100.00 ANNUALLY
<u>DEPARTMENT:</u>	ENGINEERING SERVICES	<u>INVITATIONS MAILED:</u>	13
<u>FUNDING:</u>	LAND DEVELOPMENT AND FLOOD CONTROL	<u>RESPONSES RECEIVED:</u>	3

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE THE CITY OF LAS VEGAS SURVEY SECTION WITH NECESSARY EXPENDABLE SUPPLIES TO MARK SURVEY POINTS THROUGHOUT THE CITY FOR CONSTRUCTION PROJECTS.

BID ABSTRACT SUMMARY

			UNIT PRICE	
			ITEMS 1-3	ITEMS 4-9
MERCURY BLUEPRINT	LAS VEGAS	NV	\$ 73.23	NO BID
HOLMAN'S OF NEVADA	LAS VEGAS	NV	\$107.85	NO BID
VALLEY ENGINEERING	LAS VEGAS	NV	\$114.00	\$37.75

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

MERCURY BLUEPRINT	LAS VEGAS	NV	\$73.23 (ITEMS 1-3)
VALLEY ENGINEERING	LAS VEGAS	NV	\$37.75 (ITEMS 4-9)

(ESTIMATED ANNUAL USAGE \$8,100.00)

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 LAND DEVELOPMENT AND FLOOD CONTROL 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 ITEM BE AWARDED.


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION B PAGE 1
IV (g)

AGENDA DOCUMENTATION

TO:
The City Council

FROM:
MIKE COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

1. <u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	1231-3183
<u>DESCRIPTION:</u>	SILENT ALARMS FOR SELECT CITY FACILITIES	<u>FUNDING:</u>	VARIOUS
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>ESTIMATE:</u>	\$11,000.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE SILENT ALARMS FOR SELECT CITY FACILITIES
THAT ARE EXPOSED TO A HIGH POTENTIAL OF FORCED ENTRY.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

ALARMCO CO.	LAS VEGAS	NV	\$10,836.00
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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 ITEM BE AWARDED.

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

Agenda Item

SECTION C PAGE 1
IV (g)

City of Las Vegas

CITY COUNCIL MINUTES - FEBRUARY 1, 1984
AGENDA DOCUMENTATION

0039

Date: JANUARY 24, 1984

TO:
The City Council

FROM:
MIKE COOL
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

2. <u>ITEM:</u>	CAPITAL EQUIPMENT	<u>PURCHASE REQUEST:</u>	2100-5472
<u>DESCRIPTION:</u>	CONTROL UNIT #3274-C61	<u>FUNDING:</u>	FIRE COMMUNICATIONS
<u>DEPARTMENT:</u>	FIRE SERVICES	<u>ESTIMATE:</u>	\$9,000.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO ENABLE THE NEW TERMINALS FOR THE COMPUTER-AIDED FIRE ALARM DISPATCH TO FUNCTION IN THE NEW FIRE COMMUNICATIONS CENTER.
SOLE SOURCE.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

IBM	LAS VEGAS	NV	\$8,097.00
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FISCAL IMPACT

FUNDS BUOGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE FIRE COMMUNICATIONS 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 C PAGE 2
IV (g)

City of Las Vegas CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0040

AGENDA DOCUMENTATION

Date: JANUARY 24, 1984

TO:
The City Council

FROM:
MIKE COOL
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

3. <u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	3521-2915
<u>DESCRIPTION:</u>	REPAIRS TO ELEVATOR OGDEN PARKING FACILITY	<u>FUNDING:</u>	PARKING FUND
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>ESTIMATE:</u>	\$5,350.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PAY FOR COSTS THAT WERE IN EXCESS OF WHAT THE CITY LIABILITY INSURANCE COVERED FOR EMERGENCY RESTORATION OF AN ELEVATOR AT OGDEN AVENUE PARKING FACILITY. THE SELECTION OF THE REPAIR CONTRACTOR WAS AT THE DIRECTION OF THE INSURANCE ADJUSTOR.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

U. S. ELEVATOR	LAS VEGAS	NV	\$5,350.00
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FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE PARKING 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 C PAGE 3
IV (g)

CITY COUNCIL MINUTES - FEBRUARY 1, 1984
City of Las Vegas

0041

AGENDA DOCUMENTATION

Date: JANUARY 24, 1984

TO:
The City Council

FROM:
MIKE COOL
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - FEBRUARY 1, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

4. <u>ITEM:</u>	CAPITAL	<u>PURCHASE REQUEST:</u>	5042-5479
<u>DESCRIPTION:</u>	OFFICE FURNITURE	<u>FUNDING:</u>	CENTRAL FIRE STATION CAPITAL IMPROVEMENT FUND 100%
<u>DEPARTMENT:</u>	FIRE SERVICES	<u>ESTIMATE:</u>	\$14,000.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE NEW AND REPLACEMENT OFFICE FURNITURE FOR THE NEW CENTRAL FIRE STATION. TO BE PURCHASED UNDER STATE OF NEVADA ANNUAL FURNITURE CONTRACT.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

NEVADA STATE PURCHASING DIVISION CARSON CITY NV NOT TO EXCEED \$14,000.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE CENTRAL FIRE STATION CAPITAL IMPROVEMENT 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 4
IV (g)

AGENDA*City of Las Vegas*

February 1, 1984

Page 18

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

ITEM	Council Action	Department Action
<u>IV (i). DEPARTMENT OF ENGINEERING SERVICES</u> <u>C. E. GILPIN, DIRECTOR</u> *CONSENT AGENDA All matters listed under Items A, B, C, and D, 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.	Lurie - APPROVED Items A, B, C and D. Unanimous	Staff to proceed
*A. <u>APPROVAL OF SUBDIVISION MAPS</u> It is recommended that the following final map be approved subject to posting of bonds and signing of agreements and plans within thirty days. All engineering designs are being processed. 1. Metropolitan's Alta Meadows Unit No. 3. (Metropolitan Development - property generally located on the west side of Lorenzi Blvd., south of Alta Dr., No. of acres: 5.30, No. of lots: 44, Zoned R-CL)	APPROVED See Above	See Above
*B. <u>ACCEPTANCE OF SUBDIVISION IMPROVEMENTS</u> All offsite improvements on the following subdivisions have been completed in accordance with agreements and City standards except for the final correction list. 1. Charleston Estates 7-C. (Becker & Sons - property generally located east of Decatur Blvd., north of Bonanza Rd., No. of acres: 8.5, No. of lots: 115, Zoned RPD-7)		

APPROVED AGENDA ITEM


AGENDA*City of Las Vegas*

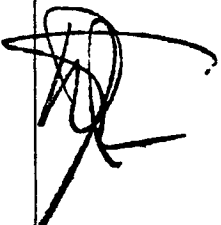
February 1, 1984

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 SUBDIVISION IMPROVEMENTS (Continued)	Lurie - APPROVED Items A, B, C and D. Unanimous	Staff to proceed
2. Charleston Heights 50-J. (Alverne Apts., Inc. - property generally located on the northeast corner of Jones Blvd. and Eugene Ave., No. of acres: 4.2, No. of lots: 19, Zoned R-3)		
3. Yellow Rose Estates. (Concord Development - property generally located north of Vegas Dr., east of Decatur Blvd. No. of acres: 7.4, No. of lots: 55, Zoned R-CL)		
4. Marion View. (Plaster Development - property generally located on the south- west corner of Owens Ave. and Marion Dr., No. of acres: 10.74, No. of lots: 79, Zoned R-CL)		
*C. RELEASE OF BOND	APPROVED See Above	Staff to proceed
All offsite improvements have been com- pleted, inspected, and accepted. The bond may be released.		
1. Location: 513 N. 15th Street Use: Sidewalks Builder: Steve Terry Surety: None. Cash bond with City of Las Vegas Amount: \$500.00 Bond No.: CLV #8-83		

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

February 1, 1984

Page 20

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

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

*D. ACCEPTANCE OF RIGHT OF WAY ITEMS

1. Right of Way Grant for Drainage and
Sewer Purposes

From: Villa Bonita Oeste, a
Nevada Corporation and
Durable Developers, Inc.,
a Nevada Corporation
To: City of Las Vegas
For: Portion of Lot 7, Block 2,
Rancho Bonito Unit #4
(10/2/83)

2. Right of Way Grant

From: City of Las Vegas
To: Central Telephone Company
and Nevada Power Company
For: Portion of SW-1/4,
Sec. 1, T21S, R61E
Easement Jaycee Park

Lurie -
APPROVED Items A,
B, C and D.
Unanimous

Staff to proceed

E. REPORTS/ACTION

1. Request from M. J. Wiens, & Brown
& Co. for an Encroachment Agreement at
the southeast corner of Las Vegas Blvd.
and Oakley Blvd.

Levy -
APPROVED
Unanimous

Staff to proceed

2. Request from Margaret M. Lyneis for
sewer connection at 1300 Shadow Mountain
Place south of Vegas Drive.

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - FEBRUARY 1, 1984
City of Las Vegas

0045

Date: January 23, 1984

AGENDA DOCUMENTATION

TO:
The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FROM M. J. WIENS, BROWN & CO. FOR AN ENCROACHMENT AGREEMENT
AT THE SOUTHEAST CORNER OF LAS VEGAS BLVD. AND OAKLEY BLVD.

PURPOSE/BACKGROUND

Ted Wien's Firestone Michelin Company has requested permission to build a 6" high concrete curb planter behind the existing 5 foot wide sidewalk at 1701 Las Vegas Blvd. South.

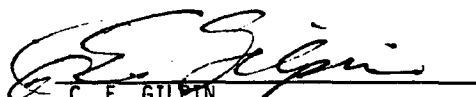
The owner has signed the Encroachment Agreement, which has conditions of maintenance, removal and liability.

FISCAL IMPACT

None.

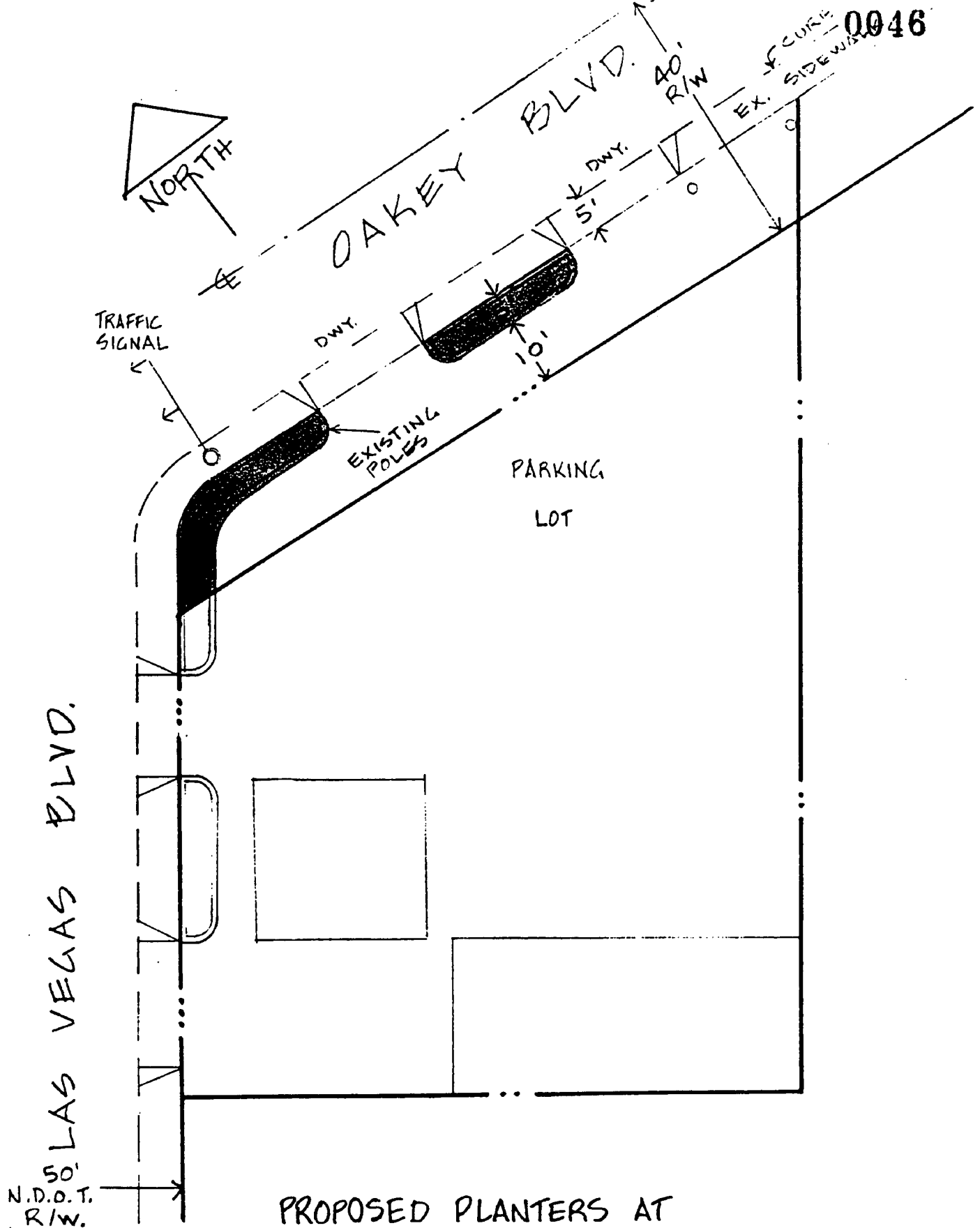
RECOMMENDATIONS

The Director of Engineering Services recommends that the City Council authorize the Mayor to execute the Encroachment Agreement.


C. E. GILPIN
Director of Engineering Services

Agenda Item 2/1/84

IV (i). E. 1.



PROPOSED PLANTERS AT
1401 LAS VEGAS BLVD.
M.J. WIENS.

City of Las Vegas CITY COUNCIL MINUTES - FEBRUARY 1, 1984

AGENDA DOCUMENTATION

0047

Date: January 23, 1984

TO:
The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FROM MARGARET M. LYNEIS FOR SEWER CONNECTION AT
1300 SHADOW MOUNTAIN PLACE, SOUTH OF VEGAS DRIVE

PURPOSE/BACKGROUND

Shadow Mountain Place from Carmen Blvd. to Vegas Drive is in the unincorporated area of Clark County. There are 20 lots on this street; 15 are presently connected to an existing 8" City sewer.

Margaret M. Lyneis has requested that she be allowed to connect the residence at 1300 Shadow Mountain Place to the City sewer. The property is adjacent to the City Limits. She has signed a Sewer Connection Agreement and an Annexation Petition.

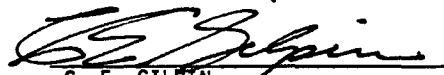
The Department of Community Planning and Development is processing the annexation of the eligible properties on Shadow Mountain Place.

FISCAL IMPACT

The owner has paid \$575.00 connection fee and will pay the City an annual service charge, plus 50% until annexed (\$76.55/year).

RECOMMENDATIONS

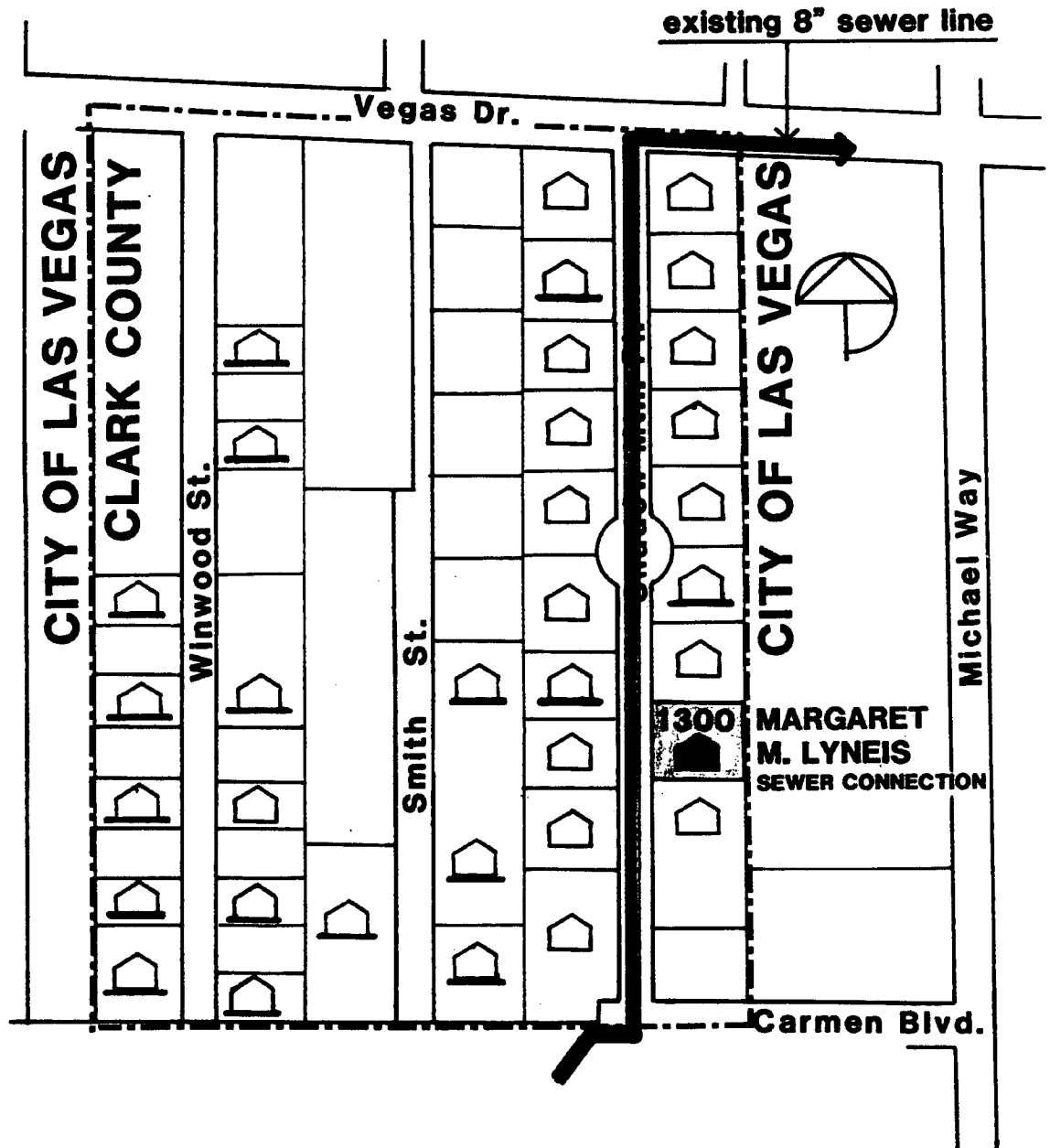
The Director of Engineering Services recommends that the City Council approve the connection and authorize the Mayor to execute the Agreement.



C. E. GILPIN
Director of Engineering Services

Agenda Item 2/1/84

IV (i). E. 2.



PROPOSED SEWER CONNECTION 1300 SHADOW MOUNTAIN



Developed lot w/sewer connection



Developed lot w/septic system

AGENDA*City of Las Vegas*

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

Page 21
February 1, 1984

ITEM Council Action Department Action

V. GEORGE F. OGILVIE - CITY ATTORNEY

10:50
to
10:55

A. Regional Transportation Commission Supplemental Cooperative Agreement No. 115a which increases the scope of project to include design of a bridge on Rainbow Boulevard 600 feet south of Tropicana Avenue over the Flamingo Wash.

Lurie -
APPROVED Agreement
Unanimous

Staff to proceed

B. Consideration of objections to form of Indenture of Lease re: Carson Avenue Parking Facility.

VERBATIM TRANSCRIPT MADE PART OF
FINAL MINUTES.

The Four Queens Hotel filed objections to the form of Indenture of Lease (see backup documentation) and the following actions were taken by the Council:

OBJECTION NO. 1 (Limit on CPI Increases Section 4) -- Nolen's motion that an annual adjustment rate be set at 2% with a limit of a maximum of 10% for rent during preceding 5-year periods was APPROVED Unanimously.

OBJECTION NO. 2 (Repair of Existing Defects (Spalling condition)). Levy's motion to delete requirement that lessee repair concrete spalling condition, with City warranting nothing with garage subject to the normal City inspections, with lessee indemnifying City against any damages carried by Unanimous vote APPROVING same.

OBJECTION NO. 3 (Objecting to the requirement, Sections 15 and 25, that lessee maintain the strip of land between front of building and Carson Ave.) Nolen's motion was APPROVED to follow recommendations of City Attorney eliminating this requirement by Unanimous vote.

Levy then moved to APPROVE the Lease Agreement as amended and that motion was APPROVED Unanimously.

NOTE: SEE BACKUP DOCUMENTATION AND
VERBATIM MINUTES.

AGENDA DOCUMENTATION

Date: January 17, 1984

TO: The City Council

FROM: *[Signature]*
CITY ATTORNEY

SUBJECT: Regional Transportation Commission Supplemental Cooperative Agreement No. 115a - Tropicana Avenue Between Industrial Road and Rainbow Boulevard

PURPOSE/BACKGROUND

In June of 1983, the participating members of the Regional Transportation Commission approved and executed a Cooperative Agreement for the design of and the engineering of the right-of-way for roadway improvements in Tropicana Avenue between Industrial Road and Rainbow Boulevard. Since this project lies wholly within the unincorporated area of Clark County, it was agreed that it would be administered and paid for by the County, subject to reimbursement by the Regional Transportation Commission.

It has now been determined that it is desirable to design a bridge on Rainbow Boulevard, approximately 600 feet south of Tropicana Avenue, and another on Tropicana Avenue, approximately 1300 feet east of Rainbow Boulevard, as a part of this project, and the Supplemental Cooperative Agreement which is before you will accomplish that objective. The Supplemental Cooperative Agreement also increases the amount of reimbursement which the County will receive for the project from \$183,050.00 to \$245,150.00 and extends the time for completion from April 1, 1984 to August 1, 1984.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that Regional Transportation Commission Supplemental Cooperative Agreement No. 115a be approved and that the Mayor be authorized to execute the same on behalf of the City of Las Vegas.

Agenda Item

V-A

THIS AGREEMENT made and entered into by and between the County of Clark, a political subdivision hereinafter called "COUNTY," and the City of Henderson a municipal corporation, the City of North Las Vegas, a municipal corporation, and the City of Las Vegas, a municipal corporation.

WHEREAS, a Cooperative Agreement for the design and right-of-way engineering for Tropicana Avenue between Industrial Road and Rainbow Boulevard was heretofore entered into between the COUNTY, the City of Las Vegas, the City of North Las Vegas, and the City of Henderson which Agreement was approved by the COUNTY on June 7, 1983; and

WHEREAS, it is desired to include two bridge structures into the scope of the project, provide funding for the design engineering of these structures and to extend the completion date of the original Cooperative Agreement

WITNESSETH

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually understood and agrees as follows:

SECTION I - SCOPE OF PROJECT shall be changed to read:

This Cooperative Agreement applies to improvements associated with Tropicana Avenue between Industrial Road and Rainbow Boulevard. The basic improvements will consist of four (4) travel lanes, drainage facilities, traffic signals, median islands and/or median access according to adjacent land use, pavement markings, signings and two bridge structures. One structure is located on Rainbow Boulevard approximately six hundred forty-two (642) feet south of Tropicana Avenue and the other on Tropicana Avenue approximately thirteen hundred (1300) feet east of Rainbow Boulevard, both located at Flamingo Wash crossing. Other improvements such as safety (parking) lane, curbs, gutters, sidewalks and streetlights may be funded by COUNTY with a proposed Special Improvement District.

The first paragraph of SECTION II - PROJECT COSTS of the agreement shall be changed to read:

1. The preliminary engineering and design shall not exceed \$220,150.00 or 8% of the construction cost, whichever is less. No preliminary engineering and design completed prior to the date of the original Cooperative Agreement shall be reimbursed.

The third paragraph of SECTION II - PROJECT COSTS of the agreement shall be changed to read:

3. The total cost of this agreement shall not exceed \$245,150.00 which includes all the above items.

The fourth paragraph of SECTION III - GENERAL of the Agreement shall be changed to read:

4. The items covered by this agreement must be completed to the satisfaction of the Regional Transportation Commission of Clark County prior to August 1, 1984 or at any time thereafter, the Regional Transportation Commission may terminate this agreement and require all sums advanced to the COUNTY be repaid.

The remainder of the agreement is unchanged.

APPROVED AS TO LEGALITY:

Melvin R. Whipple
MELVIN R. WHIPPLE
Deputy District Attorney

Date of Commission Action:

12/20/85

ATTEST:

Loetta Bowman
LOETTA BOWMAN, County Clerk

Date of Council Action:

January 16, 1984

ATTEST:

Dorothy Jo DeBrink
DOROTHY JO DEBRINK, City Clerk

Date of Council Action:

January 4, 1984

ATTEST:

Ernest R. Olsen
ERNEST R. OLSEN, City Clerk

Date of Commission Action:

February 1, 1984

ATTEST:

Carol A. Harding
CAROL A. HARDING, City Clerk

CLARK COUNTY

Jack R. Petitti
Jack R. Petitti, Vice-Chairman

CITY OF HENDERSON

Leroy Zike
LEROY ZIKE, MAYOR

CITY OF NORTH LAS VEGAS

James A. Lestrand
JAMES A. LESTRAND, MAYOR

CITY OF LAS VEGAS

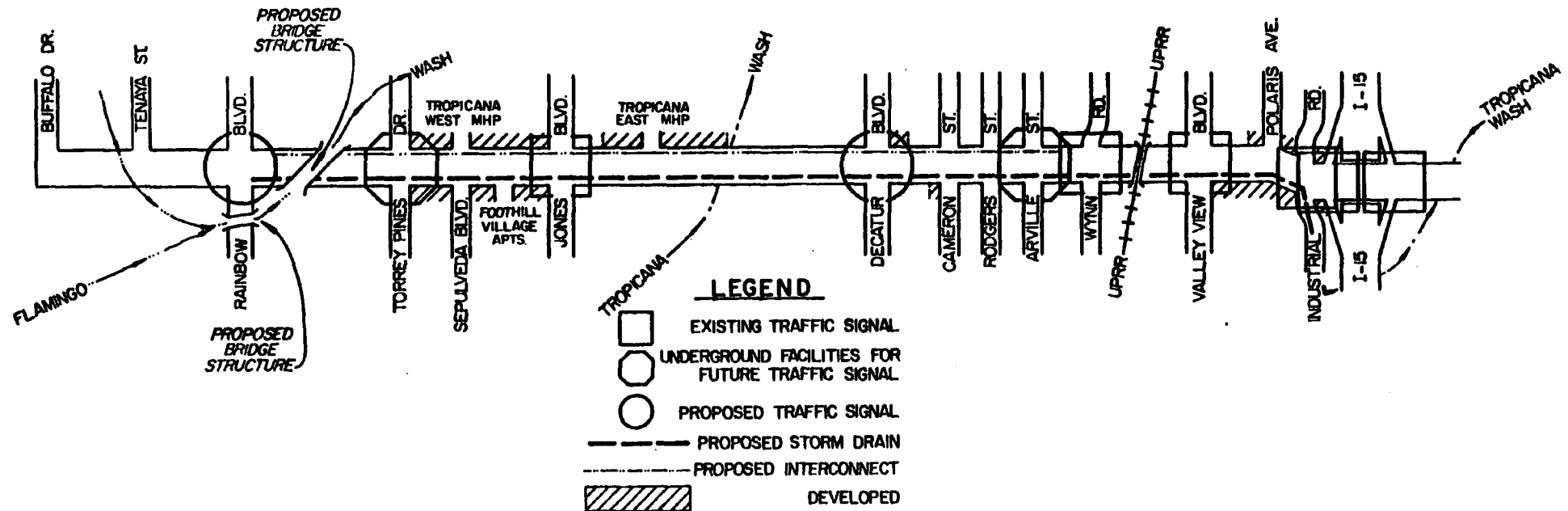
William H. Briere
WILLIAM H. BRIERE, MAYOR

DEPARTMENT OF PUBLIC WORKS

TROPICANA AVENUE RAINBOW BLVD. TO INDUSTRIAL RD.



CITY COUNCIL MINUTES - FEBRUARY 1, 1984



0053

City of Las Vegas

MINUTES - FEBRUARY 1, 1984

0054

January 30, 1984

AGENDA DOCUMENTATION

Date: _____

TO: The City Council

FROM: *George F. DePina*
CITY ATTORNEY

SUBJECT: Consideration of Objections to form of Indenture of Lease re: Carson Avenue Parking Facility

PURPOSE/BACKGROUND

On Friday, January 27, 1984, the City Attorney's office received a letter from Mike Sloan, Esq., in which he filed objections, on behalf of his client, Four Queens, Inc., to the proposed Indenture of Lease with respect to the lease of the City's Carson Avenue Parking Facility. Specifically, Mr. Sloan objects to Section 4 which provides for an adjustment every five years in the annual rent, based upon changes in the Consumer Price Index during the preceding five year period, to subsection (a) of Section 12 which requires the Lessee, during the first year of the lease term, to repair the "spalling" condition which presently exists in the garage and to Sections 15 and 25 which require the Lessee to maintain that portion of the garage property which is situate between the front of the building and the property line on Carson Avenue and was excluded from the lease by action of the City Council at its meeting which was held on Wednesday, January 18, 1984. The following are Mr. Sloan's objections and my responses thereto:

OBJECTION 1: Limit on CPI Increases: Section 4 of the lease indenture contains an escalation clause for rent during the fifty year term of the lease, based on a formula resulting in periodic increases determined by multiplying the base rent by 80% of the increase in the Consumer Price Index.

We object to this provision and believe that the absence of a definite upper limit on any potential rent increase is unfair and unwarranted, particularly given the 50 year term of the lease. It should be noted that the City has never broken even much less made a profit from its operation of the Carson Street and Ogden Street garages. However, as a result of the proposed lease, it will realize an immediate and continuing increase in revenue resulting in profits at both garages.

Normally, the use of an escalation clause, based on inflation, is designed to protect the lessor against increases in his costs associated with the leased property. In this case, the City, as lessor, will experience no such increased costs because the lease requires the tenant to pay all operational expenses, including taxes, and to maintain the facility throughout the term.

Given the nature of the lease and the significant improvement in the financial posture of the City as a result of the lease, it does not appear that an unlimited inflationary escalation clause can be justified. This is particularly true in view of the fact that our client is the wholly-owned subsidiary of a publicly-traded company, which must be able to forecast its operational expenses. For this reason, we respectfully urge the City Attorney and the City Council to consider placing a cap of seven percent (7%) on the escalation clause in Section 4, which would limit rent increases during a five year period to the lesser of the actual increase in the CPI for the five year period, or 7%. This would allow for a maximum of nine separate 7% increases during the rental term, each of which would obviously incorporate prior increases. This proposal would afford the tenant a degree of certainty as to his expenses during the term of the lease, while providing the City with the prospect of significant rental increases during the term, and allowing it to keep pace with inflation.

RESPONSE: Notwithstanding Mr. Sloan's statement that an escalation clause is normally provided in a lease to protect the lessor against increases in the costs which are associated with the leased property, it is my understanding that the City's primary motive in leasing the Carson Avenue Parking Facility is to create a new source of revenue which will enable it more easily to meet the ever increasing

Agenda Item _____

V-8

CITY COUNCIL MINUTES - FEBRUARY 1, 1984
City of Las Vegas
AGENDA DOCUMENTATION

0055

Date: January 30, 1984

TO: The City Council

FROM: CITY ATTORNEY

SUBJECT: Consideration of Objections to form of Indenture of Lease re: Carson Avenue Parking Facility (cont.)

PURPOSE/BACKGROUND

costs of providing governmental services to its residents and taxpayers, and that the desire to be relieved of the costs of operating the facility is only secondary. In any event, however, the Carson Avenue Parking Facility is a valuable asset and, if it is to be put in the hands of a private operator, a valuable source of revenue which should be maximized for the benefit of the City's taxpayers. The acceptance of Mr. Sloan's suggestion and the establishment of "a cap of seven percent (7%) on the escalation cost in Section 4," which, incidentally, would permit only a 1.4% annual increase (7% over a five year period) would result in the dilution of this source of revenue to a point at which it would no longer provide a reasonable return on the City's investment and would therefore be tantamount to a gift of City property.

Recognizing that increases in the Consumer Price Index are not truly reflective of increases in governmental costs, but, at the same time, attempting to guarantee the City a reasonable return on its investment, the City Attorney's office recommends that the adjustment in the annual rent, during any five-year period, be based upon 80% of the increase in the Consumer Price Index during the preceding five-year period. Although there are many items, such as food and housing, which are considered in computing the Consumer Price Index that do not affect governmental entities, there are many items, such as asphalt for street paving, which affect governmental entities that are not considered in computing the Consumer Price Index. Marvin Leavitt advises me that, year in and year out, the increases in governmental costs approximate 80% of the increases in the Consumer Price Index, and that is the standard which is applied by the Nevada Legislature in projecting future increases in costs for governmental entities in the state.

We therefore feel that the 80% of the Consumer Price Index standard is fair, both to the City and to the lessee, rather than some artificial "cap" as suggested by Mr. Sloan.

OBJECTION 2: Repair of Existing Defects: Section 12(a) of the lease requires the tenant to repair certain existing structural defects in the garage at the tenant's expense, during the first year of the lease.

We object to the requirement of this provision on the grounds that it is inconsistent with the concept of the lease, which basically represents an "as is" transaction wherein the tenant is obligated to maintain the premises in good repair throughout the term of the lease. It is our client's position that once the City has disclosed the existence of the defect it should be the tenant's right to determine how and when to repair it. This is particularly true in the case of a potential tenant who may desire to make other permitted modifications to the premises. Obviously, no responsible tenant is going to allow the garage to become unsafe for its customers and employees. Moreover, such a condition would not be allowed by the City in either its capacity as landlord or as the governmental authority which has primary jurisdiction over the garage. If, on the other hand, the existing condition is so critical that the garage is presently unsafe, it is respectfully suggested that the City should undertake to make all necessary repairs forthwith.

RESPONSE: From a strictly legal standpoint, since the lessee has the obligation to maintain the premises in good repair throughout the term of the lease and

Agenda Item

V-8 (cont.)

AGENDA DOCUMENTATION

TO: |
The City Council
|

FROM:
CITY ATTORNEY

SUBJECT: Consideration of Objections to form of Indenture of Lease re: Carson Avenue
Parking Facility (cont.)

PURPOSE/BACKGROUND

agrees to indemnify the City against damages to persons or property for any failure to maintain or repair the premises, the City would be protected against liability, even without the provision in question. However, there is no question but what the City is aware of the condition, and, if it does not repair the condition itself or require its lessee to do so and someone is injured as a result thereof, the City would probably be subjected to justified public criticism.

Additionally, your attention is invited to the attached memorandum from Clay Hymer to Don Saylor in which he states "an opinion cannot be given at this time of whether it (the structure) conforms or doesn't conform to our Building Code without further investigative work being performed." If such further investigative work discloses that the structure does not conform to the City's Building Code, the Department of Building and Safety would order the appropriate remedial work to be performed, regardless of whether the structure is City owned and operated, City owned but privately operated or privately owned and operated.

Therefore, Mr. Saylor and I recommend that the requirement that the lessee repair the "spalling" condition within the first year of the lease term be modified to provide that the lessee will cause the structure to be examined by a competent structural engineer within the first three months of the lease term and that thereafter, and within the timeframe which is suggested by him, it will perform such remedial work as he recommends.

OBJECTION 3: Sections 15 and 25 require the tenant, under the proposed lease, to maintain the premises adjacent to the garage.

On behalf of our client, we object to this provision particularly as it relates to the strip of land on Carson, to be retained by the City. In the first place, we believe there are significant legal problems in undertaking to maintain someone else's property, including the authority of the tenant vis-a-vis the owner's invitees or licensees, which in this instance include numerous bus patrons. Moreover, such a maintenance requirement would necessitate the employment of numerous new personnel because the Four Queens does not presently have a landscaping or grounds department. Insistence by the City upon incorporation of this provision will force our client to reduce the amount of its bid in order to provide funding for these maintenance services which we believe the City can and should provide at a much smaller cost, given the fact that they are presently staffed to provide such services.

RESPONSE: In view of the fact that the area in question is frequently congested with persons waiting for busses, which adds to the maintenance problem and also present an exposure to liability, and also in view of the fact that the City already employs "groundskeepers" and the lessee, in all probability, does not, we agree with Mr. Sloan that it would be unreasonable to require the lessee to undertake the maintenance of this area.

We therefore recommend that the provisions to which Mr. Sloan takes exception be modified to eliminate the requirement that the lessee maintain the strip of land between the front of the building and Carson Avenue.

RECOMMENDATION:

It is recommended that the City Council reject Mr. Sloan's objection Number 1, accept Mr. Sloan's objection Number 2 in part, as set forth in the above response thereto and accept Mr. Sloan's objection Number 3 in its entirety.

Agenda Item

V-B (cont.)

INTER-OFFICE MEMORANDUM

January 25, 1984

TO:

Don Saylor,
Deputy City Manager

FROM:

Clay Hymer
Clay Hymer, Director
Department of Building and Safety

SUBJECT:

Carson Street Parking Garage

COPIES TO:

Charlie Kajkowski

The Carson Street parking structure was inspected 3:00 P.M. January 24, 1984, by Mike Traasdahl and myself to evaluate the expansion joints on each level of the structure. Our evaluation, opinions and recommendations are as follows.

The structure appears to have experienced differential settlement with some drift. The structure may have also experienced lateral loads beyond its ability to resist. The results of the problems are manifest in the column-slab connections and the expansion joints. The expansion joints are a problem to parked vehicles due to falling broken concrete. Other than that, the expansion joints appears to be a cosmetic and maintenance problem due to a poor design or poor concrete.

The column-slab connections, appear to have experienced greater flexure than the the design would have allowed, and thereby poses the most serious problem, as numerous cracks and concrete breakage are evident on the columns located at each expansion joint. The structure in its present stage is not considered as hazardous, yet further deterioration could place the structure as dangerous. An opinion can not be given at this time of whether it conforms or doesn't conform to our Building Code without further investigative work being performed.

We recommend that consulting engineers be retained to conduct an investigation of the causes of apparent failures and that they prepare acceptable procedures for all necessary repairs.

/lbc

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MAYOR BRIARE:

There are quite a number of pages involved in the recommendation of the City Attorney on the next item, which is the consideration of some objections that have been raised by a number of different prospective bidders on the Carson Avenue Parking Facility, but nevertheless, it's on our agenda, so Mr. Ogilvie, would you like to make comment first before we hear from anybody that wanted to make any comments of their own?

CITY ATTORNEY
GEORGE OGILVIE:

Yes, Mr. Mayor. As I pointed out at the last meeting, in order to afford prospective bidders the opportunity to comment on the proposed lease, which was certainly drawn unilaterally by my office and proposed prospective bidders did not have a chance to comment, so in order to afford them the opportunity to comment on the lease, I set up a procedure whereby by 5 o'clock on this last Friday, any bidder that objected to the provisions of the lease could file written objections with me and that they would be discussed at this meeting today and then resolved at a pre-bid conference this coming Friday. I talked to one prospective bidder last Friday. He advised me that they were not going to file any objections to the form of the lease. However, Friday afternoon I did get a letter from Mike Sloan on behalf of another prospective bidder, the Four Queens, which outlined three specific objections to provisions of the lease. The objections which Mr. Sloan raised on behalf of the Four Queens are set forth in the agenda documentation which is before you and also my responses to each of these three objections raised by Mr. Sloan. With respect to Objection No. 1 which is suggested by Mr. Sloan that a cap be placed on the adjustment in rent, I recommend to the Board that it be rejected. With respect to their Objection No. 2, it is Mr. Saylor's and my recommendation that it be granted in part with a modification of the provision to which they take objection to make it more equitable to the lessee. And with respect to Objection No. 3, I agree with Mr. Sloan and recommend that that objection be accepted and that the troublesome language be deleted from the lease. I think Mr. Sloan is in the audience, together with Mr. Maxey and Mrs. Hood and would perhaps like to elaborate on their objections, which, after they finish I would like to have my response.

MAYOR BRIARE:

Mr. Ogilvie, however, would you give us your final recommendation with respect to the entire matter. You gave us 1, 2 and 3. Now you have a summary.

CITY ATTORNEY
GEORGE OGILVIE:

There are only three.

MAYOR BRIARE:

Right, but I wanted you to read into the record the summary of

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MAYOR BRIARE: your recommendations.

CITY ATTORNEY
GEORGE OGILVIE:

My recommendations with respect to Objection No. 1, which deals with the adjustments in rent -- maybe I should backtrack a little bit. The lease as it presently stands provides that in five-year intervals the City can adjust the rent based upon 80% of the changes in the Consumer Price Index during the preceding five-year period.

COUNCILMAN LEVY: Is that up or down?

CITY ATTORNEY
GEORGE OGILVIE:

Up or down, but it cannot go below the initial annual payment. It can never drop below the initial annual payment; however, if it goes way up and then drops, it can be adjusted downward until it reaches the initial annual payment, in which case, there is a ceiling of the initial annual payment. Mr. Sloan's suggestion is that there be placed a ceiling on the increases in rent of 7% over the five-year period, which translates into 1.4% annual increase. I feel that that is unrealistic. I don't know when the nation has experienced inflation as low as 1.4%. It is my recommendation that the provision as presently written to wit that the adjustments in rent be based upon 80% of the changes in the Consumer Price Index be retained. With respect to Objection No. 2, the lease presently provides that within the first year the lessee will repair the spalling condition, the concrete spalling condition, which presently exists in the garage. The Four Queens takes exception to this provision because they say they have the overall obligation to repair the garage and they have the overall liability to indemnify the City in the event if anybody is injured on the premises, and therefore, we should not be dictating to them when the repair work should be concluded. After an investigation by Mr. Hymer, the Director of Building and Safety for the City, he suggested that the building be examined by a structural engineer and rely on his, the structural engineer's, conclusions. So what I am recommending with respect to the Four Queens' Objection No. 2 is that they be relieved of the absolute one-year requirement that it be repaired and insert in lieu thereof a requirement that within the first three months the lessee have the building examined by a competent structural engineer and that thereafter and within whatever timeframe the structural engineer recommends that they accomplish whatever repairs he recommends. I understand from discussing it with Mr. Sloan yesterday that that is not acceptable to the Four Queens. Objection No. 3 deals with the maintenance of the strip of land between the front of the building and the property line on Carson Avenue. If you recall, at the last meeting the City Council exempted that strip of land from the lease for reservation for future use in the downtown transportation plan. The lease as it's presently written requires the

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CITY ATTORNEY
GEORGE OGILVIE:

lessee to maintain that strip of land until the City makes use of it in connection with the downtown transportation plan. The Four Queens objects to that provision, mainly on the question of liability because that strip of land, in addition to being landscaped, is the area where people congregate to board buses and they do not want to assume the responsibility of any damages or injuries that might befall the people who are waiting for buses. I certainly can sympathize with that. I think it's an undue burden to ask the lessee to assume. Additionally, the people that congregate for the buses add to the maintenance problem. The lessee in all probability, and certainly the Four Queens, does not have a groundskeeping force. They would be required to hire a groundskeeping force and we already have ample groundskeeping force in the Parks Department and it would be less of a burden for the City to maintain that strip of land than any lessee, in all probability, and certainly from the standpoint of the Four Queens. Therefore, I recommend that Mr. Sloan's Objection No. 3 be accepted.

MAYOR BRIARE:

Alright. Well, in summary, the matter before us this morning is your recommendation that the City Council reject Mr. Sloan's Objection No. 1, accept Mr. Sloan's Objection No. 2 in part as set forth in the materials that we have here, and accept Mr. Sloan's Objection No. 3 in its entirety. Comments or questions by the Council?

COUNCILMAN LURIE:

One question, George, you mentioned two bidders. If the Board was to approve these conditions, or objections, how does that affect the other bidder?

CITY ATTORNEY
GEORGE OGILVIE:

These will be written into the specs. Any changes you make today, or approve today, will be written into the specs and made known to the bidders at the pre-bid conference, which will be held incidentally at 10 A.M. on Friday, this coming Friday, the 3rd of February. Any changes that you approve today will be applicable to both bidders and they will be so advised. There may be other bidders that I'm unaware of. At the present time, the only people that I am aware of are the Four Queens and Mr. Chavez, who bid on the sale of the garage a couple of years ago.

COUNCILMAN LEVY:

I would just like to make a comment to Mr. Sloan. In his evaluation in his letter to us he says that "use of an escalation clause based on inflation is designed to protect the lessor against an increase in his costs." That's not

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COUNCILMAN LEVY:

true, Mr. Sloan. The escalation clause is put into a lease so that the City will have the same amount of money to spend and get the same value for it this year as they will five years from now; that's what an escalation clause is. I just wanted to tell you real estate technology, not attorney technology.

MAYOR BRIARE:

Before we ask Mr. Sloan for his comments, do any of the other Councilmen want to make a comment at this time? Mr. Sloan.

ATTY. MIKE SLOAN:

Thank you, Your Honor, and members of the Council. First, I would like to express the appreciation of my client, Four Queens, for the opportunity given prospective bidders to comment on the lease. We think that Mr. Ogilvie has done a fine job -- it's a forty-page document. As he has indicated, we basically have three comments of areas that we felt all prospective tenants might have some concern; the first of which is the inflation clause. Notwithstanding the purpose of the adjustment, based on inflation, our concern is that having a fifty-year term with a locked-in tenant with a mechanism that has no upper limit for cap on the exposure of the tenant, forces the tenant at the outset to come in with a low bid because he has no protection against runaway inflation. Our thought was that in a fifty-year lease where all of the expenses of the operation of the garage will be borne by the tenant who is the successful bidder and where that same tenant, in all likelihood, is going to have substantial expenses for maintenance and perhaps even having to completely replace the garage during the fifty-year term, you have to give consideration to the economics of the transaction. Now the lease, as written, provides that at the end of every five-year period there would be an adjustment in rent and if the inflation factor had been 15%, it would go up 15%. If it is more than 15%, it would go up by 80% of whatever the increase has been. There would be nine separate raises during that fifty-year period. I think, if in your own businesses, think of the inflation that you have experienced in the past ten or fifteen years and try to project for fifty years with no limit, with no certainty. It's very difficult from the bidders point of view to try and do the pencil work to come out to the dollars and cents of what your opening bid should be. We think that a cap on a five-year basis, which would incorporate each other prior inflation adjustment, is fair to both the City and to the tenant, and I think that the strains of government has been that these automatic cost-of-living increases only fuels inflation, inflation begets inflation, so we would request that you give consideration to some kind of cap so that we would know the maximum exposure during the course of the lease, if, in fact, we are the successful bidder. The second area which Mr. Ogilvie has explained is, this basically is an as is lease. The City is not making any warranties as to the soundness of the garage. The garage is about fifteen

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ATTY. MIKE SLOAN:

years old and I think that most of you are aware that there are some structural problems there. The one that has been identified is the spalling condition, which is the existing defect. The lease is very clear in the fact that the tenant has the obligation to maintain it at no expense to the City, but it's our position, if the City wants us to take it as is, then we should take it as is and make our own determination as to when to fix it and how to fix it. If you want to tell us how to fix it, then we think that you should at least warrant, once we have done that, that the garage is safe, that it's built to code, and that you will warrant during the term of the fifty-year lease. Frankly, if you are concerned that the garage is presently not built to code and that the condition is so bad that it's similar to the Ogden garage where you had to fix it yourselves recently, then maybe, and respectfully, I would suggest that the City would do that forthwith because that would be your obligation as the present owner of the garage. We think it would be consistent to allow whoever is the bidder to maintain the garage as required by the lease and not as directed. We would certainly, if we are successful, would not want to operate that garage in any fashion that would be unsafe. I appreciate the opportunity to make these comments. I know Mr. Maxey would like to address one comment to you on the question of the CPI and to answer any questions you might have. I appreciate your consideration of our comments.

MAYOR BRIARE:

Thank you, Mr. Sloan. Don't go too far away though. Good morning, Mr. Maxey.

ROBERT MAXEY:

Good morning. Thank you for the opportunity to comment from a businessman's point of view on this prospective lease. This bidding process that is being undertaken allows, of course, each bidder to determine the amount of his bid according to his interpretation of the value of the property under the terms of the proposed lease and I am very concerned that these issues that Mike has spoken to you about are going to cause any bidder who is an intelligent businessman to perhaps have to reduce his bid to cover contingencies which are not perhaps as real as they appear to be. For example, I just finished a negotiation, I say "I"; primarily Jeanne Hood had the pleasure of the thrill of victory or the agony of negotiating a lease with Mr. Westlake to rid the city of the porno shops on Casino Center Avenue. This was a very very hardball business commercial negotiation. That fifty-year lease contains a 7.5% cap and we are suggesting 7% in this case. It is not unrealistic. It is not contrary to prudent business practices. If we have to face, we as one bidder, and other bidders may have a different view, but in our case, if we have to face open-ended escalation on a lease, you're proposing, for example, to limit my use of this property to a garage. You and I don't even know if we will be driving cars in forty years. We haven't raised that issue at all. We

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ROBERT MAXEY:

understand that it's a garage now and it's your desire to keep it as a garage, so we accept that and, of course, we have to consider that also in submitting our bid, but to say that we also have to face the open-ended escalation of the lease price, I believe, will cause the amount of the bids to be artificially lower than they should be for the City to get the best benefit from leasing this garage to private enterprise. For example, you suggested in your proposal that we should pay \$1,175,000 cash up front. Okay, if that's what you've decided and we will bid accordingly. I suggest to you that as a businessman I have to decide what that's going to cost me. I have to decide the cost of money over a fifty-year period to factor into my bid. It's easy for me to address this because I have been working on it steadily for the last week and I can tell you that at the present prime rate, we come to a number. We don't talk about what the number is, but we come to a number, if we assume that. If the cost of money was to go to where it has been in the last three years, and if I really believed that could happen to me during this fifty years, I'd have to reduce the size of my bid to you by 40%, just to cover the cost of \$1,175,000 up front. That's a risk we're prepared to take, but when we talk about having to take the garage as is, it's suggested that we should pay several hundred thousand dollars to repair the garage according to your specifications and still have to take it as is. I believe once again that causes us to take that into account seriously in submitting our price to you and I think it's going to result in a price that is artificially low and I don't want to see that happen. I want the City to be happy with the price that we submit, at least, or any bidder submits. I don't want the City to be unhappy and I think that, for example, addressing the condition of the garage, if you're going to give it to us as is, we're responsible people. We're not going to operate it in an unsafe manner. By law we are unable to and morally we are obligated to operate the garage in a safe manner and repair it as needed, so if I take it as is, don't tell me how to fix it and also tell me that it's still as is. If you're going to suggest repairs, fine, but suggest them. We'll either go along with it or deduct the price of those repairs from our bid, whatever we want to do, but once it's done, surely then you would not suggest that you want to lease the garage to us as is. I really think these are going to result in a penalty to the City in the size of the lease bid price that is inordinate compared to whatever benefit the City might get from having these provisions. We want the City to be happy with leasing the garage, not unhappy. I think what will make the City happy is the most generous sized bids that can be offered and these items are in our way from making our bid the most generous that we can. We'd ask you to consider that, these points, thanks.

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- MAYOR BRIARE: Questions of Mr. Sloan or Mr. Maxey?
- COUNCILMAN LURIE: The only question I have is, what other term can you use besides "cap." That's like waving a red flag in front of me. I don't like caps because of what the legislature has done to the City in placing caps on our budget where we can't generate sufficient revenues to provide public services. Now, you can come up with another term or come up with another number, but I don't like the word "cap."
- COUNCILMAN LEVY: Maximum. I somewhat agree and somewhat disagree with these gentlemen here. First of all, let's talk about the CPI increases. I feel that having a maximum on them, to make Councilman Lurie happy -- I can understand their position and I think that in most of my dealings we have put the maximum increases on there. I'm not sure if 7% is the right number, but I do feel that maybe there should be some maximums set on their amount.
- CITY ATTORNEY
GEORGE OGILVIE: Actually, as I pointed out earlier, the figure is not 7%, it's 1.4%.
- COUNCILMAN LEVY: I appreciate it. I know what you're talking about, but I'm talking about over a five-year period I would be more in the range of say 10%, somewhere in that neighborhood, or about a 2% increase every year over a five-year period, which should be sufficient.
- MAYOR BRIARE: Councilman Nolen.
- COUNCILMAN NOLEN: That's basically what I was going to ask. Is there any compromise in here in your position, any way we can reach it? I personally think 7% is somewhat low, but I think in looking at the past year, you're talking 15.5%, if you take the '83 figure and run it out over the five years. Is there some area that we can reach a compromise that the City would be happy with and that you would be happy with?
- ROBERT MAXEY: Well, I think that to attempt to negotiate a number is difficult. I can say this, that we have a price in mind and that we are prepared to bid a week from today and if that price is based upon the 7% that we are suggesting to the extent that you pick another number that is not 15% with 80% thereafter and is not 7%, of course, we still intend to bid on the garage, but it will have to be taken into account in our bid and we would encourage you -- I believe -- we paid on this lease I mentioned 1.5% a year for five years adjusted, which is a half a point over five years, 7.5% compared to 7%. The reason that we did our calculations on that is we believe that is appropriate

ROBERT MAXEY: and fair as a maximum. If it is your pleasure to pick another number, we fully intend to bid on the garage, but I have to tell you that the amount of our bid will be affected by it; it has to be. I could not do otherwise and be of service to my shareholders.

COUNCILMAN CHRISTENSEN: Your Honor.

MAYOR BRIARE: Councilman Christensen.

COUNCILMAN CHRISTENSEN: There's one question that is in my mind on this CPI. I don't like the CPI. I think it's a phony number and always has been. It's based on the fact that everybody buys a new car, a new refrigerator and a new television every year, which doesn't happen. I think it's a fictitiously high number and the sooner the United States quits using it, the better off we'll be. The question here, in my own mind, is a lease of fifty years -- what that does, that purchases the garage, but only leases the property that it's on for a long term, and in fact, may not even purchase the useful life of the garage because it could be required to be torn down or something long before that time. It's hard to project out fifty years. Are we talking about -- how much of this bid, or how much of the price we're considering is land and how much is the improvement on the land because when you start talking about escalation of inflation, you've got to consider that the building deteriorates, becomes less valuable, depreciates, and so forth and that that value decreases because of age and so forth, overcompensated for by the increase in the costs of replacing it.

COUNCILMAN LEVY: Are you talking about depreciation or appreciation?

COUNCILMAN CHRISTENSEN: I'm talking about both of those things. Does the appreciation, without the land, consider the depreciation bigger than the depreciation on the garage structure?

COUNCILMAN LEVY: I think that our appreciation of this garage because of inflation is going to cause the price of this garage to replace it would cost multi-millions more than the City ever paid.

COUNCILMAN CHRISTENSEN: I know, but are you going to replace it?

COUNCILMAN LEVY: I would imagine somewhere down the line, fifteen years, twenty years, Mr. Maxey, if he's much older and grayer by then will come before the City Council, whoever they may be, and propose to tear down and build some new structure that they will have to go in partners with.

COUNCILMAN CHRISTENSEN: That wasn't my question. My question is that if we don't lease

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COUNCILMAN CHRISTENSEN: the garage, will the City build another garage there? I doubt it.

COUNCILMAN LEVY: Will they build another garage?

COUNCILMAN CHRISTENSEN: Yeah, I doubt it.

COUNCILMAN LEVY: I don't understand where you're coming from.

COUNCILMAN CHRISTENSEN: Well, if this garage gets to the point where we can no longer afford to maintain a garage there because of the fact that it's outlived its usefulness and it can't be repaired any more, and so forth, and at that time you have to tear it down, would we tear it down and construct a new one? I doubt it.

COUNCILMAN LEVY: I don't think we'd ever do that. I think that that garage will never become in that kind of a capacity. I think what will happen in the future, that garage -- I think we've been reluctant in raising our garage prices; we should have to match up with what's going on in the world.

COUNCILMAN CHRISTENSEN: But you see, we couldn't because it wasn't full. That's why we would never construct another garage there. The biggest user of that garage from the day it was built was the Four Queens.

ATTY. MIKE SLOAN: Councilman, I think that the lease requires, and I would certainly defer to Mr. Ogilvie, but I think that the way this lease is written that anytime during the fifty-year term the garage became obsolete in terms of needing repair, whoever wins this bid is going to have to repair the garage or build a new garage and they're going to have to do it at their expense, not at the City's expense, unless the City says you don't want it, I guess.

COUNCILMAN CHRISTENSEN: Unless at that time you come to us with a proposal and say, "Look, cars are outdated. Nobody travels in cars anymore. Everybody comes to town on the train and they ride the streetcar and we haven't got any use for this garage. Why don't you let us build something else here that can gain the City and us more money?" But then obviously we're not going to build a garage, that's what I was getting at. What I'm getting at is I don't like the CPI either. I happen to agree with you gentlemen to a point with the CPI because I think it's a phony number and always has been, but I don't know where to arrive at a number.

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COUNCILMAN LEVY:

The City has to be guaranteed some type of increases because what we're going to do with that money, if I'm not mistaken, I thought we've already talked about allocating it and going over there and those wages and everything it's going to cost us to run that facility is about what we figured we were going to get from them. Forty-five years from now, it's not going to cost the same. We're going to have to give raises to all of our personnel over there, whatever it is.

COUNCILMAN CHRISTENSEN:

But you see, the point is still the same. If you lease the garage for a number, with this escalation clause and they have to factor that escalation clause into the number they're willing to bid for the garage lease, it comes out bananas. If you're going to pay 15% increase, the bid is going to be lower. If you're going to pay 6% increase, the bid is going to be higher, so the net is going to be the same; that's what Mr. Maxey is telling us and I can understand that because he has to factor that in his bid, but really, the stumbling over this CPI is strictly a problem for them in a way that they have to project for fifty years what inflation might be so they can factor that number in. There's less of a risk if they don't have to factor as big a number in, is that basically what you're saying?

ROBERT MAXEY:

Yes, sir, and to reiterate again, we will be bidding whatever the CPI requirement is, but we were just trying to acquaint you with what that will result in, which is a lower front-end price hedging against something that we don't know will ever happen because, first of all, halfway through this fifty-year period we may very well come back to you, as we are required to do under the lease, and say "Guess what, the bullet train has solved this transportation problem. We don't need a garage. We would like to do something else." We would be to some extent at your mercy at that point. All of these variables I feel will result in any conscientious bidder in perhaps giving you a lower front-end price than you're looking for and I want to avoid that because I believe that it's not in the City's best interest to do that and I'm quite sure that in this particular case it's not ours either. I think we have a common goal which is to transfer the garage to private operation and get the most out of it for the City that can be obtained and hedging against this boogeyman of inflation is alright to an extent, but when you talk about an unlimited, an open-end commitment, you are going to get an artificially low price and I don't want to see you do that.

COUNCILMAN CHRISTENSEN: Especially for a length of time like fifty years.

MAYOR BRIARE:

Bob, don't forget that street runs both ways and at least 80% of the membership of this Council a year or so ago, whenever it was, deemed that the best interests of the City would be served by going on a lease basis instead of an outright sale basis. Thank goodness the legislature came

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MAYOR BRIARE:

to our rescue on that score or else we might not be discussing this subject right now. Consequently, I consider ourselves in a little bit of an untenable position because we are speaking for future boards and when we act upon this right now, I can understand that your capable attorney here who has proven himself time and time again to be very astute on these matters is representing you. That guy down at the end of the corridor down there is representing us and so obviously we're in a tenant/landlord, prospective tenant, prospective landlord position here and you're speaking very well on behalf of your tenant. I don't think there's any counsel in the country that can be more cooperative and more interested in its downtown industry than this counsel right here. We all work together. The City of Las Vegas is depending on income from this lease for something that hopefully will be of great benefit to the downtown area; namely, the people-mover prospect of moving people in and about downtown and over to Cashman Field. That income is going to be very important. Now, Mrs. Hood graced this community with her presence at a time when owners of downtown properties, and I think that Councilman Christensen, perhaps having been a tenant downtown, knows this better than any of us, but long-term leases were entered into many years ago and I have been told for more years than I've had the honor of serving on this board that the reason that you have deterioration set in in some of your downtown areas in Las Vegas in particular was because long-term leases were entered into back in those days. The owners of the property can do nothing to try to clean up and doll up and kick out some of the itinerant businesses that come in and out of downtown areas because of the leases that they had that did not contain a CPI, or cost of living increase, or an escalation clause of some sort. Now, this might not be true in fact. I believe it is true because I was told so by people who are responsible people. That's why you have a beginning of some serious problems that began years and years ago in the downtown area. It just so happens that Mrs. Hood and her organization have gone the opposite direction and made a gorgeous hotel out of the Four Queens, which wasn't too bad to begin with. I think the point I'm trying to get to is that since we need this money for future plans to improve the downtown area, we might be in a position, and George Ogilvie support me on this if I'm right, we could be in a position thirty years from now where there's not enough money because of the cost of living, etc. that the City is not receiving enough money to pay the obligations that we intend to incur, all things going the way we hope they will, would not be able to pay for the obligations that we're intending to incur on a long-term basis. There might not be enough money there, based on whatever the dollar is worth at that time.

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CITY ATTORNEY

GEORGE OGILVIE:

You mean the obligations we're incurring by virtue of this lease?

MAYOR BRIARE:

By virtue of the obligations that we incur, depending on the income from this lease, unless we were to have some sort of a clause in any agreements that we enter into that our obligations would also be put at a maximum.

CITY ATTORNEY

GEORGE OGILVIE:

That is the point of my argument that as government costs increase, your sources of revenue should increase accordingly, or else you're not going to be able to pay for the increased costs. Mr. Leavitt has a suggestion which may be palatable to Mr. Maxey and resolve this impasse.

MAYOR BRIARE:

I indicated to Mr. Ogilvie earlier, Mr. Maxey and Mr. Sloan, that I hate for us to be sitting here. None of us volunteered to be on the negotiating --

COUNCILMAN LEVY:

I don't mind.

MAYOR BRIARE:

I didn't volunteer. I don't like to negotiate something that's this important in the procedures from the time that we've said, "Let's go to bid," and right now. I'm kind of curious as to who the other bidder is. Is there one or several?

CITY ATTORNEY

GEORGE OGILVIE:

The only other one I know of is Mr. Chavez that bid on the -- when we went up to sell the garage.

COUNCILMAN LURIE:

I'd like to hear from Mr. Leavitt.

MAYOR BRIARE:

Mr. Leavitt, please.

MARVIN LEAVITT:

What I was wondering is that, of course, one of the two parties have to be at risk. The City's proposal calls for the Four Queens to be at risk. The Four Queens proposal calls for us to be at risk on future price increases. I was wondering if there might be some middle ground between the two, such as, for instance, this: Say for instance, the first 10% of the increase in the Consumer Price Index over a five-year period, an 80% factor of that Consumer Price Index increase would apply. For increases in the Consumer Price Index greater than 10% over a five-year period, that increase can be multiplied by .2 factor, say for instance. That way they would be protected against

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MARVIN LEAVITT:

the entire growth in the Consumer Price Index, but at the same time, if we had really huge increases in the Consumer Price Index, we would at least have some benefit as a result of that, sort of a combination of the two proposals, in other words, so that we would have, say, 80% of the first 10% and then if it goes higher than 10%, say 15%, that second 5% would only be at 20% of that, so we would essentially have 1% benefit from the second 5%. I'm just using 20% as an example, but you can see how the principle would apply. We'd do it in tiers so we're guaranteed a certain amount, but at the same time they have relief in case it was 90% increase in one particular year.

MAYOR BRIARE:

I don't know who the negotiating team, if that's what you want to call it, is in the City; obviously, Mr. Ogilvie and obviously yourself, Mr. Leavitt. Is that correct? And other staff members, Mr. Hall. It would seem to me that at a time when the bids are in and they're being examined, that you're going to project all of this stuff out for fifty years as to what Mr. Sloan's proposal is going to be. You're going to project it out. If there's another bidder, you're going to project it out. In any event, somewhere along the line before final action would be taken by this Council, or by any owner, or landlord, in any kind of a thing, you're going to project what you say you're ready to do and you're going to be willing to do. Even if you lowered it a little bit because of your lack of a crystal ball, you're going to spread the whole thing out and we're going to look at it and see which one's best.

CITY ATTORNEY
GEORGE OGILVIE:

Mr. Mayor, that is not the way that it's set out. If we were to attempt to set it up the way you're suggesting, it would insert too many variables in the bidding process, so you would really never ever get a true comparison of the different bids. To make a true comparison, the way the bidding process is set up is that the bidders are to submit one figure, which is their first annual rent payment multiplied by fifty years. So if their first annual rent payment is a million dollars, the figure that they would bid on would be fifty million dollars. This eliminates all variables and preserves the integrity of the competitive bidding process. I think that's what Mr. Maxey is talking about that that initial figure that they put in their bid would be reduced accordingly if their risk on the CPI is increased by following my suggestion. I would, however, like to point out one thing that if the prices that the bidders submit go below a certain level, the Council has a right to reject any and all bids. For example, if somebody came in and bid \$20,000 a year for fifty years, I think

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the Council would reject that bid, even though it was a high bid, so there's a certain point below which I would recommend that you not accept the bid, but as I say, the way the bidding is set up, the bidders are to submit a figure that amounts to fifty times their rent that they will pay during the first year.

(END OF TAPE 1)

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- MAYOR BRIARE: We're going to evaluate your suggestion, but that again is kind of a negotiable conversation.
- ROBERT MAXEY: Mayor, I just want to make it clear that I do not necessarily expect an answer at this meeting as to what the number is going to be. I just wish to point out to you that the number that you place on the CPI, you know, will have an affect on the bidding and I encourage you to follow our guidelines so that we can maximize the price that we feel that we can afford to pay. I think the City Attorney's analysis is correct and certainly Councilman Christensen's analysis is right on. Whatever it is, it's a sliding scale. We will run a calculator and we will produce a number and that's what we will enter, but I feel that the, you know, the -- taking as much of the unknown out of it as possible will result in the highest price to the City. I honestly believe that is true of ourselves or any other bidder.
- MAYOR BRIARE: It was my understanding that -- Mr. Ogilvie, you might have just said the exact same thing, but it was kind of my understanding that we were going to hopefully have a half a dozen proposals, or whatever, and then we would open some bids and based on everybody bidding on the same thing, we would have then an opportunity for the person that came in second, third, fourth or fifth to say, well, -- stand up right here and say, well, okay, I'll raise my bid.
- CITY ATTORNEY
GEORGE OGILVIE: That's correct. There will be an auction held. Anybody that has submitted a sealed bid will be eligible to bid at that auction.
- MAYOR BRIARE: Supposing that one bidder came forward and it turned out that he said, "Well, I'll go along with that CPI arrangement. I feel that down the line I'll be able to make adjustments so I can do that." Then, we are going to be in a whale of a mixup here trying to project --
- CITY ATTORNEY
GEORGE OGILVIE: No. What we're trying to resolve now is --
- COUNCILMAN LEVY: But we've got to determine it today so that everybody bids on the same thing.
- ROBERT MAXEY: The only variable, as I understand it, that would exist at the auction, if you will, would be the price itself, not the CPI, not the repair terms, not anything, just the price, so it gets adjusted up and down. These factors, of course, all affect what a person can afford to pay in the form of a price so that's my understanding of it and we certainly take no exception to the process. We do, in these limited areas, feel

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ROBERT MAXEY: that we would like some modification so that price can be as high as possible.

MAYOR BRIARE: Maybe what we should do is to continue whatever discussion we should do this morning and then perhaps before we leave this afternoon -- in other words, conclude your remarks and any questions we might have right now and then maybe this afternoon before we conclude this matter, instruct Mr. Ogilvie as to what he should do.

CITY ATTORNEY
GEORGE OGILVIE: An alternative to that, Mr. Mayor, although the timetable which I set forth, established back in November, and approved by this Board, contemplates the opening of the bids on the 8th of February and present one of the recommendations in holding the auction on the 15th of February. There is nothing that says you can't deviate from that timetable.

MAYOR BRIARE: I'd like to stick to the timetable, but I think it's necessary that if it's the feeling of the members of this Council that we do stick to the timetable, that we should give you some kind of an answer. I'd like to see you get some kind of an answer to your recommendations. Whether we take your recommendations or whether we change them in accordance with the suggestions that were made here, I'd like you to have those as quickly as you can so that we can stick with our timetable, but I would still think there should be discussions amongst ourselves here at this meeting, maybe this afternoon, so that we have our own consensus of opinion.

COUNCILMAN LURIE: Mayor, I'd like to see a schedule from Marvin Leavitt on his suggestion on how --

MAYOR BRIARE: Could that be done before 3 o'clock this afternoon?

MARVIN LEAVITT: I could very easily do it using estimated data, of course.

MAYOR BRIARE: That's all we can do, but just see what it would look like if we were to apply it to this particular discussion. It would be my hope that we could conclude this morning, but by all means, it doesn't have to be said, you are welcome this afternoon, in case we needed to ask a question amongst ourselves to try to determine what we're going to do on Attorney Ogilvie's recommendation.

ROBERT MAXEY: Well, we will, of course, be represented, but I do not anticipate that we can offer anything further than what we have said now. We feel that this is in the best interests

[illegible]

(END OF TAPE 2)

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(AFTERNOON SESSION)

MAYOR BRIARE:

Mr. Sloan.

CITY MANAGER
ASHLEY HALL:

Your Honor, Mr. Leavitt is here prepared to make that presentation.
We ask that he make it now.

MARVIN LEAVITT:

First of all, let me make one apology to the Council. As I -- coming to this meeting today I had a brief discussion with Mr. Ogilvie and realized that the computation I had made on the City's offer did not adequately represent what he had actually put in the lease and so I have penciled in the correct figures so you can have them. First of all, if we go through the City's offer, essentially, the first 15% brought from the Consumer Price Index over 5 years, which I have shown here as an example, would be 23%, as indicated by the various years, is a full 100% CPI. Then the remaining 8%, the difference between the 15% and the 23% is 8%, which would result in 6.4%, or a total of 21.4% increase over the 5 years, as indicated on this sheet. That is essentially the way Mr. Ogilvie presented it in the proposed lease arrangement that he previously presented, so the first 15% is a full CPI. The remainder over that is 8% of the CPI. The second page is simply an indication of the Four Queens counter-proposal in which they would cap the total increase at 7%, so that we have a 23% CPI and they would provide for a 7% maximum. The third proposal is the one I mentioned this morning. It simply says that on the first 10%, we would multiply the CPI by 80%, and that would give you the 8% shown here, and then on the remaining growth from the CPI over and above 10%, which, in our case, is the difference between 10 and 23%, or the 13%. We would multiply that 13% by 20% of the CPI, which would amount to an additional 2.6%; in other words, a total of 10.6%. The 10.6% is 3.6% higher than the Four Queens, but still allows the City some increased rent in the event that the CPI grows at some really rapid rate. I might indicate that the 20% factor as I applied it is just one that came off the top of my head as I was looking at it; say for instance, if you wanted to go 30% of the CPI, that 10.6% would now be 11.9%, but the net effect is, we will not -- for instance, we could, and I don't know if it would ever happen or not, but sometime in the fifty years, in one year we could have a CPI growth that was 100%, say, for instance, in one year, as happened in other countries. If that's the case and we are only allowed 1.5%, our rent receipts essentially would be worth nothing at the end of that year. Now this does provide some difference between what they're proposing and what the City originally proposed in the lease document, so this does moderate it somewhat. It gives them some guarantee that the increase will not be drastic in any one year.

COUNCILMAN LURIE:

Let me clarify one thing. Whatever we approve now, pass on

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COUNCILMAN LURIE: their objections, this will be redone so that all the bidders, whoever they might be, will be given the same opportunity to bid on the same package.

MARVIN LEAVITT: Yes, that would be correct.

COUNCILMAN LURIE: What is the amount of yearly rent that we're looking to collect off the garage?

MARVIN LEAVITT: I don't think we have ever specified a -- at least I'm not aware of --

CITY ATTORNEY
GEORGE OGILVIE: We have not. That would be determined by the bids.

COUNCILMAN LURIE: What's our minimum that we have?

CITY ATTORNEY
GEORGE OGILVIE: The appraisal that we have on the garage is \$650,000 per year in 1983 dollars.

COUNCILMAN LURIE: Okay.

COUNCILMAN LEVY: I like your concept and I actually was talking about a CPI of about 10% for 5 years, or 2% a year. I definitely feel that there should be some type of maximum, rather than, and I can understand the gentleman's feeling in negotiating leases that I've done all my life. Wouldn't it have been just as simple, since we would come out about the same, if I would have gone that route, Marvin, just using the 10% cap?

MARVIN LEAVITT: That would be easier. The only advantage I see in some program like this is if we sometime had an exceptionally high CPI, you know, that we don't envision right now.

CITY ATTORNEY
GEORGE OGILVIE: Marvin's proposal will give more flexibility to the City. This is based on his assumption that in the next 5 years the CPI is going to go up to 23% and the resultant 10.6% increase in rent is based upon that assumption. If it went up to 30%, the 10.6% would increase another 2% for --

MARVIN LEAVITT: We have had many years up until the last couple where we've had CPI's in double digits, so in those cases we could have a CPI that was at, say, 15% each year and we're only getting 7% over 5, so we're really falling. The problem is, if you follow out this compound interest schedule over 50 years, you can have a very small difference in the beginning balances

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MARVIN LEAVITT: and by the time you compound that over 50 years, you are talking about a huge difference at the end of that time. I almost think we would be ahead to accept a lower interest, lower original rent, and have a higher guaranteed growth over the years, would be an eventual benefit to the City because by the time you compound that over 50 years, you're talking about a large amount of money. If inflation turns around and you don't have any -- you know, 50 years --

MAYOR BRIARE: As opposed to lower rent going in, is that what you're saying?

COUNCILMAN CHRISTENSEN: If you have a lower rent going in and --

COUNCILMAN LEVY: Because they've taken the growth into consideration.

COUNCILMAN CHRISTENSEN: -- then if you don't -- if suddenly inflation turns around, then you suffer because you're on a low rent. It's as broad as it is long. It depends on whether you're going to gamble on inflation or you're going to gamble on Reagan or you're going to gamble on the other guys.

MAYOR BRIARE: I would be inclined, Marvin, you know, I'm listening as hard as I can to you, but we've had several instances where we talked about what a dollar today -- what a person would realize in 20 years and in less than 20 years it has doubled. It's going to take twice as much money in 20 years to do whatever we're doing with it today.

COUNCILMAN LEVY: Don't scare the bidder off.

MAYOR BRIARE: Pardon?

MARVIN LEAVITT: If we were looking back in time, we could have entered into this same lease in 1933 and we would now be on the end of it. You can think of prices we'd like to negotiate it for in 1933 as compared to what we'd negotiate it for now, there's a huge difference.

MAYOR BRIARE: I hope I'm going to say this clear, I'm going to be trying my best. When Commissioner Lurie mentioned we have to have something so that everybody can be guided by the same rules and regulations as we were talking about today.

CITY ATTORNEY
GEORGE OGILVIE: What we do today will be the ground rules for everybody.

MAYOR BRIARE: Okay, that's fine, but then does that preclude us after we -- based on everybody bidding on the same set of specifications, they all bid on that set of specifications, then we go into

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MAYOR BRIARE: the auction, as you indicated. And then after that auction, it is determined as to who the best bidder is. Then are we still negotiating something?

CITY ATTORNEY
GEORGE OGILVIE: No, we are not.

MAYOR BRIARE: So what we do today is final.

CITY ATTORNEY
GEORGE OGILVIE: That's correct.

COUNCILMAN LEVY: I'd like to add a point, Mayor, if the numbers aren't good enough, I don't think we'll lease it.

CITY ATTORNEY
GEORGE OGILVIE: You have obtained the option to reject all bids.

COUNCILMAN NOLEN: Your Honor, if a motion is in order, I'd like to make one. You know, we've hashed this over quite a bit. I would move that we follow the City Attorney's recommendation on Objections No. 2 and 3. I would also put in that motion regarding Objection No. 1 that we set the annual adjustment or maximum at 2%, or 10% over a 5-year period.

COUNCILMAN LEVY: Which one, 2% per year?

COUNCILMAN NOLEN: Two percent a year.

COUNCILMAN LEVY: Every 5 years or every year?

COUNCILMAN NOLEN: Every 5 years as reviewed, I believe, is how we've indicated we're going to go on that. We review it every 5 years.

COUNCILMAN LEVY: I have no objection to 1 and 3, but I'd like to talk about 2. I think that these people from Four Queens made quite a point with me in regard to the facility. I think that they are digging a deeper hole asking the request that they want than the request that we were sent. Is your attitude still the same, Mr. Sloan, on No. 2 point?

ATTY. MIKE SLOAN: I think, if I could just clarify that, our position would be that we want you to be aware of that. We are certainly willing to bid on any conditions that you put in there. I don't think point No. 2 is a major point. I think he wanted you to be aware of his concern.

COUNCILMAN LEVY: If the building is in no shape, you're going to have to close it up.

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ATTY. MIKE SLOAN: I understand that. I frankly do not think that's a substantial point.

COUNCILMAN NOLEN: Are we figuring out a motion to follow the City Attorney's recommendation on 2 and 3. On Objection No. 1, set the annual adjustment at a rate of 2% per year that's reviewed at the end of each 5-year increment, as recommended by the --

MAYOR BRIARE: Councilman Nolen, it would be written in that there's going to be a 2% per year increase to take care of inflation.

COUNCILMAN LEVY: Except it's going to be every 5 years.

MAYOR BRIARE: And then after 5 years, you look at it and what do you do in 5 years?

COUNCILMAN NOLEN: That would be the ceiling. If it was less than that, it would be -- isn't that what you are recommending?

MAYOR BRIARE: Two percent a year is the tops that it will ever be.

COUNCILMAN LEVY: Mr. Mayor, what happens is, every 5 years we analyze -- let's just say that today it's \$100. Five years from now we've had an inflation factor of say 12%, 1.2%. I think it's running 1.4% right now. This year it will be 1.4%.

MAYOR BRIARE: A year?

COUNCILMAN LEVY: Yes.

COUNCILMAN LURIE: Three point eight was the average.

COUNCILMAN LEVY: Well, you had 1 year of 1%, 3.8%.

COUNCILMAN LURIE: Nineteen eighty-three was 3.8%.

COUNCILMAN LEVY: Three point eight percent. At the end of 5 years and we don't do anything, they pay us whatever they're paying us the first 5 years, \$100. At the end of 5 years if it's gone up 13%, 15% or 20%, all we will get is 10% increase. We'll get \$110 a year. If it has gone to 8% over those 5 years, all we'll get is \$108 a year. In other words, there is a cap of \$110, no matter --

COUNCILMAN NOLEN: Maximum of 10%. What that allows them is to budget what their costs are going to be throughout the term of the contract.

COUNCILMAN LEVY: It'll never go over 10% every 5 years. I think that's kind of fair. In all my negotiations that's -- when you go down to the bank to negotiate with the bank right now, they'll put a 2% cap per year on it, on their loan to you, with a variable. The same thing.

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984 - V. CITY ATTORNEY - PAGE 23 (11)80
GEORGE OGILVIE - ITEM B. - CONSIDERATION OF OBJECTIONS TO FORM OF INDENTURE OF
LEASE RE: CARSON AVENUE PARKING FACILITY.

MAYOR BRIARE: So you're in favor of --

COUNCILMAN LEVY: Yes, I'll go along with Councilman.

COUNCILMAN LURIE: We don't know what the payments are going to be --

COUNCILMAN LEVY: No.

MAYOR BRIARE: Sometime between today, a week from today, are you receiving these bids?

COUNCILMAN LEVY: This Friday.

MAYOR BRIARE: Well, sometime between a week from today and our next meeting on the 15th when this is supposed to come up for action, you, Marvin, would be able to take those bids, and I hope there's three or four of them at least, but even if there's one, you're going to be able to put down after you know what the bid is, you're going to be able to put that down and extend it out for the years, aren't you?

COUNCILMAN LEVY: Oh, sure, with a max.

MARVIN LEAVITT: With a max. In fact, I just ran it out on the calculator to give you an example what we're talking about with compound interest. The maximum we could pay at the end of 50 years at 2% compounded will be \$1,749,510, as opposed to \$650,000 now. If I took that at 3%, instead of 2%, we would be talking about \$2,849,500 a year. That shows what 1% does.

COUNCILMAN LURIE: The numbers are starting to look better.

COUNCILMAN LEVY: Marvin, that building won't be up 50 years. They're going to have to come down and we're going to have to do something with that property, not maybe during our time.

MAYOR BRIARE: For the moment then, Councilman, are there any more questions? I'm going to divide your motion up here a little bit, Councilman Nolen, if it's alright with you. At the moment, does everybody understand what Councilman Nolen's motion is as pertains to recommendation No. 1? Okay. How about recommendation No. 2? You wanted to change that a little bit.

COUNCILMAN LEVY: I don't really have a big objection to that. I thought our plan is a lot lighter than the plan they proposed, but if they, in other words, that happens to be their proposal.

MAYOR BRIARE: Does anyone have any comments on Councilman Nolen's --

COUNCILMAN LURIE: What was your proposal? Clarify it one more time.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984 - V. CITY ATTORNEY - PAGE 24
GEORGE OGILVIE - ITEM B. - CONSIDERATION OF OBJECTIONS TO FORM OF INDENTURE OF
LEASE RE: CARSON AVENUE PARKING FACILITY.

MAYOR BRIARE: They don't want an engineer coming in.

COUNCILMAN LURIE: You just want to do the repairs --

ATTY. MIKE SLOAN: The proposal that the Four Queens had was that they wanted either that you would repair it yourselves or that we would just take it as is and when we had to fix it, we would fix it; in other words, we would determine when we needed to.

MAYOR BRIARE: Just like that other garage we kept talking about.

COUNCILMAN LURIE: He wants the same consideration as the other people.

MAYOR BRIARE: Mr. Ogilvie, does Councilman Nolen's motion reflect what Mr. --

CITY ATTORNEY
GEORGE OGILVIE: No. It reflects what -- with respect to Objection No. 2, what I have put in my response to Objection No. 2; that is, that within the first 3 months of the lease term that they will retain the services of a competent structural engineer to investigate the condition of the structure and thereafter make such repairs as he recommends within whatever timeframe he recommends.

COUNCILMAN LEVY: Mr. Mayor, I would like to make an amendment to Mr. Nolen's motion. I like the other proposition better. I'll move that --

MAYOR BRIARE: Could I suggest something first? Does anybody have any objections to taking Item No. 1?

COUNCILMAN NOLEN: I'll withdraw the motion and make a motion -- how about that, Your Honor?

COUNCILMAN CHRISTENSEN: I understood this whole thing a few minutes ago.

MAYOR BRIARE: How about No. 1?

COUNCILMAN CHRISTENSEN: Let's see if we can't confuse it a little more some way.

MAYOR BRIARE: We will confuse it greater if we tried to take all three of them at the same time. You might be voting "yes" on part No. 1, but you're opposed to part No. 2.

COUNCILMAN NOLEN: Your Honor, I'll withdraw the motion and make a motion that on Objection No. 1 we set the annual adjustment rate at 2% for a maximum of 10% for a 5-year period.

MAYOR BRIARE: Comments on that? Cast your votes. Post.

COUNCILMAN CHRISTENSEN: That's not what he said the first time he made it.

COUNCILMAN LEVY: That's 10%.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984 - V. CITY ATTORNEY - PAGE 25
GEORGE OGILVIE - ITEM B. - CONSIDERATION OF OBJECTIONS TO FORM OF INDENTURE OF
LEASE RE: CARSON AVENUE PARKING FACILITY.

COUNCILMAN CHRISTENSEN: Well, it was a maximum.

COUNCILMAN LEVY: Of 10% every 5 years.

MAYOR BRIARE: Motion is APPROVED. Post. (Motion carried unanimously.) No. 2.

COUNCILMAN NOLEN: Your Honor, on Part No. 2, Objection No. 2, my motion was, and still is, that we follow the recommendations of the City Attorney.

MAYOR BRIARE: Any comments? Any amendments proposed, or anything? Cast your votes. Post. Motion fails. (Briare, Levy, Christensen "NO" and Nolen, Lurie "Yes.")

COUNCILMAN LEVY: Mr. Mayor. I'll move that we follow the recommendations of Mr. Sloan and that we put in there that we warrant nothing, as is, and that we will have the normal inspections as any other parking garages downtown and if we find any problems, they'll have to take care of it.

MAYOR BRIARE: Questions by the Council?

COUNCILMAN LURIE: How about the part about indemnifying the City against any damages.

COUNCILMAN LEVY: That's what I said.

COUNCILMAN LURIE: If we turn it over as is, then I don't want to be held responsible for any kind of situation that might occur that would cause injury or accident.

MAYOR-BRIARE: As is is a common -- carries with it what you're talking about, Councilman.

COUNCILMAN LURIE: If the City Attorney is satisfied with that, I'm satisfied with that.

CITY ATTORNEY
GEORGE OGILVIE: There is one additional change that I think that if this motion passes will necessitate, but it's one that I've already talked to Mike about and he is agreeable.

MAYOR BRIARE: Do we all understand what Item 2 is now, as proposed by Councilman Levy? Are you ready for the question? Cast your votes. Post. Motion is APPROVED. Item 2 is taken care of. Now Item 3. (Unanimous)

COUNCILMAN NOLEN: Follow the recommendations of the City Attorney, I'll make a motion.

COUNCILMAN CHRISTENSEN: What was the recommendation of the City Attorney?

COUNCILMAN LEVY: That they shouldn't touch the property, have no consideration, we're responsible.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984 - V. CITY ATTORNEY - PAGE 26
GEORGE OGILVIE - ITEM B. - CONSIDERATION OF OBJECTIONS TO FORM OF INDENTURE OF
LEASE RE: CARSON AVENUE PARKING FACILITY.

MAYOR BRIARE: Mr. Sloan, when Mr. Maxey was here this morning, did we agree that as far as landscaping is concerned while the buses are around in that area that we would take it and when the buses are gone, as far as landscaping is concerned, I'm not talking about driveways and so on and so forth, but the landscaping would be taken care of by the City while the buses are in that area and people are waiting on the land and then when the buses move to some other area, you take care of the landscaping.

COUNCILMAN LEVY: That's not what the motion says.

MAYOR BRIARE: I thought maybe Mr. Maxey --

COUNCILMAN LEVY: It's not what Mr. Maxey wants. I think we can do something with that property and to me I can see us putting up a magazine store, a head shop (laughter). I think there's some value to that piece of property.

MAYOR BRIARE: This is Item 3 that we're voting on and then we're going to vote on the whole motion as approved by the Council. We're taking them one by one and then we take care of the whole thing as changed. Last vote, or second to the last vote, on Item No. 3. Cast your votes. Post. Okay. The motion is APPROVED. Now we're going to do the whole thing as changed. (Nolen, Levy and Christensen "Yes." Briare and Lurie "No.")

COUNCILMAN NOLEN: We don't have to do anything now. We've already done everything, right?

MAYOR BRIARE: Well, I would like the record to reflect that we went ahead and voted on the whole thing.

COUNCILMAN LEVY: I so move that we approve the lease agreement as amended.

MAYOR BRIARE: Comments? Cast your votes. Post. Motion is APPROVED. Mr. Ogilvie, do you understand what we've done? (Unanimous)

CITY ATTORNEY
GEORGE OGILVIE: Oh, yes, very clearly.

MAYOR BRIARE: Mr. Sloan, do you understand what we've done?

ATTY. MIKE SLOAN: Yes, Your Honor.

MAYOR BRIARE: Okay.

END OF EXCERPT

AGENDA*City of Las Vegas*

February 1, 1984

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

ITEM Council Action Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

- A. BILL NO. 84-1 - ANNEXATION NO. A-15-83(A), PROPERTY LOCATED ON THE NORTHEAST CORNER OF LORENZI BOULEVARD AND LAKE MEAD BOULEVARD; PETITIONED BY: J. A. TIBERTI CONSTRUCTION CO., INC.; ACREAGE: APPROXIMATELY 41.989 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Councilmen Lurie and Christensen

First Publication: Review-Journal - 1/21/84

Committee Recommendation:

Adoption at 2/1/84 City Council meeting.

The following Bills have received a recommendation as noted; however, no action may be taken at the 2/1/84 City Council meeting.

- B. BILL NO. 83-71 - REQUIRES LICENSING OF TELEPHONE SOLICITORS. ESTABLISHES REQUIREMENTS FOR LICENSING, REGULATES SALES PRESENTATIONS, MAKES LICENSEE RESPONSIBLE FOR ACTS OF EMPLOYEES AND INDEPENDENT CONTRACTORS, AND GIVES CUSTOMER RIGHT OF REFUND. (SECOND AMENDMENT)

Committee: Councilmen Lurie and Levy

First Publication: Review-Journal - 1/21/84

Committee Recommendation:

Adoption as per Third Amendment.

Lurie -
Second Reading and
Bill ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

Recommendation
Noted.

2/15/84 Agenda

APPROVED AGENDA ITEM
mp Cool

CITY COUNCIL MINUTES - FEBRUARY 1, 1984
City of Las Vegas

0085

Date: December 20, 1983

AGENDA DOCUMENTATION

TO: The City Council

FROM:

Val Steed *Val Steed*
Deputy City Attorney

SUBJECT: Bill No. 84-1
Annexation No. A-15-83(A)

PURPOSE/BACKGROUND

The proposed ordinance annexes certain real property located on the northeast corner of Lorenzi Boulevard and Lake Mead Boulevard. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 10, 1984) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-15-83(A)
Property Located:	On the northeast corner of Lorenzi Boulevard and Lake Mead Boulevard
Petitioned By:	J. A. Tiberti Construction Co., Inc. 1806 Industrial Road Las Vegas, Nevada 89102
Acreage:	Approximately 41.989 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACT

RECOMMENDATIONS

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

Agenda Item

VI - A

INTER-OFFICE MEMORANDUM

0086

January 17, 1984

TO:

FILE

FROM:

CA
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
JANUARY 16, 1984

COPIES TO:

1/18/84, 2/1/84 & 2/15/84 C.C.Meeting Books
City Attorney
Business Activity
Community Planning and Development
Engineering Services
Building & SafetyPublic Services
Fire Services
Metro

MEETING HELD:

Monday, January 16, 1984, at 4:00 P.M. in the City Manager's
Conference Room, 10th Floor, City Hall, 400 East Stewart
Avenue, Las Vegas, Nevada. Meeting adjourned at 6:00 P.M.

PRESENT:

Councilman Lurie
Councilman Nolen
City Manager Ashley Hall
Deputy City Manager Don Saylor
Executive Assistant to City Manager Richard Blue
Deputy City Attorney Jan Stewart
Deputy City Attorney Bob Yeargin
Director of Business Activity Jerry Cahill
Jim DiFiore, Business Activity
Carol Ann Hawley, City Clerk
Linda Owens, Deputy City Clerk
Jerry Ralya, Las Vegas SUN
John Kane, Consumer Affairs - State of Nevada
Shari Compton, Consumer Affairs Commission
Atty. Roy Woofter, Direct Sales Association
Daniel Mosley, Direct Sales Association
Rodney S. Conant, Conant & Company
Bruce W. Whiteley, Southwest Marketing/Direct Sales Association
Thomas Cassiola, Telstar Corporation/Direct Sales Association
Paul Nutter, Better Business Bureau
Dani Farris, American Distributing/Direct Sales Association
Steve Sisolak, American Distributing/Direct Sales Association
Walt Glenn, Las Vegas Metropolitan Police Department
Curtis Tucker, Las Vegas Metropolitan Police Department - Fraud
Jan Nutter, Better Business Bureau
Charles Jeronis, United States Postal Inspector
Ben Roscoe, senior citizens' representative

EXCUSED:

Councilman Christensen
Councilman Levy

Recommending Committee Meeting
January 16, 1984
Page 2

- A. BILL NO. 83-71 - REQUIRES LICENSING OF TELEPHONE SOLICITORS, ESTABLISHES REQUIREMENTS FOR LICENSING, REGULATES SALES PRESENTATIONS, MAKES LICENSEE RESPONSIBLE FOR ACTS OF EMPLOYEES AND INDEPENDENT CONTRACTORS, AND GIVES CUSTOMER RIGHT OF REFUND.

Committee: Councilmen Lurie and Levy

Atty. Roy Woofter appeared on behalf of the Direct Sales Association and had several suggested amendments. The committee requested that all interested parties in this bill meet immediately thereafter to work out some of the suggested amendments. A transcript of this meeting is available in the Office of the City Clerk. The committee recommended this bill be placed back on the agenda for the January 30, 1984 Recommending Committee meeting.

- B. BILL NO. 84-1 - ANNEXATION NO. A-15-83(A). PROPERTY LOCATED ON THE NORTHEAST CORNER OF LORENZI BOULEVARD AND LAKE MEAD BOULEVARD; PETITIONED BY: J. A. TIBERTI CONSTRUCTION CO., INC.: ACREAGE: APPROXIMATELY 41.989 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

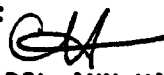
Committee: Councilmen Lurie and Christensen

No one appeared in opposition. Committee recommended adoption at the February 1, 1984 City Council meeting.

TO:

FILE

FROM:


CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
JANUARY 30, 1984COPIES TO: 2/1/84 & 2/15/84 C.C. Mtg. Books
City Attorney
Business Activity
Community Planning & Development
Engineering Services
Building & Safety
Public Services
Fire Services
Metro

MEETING HELD:

Monday, January 30, 1984, at 4:05 P.M. in the
City Manager's Conference Room, 10th Floor,
City Hall, 400 East Stewart Avenue, Las Vegas,
Nevada. Meeting adjourned at 4:40 P.M.

PRESENT:

Councilman Ron Lurie
Councilman Bob Nolen
City Manager Ashley Hall
Deputy City Manager Don Saylor
Deputy City Manager Mike Cool
Deputy City Attorney Jan Stewart
Deputy City Attorney Bob Yeargin
Deputy City Attorney Val Steed
Marvin Leavitt, Director of Financial Management
Jan Tait, Acting Director of Personnel
Richard Blue, Exec. Assistant, City Manager's Office
David Parks, Director of Budget & Finance
Jerry Cahill, Director of Business Activity
Jim DiFiore, Business Activity
Roy Woofter, Atty., Direct Sales Association
Donald Ray Johnson, Publisher
Ben Roscoe, The Rocket
Steve Sisolak, American Distributing Co.
Rev. S. P. Parks, Minister Alliance
Michael C. Magleon, Park Row Advertising Specialties
Steve Waugh, LVMPD
Randall H. Walker, LVMPD
Mary O'Driscoll, Las Vegas SUN
Larry Werner, Review-Journal
Rev. I. W. Wilson
City Clerk Carol Ann Hawley
Deputy City Clerk Sandra LeBoeuf

- A. BILL NO. 84-2 - ANNEXATION NO. A-14-83(A), PROPERTY LOCATED AT THE SOUTHWEST CORNER OF OAKLEY BOULEVARD AND DECATUR BOULEVARD; PETITIONED BY: CYCLOPS CORPORATION; ACREAGE: APPROXIMATELY 0.95 ACRES; ZONED: R-E (under Resolution of Intent to C-1) (COUNTY CLASSIFICATION) N-U (under Resolution of Intent to C-1) (CITY EQUIVALENT).

Committee: Councilmen Lurie and Nolen

No one appeared in opposition. The Committee recommended adoption at the February 15, 1984 City Council meeting.

- B. BILL NO. 84-3 - PROHIBITS THE LAUNCHING OR LANDING OF AIRCRAFT IN PUBLIC STREETS, HIGHWAYS, RIGHTS-OF-WAY AND PARKING LOTS PROVIDED FOR THE USE OF THE PUBLIC, EXCEPT IN SPECIFIED CIRCUMSTANCES.

Committee: Councilmen Nolen and Christensen

No one appeared in opposition. The Committee recommended adoption at the February 15, 1984 City Council meeting.

- C. BILL NO. 83-71 - REQUIRES LICENSING OF TELEPHONE SOLICITORS, ESTABLISHES REQUIREMENTS FOR LICENSING, REGULATES SALES PRESENTATIONS, MAKES LICENSEE RESPONSIBLE FOR ACTS OF EMPLOYEES AND INDEPENDENT CONTRACTORS, AND GIVES CUSTOMER RIGHT OF REFUND.

Committee: Councilmen Lurie and Levy

Deputy City Attorney Bob Yeargin stated that a new definition for "factor" would be incorporated into the ordinance. He also stated other minor changes that would be included in the ordinance. One of the changes would be that the work card would be scaled back so that now principals and solicitors would be required to have them.

Roy Woofter, Attorney for Direct Sales Association, stated that they were in concurrence with the proposed ordinance as amended.

Donald Johnson, Publisher, stated that there was a need for us to incorporate the requirement of NCIC computer checking so that fingerprints and the individual match. This would cost \$12.

Jerry Cahill stated that when someone requests a work card he is fingerprinted and photographed and this is disseminated to the various law enforcement organizations.

Councilman Nolen stated that he was told that Metro was no longer submitting to the F.B.I. because of the cost and they didn't want us on the work cards anymore.

Deputy City Attorney stated that our ordinance stated that a \$6.00 charge would be charged for work cards and we couldn't do this one differently.

Recommending Committee Meeting
January 30, 1984
Page 3

Councilman Lurie stated that we should probably look at all of our ordinances with regard to work cards, but that it shouldn't be done just in this ordinance.

Mike Magleon objected to the \$25,000 bond as he had a small business which he ran himself. He stated that this was excessive for small businesses.

Steve Sisolak wanted a better explanation of the word "factor" as it relates to the requirement of having a bond.

Councilman Nolen requested that on page 4, lines 9 thru 11, if something could be incorporated that an applicant must provide to the Director upon request exact copies of the following, and also something should be put in about maintaining the confidentiality.

Deputy City Attorney Bob Yeargin stated that a sub-section D could be made which would state, all information submitted under this chapter shall be treated as confidential by the Director.

The Committee recommended adoption at the February 1, 1984 City Council meeting.

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

0091

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 10th day of January, 1984, at the hour of 3 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 pm on Monday, January 16th, 1984, 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)

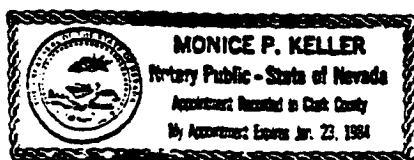
Loretta A. Hall
SIGNATURE

Clark
DEPARTMENT OF DIVISION

Subscribed and sworn to before me this

10th day of January, 1984

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

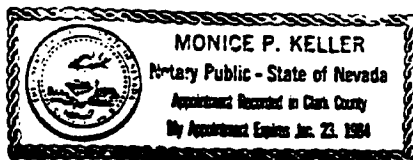
Loretta A. Hall, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 11th day of January, 1984, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4pm, on Monday January 16, 1984, 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

11th day of January 1984

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



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0093

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, January 16, 1984, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. 83-71 - REQUIRES LICENSING OF TELEPHONE SOLICITORS, ESTABLISHES REQUIREMENTS FOR LICENSING, REGULATES SALES PRESENTATIONS, MAKES LICENSEE RESPONSIBLE FOR ACTS OF EMPLOYEES AND INDEPENDENT CONTRACTORS, AND GIVES CUSTOMER RIGHT OF REFUND.
Committee: Councilmen Lurie and Levy
- B. BILL NO. 84-1 - ANNEXATION NO. A-15-83(A), PROPERTY LOCATED ON THE NORTHEAST CORNER OF LORENZI BOULEVARD AND LAKE MEAD BOULEVARD; PETITIONED BY: J. A. TIBERTI CONSTRUCTION CO., INC.; ACREAGE: APPROXIMATELY 41.989 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).
Committee: Councilmen Lurie and Christensen

ALL INTERESTED PERSON 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 COUNCIL MINUTES - FEBRUARY 1, 1984

0094

City of Las Vegas

February 1, 1984

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

- C. BILL NO. 84-2 - ANNEXATION NO. A-14-83(A),
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF
OAKLEY BOULEVARD AND DECATUR BOULEVARD;
PETITIONED BY: CYCLOPS CORPORATION; ACREAGE:
APPROXIMATELY 0.95 ACRES; ZONED: R-E
(UNDER RESOLUTION OF INTENT TO C-1) (COUNTY
CLASSIFICATION) N-U (UNDER RESOLUTION OF
INTENT TO C-1) (CITY EQUIVALENT).

Committee: Councilmen Nolen and Christensen

First Publication: Review-Journal 2/4/84

Committee Recommendation:

Adoption at 2/15/84 City Council meeting.

Recommendation
Noted.

2/15/84 Agenda

- D. BILL NO. 84-3 - PROHIBITS THE LAUNCHING OR
LANDING OF AIRCRAFT IN PUBLIC STREETS,
HIGHWAYS, RIGHTS-OF-WAY AND PARKING LOTS
PROVIDED FOR THE USE OF THE PUBLIC, EXCEPT
IN SPECIFIED CIRCUMSTANCES.

Committee: Councilmen Nolen and Christensen

First Publication: Review-Journal - 2/4/84

Committee Recommendation:

Adoption at 2/15/84 City Council meeting.

Recommendation
Noted.

2/15/84 Agenda

APPROVED AGENDA ITEM
mp Cool

AGENDA*City of Las Vegas*

February 1, 1984

CITY COUNCIL

Page 24

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

VII. BOARDS AND COMMISSIONS

A. SOUTHERN NEVADA COMMITTEE ON EMPLOYMENT
OF THE HANDICAPPED
2-Year Term (Abeyance from 1/18/84 agenda)

1. James Tirey Wilson (Alternate) -
Term Expired on 1/1/84

Lurie -
Motion to concur
in Mayor's appoint-
ment of John Sarb,
6201 Bannock Way,
Las Vegas, NV 89107
to a two-year term
carried with Levy
and Christensen
excused.

Clerk to notify

B. TRAFFIC & PARKING COMMISSION
(To fill unexpired term to 8/3/86)

1. J. Emmett Sullivan (Resigned)

Lurie -
Motion to concur
in Mayor's appoint-
ment of Robert F.
O'Brien, 2900 West
El Camino Avenue,
Las Vegas, NV 89102
to fill the
unexpired term of
J. Emmett Sullivan
to 8/3/86 carried
with Levy and
Christensen
excused.

Clerk to notify

MORNING SESSION RECESSED AT 12:12 P.M.

APPROVED AGENDA ITEM

mp Cool

CITY OF LAS VEGAS

Date

0096

INTER-OFFICE MEMORANDUM FEBRUARY 1, 1984

January 30, 1984

TO:

CITY COUNCIL

FROM:

Carol

CAROL ANN HAWLEY
City Clerk

SUBJECT:

SOUTHERN NEVADA COMMITTEE ON THE
EMPLOYMENT OF THE HANDICAPPED

COPIES TO:

JAN TAIT, PERSONNEL DEPT.
DAVID SANCHEZ, PERSONNEL DEPT.
CITY COUNCIL BLUE BOOKS

I have been advised that John Sarb, 6201 Bannock Way, Las Vegas, Nevada 89107 has expressed a desire to serve on the Southern Nevada Committee on the Employment of the Handicapped. He is a Director of WE CAN and is a handicapped individual himself. Mr. Sarb also serves on the Child Welfare Board.

CAH/lmo

CLV-6217

INTER-OFFICE MEMORANDUM

Jan. 23, 1984

TO:

CAROL ANN HAWLEY
CITY CLERK

FROM:

TRAFFIC ENGINEERING



SUBJECT:

TRAFFIC AND PARKING COMMISSION
MEMBER

COPIES TO:

Mr. Robert F. O'Brien, 2900 W. El Camino Avenue, has expressed an interest in being a member of the Traffic and Parking Commission. Mr. O'Brien is a long time resident of the City and is a local realtor.

AB/mb

INTER-OFFICE MEMORANDUM

January 5, 1984

TO:

CAROL HAWLEY,
CITY CLERK

FROM:

RICHARD T. ROMER,
ASST. CHIEF OF TRAFFIC ENGINEERING*Richard T. Romer*

SUBJECT:

RESIGNATION OF J. EMMETT SULLIVAN -
APPOINTMENT OF NEW TRAFFIC AND
PARKING COMMISSIONER

COPIES TO:

C. E. GILPIN
AL BOSSI

J. Emmett Sullivan has resigned from the Traffic and Parking Commission (see attached letter). Please place on the City Council agenda, as is appropriate, the appointment of a new member of the Traffic and Parking Commission. If you have any questions, please contact me at extension 327.

RTR/mb
AttachmentRECEIVED
JAN 5 4 07 PM '84
CITY CLERK

CARDIVAN COMPANY

2900 SOUTH HIGHLAND DRIVE, BUILDING 18-B

• PHONE 702/731-5799 •

LAS VEGAS, NEVADA 89109

December 22, 1983

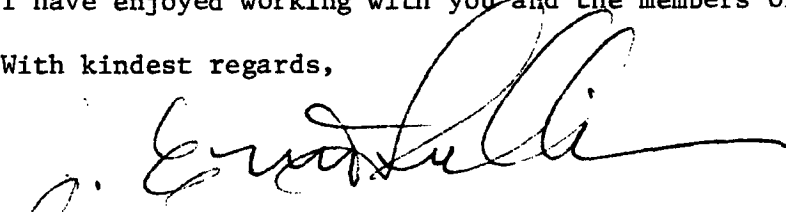
Mr. Al Bossi
Traffic and Parking Commission
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Al:

It is with great regret that I submit my resignation from the Traffic and Parking Commission. However, pressing business duties have prevented me from attending the last few meetings and I don't feel it is fair to remain as Chairman and not attend the meetings.

I have enjoyed working with you and the members of the Committee.

With kindest regards,



J. Emmett Sullivan
President

JES/mew

2112 Jaymie Way
Las Vegas, Nevada 89106
January 23, 1984

Carol Ann Hawley, City Clerk
CITY OF LAS VEGAS
400 East Stewart
Las Vegas, Nevada 89101

RE:APPOINTMENT

Carol,

In my original conversation with you regarding Boards, I expressed an interest in the TRAFFIC AND PARKING COMMISSION. At that time it appeared no vacancies were available for some time. Now that one is available I would like very much to be considered. The quality of life in our city is of great concern to me. Most of us spend more time in our vehicles than we sometime realize. I am very interested in consideration of decisions involving our traffic and parking.

As this year in my life has been set aside for community service, I am also very much interested in serving on the COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY REVIEW BOARD.

I would very much like to be considered for both appointments. If there is a problem with this please notify me and I shall evaluate a choice.

Sincerely,


LOIS ANN LARSON
382-3323

NOTE: Councilmen: For your information Community Development Block Grant Citizen Advisory Review Board will be placed on the 2/15/84 City Council meeting agenda for appointments.

AGENDA*City of Las Vegas*

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

Page 25
February 1, 1984

ITEM	Council Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
2:05 A. Bill No. 84-4 -- Amends Master Plan of Streets and Highways by reducing the right-of-way width of the west half of Decatur Boulevard between Cheyenne Avenue and Moccasin Road from 60 feet to 50 feet. Sponsored by: Councilman Ron Lurie	First Reading and Referred - Lurie and Nolen	2/13/84 Agenda Recommending Committee Meeting
B. Bill No. 84-5 -- Provides conditions under which citations filed with court may be considered as lawful complaints. Sponsored by: Councilman Bob Nolen	First Reading and Referred - Nolen and Lurie	2/13/84 Agenda Recommending Committee Meeting
C. Bill No. 84-6 -- Establishes limitation on gross revenues to which utility business license fee factor applies. Sponsored by: Councilman Paul J. Christensen	First Reading and Referred - Christensen and Nolen	2/13/84 Agenda Recommending Committee Meeting

AGENDA*City of Las Vegas*

February 1, 1984

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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

- 2:06
- A. VAC-20-83 - Petition of Vacation submitted by VILLA BONITA OESTE AND DURABLE DEVELOPERS, INC. to vacate a portion of a ten foot (10') wide sewer and drainage easement generally located west of Realeza Court.

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

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.
2. All necessary modifications to existing drainage facilities to be approved by the Department of Engineering Services.

Staff Recommendation: APPROVAL

PROTESTS: 0

Lurie -
APPROVED, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

Charley Johnson,
VTN-Nevada,
2800 W. Sahara
Avenue, appeared
and represented
the applicant.

APPROVED AGENDA ITEM

MP Cool

0103

IX.

The applicants are requesting a vacation of the north 5' of a 10' sewer and drainage easement at the west end of Realeza Court. Presently this 10' wide easement is on one lot and the applicant is proposing to vacate the north 5' and rededicate a new 5' easement on the lot to the south.

STAFF RECOMMENDATION: APPROVAL

RANCHO BONITO
UNIT 4
SW CORNER -
DAWLEY BLVD. &
RANCHO DRIVE.

VAC-20-83

10' SEWER & DRAINAGE EASE
CITY OF LAS VEGAS

PRIVATE
REALTEA CT.

SW CORNER -
DAWLEY BLVD. &
RANCHO DRIVE.

10' SEWER & DRAINAGE EASE
CITY OF LAS VEGAS

PRIVATE
REALTEA CT.

SW CORNER -
DAWLEY BLVD. &
RANCHO DRIVE.

NOTICE

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

A portion of a ten foot (10') wide sewer and drainage easement generally located west of Realeza Court

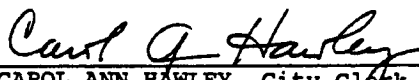
SUBJECT TO

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted;
2. All necessary modifications to existing drainage facilities to be approved by the Department of Engineering Services;
3. Satisfaction of the requirements of the various utility companies;
4. Conformance to code requirements and design standards of all City departments;
5. Vacation shall not be recorded until all of the above conditions have been met.

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 1st day of February, 1984, at the hour of 2:00 p.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, State of Nevada.

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

THIS NOTICE is given pursuant to an Order made by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 18th day of January, 1984.


CAROL ANN HAWLEY, City Clerk

AGENDA*City of Las Vegas*

February 1, 1984

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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)

- 2:08 B. VAC-21-83 - Petition of Vacation submitted by THE NEVADA SAVINGS AND LOAN ASSOCIATION to vacate a portion of the fifty-four foot (54') radius at the northeast corner of Alexander Road and Lorenzi Boulevard.

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

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED, subject
to the condition.
Unanimous

Clerk to notify
and Staff to
proceed.

Helmut Ogris,
2810 W. Charleston
Blvd., appeared
and represented
the applicant.

APPROVED AGENDA ITEM

My Cool

To: The City Council
 Re: Public Hearing Agenda Item
 February 1, 1984 City Council Agenda

IX.

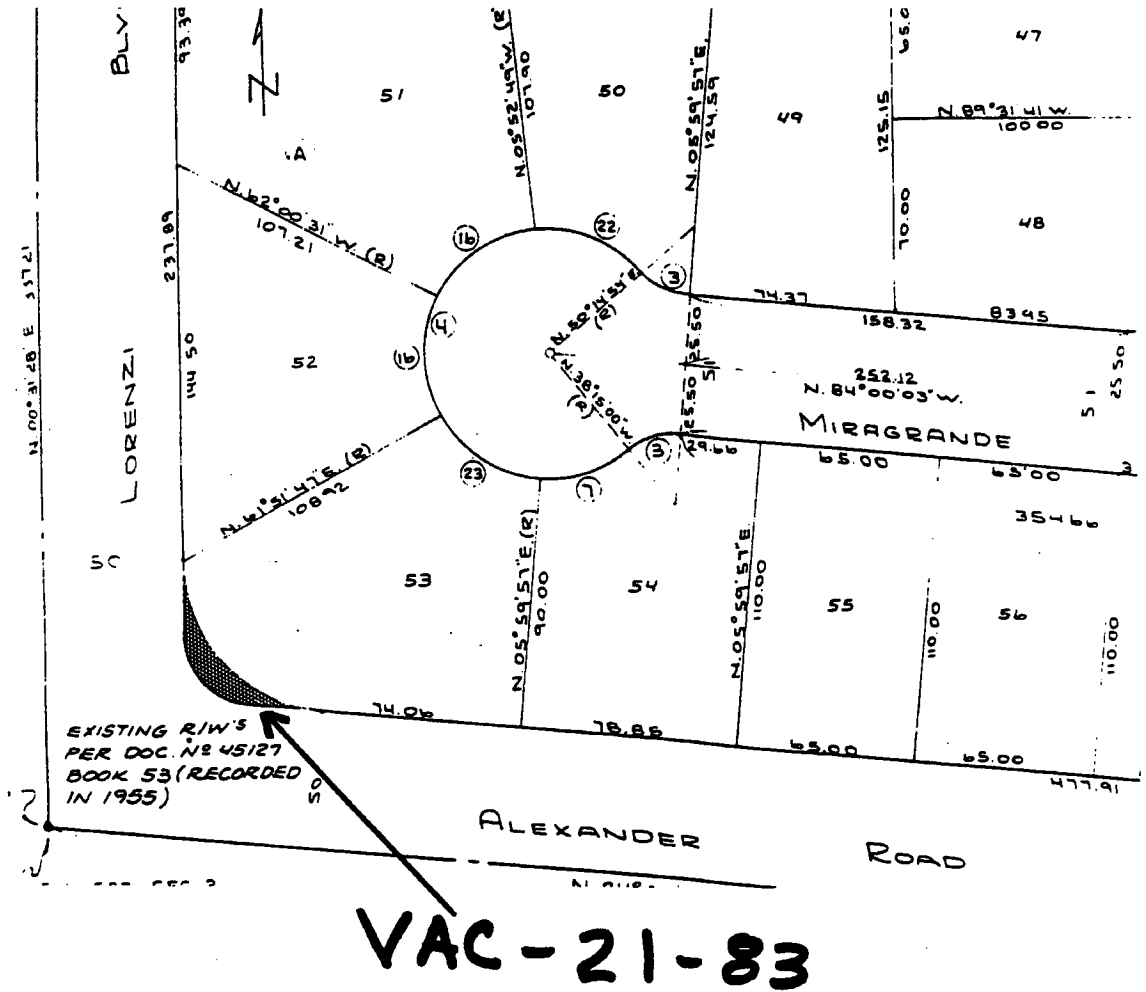
B. VACATION - VAC-21-83 - THE NEVADA SAVINGS AND LOAN ASSOCIATION

The request is to vacate a portion of a 54' radius at the northwest corner of Alexander and Lorenzi. This radius is substantially larger than needed at this corner. Only a 25' radius is needed which conforms to the standard requirement for major street intersections.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



NOTICE

0107

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

A portion of the fifty-four foot (54') radius at the northeast corner of Alexander Road and Lorenzi Boulevard

SUBJECT TO

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

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 1st day of February, 1984, at the hour of 2:00 p.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, State of Nevada.

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

THIS NOTICE is given pursuant to an Order made by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 18th day of January, 1984.


CAROL ANN HAWLEY, City Clerk

AGENDA

CITY COUNCIL MINUTES

FEBRUARY 1, 1984

0108

City of Las Vegas

February 1, 1984

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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

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 COUNCIL MINUTES FEBRUARY 1, 1984

0109

City of Las Vegas

February 1, 1984

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)

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

0110

City of Las Vegas

February 1, 1984

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

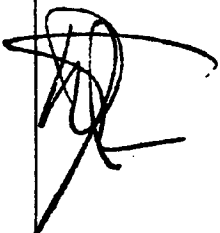
Department Action

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* February 1, 1984CITY 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)

2:09

A. TENTATIVE MAP - SIERRA OESTE

Property generally located on the south side of Lake Mead Boulevard, west of Jones Boulevard, R-3 Zone.

Owner: Jack P. Libby, Et Al

Subdivider: Young American Homes

No. of Acres: 9.07 No. of Lots: 39

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

1. No vehicular access to Lake Mead Boulevard from the abutting lots.
2. 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.
3. Dedication and temporary improved access be provided on Lake Mead Boulevard to this subdivision from Jones Boulevard as required by the Department of Engineering Services.
4. A waiver be permitted for the length of Block 1.
5. A drainage plan be provided as required by the Department of Engineering Services.
6. A knuckle be provided on the south side of the intersection of Vaccaro Drive and Gatewood Street with sewer and drainage facilities in the easement to the south as required by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A,
B, and C as recom-
mended, subject to
the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

Charley Johnson,
VTN-Nevada,
2800 W. Sahara
Avenue, appeared
and represented
the applicant.

APPROVED AND RECOMMENDED

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0112

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

A. TENTATIVE MAP - SIERRA OESTE

This is a tentative map to subdivide a nine acre site into 39 lots for fourplexes. The map substantially conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

City of Las Vegas

0113

February 1, 1984

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)

B. TENTATIVE MAP - ACCENT WEST

Property generally located on the southwest corner of Craig Road and Lorenzi Boulevard, R-1 Zone (under Resolution of Intent to R-CL).

Owner: Brandt Construction Company

Subdivider: Plaster Development Company

No. of Acres: 7.1 No. of Lots: 50

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

1. Conformance to the conditions of approval for Z-84-81.
2. No vehicular access to the Oran K. Gragson Highway, Craig Road and Lorenzi Boulevard from the abutting lots.
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.
4. Driveway locations to be approved by the Traffic Engineering Division.
5. A drainage study to be provided as required by the Department of Engineering Services.
6. A waiver be permitted for the length of the cul-de-sac street, Accent Court.
7. A waiver be permitted from the 30' lot frontage requirement on cul-de-sac lots, but that they not be less than 20'.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A,
B, and C as recommended, subject to
the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0114

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

B. TENTATIVE MAP - ACCENT WEST

This tentative map substantially conforms to the Subdivision Regulations except that minor waivers are requested on the length of one cul-de-sac street and on the lot frontages at the ends of two cul-de-sacs.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA*City of Las Vegas***0115**

February 1, 1984

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

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ITEM

Council Action

Department Actio

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)****C. FINAL MAP - ACCENT WEST**

Property generally located on the southwest corner of Craig Road and Lorenzi Boulevard, R-1 Zone (under Resolution of Intent to R-CL).

Owner: Brandt Construction Co.

Subdivider: Plaster Development Co.

No. of Acres: 7.1 No. of Lots: 50

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 A,
B, and C as recom-
mended, subject to
the conditions.
UnanimousClerk to notify
and Staff to
proceed.**APPROVED AGENDA ITEM**

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0116

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

C. FINAL MAP - ACCENT WEST

This is the final map for Item B. If that tentative map is approved, then this map is in order to be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0117

City of Las Vegas February 1, 1984

CITY 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)

2:10

D. TENTATIVE MAP - THE EASTLAND (CONDOMINIUMS)

Property generally located on the east side of Willow Trail, south of Spring Road, C-2 Zone.

Owner/Subdivider: Wallace Walters

No. of Acres: 0.27 No. of Units: 20

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

1. Conformance to the Flood Hazard Reduction Ordinance; and a drainage study be provided as required by the Department of Engineering Services.
2. Applicant to meet requirements of the Department of Fire Services concerning water flow and hydrants.

Staff Recommendation: APPROVAL

PROTESTS: 27

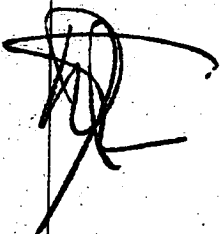
Christensen -
TABLED
Unanimous

Clerk to notify

Steve Turner,
Baughman &
Turner, appeared
and represented
the applicant.

Victor Harlan
appeared in
protest.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0118

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

x.

D. TENTATIVE MAP - THE EASTLAND (CONDOMINIUMS)

The applicant is proposing to develop 20 units on this C-2 zoned site for a condominium project on Willow Trail. The applicant requested R-3 zoning to construct a fourplex on this site in the latter part of 1983 and it was denied. The existing C-2 zoning allows apartments, but they must be at an R-4 density which requires a minimum of 20 units on this site. The building will be a three-story structure and the ground floor will be for parking. The map conforms to the Subdivision Regulations. The residents in the area opposed the change to R-3 and they are aware of this development and are opposed to it. A petition with 27 signatures has been received but the 20-unit project is a permitted use in this existing C-2 zone.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 27

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

City of Las Vegas

February 1, 1984

0119

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

2:17

E. TENTATIVE MAP - LEWIS HOMES STONEGATE #3 (REVISED)

Property generally located on the northwest corner of Alta Drive and Rainbow Boulevard, R-1 Zone (under Resolution of Intent to R-CL).
Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 17.7 No. of Lots: 107

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

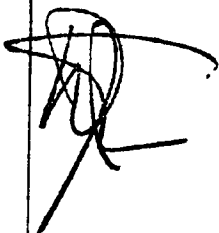
1. Conformance to the conditions of approval for Z-21-83.
2. No vehicular access to Rainbow Boulevard and Alta Drive from the abutting lots.
3. If a wall is constructed on an exterior boundary street, the Conditions, Covenants and Restrictions shall contain wording to the effect that each property owner 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.
4. Developer is responsible for any necessary modification or relocation of the existing traffic signal at the intersection of Rainbow Boulevard and Alta Drive.
5. A waiver be permitted for the length of Block D.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items E
and F as recom-
mended, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0120

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

E. TENTATIVE MAP - LEWIS HOMES STONEGATE #3 (REVISED)

This tentative map is on the northwest corner of Alta and Rainbow to subdivide the land for an R-CL development. Except for a minor waiver being requested for the length of one block, the map conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES

FEBRUARY 1, 1984

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City of Las Vegas

February 1, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

F. TENTATIVE MAP - MARION ESTATES

Property generally located on the southeast corner of Marion Drive and Bonanza Road, R-E Zone (under Resolution of Intent to R-CL).

Owner: Del Cram

Subdivider: Ponderosa Construction

No. of Acres: 4.1 No. of Lots: 31

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

1. No vehicular access to Bonanza Road from the abutting lots.
2. 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.
3. A waiver be permitted to front residential lots, less than 100' wide, on Marion Drive, a Secondary Street.
4. Provide a drainage plan as required by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items E
and F as recommended, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0122

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

F. TENTATIVE MAP - MARION ESTATES

This tentative map is in accordance with the approved zoning plan which indicated a waiver would be necessary for the seven lots fronting on Marion Drive that do not have the required 100' width. The lots are 64.4' in size and the lots on the interior of the development are approximately 49'x 82' in size. The existing R-1 lots on the west side of the street are 68' wide. In all other respects the map conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA*City of Las Vegas*

February 1, 1984

0123

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

G. TENTATIVE MAP - WOODBURY MEDICAL CENTER
(COMMERCIAL CONDOMINIUMS)

Property generally located on the northwest corner of Charleston Boulevard and Sacramento Drive, P-R Zone.

Owner: California Federal Savings & Loan

Subdivider: Woodbury Corporation

No. of Acres: 3.2 No. of Units: 35

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

1. Amend Conditions, Covenants and Restrictions to stipulate that pharmacies and operating facilities be utilized by doctors and dentists within this project.

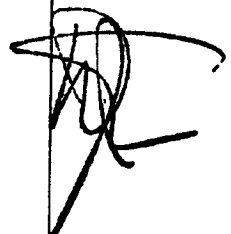
Staff Recommendation: APPROVAL

Lurie -
APPROVED, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

David Hoffman
appeared and
represented
Woodbury Medical
Center.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

G. TENTATIVE MAP - WOODBURY MEDICAL CENTER (COMMERCIAL CONDOMINIUMS)

This is a commercial condominium subdivision of a former birthing center and medical facility on this property. The building will be used entirely for medical offices. The map conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

0125

City of Las Vegas

February 1, 1984

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)

2:20

H. TEMPORARY ACCESS - METROPOLITAN'S ALTA
MEADOWS UNIT #1 - TENTATIVE MAP

Temporary access to connect Alta Drive with Waterville Circle to serve the model homes during construction of the subdivision.

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

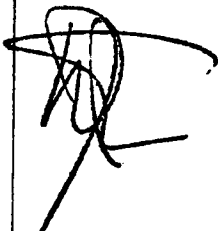
1. The temporary access shall be removed within two years or after the last unit in the tract is sold, whichever occurs first and any improvements previously removed or not completed are to be replaced within 30 days as required by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Lurie -
APPROVED
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0126

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

H. TEMPORARY ACCESS - METROPOLITAN'S ALTA MEADOWS UNIT #1

Metropolitan Homes is requesting temporary access from an interior street to Alta for access to their model homes during construction of this subdivision on the south side of Alta between Lorenzi and Rainbow. A condition of approval of the tentative map was that there be no access to Alta Drive and Rainbow from the abutting lots. Due to the temporary nature of this requested use, it will represent no particular problem.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

0127

City of Las Vegas February 1, 1984CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)I. EXTENSION OF TIME - Z-61-82 - ROBERT L. CONN

Extension of Time on property generally located on the west side of Tonopah Drive, between Washington Avenue and West Bonanza Road, R-1 Zone (under Resolution of Intent to R-PD17).

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

1. Extension of Time shall expire January 5, 1985.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0128

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

I. EXTENSION OF TIME - Z-61-82 - ROBERT L. CONN

This is the first request for an extension of time on this property for a proposed residential planned development. The applicant needs additional time to commence development on 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 COUNCIL MINUTES - FEBRUARY 1, 1984

0129

City of Las Vegas

February 1, 1984

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

J. REINSTATEMENT AND EXTENSION OF TIME - Z-32-82-
SAHARA PROPERTIES, A GENERAL PARTNERSHIP

Reinstatement and Extension of Time on
property generally located on the northwest
corner of W. Sahara Avenue and Potosi Street,
N-U Zone (under Resolution of Intent to C-1).

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

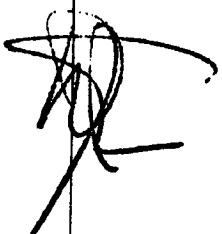
1. Extension of Time shall expire February 1,
1985.
2. Conformance to all ordinance amendments
enacted subsequent to the original
approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED, subject
to the conditions.
Unanimous

Clerk to notify
and Staff to
proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

J. REINSTATEMENT AND EXTENSION OF TIME - Z-32-82 - SAHARA PROPERTIES,
A GENERAL PARTNERSHIP

This is the first request for an extension of time on this property for a proposed dental clinic. Additional time is needed to develop 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***0131**

February 1, 1984

CITY COUNCIL
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

2:21

K. PLOT PLAN REVIEW - ZC-57-67 - SILVER EAGLE
CONSTRUCTION

Plot Plan Review to construct a two-story office building on property generally located on the south side of Smoke Ranch Road, 129' west of Decatur Boulevard, C-1 Zone.

Planning Commission recommends APPROVAL (5-1 vote), subject to the following conditions:

1. Conformance to the revised plot plan and elevations.
2. Provide a 6' block wall along the south and west property lines.

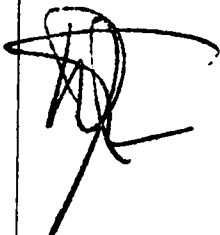
Staff Recommendation: APPROVAL - With the building being constructed towards the center of the parcel and being only one story in height.

Lurie -
APPROVED, as recommended by Planning Commission, subject to the conditions.
Unanimous

Clerk to notify and Staff to proceed.

Ronn Reiss appeared and represented the applicant.

No one appeared in opposition.

APPROVED AGENDA ITEM


CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0132

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

K. PLOT PLAN REVIEW - ZC-57-67 - SILVER EAGLE CONSTRUCTION

The applicant is requesting a plot plan review to allow a two-story office building on property located southwest of Smoke Ranch Road and Decatur Boulevard. C-1 zoning was approved on this site in the County and then the property was annexed into the City. A convenience store was constructed on the immediate corner and a plot plan review was required for the remainder of the site. The applicant first submitted a plot plan with a two-story building 5' from the west and south property lines that abutted the R-E zoning in the Curtis Park Subdivision. A public hearing was held and there was a protest factor from the residents in terms of loss of privacy and noise from the air conditioning units on the rear of the building. The item was held in abeyance and the applicant met with the property owners and subsequently revised his plot plan into an "L" shaped building along the west and south sides of the property. There would be no windows or air conditioners along the residential sides of the property. The revised plan satisfied some of the residents but others are still opposed to it indicating it is too intense for the adjoining R-E development. The building will be two stories and 5' from the west and south property lines.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL - With the building height being only one-story and the building be located towards the center of the parcel.

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0133

City of Las Vegas

February 1, 1984

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

2:22

L. USE REVIEW - Z-78-72 - CARMINE V. CATELLO

Use Review to allow a photography studio on property located at 1202 S. Highland Drive, C-1 Zone.

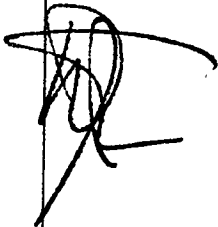
Planning Commission unanimously recommends APPROVAL.

Staff Recommendation: APPROVAL

Levy -
APPROVED, as recommended.
Unanimous

Clerk to notify and Staff to proceed.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0134

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

L. USE REVIEW - Z-78-72 - CARMINE V. CATELLO

This is a use review to allow a photography studio on the property where C-1 zoning was approved for the Catello Tile Company at 1202 S. Highland Drive. In addition to the tile company there is a small shopping center on this site. The photography studio would be compatible with the other uses at this location.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA*City of Las Vegas* February 1, 1984

0135

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)M. PLOT PLAN REVIEW - Z-29-70 - DONREY OUTDOOR
ADVERTISING COMPANY

Plot Plan Review to allow a 12'x 24' off-premise sign on property located at 1510 N. Jones Boulevard, C-1 Zone.

Planning Commission recommends DENIAL (4-1 vote). If approved, following are the recommended condition:

1. Conformance to the plot plan and elevations.

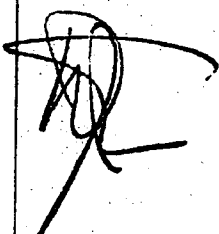
Staff Recommendation: DENIAL

Nolen -
DENIED, as recommended by Planning Commission and Staff.
Motion carried with Christensen voting "No."

Clerk to notify

Brett Reale,
Donrey Outdoor Advertising Company,
appeared.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0136

X.

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

M. PLOT PLAN - Z-29-70 - DONREY OUTDOOR ADVERTISING COMPANY

The applicant is requesting a 12'x 24' billboard at 1510 N. Jones Boulevard in a C-1 Zone. The site is a small neighborhood commercial facility which serves the surrounding residential area. There are single family homes abutting the commercial site to the east and allowing a billboard on such a small commercial site would be very noticeable and out of character with this residential area.

PLANNING COMMISSION RECOMMENDATION: DENIAL

STAFF RECOMMENDATION: DENIAL

AGENDA

0137

City of Las Vegas

February 1, 1984

CITY COUNCIL
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

2:35

N. PLOT PLAN REVIEW - Z-69-73 - DONREY OUTDOOR
ADVERTISING COMPANY

Plot Plan Review to allow a 12'x 24' off-
premise sign on property located at 2351 N.
Jones Boulevard, C-1 Zone.

Planning Commission recommends DENIAL (4-1
vote). If approved, following is the
recommended condition:

1. Conformance to the plot plan and
elevations.

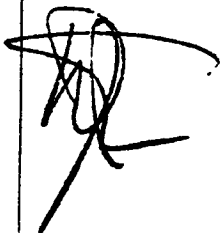
Staff Recommendation: DENIAL

Lurie -
DENIED
Motion carried
with Christensen
voting "No."

Clerk to notify

Brett Reale,
Donrey Outdoor
Advertising,
Company,
appeared.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0138

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

N. PLOT PLAN REVIEW - Z-69-73 - DONREY OUTDOOR ADVERTISING COMPANY

This plot plan review is for a 12'x 24' billboard on a small neighborhood commercial site at the southeast corner of Jones and Smoke Ranch Road. This site is slightly longer than the one under Item M, however, the depth of the shopping center is only 140' and the sign would be seen from the residential area to the east and west. Allowing billboards on small neighborhood commercial sites is completely contrary to the City's policy on where billboards should be located.

PLANNING COMMISSION RECOMMENDATION: DENIAL

STAFF RECOMMENDATION: DENIAL

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0139

City of Las Vegas

February 1, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

2:35

O. REVIEW OF CONDITION - Z-23-83 - MERCY
AMBULANCE, INC.

Review of Condition to allow an additional on-site access for ambulances to the west end of the garage on property located at 1126 S. Highland Drive, P-R Zone (under Resolution of Intent to C-1).

Planning Commission unanimously recommends DENIAL.

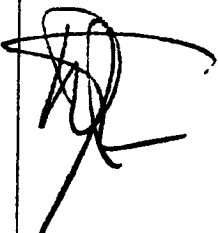
Staff Recommendation: DENIAL

Lurie -
DENIED, as recommended by Planning Commission and Staff.
Motion carried with Christensen voting "No."

Clerk to notify

Robert Forbuss,
1020 Franklin,
Exec. Director,
Mercy Ambulance,
appeared.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

O. REVIEW OF CONDITION - Z-23-83 - MERCY AMBULANCE, INC.

The request by Mercy Ambulance is for a review of condition to allow a portion of the required 8' block wall and a landscaped planter to be eliminated on the westerly portion of the site that was required to screen the new maintenance building for the ambulances. The 8' wall along Desert Lane has been completed, but the condition also required the wall be continued easterly on the site approximately halfway to the canopy on a building on the center part of the property and then a landscaped planter with mature landscaping would be required between the end of the wall and the canopy to effectively screen the 16' high maintenance building. The applicant indicated the ambulances enter the property off Highland Drive to the east and temporarily park to the west of the office on the south side of the property and then drive along the westerly portion north to the maintenance building. There is a driveway underneath the canopy, however, the applicant contends that if the ambulances drive under the canopy, they cannot make the sharp turn back to the west portion of the property to enter the maintenance building without having to stop and backup. There is already a situation on the property where the ambulances are being temporarily parked in the parking area along the westerly side of the property and can be seen from Desert Lane when the drivers check into the office. At the time the zoning was approved, I believe it was presented to the Council that all ambulances would enter the property off Highland and go directly to the maintenance building behind the planter and 8' wall and they would not be seen from the Desert Lane side of the property. There is a condition that no ambulances shall enter or exit from the Desert Lane driveway on the property and they have been adhering to this requirement. The surrounding property owners have not been notified of this change and you will remember there was a protest factor with 35 signatures on a petition from the residential area to the southwest who were concerned about an ambulance operation being permitted on this property. If the Council is receptive to allowing this modification, it is suggested this application be held in abeyance and the surrounding property owners notified.

PLANNING COMMISSION RECOMMENDATION: DENIAL - Insufficient justification for altering this required condition.

STAFF RECOMMENDATION: DENIAL - The elimination of the wall and landscaping would increase the exposure of the maintenance building to the residential to the southwest.

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

City of Las Vegas February 1, 1984 0141

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

2:43

P. ZONE CHANGE - Z-1-84 - JOHN L. DONART, ET AL

Reclassification of property generally located on the southeast corner of Ducharme Avenue and Roland Wiley Way.

From: N-U (Non-Urban)

To: R-CL (Single Family Compact Lot)
and R-1 (Single Family Residence)

Proposed Use: Medium Low Density
Residential

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

1. Vacation of patent reservations.

Staff Recommendation: APPROVAL

PRDTESTS: 1

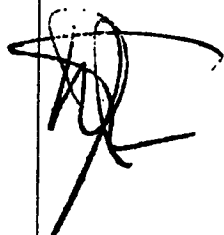
Levy -
APPROVED, as recommended by Planning
Commission and
Staff.
Unanimous

Clerk to notify
and Staff to
proceed.

Charley Johnson,
VTN-Nevada,
2800 W. Sahara
Avenue, appeared
and represented
the applicant.

No one appeared
in opposition.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0142

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

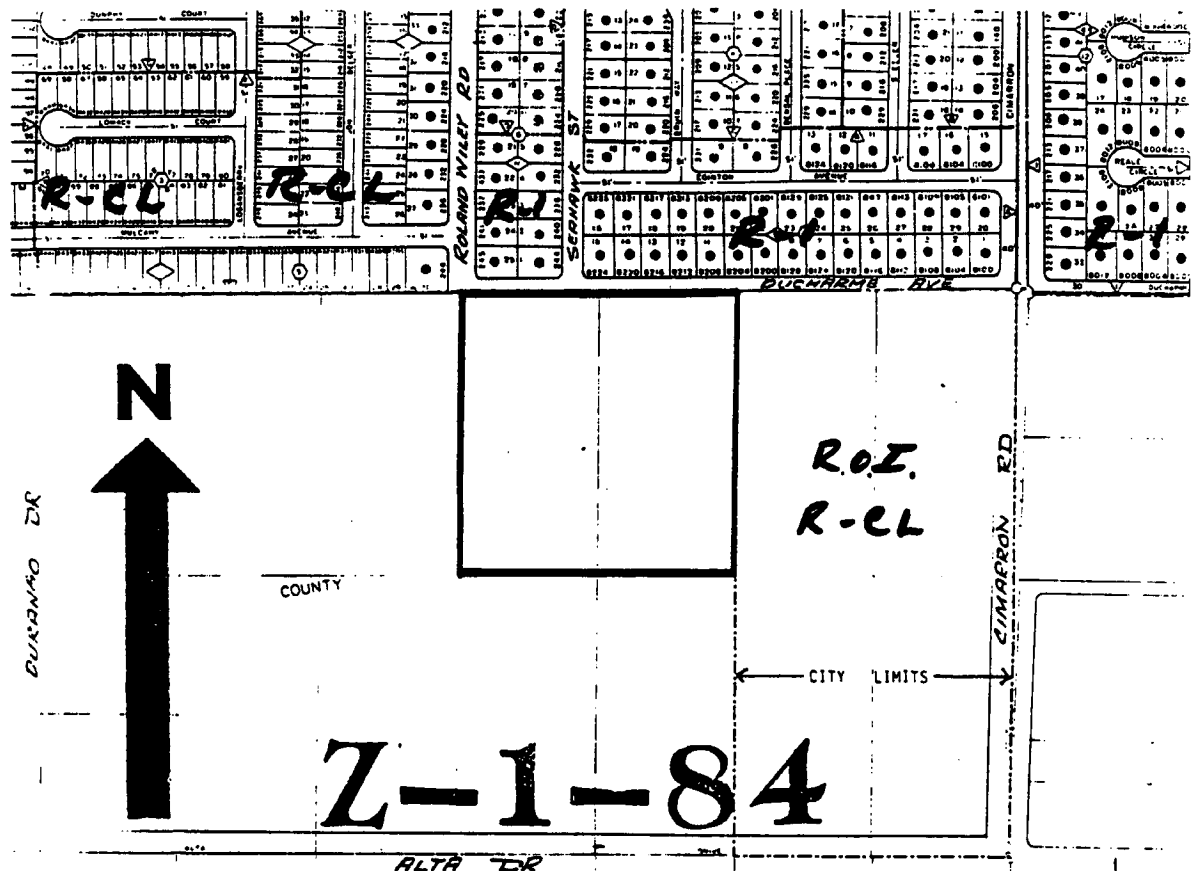
X.

P. ZONE CHANGE - Z-1-84 - JOHN L. DONART, ET AL

The request is to rezone this 10 acre site from N-U to R-1 and R-CL for a single family subdivision that is similar to the adjacent development to the east. The applicant proposes R-1 zoning for a row of homes along the north side of the site that would be across from the existing homes on Ducharme and the remainder for R-CL with lot sizes approximately 40'x 100'. There would be 8 R-1 lots and 61 R-CL lots for a total of 69 lots. The density would be at 6.7 units per acre. The area to the west and south is undeveloped and still in the County. There is approved R-CL to the northwest that is presently under construction. This request appears to be logical because it is located between two R-CL developments, however, as this neighborhood develops, some R-1 density will be required to stay within the projected population density.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL



AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

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City of Las Vegas

February 1, 1984

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

2:44

Q. USE PERMIT - U-3-84 & PLOT PLAN REVIEW - U-76-81 - WATKINS DEVELOPMENT COMPANY

To allow a self-service gas station in conjunction with a convenience market and to construct apartments on property generally located on the southeast corner of Silverstream Avenue and Lorenzi Boulevard in Zoning District C-1.

Board of Zoning Adjustment unanimously recommends APPROVAL, subject to the following conditions:

1. Conformance to the plot plan and elevations amended to provide a 4' decorative wall along Silverstream Avenue set back 5' for landscaping and provision of a 6' block wall along the north and west property lines.
2. Installation of sidewalks on Silverstream Avenue as required by the Department of Engineering Services.
3. This approval shall be limited to a one-year period of time and it shall expire if not under development.

Staff Recommendation: APPROVAL

PROTESTS: 6

Levy -
APPROVED, as recommended by Board of Zoning Adjustment and Staff, subject to the conditions and an aesthetic review.
Unanimous

Clerk to notify and Staff to proceed.

Joe Watson, Pres., J. L. Watson Company, appeared and represented the application

No one appeared in opposition.

NOTE: The U-3-84 PORTION WAS
APPEALED -- SEE PUBLIC HEARING
SCHEDULED FOR 3/7/84.

NOTE: Councilman Levy requested staff to have convenience stores apply for a Variance and a Use Permit, rather than zone change.

APPROVED AGENDA ITEM

To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

Q. USE PERMIT - U-3-84 AND PLOT PLAN REVIEW - U-76-81 - WATKINS DEVELOPMENT COMPANY

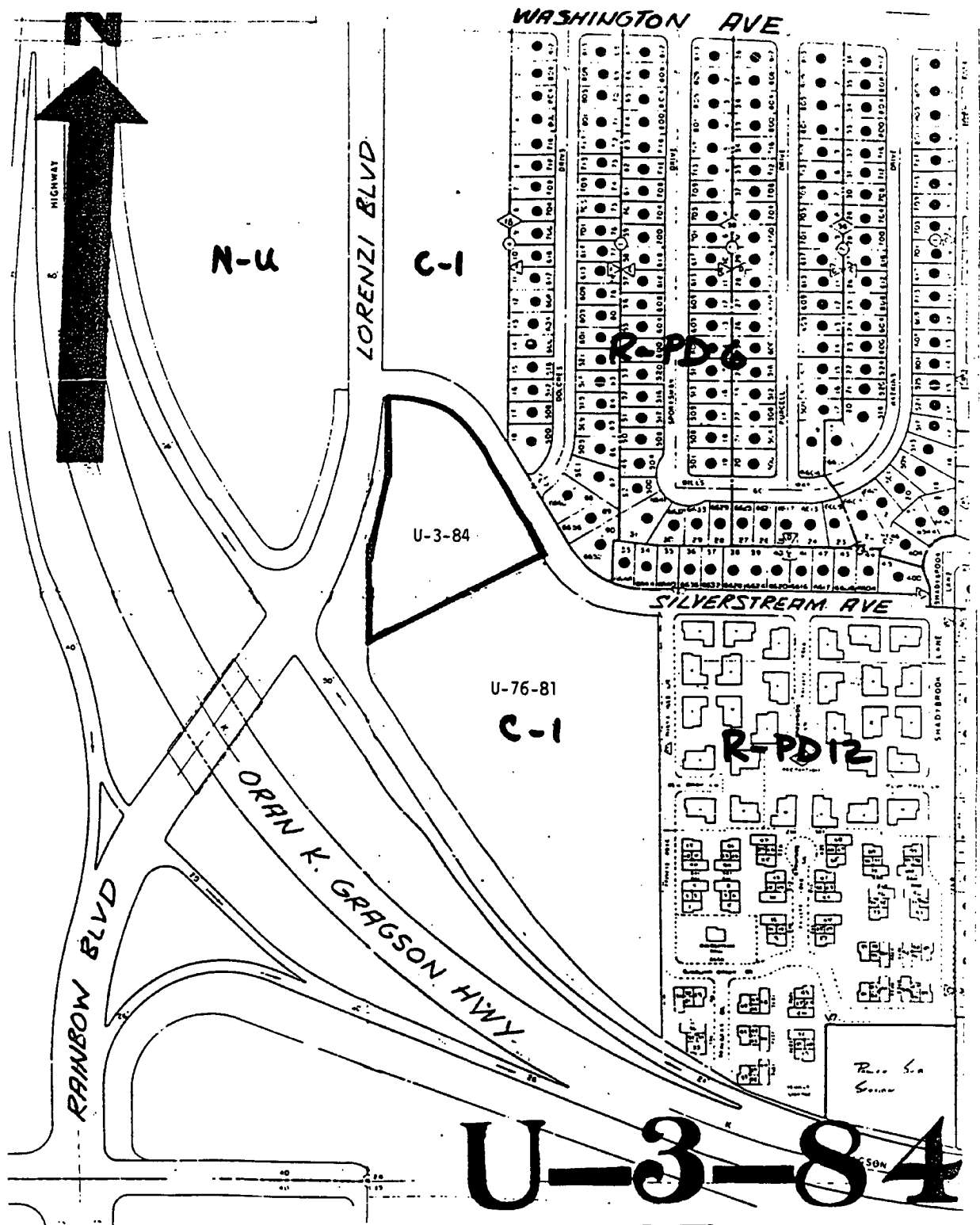
This request is before you for final decision because there was a previous action by the Council for essentially the same request just over a year ago. The request is for a use permit to allow gasoline sales in connection with a proposed convenience store on the most northerly portion of the property and to allow 76 apartment units in the C-1 zone. Also, the plot plan review on U-76-81 will alter the arrangement of the buildings that were approved in 1982 for 280 apartment units on the adjoining C-1 zoned parcel to the south that is now proposed to be part of this overall development. The applicant is proposing to combine these two parcels into a 336-unit apartment project that would be developed in two phases. The parcel to the south where 280 units have been approved would only have 264 units and the site involved in this use permit would have the remaining 72 units, with both parcels at approximately 25 units per acre. The access to Silverstream on the south parcel would remain at the same location as approved and an additional access on this north portion would be where Dolores Drive intersects Silverstream. A use permit on this same site for 88 units and gasoline sales in connection with the convenience store was denied in October, 1982 and there were 5 protests from the R-1 area to the east. That application was denied because there was some concern about the number of apartment units that were already approved in this general area and whether gasoline sales would be appropriate. This new application will result in 26 less apartments on this overall site. The property is presently zoned C-1 and the only access to it is off Silverstream because access is prohibited along the west adjacent to the Oran K. Gragson Highway. One of the determinations that needs to be made by the Council is if the apartment use would be more compatible than commercial across from the R-1 to the east of Silverstream. It appears to staff that there would be less traffic generated on Silverstream by the apartments and aesthetically the residential apartment use would be more compatible than retail and service commercial. The applicants have discussed this plan with some of the neighbors and the main concern seems to be with the gasoline sales. The plot plan review on the adjoining apartment site to the south will slightly reduce the density and result in the two-story buildings being 10' from the east property line where 70' was shown on the approved plan. At the Board of Zoning Adjustment meeting staff recommended the site plan be revised as much as possible to provide a similar setback to the previously approved plan and the applicant would make the changes where possible. The BZA did not require this modification as a condition but asked the developer to work with staff on providing a greater building setback. At the time the 280 units were approved, the residents in the condominium project to the east were concerned that a sufficient building setback be provided from their development.

BOARD OF ZONING ADJUSTMENT RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 6 - 1 Person spoke at BZA meeting
2 Persons in audience at BZA meeting
3 Letters

Q. LOCATION MAP - U-3-84 AND U-76-81



EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

Q. USE PERMIT - U-3-84 & PLOT PLAN REVIEW - U-76-81 - WATKINS DEVELOPMENT COMPANY

MAYOR BRIARE:

The next is Item Q, a Use Permit and a Plot Plan Review for Watkins Development Company. This is for a self-service gas station in conjunction with a convenience market. Planning Commission's recommendation was for approval. Staff recommendation was for approval and there were 6 protests. (Pictures were presented to the Council) You have beautiful pictures. Is this what the apartments are supposed to look like?

JOE WATSON:

There is a rendering in that folder that's fairly accurate.

MAYOR BRIARE:

These are just for the purpose of showing what kind of stuff you've done in the past.

JOE WATSON:

That's right. We just wanted you to get a feel for the type of product that we build.

MAYOR BRIARE:

Where's the picture of service station and the convenience market?

JOE WATSON:

I don't believe that there's one in there.

COUNCILMAN LEVY:

I'd like to see what they plan to build here though. Have you got any renderings of your buildings here? Is this a rendering?

JOE WATSON:

That's right. That's correct.

COUNCILMAN LURIE:

That's the design that you plan -- maybe for the record, you ought to give your name and company so that the Clerk can have all that information.

JOE WATSON:

My name is Joe Watson. I'm the President of J. L. Watson Company. Would you like for me to give you a brief understanding of what we're doing here?

COUNCILMAN LEVY:

No.

MAYOR BRIARE:

Mr. Foster, point to the -- is it the upper part of the plan there that contains the convenience market and the --

HAROLD FOSTER:

The gasoline sales would be in front to the north.

COUNCILMAN LEVY:

What's your parking ratio?

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984
CITY COUNCIL MINUTES - FEBRUARY 1, 1984
X. COMMUNITY PLANNING & DEVELOPMENT
Q. USE PERMIT - U-3-84 & PLOT PLAN REVIEW - U-76-81 - WATKINS DEVELOPMENT COMPANY

JOE WATSON:

We have 588 parking spaces, and I believe we're required to have about 200 less than that. We have a lot more parking spaces than the City requires, and parenthetically I would comment that I would think that that would be an appropriate thing to alter. I believe you need more than you require.

COUNCILMAN LEVY:

We just went through it and they said we do need as many.

COUNCILMAN LURIE:

My understanding was that there was going to be a revised plan on the traffic flow so that the cars don't come out right at the intersection of Delores and Silverstream.

JOE WATSON:

May I show you how our site plan works?

MAYOR BRIARE:

Sure.

JOE WATSON:

When we were here last week, the Board of Zoning Adjustment voted to accept this site plan here which is designed with two exits, here and here, and one of the people who came forward and spoke indicated that they would like to see us make an alteration along this private drive here, which is a fairly wide driveway, to eliminate as many of these buildings as possible, and I believe staff recommended that also. So, during the week, we made an alteration to this plan which was the plan that was approved last week, and I believe you have it in front of you. That's plan B.

COUNCILMAN LEVY:

Site plan?

JOE WATSON:

Okay, yes. This is the plan here. We moved these buildings here out of here and shortened this building here so that we only have one portion of a building in this area, which we hoped would be an attempt at cooperating to the greatest extent that we could with the request of the staff. The effects of that are that we lost a major green space and it shifted around to smaller areas, and we think that with our landscape budget we can do some nice groves and barbecue areas there and still have a good site plan. The convenience store, obviously, is located up here. If I can just say a word about the project so that you'll have a feel for what we're doing and about ourselves? We are builders of high-quality, multi-family housing and high-

JOE WATSON:

quality office buildings in 26 cities and several states, and we are owner/builders. We don't build them and sell them. In fact, of the several dozen projects that we built in the last decade, we have only sold two of them. So I think that's an important thing for you to know that the people that build it will own and will maintain it and operate it for a substantial period of time. We will be building a project that will not satisfy the housing needs of low and moderate income people, but it's strictly orientated toward the relatively high-end renter. The exterior amenities on the project are designed to create a very high quality of life. We build, for example, with each project and with this project here, a health club that not only has the swimming pool which is a fairly traditional thing, but it has a jacuzzi. It has a sauna, a wet sauna, a dry sauna. We build a large exercise room with nautilus equipment. There'll be an extra room for Jazzerize and exercise and, of course, a clubhouse situation.

MAYOR BRIARE:

The longer we sit here, it's a very lovely place. I think, Mr. Watson -- we have Watkins -- is it Watkins or Watson?

JOE WATSON:

My name is Joe Watson and I believe the seller is Mr. Watkins, which is sort of confusing.

COUNCILMAN LURIE:

Watkins is selling the property.

JOE WATSON:

Right. No, we're not related.

MAYOR BRIARE:

So we're not supposed to be upset with you because of what happened back then. Let's see who we've upset in the meantime. Are there persons in the audience today that are here in protest of this use permit. (None appeared) So the protestors that were at the Planning Commission are not at this meeting, Mr. Foster? Pardon.

COUNCILMAN LURIE:

Go ahead. I have a question.

MAYOR BRIARE:

I think I'm through.

COUNCILMAN LURIE:

Okay. The question I have is, the parcel is already zoned R-3 -- C-1. The use permit is what is before us today is to cut down the

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X. COMMUNITY PLANNING & DEVELOPMENT

Q. USE PERMIT - U-3-84 & PLOT PLAN REVIEW - U-76-81 - WATKINS DEVELOPMENT COMPANY

COUNCILMAN LURIE: amount of commercial that was at the corner and add additional units and also approve the gasoline sales, is that right?

HAROLD FOSTER: Yes.

COUNCILMAN LURIE: Just what I want to know is how many units could be built on -- were approved before under C-1 and how many do we have now, what's the increase in the number of units?

HAROLD FOSTER: Okay. There were 280 units approved on the parcel to the south. You'll see that outlined portion. Okay. There were 280 units approved here and then there was a request for 88 ones, 88 additional apartments plus the convenience store site with the gasoline sales, and that was denied. They're now proposing to reduce the density here slightly to 264 and then overall there'll be 26 less units on the overall site compared to the previous request, including the two sites, yes.

COUNCILMAN CHRISTENSEN: Didn't they originally have a -- one of the problems of the neighborhood that the fact that it was broken into two pieces and they couldn't combine the two and they didn't own two pieces and everything, and now it's -- as I recall one of the requests by the neighbors was that why don't they develop the whole piece instead of this --

COUNCILMAN LEVY: Well, then they were having problems of ingress and egress.

COUNCILMAN CHRISTENSEN: Because of the fact that it was two separate pieces.

COUNCILMAN LEVY: Because Mr. Watkins wouldn't come to our meeting to talk to us about it and we were upset about it.

COUNCILMAN CHRISTENSEN: That's right and this looks like that solves that problem.

COUNCILMAN LEVY: It doesn't to me.

JOE WATSON: Let me say in case it's not apparent and I want to make sure that you do understand. We are planning to build this as two separate 160 unit phases. We do that in order to let the lease up progress for a little period of time so that

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JOE WATSON:

we don't have a lot of apartments sitting there during the lease up period. So we typically will wait 3 to 6 and 9 months to start up the second phase on the project of this size. Was that not clear?

COUNCILMAN CHRISTENSEN:

No, that doesn't bother me. Previously, what we had is we had two separate pieces of property. Two builders were going to build two different kinds of deals there and not cooperating with one another, and consequently, the ingress and egress for one had to be one place and for the other one had to be elsewhere. They couldn't be --

COUNCILMAN LEVY:

If you look at that map and look at that black line, you can see that bottom piece down there had some problems, and they were trying to have them ingress and egress to the neighbors property. We had a real problem with it.

JOE WATSON:

I'll be the general partner and primary owner on the entire development

COUNCILMAN NOLEN:

Then you don't mind coming and talking to us, right?

JOE WATSON:

I'm happy to be here.

COUNCILMAN LURIE:

The other question I have is the -- you showed us some pictures that you took off your wall probably to bring them here to show us your projects -- I want for the record on file what you're going to build, what it's going to look like.

COUNCILMAN LEVY:

It's right here.

MAYOR BRIARE:

It's in your book.

COUNCILMAN LEVY:

It's in this book, Ron.

COUNCILMAN LURIE:

Is that what you're going to build there because you mentioned something that was almost like that? I want to know what you're going to build.

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JOE WATSON:

Well, we don't have the design development completely completed. We have built the project that you see the rendering of, or we have almost completed it in Raleigh, North Carolina. I really honestly don't think that rendering does it justice. This particular project varies from that in the exterior in that we're about 65% brick and the balance of it is either redwood or cedar siding and we haven't made a decision on that because we're not --

COUNCILMAN LURIE:

This looks like something for the south. It doesn't look like something for Las Vegas.

COUNCILMAN LEVY:

You better doublecheck your woods out.

COUNCILMAN LURIE:

That's what I was saying. If you say you're going to build this, then we're going to hold you to it.

MAYOR BRIARE:

Are there Magnolia trees in here?

JOE WATSON:

Let me say, you certainly can hold us to that. We have very large landscaping budgets. We run about 850 to 900 dollars a unit and that's a format that we're certainly not going to change in Las Vegas.

COUNCILMAN CHRISTENSEN:

I would suggest this, Ron, if that's the problem and I can recognize where it would be because we don't want him to build something other than what they propose. In order to give them the flexibility they need in order to maybe improve upon that, can't we request that before they start construction, that we review that architectural review before they start construction so that that gives them the latitude to come with a better plan if they got one, not plan a better looking building if they've got one, but in the meantime, it can't get any worse?

COUNCILMAN LURIE:

That's fine.

COUNCILMAN LEVY:

I think when you talk locally, you're not going to find -- you're not going to want to use wood.

JOE WATSON:

That may very well be.

COUNCILMAN LEVY:

We have a problem in the southwest.

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JOE WATSON:

We have not built in a very dry, hot climate like this and we've got a little more work to do before we --

COUNCILMAN LEVY:

It think that would be the fairest thing what Councilman Christensen --

COUNCILMAN CHRISTENSEN:

That's why I wanted to give you that latitude because you might decide to build a whole lot better structure than that.

JOE WATSON:

There are floor plans that are actually what will be in the project in that packet and we will --

COUNCILMAN CHRISTENSEN:

Floor plans isn't the problem.

COUNCILMAN LURIE:

We're talking about exterior. Also, would you touch on the convenience store and the gas station as far as the appearance.

JOE WATSON:

We will force the convenience store to be designed and built in as close of harmony to the architecture that we use as possible. They're probably not going to use exactly the same materials, but we can control the coloring and I can assure you that what we can control is the way the exterior is maintained because we'll maintain the ownership of that building. We built convenience stores in the past and had problems with them, and we've learned from the school of hard knocks that you just have to be very very careful to do that so that you get the right type of facility. I personally am not real excited about convenience stores, but obviously, there's a need for them.

MAYOR BRAIRE:

Have you made your arrangements with a well-known convenience store outlet?

JOE WATSON:

We have it narrowed to two possibilities. I think it could be done with others and they are two of the largest, and I would rather not say more than that.

COUNCILMAN LEVY:

I'd like to bring up one thing. I'd like you to see if we have the support of the Council here. I'd like to see from now on any convenience stores on any application come in for a variance and a use permit, rather than a zone change.

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JOE WATSON: Translate that into laymen's language, would you.

COUNCILMAN LEVY: Well, what happens is you build that and the convenience store is there and everything's going along and in about two years they find the store's not doing well, and then they want to sublease it. We have no control over that sublease. In other words, now they put a bar in there and we're all -- everybody's yelling -- coming down on us rightfully so -- the neighborhood or whatever they want to put in there, we're stuck. We have no way of controlling that. By having a use permit or a variance, then they note the property is only used for that convenience store and when they want to make a change, they have to come here, and that's the only difference. Nothing to you.

JOE WATSON: Would it be a possibility to -- for us to deed restrict the use of that land for uses other than bars or dance halls or --

COUNCILMAN LEVY: Are you going to lease it to -- or build to suit for them?

JOE WATSON: We'll very likely own the building, and we have not made a final deal.

COUNCILMAN LEVY: They mean well. I'm not suggesting that their intentions are wrong.

COUNCILMAN CHRISTENSEN: What in laymen's language, what it means is that with a use permit, you approve the use, and with zoning you approve any use that fits in that zoning, and that's the difference.

MAYOR BRIARE: Are we not talking about a use permit here? Are we improperly presuming that the self-service gas station is going to be in the same operation as the convenience market? For example, 7-Eleven's pump gas.

COUNCILMAN LEVY: That's exactly what he's talking about.

JOE WATSON: That's right. It will be the same facility, the same operator.

MAYOR BRIARE: This application is for a use permit.

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COUNCILMAN LEVY:

Well, I know, but that property -- that property is already zoned commercial, and I guess I'm reflecting more so on the next application that we have with Mr. Stapp. When he comes in with his situation, I don't want to see that corner used for any type of commercial except maybe a convenience store in the future.

JOE WATSON:

You're talking about a corner other than ours?

COUNCILMAN LEVY:

Yes, this is already zoned commercial. I already lost control of that commercial, this Board here. Do you understand me?

COUNCILMAN LURIE:

Well, not necessarily. If we were to deny the use permit for the gas station and you didn't build a convenience store, you could build another unit.

JOE WATSON:

That's right.

COUNCILMAN LURIE:

Would you rather do that?

JOE WATSON:

I really wouldn't. I was just about to say that I think in this country and maybe in a lot of other countries, what's happened to us is all the corner markets and the corner vegetable stores and things have turned into convenience stores, and even though, as I was about to say, I'm not really excited about it myself, there certainly must be a need for them because they've proliferated all over the United States and I --

COUNCILMAN LEVY:

And there is a need for them.

JOE WATSON:

The gentleman who came here last week and spoke in opposition made the comment that he would use it and his children would use it, and he talked about all the people who would use it, and he said, "but I'm against it." Well, that's kind of how I feel too. It is from our standpoint a positive marketing tool for the multi-family housing because people can walk over and get a quart of milk or get soft drinks or whatever it is they want to buy there, and it's a little difficult to walk to any place without having that. Our project will work economically without it. We want it because we think it's a positive thing for the renters and we'd like to be able to give them that convenience.

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X. COMMUNITY PLANNING & DEVELOPMENT

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COUNCILMAN LEVY: I don't really see any problem with that.

MAYOR BRAIRE: Further comments? What's the pleasure of the Council?

COUNCILMAN LEVY: I'll make a motion to follow the recommendations and approve, and does that include the pumping of gas at the convenience store? I have no problem with that.

MAYOR BRAIRE: Comments by the Council?

COUNCILMAN LEVY: Subject to the conditions.

HAROLD FOSTER: Did you want to see the elevations.

COUNCILMAN NOLEN: Did you want to put the stipulations on there?

COUNCILMAN LEVY: Yes, also that you'll bring in the elevations, architecture supervision on the buildings.

JOE WATSON: Who will have the supervision control?

COUNCILMAN LEVY: We will, but you'll bring it to Planning and we'll approve it here.

JOE WATSON: Okay, that's fine.

COUNCILMAN LEVY: Okay.

MAYOR BRIARE: There's no hearings on that sort of thing.

COUNCILMAN LEVY: Architecture is not a hearing.

MAYOR BRIARE: You have 5 semi-professional architects here and your architect that you pay hard-earned money for, he takes a second seat. Comments further? Cast your votes. Post. The motion's approved. (Motion carried unanimously)

JOE WATSON: Thank you.

END OF EXCERPT

AGENDA

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City of Las Vegas February 1, 1984CITY 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)3:04
to
3:33R. PLOT PLAN REVIEW - Z-42-82 - ANDERSON
DEBARTOLO PAN, INC.

Plot Plan Review for the Care Unit Hospital of Southern Nevada on property located at 5100 W. Sahara Avenue, N-U Zone (under Resolution of Intent to C-1).

Planning Commission recommends APPROVAL (4-2 vote), subject to the following condition:

1. Conformance to the original plot plan except that a locked opaque crash gate shall be allowed for access as required by the Department of Fire Services.

Staff Recommendation: DENIAL. If APPROVED, access should be restricted to a locked crash gate for emergency fire access only.

PROTESTS: 18

Lurie -
DENIED
Unanimous

Clerk to notify.

Bob McNutt, engineer, appeared to represent the application.

Nancy Corday, Comp-Care, appeared.

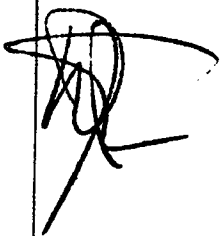
Richard Robinson, architect, appeared.

Atty. Tom Davis, Jimmerson & Associates, was present.

Ronn Reiss, realtor, appeared.

Dale Baker, 5320 W. O'Bannon, appeared in protest.

NOTE: City Manager directed to have City Fire Department personnel contact the State Fire Marshall's office in regard to this plan.

APPROVED AGENDA ITEM


To: The City Council
 Re: Community Planning and Development Agenda Item
 February 1, 1984 City Council Agenda

X.

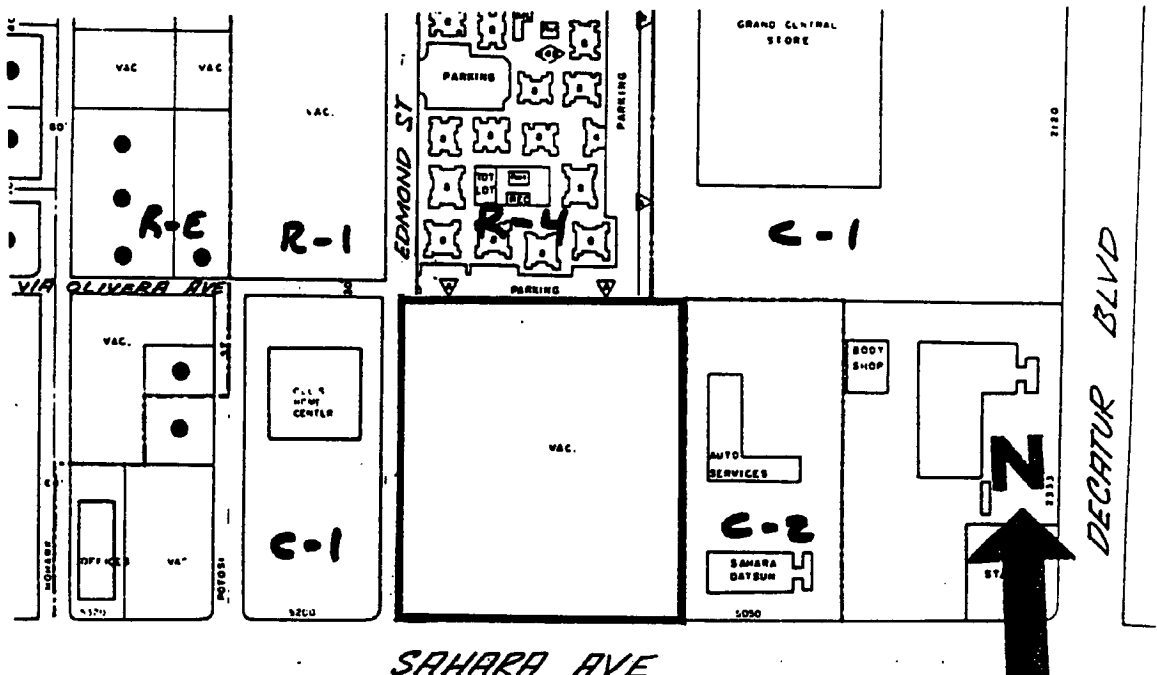
R. PLOT PLAN REVIEW - Z-42-82 - ANDERSON DEBARTOLO PAN, INC.

The request involves a plot plan review for the Care Unit Hospital of Southern Nevada to allow a service driveway opening along the west side of the property on Edmond Street for fire access where the condition of approval for the C-1 zoning denied all access to Edmond. This hospital is for the caring of alcohol and drug abuse persons and you will remember there was a substantial protest factor from the residents in the area to the northwest. The protestants did not want access to Edmond because they felt it would generate traffic from this facility to their residential neighborhood. The applicant indicates a hydrant exists on the west side of Edmond adjacent to the Ole's Home Center and direct access is needed as well as they would like to have the service vehicles entering from Edmond rather than from the front of the property on Decatur. At the Planning Commission meeting staff pointed out it had no objection to allowing an opening across from the hydrant on Edmond for emergency access only and that the gate would remain locked at all times, but that all delivery vehicles should enter and exit the property from Decatur Boulevard. The surrounding property owners were notified and there was a protest factor to this change on the property.

PLANNING COMMISSION RECOMMENDATION: APPROVAL with condition that a locked crash gate for emergency fire access only exist.

STAFF RECOMMENDATION: DENIAL - Except that an opening be allowed with a locked gate for emergency fire access only.

PROTESTS: 18 - 1 Person spoke at Planning Commission meeting
 Petition with 17 property owners



Z-42-82
 COUNTY

MAYOR BRIARE:

Now, we have a plot plan review for Anderson Debartolo. This is for a Care Unit Hospital of Southern Nevada on property located at 5100 W. Sahara Avenue. Planning Commission's recommendation was for approval. Staff's recommendation was for denial. There are 18 protests.

HAROLD FOSTER:

Mayor, just --

MAYOR BRIARE:

I guess the argument here is the gate, huh?

HAROLD FOSTER:

Yes, that's essentially it.

MAYOR BRIARE:

And the access on Edmond Street?

HAROLD FOSTER:

The two actions: Planning Commission recommends approval and staff recommendation is denial. The conditions -- they're essentially the same thing. It was just that staff recommended denial of the access for the service vehicles, but we had no objection to it for a locked gate for emergency fire; and then when the Planning Commission took its action, they recommended approval, subject to only allowing the locked fire gate so essentially both staff and Planning Commission are saying the same thing here, even though the actions look different on the agenda.

COUNCILMAN LURIE:

How has this changed since we first approved it? Didn't we put conditions down?

HAROLD FOSTER:

That's correct.

COUNCILMAN LURIE:

Here the --

HAROLD FOSTER:

The condition was, no access along Edmond Street. You remember the protestants did not want any access along this side, but there is a fire hydrant on the west side of Edmond that is needed for this, and for that reason, if there's a locked gate there essentially won't be any access, you know, to the -- it will meet the requirements of the residents.

BOB MCNUTT:

I'm Bob McNutt. I'm the engineer for the applicant. With us today is Nancy Corday of Comp-Care, Mr. Richard Robinson the architect, and Mr. Tom Davis of the firm of Jimmerson & Associates. The --

MAYOR BRIARE: Excuse me just a second, Mr. McNutt. We have a letter -- each of us have a letter here from Mr. --

COUNCILMAN LEVY: Mr. Jimmerson.

BOB MCNUTT: Mr. Jimmerson.

MAYOR BRIARE: Yes, I know that, but who's here representing Jimmerson & Associates?

BOB MCNUTT: Mr. Tom Davis is here.

MAYOR BRIARE: Davis, yes. Mr. Davis is here?

BOB MCNUTT: Yes.

MAYOR BRIARE: Are you going to have Mr. Davis respond to questions as a result of this letter, or are you going to respond to them, or who?

BOB MCNUTT: Whichever apply either to Mr. Davis or Miss Corday or myself.

MAYOR BRIARE: I think we're all familiar with it, but I was kind of interested in this letter from Mr. Jimmerson, that perhaps the reasoning behind the restriction in the first place is brought out very abundantly and clearly by Mr. Jimmerson, where on the second paragraph of his letter on page 2, "forcing larger trucks to maneuver through the front entrance and parking lot in order to reach the loading facilities in the rear, would create a danger in itself," so now we know exactly what the purpose of the cut is going to be. It's for larger trucks to get into the parking lot in the back, and it seems like that was the reason for the restriction in the first place, and now we have an admission that that indeed is what's being planned; and when it was approved last time with a lot of protests, I think the Council, obviously, must have responded to those people by saying, "we will prevent large trucks from going into the back of that area and penetrating that area by not allowing an entrance on Edmond." Now, we have the whole thing back to us, Mr. McNutt, asking for that very specific thing. Do I capsulize it?

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X. COMMUNITY PLANNING & DEVELOPMENT

R. PLOT PLAN REVIEW - Z-42-82 - ANDERSON DEBARTOLO PAN, INC.

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BOB MCNUTT:

You oversimplified it, however. Major trucks are still using that piece of street every day because Ole's has two access points.

MAYOR BRIARE:

So you figure that two wrongs will correct --

BOB MCNUTT:

No. I'm saying that the street is adequate to handle traffic back to the rear of Ole's and to the rear of ours and yet, at the same time, the access as petitioned for is a considerable distance south of the north Ole's drive. It also provides access for the Fire Department, which, in this case, we feel is essential. The Fire Department feels likewise that there should be access. They prefer the crash gate. We would like to see an open access. We point out that the conditions placed by the Council in their initial approval have been totally complied with. There is a blocked up wall eight foot high all along Edmonds. There even is a second wall adjacent to an existing wall on the north side of the property, and the facilities have been moved as requested by the Council. So, the only, if you will, variation from the Council request is to make an entrance there, which again would be walled back to the building so there would be no visual effect of the residents of the hospital. It was our feeling and I think it was the feeling expressed by a majority of the people that protested that they didn't want to see -- they didn't want their children affected by or related to any of the children that would be there. However, I have a personal difference with that. That was their feeling.

MAYOR BRIARE:

Mr. McNutt, did you represent the applicant back when this was approved, originally approved?

BOB MCNUTT:

Yes.

MAYOR BRIARE:

Were the plans all drawn and the engineering and the architectural work done?

BOB MCNUTT:

The initial plans, as approved by the Planning Commission, provided for two access driveways onto Edmond. Then, when that came before the Council, that was when they were altered at the request of the Council.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

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MAYOR BRIARE: How long ago was that?

BOB MCNUTT: That was in mid '82.

MAYOR BRIARE: Mid '82.

BOB MCNUTT: Yes, about a year and a half.

MAYOR BRIARE: So, now what's changed since then until now that all of a sudden this becomes such a critical matter to you?

BOB MCNUTT: The change is the need for better circulation and for better fire protection. There is a hydrant on the west side of Edmond immediately adjacent to this entrance. To provide fire protection into the property, requires the truck to connect there, go all the way around the front of the 8-block, 8-foot high wall --

MAYOR BRIARE: That was the case in mid 1982, was it not?

BOB MCNUTT: It was, but we didn't recognize it at that time.

MAYOR BRIARE: It wasn't recognized at that time?

BOB MCNUTT: That there would be a detriment from the Fire Department. Maybe Miss Corday --

COUNCILMAN LURIE: Has the Fire Department asked you to put in a hydrant.

BOB MCNUTT: There is a hydrant in the center of Sahara now, yes.

COUNCILMAN LEVY: Mr. McNutt, what are you going to do with the rest of that property on that map? Is the blue the building there?

BOB MCNUTT: It's not visible, but there is a jogging track around here. There are basketball courts here, and there are softball fields here as requested by the Council.

COUNCILMAN LEVY: No, no, that wasn't requested by the Council.

COUNCILMAN LURIE: It was on the original plans, Al, and then we made --

COUNCILMAN LEVY: Yes, but it wasn't requested by Council.

COUNCILMAN LURIE:

No, we made them change it so it was away from that residential.

COUNCILMAN LEVY:

We're not telling you how to run your business.

COUNCILMAN LURIE:

My big problem is the fact that there was a lot of controversy about locating this facility on the corner of Sahara and Edmond. There's a lot of conditions placed in here to satisfy some of the protestants, but not all of them, but most of them were satisfied; and I just kind of feel that we've got obligations to the people that protested this and we can't be changing in the middle of the stream conditions we placed on this application before you even completed it. I mean, you're halfway under construction and you're not completed, and you're already asking for changes. It doesn't make sense.

BOB MCNUTT:

Miss Corday, I think, could better respond to the need based upon Comp-Care's requirement.

COUNCILMAN LURIE:

You knew that when you came in here in the beginning when you agreed to all the conditions in the first place, you knew that. You can go ahead and --

NANCY CORDAY:

Thank you, Councilman. I would like to open this point up for reconsideration. Comp-Care does want to be a good neighbor, however, we don't think having a service entrance would prevent us from being a good neighbor. Now, irrespective of whether or not we have that wall, the fact of the matter is, to operate the building for its intended use, we're going to have about 7 trucks a week visit the facility, in addition to providing access in the event of an emergency for fire vehicles, and what are those vehicles going to be primarily? They're not going to be semi-trucks, they're going to be vehicles delivering food to the facility. We're probably going to take laundry deliveries and pickup. Have that about two times a week, and we're probably going to have a day of garbage collection, and basically if there are any specific reasons why this kind of a use should not, or cannot, have a service entrance, we'd be pleased to know those and address them, but essentially, all we are asking for is the opportunity to have this service entrance -- the trucks need to get to the building.

NANCY CORDAY:

If they do that inside the parking lot, that's one approach. If they do that outside the parking lot around Edmond, that's another approach; but the bottom line is, the trucks really do have to get there to deliver food, and that's really the basis for our request. We don't really want to change the intent of the use for or to create any kind of changes in terms of how we deal with the people that surround us, but we think that this is the safest and most effective use of the traffic flow, and notwithstanding cutting through that wall, there still will be a complete internal wall around the facility which we did construct at the request of the neighbors.

BOB MCNUTT:

May I also add that in the event the Council does not see fit to permit a service entrance there, we feel that and I think the Fire Department can back us totally on that, that in fairness to provide adequate fire protection, there at least should be a breakaway gate there. This was the recommendation of both staff and Planning Commission.

COUNCILMAN CHRISTENSEN:

Well, I've got some problems with this because of commitments that we made to the homeowners in that area. Now, I have a problem with the Fire Department. If the Fire Department's going to come along now at this date and tell us that we're not fire safe there, then I want to know where the Fire Department was in the first place; and maybe we should have a report from the Fire Chief explaining that position so that we'll know where he's at.

HAROLD FOSTER:

I think the situation is this development wants to be able to utilize this particular hydrant, and I think if they wouldn't have access to it, it would mean that they would probably have to construct another hydrant, maybe along Sahara. Because I believe they need two hydrants to serve the facility and there's one somewhere east of this property on Sahara and the secondary one --

COUNCILMAN CHRISTENSEN:

If you want to find out specifically the reasons that the people don't like this situation, then you've got to specifically invite them all back down to a public hearing so that we can discuss those things. Because it's very specifically

COUNCILMAN CHRISTENSEN: easy to mollify all those people's concerns and then come back when they're not notified and change them all; and I can't go along with that.

BOB MCNUTT: They were notified, Councilman Christensen. There were notices sent on this.

COUNCILMAN CHRISTENSEN: Notices sent on this hearing today?

HAROLD FOSTER: Yes, we have 18 protests.

COUNCILMAN CHRISTENSEN: Well, that's enough. We made a commitment to them, I thought.

COUNCILMAN NOLEN: I have a comment, Your Honor.

MAYOR BRIARE: Let's see if there's someone in the audience that wishes to speak in protest. We have a couple -- oh, excuse me, Councilman Nolen.

COUNCILMAN NOLEN: Just one comment. You know, I wasn't here in '82 when this was heard, but I think I've previously stated that I feel that commitments made by this Council extend over to me, and when we make commitments to the citizens of this community, I feel that we're obligated to live up to those commitments.

MAYOR BRIARE: Folks. Let's hear from the people who are going to oppose this, and then you get one last crack at it. Mr. Reiss.

RONN REISS: I don't know if there's anybody here to protest this, but --

MAYOR BRIARE: Yes, there's a gentleman coming forward here.

RONN REISS: Okay, I have a comment to clarify, if I may, this particular situation. I happened to be here at that Council meeting, and as you know, many times people in the neighborhood come out and oppose projects because it's going to overcrowd the schools, the traffic's going to be heavier, etc. Your commitment to the people was only to cut down on the traffic on Edmond going out on Sahara, not because of any other vehicles, any service vehicles. So this here would not be an attempt to circumvent your commitment to the people by only having a service entrance. That

RONN REISS: was your only commitment to the people,
was to cut down on the traffic on Edmond.

MAYOR BRIARE: Mr. Reiss, on what basis do you make that
statement, that you were here two years ago?

RONN REISS: I was here -- at the time I was one of the
brokers with the transaction. Also, another
clarification, out of all the protestors at
that time, and there was a big map, aerial
photograph showing you this -- there were
no people on a direct route closer than 660
feet from the property, pardon me, and if
you would take a look at your protestors,
I would say 95% are over half a
mile away. So once again, that was the
commitment to the people, to keep the traffic
on Edmond off --

MAYOR BRIARE: How very thoughtful of you to tell us what
our commitments are. I wish you could come
to every meeting and be as refreshing as you
are today, Mr. Reiss, and I'm trying to be
sarcastic, if you're not catching it.

RONN REISS: I realize that, but -- and I'm only trying
to be of assistance.

MAYOR BRIARE: Are you still the broker that's involved
in this?

RONN REISS: No, sir.

MAYOR BRIARE: No.

RONN REISS: I'm not involved with this at all.

MAYOR BRIARE: You're here from your previous application?

RONN REISS: Yes, and I just happened to sit here and try
to be a helpful citizen.

MAYOR BRIARE: Where else could you enjoy a show better than
this on a matinee. (Laughter) Yes, sir.

DALE BAKER: Thank you. My name is Dale Baker. I live at
5320 West O'Bannon, which would be one block
north and one block west of this site. The
protestors if -- I know you said there were 18,
but I know, I turned in 35 names on the sheets
that I turned into the Planning Commission last
time. It's basically, in talking again to the

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

R. PLOT PLAN REVIEW - Z-42-82 - ANDERSON DEBARTOLO PAN, INC.

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DALE BAKER:

people in the neighborhood that, again, the basic thing is that when we -- we didn't want the hospital. They wanted the hospital. We came to this agreement that they got the hospital and we had this solid block wall. At the end of that, you the Commissioners said to them, "can you live with that, can you work around it," and they said, "yes." The basic thing right now, you know, they said they could, let's have them do it. You can see that this huge area, 7 acres, obviously, and I think Commissioner Guthrie on the Planning Commission pointed out very succinctly -- he said, "and you built this building just so you would have to come back and ask for this access, didn't you?" Also, I think Mr. McNutt is not correct. He said there was an 8-foot wall from the corner of the apartments down Edmond. I thought that's what his statement was, just a few minutes ago, and I would like -- I hope some of you Commissioners -- I'm sure that whatever the decision on the outcome here that we'll be back again with these people sometime in the future. I would like you to drive by that place and look at their 8-foot wall. It's not exactly 8 feet, but maybe they're not done constructing it yet. Again, they said that this opening was quite a bit south of going directly across where Ole's was, and it's about 10 or 20 feet at the most. It's almost directly across Ole's from where their back access is. Again, Ole's obviously has -- are in there and there's nothing we can do about the traffic there, but we're just against the increased traffic. Other than there's many many, you know, reasons that were brought up at the -- the year and a half ago when we brought this, as to why you gave us the wall. We're asking that if they have to build another fire hydrant to do the coding, they've got more than ample space between Edmond and the building that's already built there for truck lanes, or fire lanes. They can go around the north end, the south end, the east end, and the west end the way it is. They have 300 feet of access off of Sahara Avenue and I just ask that you tell them that whatever they planned, that's what we wanted. You take all of your accesses off that 300 feet of Sahara. That's what you've got, that's what you have to work with. Thank you.

MAYOR BRIARE:

Thank you, sir. Mr. Foster, if the fire hydrant on Edmonds, if I understand the material that we have here, is on the west side, and the way the application stood before the applicant came forward today, was that that fire hydrant's there and it's going to be used and he can have fire protection. Where should a fire hydrant be? In other words, before today this thing was to go along. There's going to be an 8-foot wall all down Edmond. How is this property being protected as of today with respect to adequate access to water for fire combatant?

HAROLD FOSTER:

Well, the hydrant was constructed at that location as a result of the Ole's construction.

MAYOR BRIARE:

Ole's, right. How about CompuCare? I mean Comp-Care, excuse me? Where is the fire hydrant for Comp-Care?

HAROLD FOSTER:

Okay, there's one on Sahara to the east, and then Fire Services indicates that a secondary fire hydrant is needed for adequate fire services or fire protection of the property. Now, the options would be either for access you know, through the fence to that one there or another one would have to be placed out at Sahara.

BOB MCNUTT:

There currently is a hydrant in the center of Sahara opposite this property.

MAYOR BRIARE:

On your side, Bob?

BOB MCNUTT:

In the center, in the median island.

MAYOR BRIARE:

Oh, oh.

BOB MCNUTT:

All the hydrants along Sahara are in the median island.

COUNCILMAN NOLEN:

Mr. Foster, I'd have to reiterate what Councilman Christensen asked, where was the Fire Department in the planning of this when we said a solid block wall along the back. Now, suddenly they say we need some kind of access to that fire hydrant.

BOB MCNUTT:

I think, if I may, Mr. --

RICHARD ROBINSON:

My name is Richard Robinson with Anderson Debartolo Pan Architects. To give you a little historical perspective, we did respond to all the directives issued by the City Council for a wall on Edmond. There was no specified height according to this letter. We have an 8-foot wall around all the service corridors, the service areas to block that from the view, alright, the service area. There is a wall constructed all the way down on Edmond. There's a secondary wall located in this area. It's a backdrop to the landscaping and exterior dining court. Now, the reason that this issue came back up, we have a building permit -- oh, thank you. We have the building permit and virtually everything is constructed according to the approved plan by the City. As per your direction is that the State Fire Marshal, when they were reviewing the plans, suggested that we have an opportunity to get into this area quickly -- there's a fire hydrant over there. That was their suggestion. As it currently exists now, this area is walled in completely so access to that area by fire apparatus and hoses means that they have to penetrate into that area. That area of the building houses the mechanical, electrical, and kitchen food preparation area. So, in order for them to be able to deal with these areas, they're going to have to come all the way around and into this area. They're going to penetrate close to the building; whereas, they could get directly in. Otherwise, when they have perimeter access to the building, they're going to have to go all the way around. They cannot drape a hose over an 8 foot high wall -- cuts off the water. This wall is a lower wall and they can have access to the backside of the building, but not the service area where --

MAYOR BRIARE:

Maybe you ought to redesign your building?

RICHARD ROBINSON:

Well, I'll give you a little perspective --

MAYOR BRIARE:

Now, don't say "no" because you see what's happening here, Bob. Come on, we've all been around here awhile. You've got yourself boxed in here and you want access for your trucks.

MAYOR BRIARE:

The fire -- obviously, to me, fire protection was the last thing you had in mind because you want to get the big trucks in there and you're using fire protection as a reason. Now, if there's a fire protection hazard on there, you better redesign the building so that there is no fire protection hazard.

RICHARD ROBINSON:

Well, it's been approved. We were just trying to assist.

MAYOR BRIARE:

I think we ought to have Councilman Christensen's directive here of ten minutes ago, or however long, Paul; and I'll tell you, I wouldn't even want you to dig another shovel full of dirt until this fire protection thing is resolved.

RICHARD ROBINSON:

Fire protection is resolved. This just will enhance it for the safety and welfare of the patients.

MAYOR BRIARE:

Well, I'm not sure it's resolved and the Fire Department, apparently, is not so sure it's resolved. We better get it resolved before you dig another shovel full of dirt.

RICHARD ROBINSON:

Well, I'm sorry, Mayor, but the City Fire Department has approved the plans. We were just trying to improve the accessibility to that. It's accessible, but it's not as accessible. I think that was the sense of the Planning and Zoning Commission to put the crash gate there to allow them to have quick access. The building is constructed as -- according to at this state, according to the approved building permit and the plan that you approved. It's going to cost -- we're going to have go and cut a hole in the wall and revise this.

NANCY CORDAY:

We have complied with the wall construction as indicated. What we seek to do here today is to suggest in response to the Fire Department's request and in response to what we feel as even improving more the safety of the people that will be housed there in it, and the safety of the immediate neighborhood to make this other change. The change will involve additional expense. We're just bringing it here before the customary process for such things to be heard.

MAYOR BRIARE:

Once again, I've got to have my memory refreshed here, Mr. Foster. When did this application come before the Council? When in 1982 did this come before the Council and was approved over the

MAYOR BRIARE: protests of residents of the area subject to certain conditions -- one of which was that there'd be no access on Edmond Street? Do you know, Bob, when that was?

RICHARD ROBINSON: It was October 26, 1982 that the official --

MAYOR BRIARE: October 26, 1982.

RICHARD ROBINSON: That's correct.

MAYOR BRIARE: And now on February the 1st, 1984 --

RICHARD ROBINSON: Yes.

MAYOR BRIARE: You're coming and saying, you've got a problem?

RICHARD ROBINSON: No. The State Fire Marshall requested that we explore changing this --

MAYOR BRIARE: When did --

RICHARD ROBINSON: to enhance -- just recently about two months ago.

MAYOR BRIARE: Is this it? Are you holding it in your hand?

RICHARD ROBINSON: No, this is yours.

BOB MCNUTT: His letter is dated --

RICHARD ROBINSON: No, Bob, it's not his -- that's the man who made a verbal request of our project architect. Jack Spearman who's a Plans Examiner for the State Fire Marshal.

MAYOR BRIARE: I still maintain, my fellow members of the Council, that if there's any fire problems around there and if somebody -- the State Fire Marshall or anyone else is suggesting that more protection be given, I think we should address that problem first before we talk about access for construction -- pardon me, for delivery trucks and what were -- service vehicles.

COUNCILMAN LEVY: Mr. Mayor, I don't think -- listening to everybody's testimony and remembering what we told the people, I don't think there's any desire for any of us to have that wall -- that gate there so that people can deliver. Now, if you want to talk about the Fire Department, fine. I'd like to have some representative or some indication from what our Fire

COUNCILMAN LEVY:

Department, the State Health Department and their Fire Department stating that we must have that gate in there, fine. I'll be more than happy to hear that, but I'm not interested in having any kind of service delivery there.

COUNCILMAN CHRISTENSEN:

I think the bottom line is that with the fire protection, once it's approved and they've agreed to that that the Fire Department insists on another fire hydrant somewhere and it's up to them to put that fire hydrant in where the Fire Department says.

NANCY CORDAY:

We would install it at our expense, that's correct.

COUNCILMAN CHRISTENSEN:

In other words, what I'm getting at is there's ways to satisfy the Fire Marshal and everybody else without cutting that wall open.

RICHARD ROBINSON:

The fire protection is adequate on the building. The only concern the State Fire Marshal representative plan checker had was that we're enhancing access. The building is built entirely to code. It's been approved by the City. We work with the City Fire Department long and hard when this building was being schematic designed. If you'd like to verify that, please feel free to do --

COUNCILMAN LURIE:

Did the Fire Marshal request the City and the Fire Department to increase the fire protection?

RICHARD ROBINSON:

No, he did not.

COUNCILMAN LURIE:

He's just stating that in his opinion you can enhance it.

RICHARD ROBINSON:

Yes, it would and I would suggest that if you feel so strongly about the service access, it's already built the way the Council directed. I would really recommend that you put some kind of a gate that can be opened of mansize so that they have access with the fire hose.

MAYOR BRIARE:

Then, you're going against your attorney's very clear letter on your behalf.

NANCY CORDAY:

Mayor, we're saying that we feel it would be desirable to have this service access that way. That would be optional.

MAYOR BRIARE:

Listen, you did a super great job two years ago getting this thing on in the first place, but none of you are going to convince me for one second that you're here to talk about fire protection. You're here to want access so service trucks can get up Edmond period, end of report.

NANCY CORDAY:

I'm really making two requests. I may not win either one of them, but --

MAYOR BRIARE:

Your own lawyer -- your own lawyer, who is a very competent attorney, has very clearly told us exactly what it is that you want, and he even goes so far as to say that the public of Las Vegas are going to be served if we let you bring trucks to your back door, and that's it, unless you disclaim your attorney's letter.

RICHARD ROBINSON:

They will because -- they will --

NANCY CORDAY:

If I may? I'm here asking for two things. I may not get both of them. I may not get either of them. I may get both of them. I believe in the process so we're here. We had a request on the part of the State Fire Marshal to come in and address the situation, which wasn't correcting not meeting standard, it wasn't correcting minimal standard, it was just getting it better, and we concurred with them, and so we thought we would make that request even if it involved additional expense for ourselves. The second request is, in fact, one I would stand on. I really, as a developer who has relatively few service vehicles, really can't see any reasonable reason why our kind of use shouldn't have service vehicles just as retail establishments like Ole's does, particularly when we're talking about so few of them; and it's not a matter of those trucks shifting from Sahara Avenue in their approach to us over to O'Bannon Street or wherever it is people have a concern because they're going to come off Sahara. That's the only reasonable approach they're going to make. Again, it's just a question of whether they round that corner or not.

MAYOR BRIARE:

Mr. Nolen.

EXCERPT - CITY COUNCIL MEETING - FEBRUARY 1, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

R. PLOT PLAN REVIEW - Z-42-82 - ANDERSON DEBARTOLO PAN, INC.

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COUNCILMAN NOLEN:

I have two comments, Your Honor. Number 1, I would -- you keep representing the State Fire Marshal requested this or suggested this or asked it, yet there's nothing in writing in that. If that's the State Fire Marshal's opinion, I suggest that he put it in writing and submit it to this Council. Number 2, I think there's a very good reason why you should not have commercial access off that road because this Council promised the people of that community it wouldn't be there, and I think that's the only issue.

MAYOR BRIARE:

Anything else, folks?

RICHARD ROBINSON:

I have nothing, thank you.

NANCY CORDAY:

Thank you for hearing us.

MAYOR BRIARE:

Anyone else wish to be heard? Comments from the Council?

COUNCILMAN LURIE:

I move that the item be denied.

MAYOR BRIARE:

Comments on the motion? Cast your vote. Post. Motion is approved, therefore, the request is denied, and, Mr. Hall, would you have someone from the Fire Department either contact the State Fire Marshal or whatever has to be done so that we, each of us, especially the City Manager's office, has it very clear in their minds that we are not doing anything that's going to jeopardize fire protection to that particular project, okay. (Motion carried unanimously)

END OF EXCERPT

LAW OFFICES

JAMES J. JIMMERSON & ASSOCIATES

0174

JAMES J. JIMMERSON
THOMAS W. DAVIS II

1407 VALLEY BANK PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE
AREA CODE 702
382-3970

January 31, 1984

Mayor Bill Briare
City Commissioner's Office
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: COMPCARE HOSPITAL ON WEST SAHARA AVENUE

Dear Mayor Briare:

This letter is in regard to the rehabilitation hospital currently being constructed by Comprehensive Care Corporation (Compcare) on West Sahara Avenue. Last Tuesday, the City Planning Commission rejected Compcare's request to have a limited-use entrance on Edmund Street in addition to the main entrance on Sahara Avenue. The Planning Commission only allowed the insertion of a crash gate for fire department purposes. After looking through the supporting documentation, I am, quite frankly, at a loss as to why such a restriction would be placed on the unit.

I realize that there has been public pressure in opposition to the unit, but such opposition would appear wherever the hospital was located. The West Sahara Avenue location where the facility is being constructed is clearly not a residential area. The protests have been coming from people living several blocks from the hospital. The general consensus appears to be that such a facility is desirable, "but not in my neighborhood". Such protests ring especially hollow in light of the fine record that Compcare has built up in regard to similar facilities elsewhere. (Please note the attached sample of letters.) Incidents in the nature of those feared by the vocal minority in this case have been non-existent at other Compcare locations.

All that is being asked in this instance is that a limited-use entrance be allowed on Edmund Street rather than the crash gate approved by the Planning Commission. The City Department of Fire Services initially required some type

Mayor Bill Briare
Page Two
January 31, 1984

of access on Edmund Street. The facility was designed to allow service vehicles to make their deliveries through that Edmund Street entrance. Only two or three vehicles would use that entrance per day. It would be extremely costly to require Compcare to revise those plans now, in the middle of construction. The difference between a crash gate and a limited-use entrance is not that great to the general public, but allowing only a crash gate would work an extreme hardship on Compcare.

Other factors also work in favor of a limited-use entrance on Edmund Street. Forcing larger trucks to maneuver through the front entrance and parking lot in order to reach the loading facilities in the rear would create a danger in itself. People will be parking their cars and there will be a certain amount of pedestrian traffic. It would be far safer to allow the service vehicles to use another entrance.

A final point in favor of Compcare's request is the fact that Edmund Street has already been open to commercial traffic to a certain extent. There is an Ole's Hardware Store directly across Edmund Street from the Compcare facility. That Ole's store does have an entrance on Edmund Street. An additional two or three trucks per day will not overburden Edmund Street and will help to alleviate safety problems in the front of the hospital.

In short, the argument in favor of a limited-use entrance on Edmund Street is overwhelming. Cost factors and safety factors greatly outweigh any inconvenience that two or three trucks per day would cause in using the Edmund Street entrance. Compcare has built up a fine record of excellent community relations in the past and intends to carry that same spirit forward into Las Vegas. It would be grossly unfair to allow an overzealous sense of concern to force Compcare to begin operations with a less efficient and less safe facility than could have been constructed to best serve Las Vegas residents. A limited-use entrance rather than a cost-inefficient crash gate would be in the best interests of both Compcare and the City of Las Vegas.

Sincerely,


James J. Jimmerson
JJJ:cg

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0178

City of Las Vegas

February 1, 1984

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)

3:37

S. ABEYANCE ITEM - ZONE CHANGE - Z-36-83 - WILLIAM C. AND TRISH N. STAPP

Reclassification of property generally
located on the northeast corner of Westcliff
Drive and Tenaya Way.

From: N-U (Non-Urban)

To: C-1 (Limited Commercial)

Proposed Use: Shopping Center

Planning Commission recommends APPROVAL
(4-2 vote), subject to the following
conditions:

1. Resolution of Intent with a twelve (12)
month time limit.
2. Provision of a 6' block wall along the
north and east property lines.
3. Dedication 60' of right-of-way for
Westcliff Drive, 40' of right-of-way
for Tenaya Way and a 25' radius corner
at the intersection of Westcliff Drive
and Tenaya Way.
4. Install full half-street off-site
improvements on Westcliff Drive and
Tenaya Way as required by the Department
of Engineering Services.

Staff Recommendation: DENIAL

PROTESTS: 39

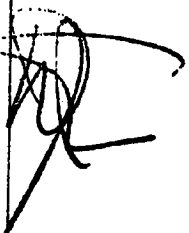
Levy -
ABEYANCE to enable
applicant to apply
for a Variance
Unanimous

Clerk to notify.

William C. Stapp
and Atty. Herb
Jones appeared
and represented
the application.

No one appeared
in opposition.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
February 1, 1984 City Council Agenda

X.

S. ABEYANCE ITEM - ZONE CHANGE - Z-36-83 - WILLIAM C. AND TRISH N. STAPP

This item was held in abeyance from the December 7, 1983 meeting so that the drafted land use plans for this neighborhood that were prepared by the Consultant for the General Plan Update could be used in connection with this request. The neighborhood plan is in a draft form and may be changed at the time the General Plan Update is adopted, but it provides substantial insight on how this neighborhood would develop. In this one square mile neighborhood that is located north of Westcliff Drive between Buffalo and the Oran K. Gragson Highway, the General Plan will be recommending approximately two acres per thousand population which will translate into approximately 18 acres. Approximately five acres at Rainbow and Westcliff would be appropriate across from the existing commercial to the south and the Consultant is recommending seven to eight acres at the corner of Buffalo and Westcliff which is at the intersection of two primary streets and the remaining five acres divided into two sites at the north end of this quadrant for convenience shopping at Tenaya and Westcliff as requested in this application primarily because there is no need for additional commercial beyond the two sites recommended on Westcliff and if it was allowed on this corner on Tenaya, there would be a feeling by the property owner on the vacant corner to the west of Tenaya that commercial also be approved and there would not necessarily be a neighborhood demand for it.

The application is for a small shopping center on a 2 1/2 acre parcel that was annexed to the City recently. The applicants indicated a convenience market on the immediate southwest corner of the site would be the initial development. The application was held in abeyance and a revised plan was submitted showing a 150'x 150' site for the market. If the application is amended to the convenient store site only, the applicants are requesting a waiver of the block wall along the north and east sides and waiver of the off-site improvements on Tenaya Way. There is an existing 13 acre shopping center approximately one-quarter mile to the southeast at Rainbow and Westcliff. Approximately 300' to the north is a corridor being reserved for the westerly extension of the freeway to the Husite property. A preliminary design proposes an on-ramp/off-ramp corridor south to Westcliff approximately 300' east of this property.

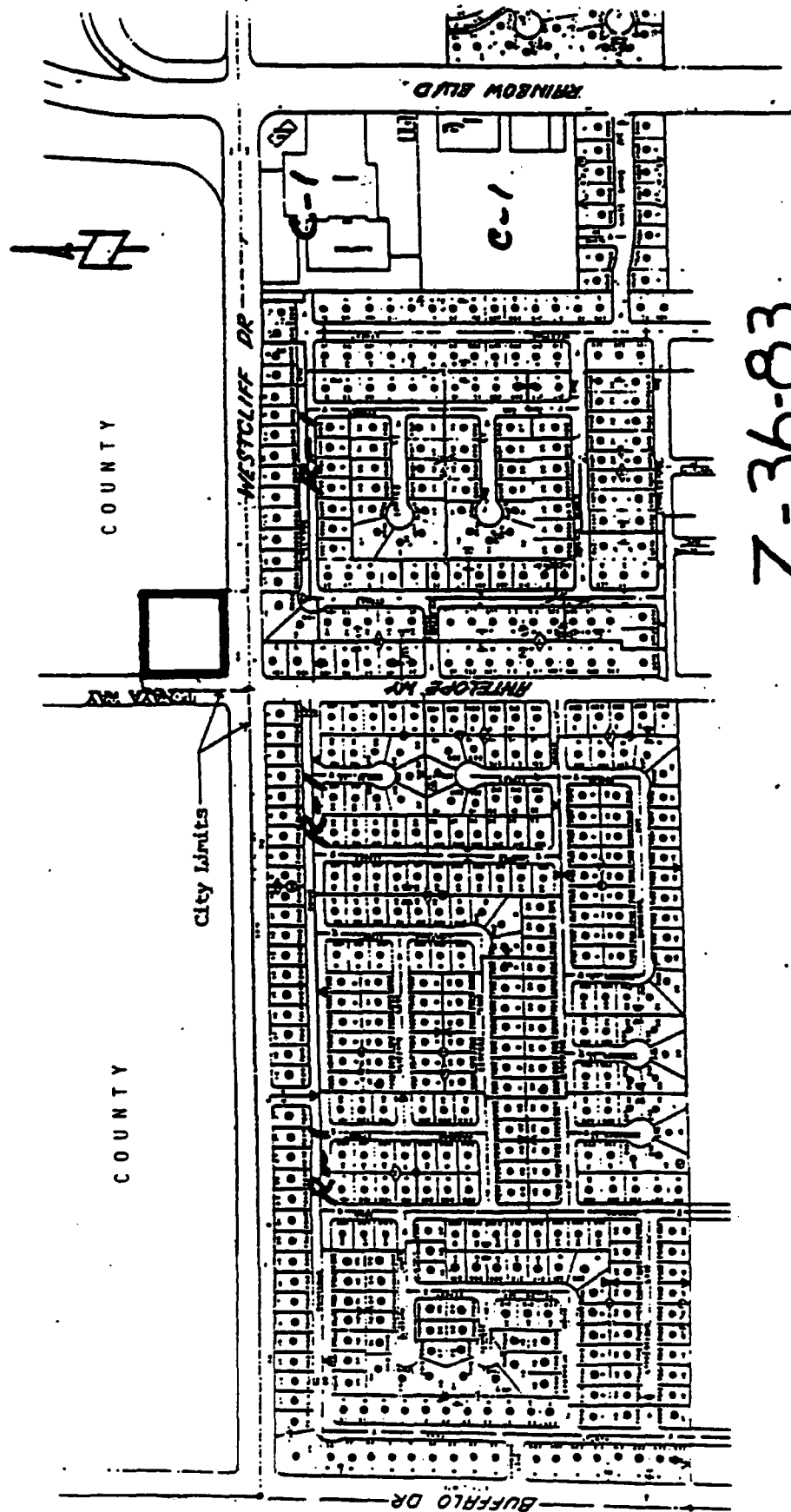
PLANNING COMMISSION RECOMMENDATION: APPROVAL - Appropriate location for commercial because it is at the intersection of two major streets.

STAFF RECOMMENDATION: DENIAL - Contrary to the locations recommended by the Consultant for the General Plan Update.

PROTESTS: 39 - Petition with 36 property owners
3 People spoke at Planning Commission meeting

SEE ATTACHED LOCATION MAP

S. LOCATION MAP - Z-36-83



Z-36-83

AGENDA

CITY COUNCIL MINUTES - FEBRUARY 1, 1984

0179

City of Las Vegas February 1, 1984

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)

T. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE PLANNING COMMISSION AT ITS
JANUARY 24, 1984 MEETING.

VAC-22-83

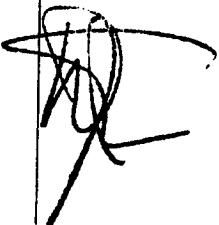
2/15/84 Agenda

U. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD JANUARY 26, 1984.

NONE

NONE

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

February 1, 1984

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

ITEM

Council Action

Department Action

XI. ADDENDUM ITEMS

ADDENDUM NO. 1:

- IV(a). ADMINISTRATIVE AGENDA
C. DISCUSSION AND POSSIBLE
ACTION ON SELECTION OF
A CITIZEN PRIORITY
ADVISORY COMMITTEE.
(See Page 13)

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APPROVED AGENDA ITEM

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February 1, 1984

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AGENDA*City of Las Vegas*CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

XII. CITIZENS 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.

NONE

NONE

MEETING ADJOURNED AT 4:00 P.M.

APPROVED AGENDA
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