

MAYOR BRIARE: The next is an application for Lewis Homes of Nevada for property located at the southwest corner of Alta Drive and Rainbow Boulevard. Planning Commission's recommendation was for APPROVAL. Staff's recommendation was for APPROVAL. There were no protests. Mr. Lewis, something seems to be happening.

COUNCILMAN LEVY: I want to protest just to keep --

MAYOR BRIARE: Something's wrong here.

COUNCILMAN LURIE: I have a question. You know I got to have a question on this. The R-1 homes are going to be built on the west side, is that correct -- in the yellow?

ROBERT LEWIS: Yes, the yellow we put a buffer in.

COUNCILMAN LURIE: You're going to put a buffer of the R-1's along there. The rest will be the R-CL.

ROBERT LEWIS: Compact lots, yes.

COUNCILMAN LURIE: Okay. Mayor, I'D MOVE FOR APPROVAL OF THE APPLICATION, SUBJECT TO CONDITIONS. Watch that heavy equipment too tomorrow.

COUNCILMAN LEVY: Did you move to approve this for him?

COUNCILMAN LURIE: Yes, subject to the conditions.

MAYOR BRIARE: Cast your votes. Post.

COUNCILMAN LEVY: Geez, Bob, no wonder you stayed. (laughter)

COUNCILMAN LURIE: But I want you to understand, this says application be amended to delete the row of R-1 lots on the west side, but we're not deleting those. They're going to be -- that R-1 buffer zone is going to be there, is that right?

HAROLD FOSTER: By deleting that, that keeps the R-1 row of lots there.

COUNCILMAN LURIE: As long as we understand that the buffer zone will be there.

MAYOR BRIARE:

Motion's APPROVED. (Motion carried unanimously)

COUNCILMAN LURIE:

Okay.

END OF DISCUSSION

MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: May 2, 1984

TIME: 9:45 A.M.

INVOCATION: Mr. Hoyt Beasley
Church of Christ

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 July 18, 1984

ATTEST:

Carol A. Hawley William H. Briare
CITY CLERK MAYOR

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

0001

AGENDA*City of Las Vegas*

May 2, 1984

Page 1

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

ITEM	Council Action	Department Action
I. 9:45 A.M.	FULL BOARD PRESENT.	
A. <u>COMMUNITY RELATIONS</u>	Proclamations (Items B-1 and B-2) were presented by the Council to Ben Roscoe, Dr. Alex Witkow and Gene Simon.	
B. <u>SPECIAL EVENTS</u>		
1. Proclamation recognizing May as Senior Citizens Month. 2. Proclamation proclaiming May 13-19 as Senior Center Week. 3. Proclamation proclaiming Helldorado and recognition of the 50th Anniversary of Helldorado.		
II. 10:00 A.M.	Proclamation presented by the Council to Mr. Jim Hoge, General Chairman, Elks Helldorado 50th Anniversary Committee.	
A. <u>ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW</u>	Announcement Made	
B. <u>INVOCATION</u>	Invocation given by Mr. Hoyt Beasley	
Mr. Hoyt Beasley Church of Christ		
C. <u>PLEDGE OF ALLEGIANCE</u>	Mayor Briare led audience in Pledge.	
APPROVED AGENDA ITEM	Mayor announced that the City of Mesquite, Nevada had held their first election and directed City Manager Hall to send a congratulatory message to the new officials. Mr. Jim Hughes was elected Mayor of that City.	
<i>mp Coe</i>		

AFFIDAVIT OF POSTING

0002

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

Wanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 27th day of April, 1984, at the hour of 9 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 2nd day May, 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)

Wanne Perry
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

27th day of April, 1984

Sandra R. LeBeau
NOTARY PUBLIC in and for said County
and State.
My Commission expires: 3-15-86



SANDRA R. LE BEAU
Notary Public - State of Nevada
Appointment recorded in Clark County

AFFIDAVIT OF MAILING

0003

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
 COUNTY OF CLARK) ss

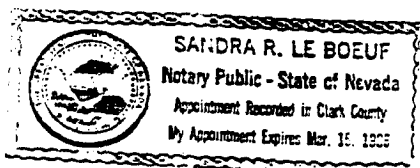
Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 27th day of April, 1984, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a REGULAR MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on the 2nd of May, 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).

Joanne Perry
 SIGNATURE (an employee of the Office of
 the CITY CLERK)

Subscribed and sworn to before me this

27th day of April 1984

Sandra R. LeBoeuf
 NOTARY PUBLIC in and for said County
 and State.
 My Commission expires: 3-15-86



0004

AGENDA*City of Las Vegas*

May 2, 1984

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6000

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITYJERRY J. CAHILL, 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 item may be discussed if a Councilman or citizen so requests.

10:04

*A. GAMING -- Additional

1. CALIFORNIA HOTEL & CASINO,
A NEVADA CORPORATION

California Hotel & Casino
12 Ogden Street
10 slots

2. FOXY'S JACKPOT CITY, INC.

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

3. HORSESHOE CLUB OPERATING
COMPANY

Horseshoe Club
128 East Fremont
2 "21" Tables
25 Poker Tables

4. LAS VEGAS INN & CASINO, INC.

Las Vegas Inn & Casino
1501 West Sahara
50 slots
1 Crap Table

Lurie -
APPROVED Items 1
thru 11.
Unanimous

Staff to proceed

CITY COUNCIL AGENDA ITEM

AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)

*A. GAMING -- Additional

APPROVED
See Page 2

See Page 2

5. ALSTATE ENTERPRISES, INC.

Ernie's Bar
1901 North Rancho
1 slot

6. CHARLESTON HEIGHTS BOWL,
A GENERAL PARTNERSHIP

Charleston Heights Bowl
740 South Decatur
3 slots

7. B.J.'S PUB, INC.

The Getaway Pub
1111 South Decatur
8 slots

8. AMERICAN COIN ENTERPRISES

Sco's
132 Las Vegas Boulevard South
2 slots

Skinny Dugan's Pub
4127 West Charleston
10 slots

APPROVED AGENDA ITEM



0006

AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)*A. GAMING -- AdditionalAPPROVED
See Page 2

See Page 2

9. CASINO ELECTRONICS, INC.

Larry's Villa
2401 West Bonanza
1 slotLoyal Order of Moose #1763
1600 Gragson Drive
1 slotPhilly Pub
2202 West Charleston
1 slotSocial Circle Bar
235 North Eastern
3 slots

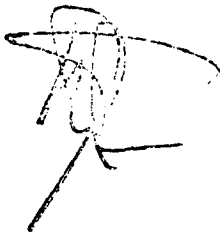
10. RUJO, INC.

Memory Lane
1311 West Owens
2 slots

11. UNITED COIN MACHINE COMPANY

Jack's Place
5067 East Bonanza
1 slotWest Hill Lanes
4747 West Charleston
8 slots

APPROVED AGENDA FILE



AGENDA*City of Las Vegas*

0007

May 2, 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 ACTIVITY
(cont'd)

0:05 B. LIQUOR -- Change of Location

1. From: 1200 East Bonanza

TO: *LAS VEGAS POLICE
PROTECTIVE ASSOCIATION,
INC.
dba
DEBRIEFING ROOM
1250 Burnham

Non-Profit Club General

O.C. Lee, President

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

Lurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

0:06 C. LIQUOR -- Approval of Additional
Stockholder

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

General On-Off Sale License

Additional Officer:
Melvin L. Bozack, 51%
Stockholder

Lurie -
APPROVED, subject
to the conditions.
Unanimous

Staff to proceed

Atty. Mark Segal,
520 S. 4th St.,
appeared to
represent Melvin
L. Bozack

Melvin L. Bozack,
Highland, Ind.,
appeared.

AGENDA

0008

City of Las Vegas

May 2, 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 ACTIVITY
(cont'd)

10:09

D. LIQUOR -- Approval of Manager

1. LARRY'S VILLA, INC.
dba
LARRY'S VILLA, INC.
2401 West Bonanza

General On-Sale License

Manager:
Stanley J. Grant

2. C.C.R.L., INC.
dba
DON'T ASK
3601 West Sahara

General On-Sale License

Manager:
Nerio RussoLurie -
APPROVED Items 1
and 2 as recom-
mended.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

0009

AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)

10:10

E. LIQUOR & GAMING -- New

1. *CALIFORNIA HOTEL & CASINO,
A NEVADA CORPORATION
dba
SAM BOYD'S FREMONT STREET
MARKET
411 Fremont Street

General Off-Sale License
Restricted Gaming: 15 slots

Sam A. Boyd, Chairman of the
Board
William S. Boyd, Pres, Secy,
Treas, Dir
Warren L. Nelson, V.P., Dir
Charles L. Ruthe, Senior V.P.,
Dir
Perry B. Whitt, Exec V.P., Dir

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

Lurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

10:10

F. LIQUOR & GAMING -- Approval of
Additional Partner

1. PIONEER INVESTMENT GROUP
dba
PIONEER CLUB
25 Fremont Street

General On-Off Sale License
Nonrestricted Gaming

Additional Partner:
Goldstrike Investments, Inc.,
33 1/3% Partner
David R. Belding, Pres,
Secy, Treas

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA Item

0010

AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)

10:11

G. GAMING -- New

1. CALIFORNIA HOTEL & CASINO,
A NEVADA CORPORATION
dba
SAM BOYD'S WESTERN CLOTHING
COMPANY..
413 Fremont Street

Restricted Gaming: 15 slots

Sam A. Boyd, Chairman of the
Board
William S. Boyd, Pres, Secy,
Treas, Dir
Warren L. Nelson, V.P., Dir
Charles L. Ruthe, Senior V.P.,
Dir
Perry B. Whitt, Exec V.P.,
Dir

Lurie -
APPROVED
Unanimous

Staff to proceed

5:11

H. SECONDHAND DEALERS LICENSE -- New

1. *GREGORY HOLLAND
dba
BONANZA FURNITURE
618 North Main Street

Class II

Gregory L. Holland, 100%

*Subject to the provisions of the
Planning, and Fire codes

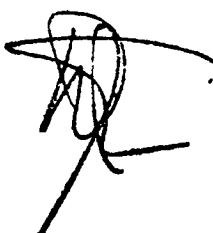
Lurie -
APPROVED
Unanimous

Staff to proceed

Gregory L. Holland
appeared.

NOTE: Councilman Lurie directed
staff to review secondhand
license ordinance as to
outside premise displays
and report back.

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)10:12 I. SPECIAL EVENT LIQUOR LICENSE1. LAS VEGAS SENIOR CITIZENS
CENTER

Location: Lorenzi Park

Date: May 19, 1984

Responsible Licensee:

Ronald Fogler

Colbert-Fogler Golf Enterprises

Lurie -
APPROVED Items 1
and 2.
Unanimous

Staff to proceed

2. MUSCULAR DYSTROPHY ASSOCIATION

Location: Cragin Park

Dates: May 12 & 13, 1984

Responsible Licensee:

Fred Keck

Skinny Dugan's Pub

APPROVED
See Above

See Above

10:13 J. LIQUOR -- Request for Approval of
Nonoperational Status

1. UNA F. SLOAN

dba

THE BOOMERANG

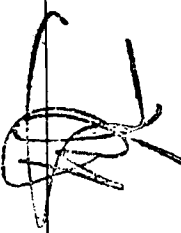
2109 East Fremont

General On-Off Sale License

Una F. Sloan, 100%

Lurie -
APPROVED
Unanimous

Staff to proceed


(Request for approval of nonopera-
tional status for three-month
period: 5/4/84 to 8/4/84.)

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 20, 1984

0012

TO: The City Council

FROM: DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- MAY 2, 1984 CITY COUNCIL AGENDA
LIQUOR -- Request for Approval of Nonoperational Status

PURPOSE/BACKGROUND

Item, "J", 1.

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

1. Una F. Sloan, dba The Boomerang

A copy of letter requesting extension is attached.



Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "J" 1

March 7th 1984.

0013

To The City Council

Gentlemen.

I Una F Sloan owner of a privileged licence on a business located at 2109 E Fremont St Commonly known as the Boomerang Cocktail Lounge, wish to ask for permission to leave business closed from about Feb 13th 1984 for a short a period necessary to get legal matters cleared up. The Contract of Sale has been tampered with and altered to the fact that if the purchased Miss Diamond and Mr Stovell had payed me off the final payment April 15 1984 correctly they would have still been managing the business without an owner I believe until they obtained the licence which they had time to obtain from August of 82 till they took over as managers in Feb 83. So with this and being cheated out of my final payment among other things I have had to obtain legal assistance and feel its best the place is closed and things can be straightened out much sooner. I am trying to repossess the place and sell to someone who would honor the Contract Correctly and Honestly.

Trusting you will grant me this wish

Thanking You

Most Respectfully

Una F Sloan

AGENDA*City of Las Vegas*

May 2, 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 ACTIVITY
(cont'd)

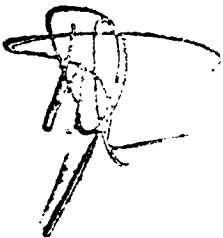
10:13

K. LIQUOR -- Change of Ownership/
Change of Location/Change of
Business Name1. From: Sid's
2300 Maryland Parkway

Sidney Drobkin, 100%TO: *LINDA MARTINELLI
dba
MARTINELLI'S
333 North RanchoGeneral On-Sale
Restaurant LimitedLinda S. Martinelli,
100%*Subject to the provisions of the
Planning, and Fire codes and
Health Department regulationsLurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

APPROVED AGENDA FILE



AGENDA*City of Las Vegas*

0015

May 2, 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 ACTIVITY (cont'd)

L. LIQUOR -- Change of Ownership/ Change of Business Name

1. From: Auto Flite Oil Company,
Inc.
dba
Rebel Plus

Jack E. Cason, Pres, Dir
Carl L. Bailey, Secy,
Treas, Dir

TO: *STOP 'N GO MARKETS OF
NEVADA, INC.
dba

STOP 'N GO MARKET # 469
529 North Rancho Drive

STOP 'N GO MARKET # 472
4325 West Sahara Avenue

Beer/Wine Off-Sale
Licenses

V. H. Van Horn, Pres,
Director
A. J. Gallerano, V.P.,
Secy
et al

Glynn Lambert, Zone Mgr.
Mark Negri, District Mgr.

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

Nolen -
APPROVED, subject
to all information
on transaction being
furnished to
Privileged License
Department by
June 6, 1984,
Unanimous

NOTE: Christensen
moved to amend
Nolen's motion above
by excluding informa-
tion as to the price
of business sale.
Motion failed with
Levy, Lurie and
Nolen voting "No."

Staff to proceed

Lt. Hash Hanief,
LVMPD, appeared

Mark Negri
appeared

Atty. Greg Jensen
Lionel, Sawyer &
Collins, appeared
to represent
Stop 'N Go
Markets

Jack E. Cason
appeared

AGENDA*City of Las Vegas*

May 2, 1984

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IV.(a) ADMINISTRATIVE AGENDA
ASHLEY HALL, CITY MANAGER

0:33

- A. ALLOCATION OF MONIES FROM THE OFF-STREET PARKING FUND.

Levy -
APPROVED as recommended by City Manager.
Unanimous

Staff to proceed
Tom Graham, Dir., Architectural Services, appeared

1 6

- B. DISCUSSION AND ACTION CONCERNING JOINT REQUEST WITH CLARK COUNTY TO NEVADA TAX COMMISSION FOR A SPECIAL DISTRIBUTION FROM RESERVE FUND FOR SUPPLEMENTAL CITY-COUNTY RELIEF TAX FOR PURPOSE OF REIMBURSING LAS VEGAS METROPOLITAN POLICE DEPARTMENT FOR COSTS WHICH IT INCURS AS A RESULT OF CURRENT STRIKE.

Christensen -
APPROVED to join Clark County in costs incurred by Metro due to strike as recommended.
Unanimous

Staff to proceed
Randall Walker, LVMPD, appeared.

0:41

- C. DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR PERMISSION TO MAIL OUT RFP'S ON THE SALE OF THE CEMETERY.

Christensen -
APPROVED request as recommended.
Unanimous

Staff to proceed

4

- D. DISCUSSION AND POSSIBLE ACTION CONCERNING RECOMMENDATION THAT THE CITY OF LAS VEGAS REESTABLISH ITS MEMBERSHIP ON THE CLARK COUNTY CLEARINGHOUSE COUNCIL.

Lurie -
APPROVED to re-establish membership beginning July 1, 1984.
Unanimous

Staff to proceed

0:45

- E. RESOLUTION ENCOURAGING CITY STAFF TO BECOME MORE SENSITIVE TO THE NEEDS OF SENIOR CITIZENS IN RESIDENTIAL CARE HOMES.

Lurie -
ADOPTED Resolution
Unanimous

Staff to proceed

Levy requested City Manager to see if City will be incurring any costs due to current strike other than those incurred by LVMPD.

NOTE: A verbatim transcript of the items under the Administrative Agenda made a part of the final minutes.

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 26, 1984

0017

TO: The City Council

FROM: ASHLEY HALL
CITY MANAGER

SUBJECT: ALLOCATION OF MONIES FROM THE OFF-STREET PARKING FUND

PURPOSE/BACKGROUND

The "Downtown Master Development Plan" was approved in concept by this City Council on December 21, 1983. On March 7, 1984, this City Council agreed to use revenues derived from the Carson and Ogden Parking Garage leases for downtown development. The first phase of the Downtown Plan proposes the creation of a Downtown Transportation Center, a Downtown Trolley Shuttle and a Downtown People Mover System.

I am pleased to inform the Council that continued work on Phase I of the Downtown Plan has brought us to the point where future advancement of the Plan requires the dedication of City monies. In order that the City may respond quickly towards the actual development of this innovative and progressive plan, the allocation of monies from the Off-Street Parking Fund is necessary. The specific designated use of these monies (\$1,571,682) should be dedicated in the following areas:

1. Local Match for UMTA Grants (20% of \$3,350,000)	\$ 670,000
2. People Mover Utility Search Survey	50,000
3. A/E Consultants	146,060
4. Emergency Fire Lane Modification	14,000
5. Bus Site Egress Signal Improvements	34,000
6. Guarantee Operation of the Trolley System for One Year	657,000
TOTAL	\$ 1,571,060

Of the preceding functional areas, the People Mover Utility Search Survey should be undertaken immediately. The Survey must be undertaken to verify all known utility locations. It is estimated that 100 road cuts, at a cost of approximately \$500 per cut, will be required for this task.

FISCAL IMPACT

\$1,571,060

RECOMMENDATIONS

It is the City Manager's recommendation that Off-Street Parking Fund monies be allocated in the manner previously specified and that the City Council authorize the City Manager to expend these monies, as needed, for the purpose of developing Phase I of the Downtown Master Development Plan.

Agenda Item

IV(a) A.

MAYOR BRIARE:

The next on Council's page 12, the Administrative Agenda, Mr. Hall.

CITY MANAGER HALL:

Your Honor, Council, Item A deals with the allocation of monies from the off-street parking fund. The Downtown Master Development Plan was approved in concept by the City Council on December 21, 1983. On March 7th, 1984, this Council agreed to the use of revenues derived from Carson and Ogden Parking Garages -- garage leases for the downtown development. The first phase of the Downtown Development Plan process proposes the creation of a Downtown Transportation Center, a Downtown Trolley Shuttle, and a Downtown People-Mover System. I am pleased to inform the Council that continued work on Phase I of the Downtown Plan has brought us to the point where future advancements of the Plan requires the dedication of City's monies. In order that the City may respond quickly toward the actual development of this innovative and progressive plan, the allocation of monies from the off-street parking fund is necessary. The specific designated use of these monies totals \$1,571,682 -- should be dedicated in the following areas and those are listed: Number 1 is a local match to UMTA Grant. It's our 20% share of \$3,350,000. That share is \$670,000. Number 2 is the People-Mover Utility Search Survey of \$50,000. Number 3 is the A/E Consultants of \$146,060. Number 4 is the Emergency Fire Lane Modification of \$14,000. Number 5 is the Bus Site Egress Signal Improvements of \$34,000; and Number 6 is the Guarantee Operation of the Trolley System for One Year of \$657,000, bringing to a grand total of \$1,571,060. Of the preceding functional areas, the People-Mover Utility Search Survey should be undertaken immediately. The survey must be undertaken to verify all known utility locations. The fiscal impact -- this money is currently available in the off-street parking fund. It's the recommendation of the City Manager that this money be utilized for that purpose.

MAYOR BRIARE:

Comments.

COUNCILMAN LEVY:

I MOVE TO FOLLOW RECOMMENDATIONS.

MAYOR BRIARE:

Comments on the motion?

COUNCILMAN LURIE:

I just have one question.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM A. ALLOCATION OF MONIES FROM THE OFF-STREET PARKING FUND.

0019

PAGE 2

MAYOR BRIARE: Councilman.

COUNCILMAN LURIE: Who's going to do the People-Mover Search Survey?
Is it going to go out to proposals and have somebody
do it or be done in-house?

CITY MANAGER HALL: Mr. Graham. Mr. Graham is the Chairman of our
Downtown Development Task Force.

TOM GRAHAM: I would recommend -- that's estimated on a pre-
designed basis to go out under a professional
service contract simply because of the magnitude
of effort required and --

COUNCILMAN LURIE: And you'll bring that back to us then --

TOM GRAHAM: Yes. It'll be back for awards, that's correct.

COUNCILMAN LURIE: -- for approval before it's done? Okay. That's
all I wanted to know.

MAYOR BRIARE: Further comments? Cast your votes. Post. MOTION'S
APPROVED. (Motion carried unanimously.)

END OF EXCERPT_

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 26, 1984

TO:
The City CouncilFROM:
Ashley Hall,
City Manager

SUBJECT: Emergency Funding for Las Vegas Metropolitan Police Department

PURPOSE/BACKGROUND

The Committee on Fiscal Affairs for the Las Vegas Metropolitan Police Department held an emergency meeting on Thursday, April 19, 1984, for the purpose of discussing various solutions to the financial difficulties which presently confront the Department as a result of the overtime which is necessary to preserve the peace during the current strike. The Department has indicated that its projected surplus in the amount of \$325,000 has been exhausted, and that any strike-related expenses which the Department incurs after Tuesday, April 17, 1984, will result in a deficit in the Department's budget.

Since that meeting, Judge J. Charles Thompson has issued a supplemental order in connection with the Temporary Restraining Order which, among other things, ordered the Nevada Resort Association to reimburse the Department for the costs which it incurs in the enforcement of the Temporary Restraining Order, in which he clarified the Nevada Resort Association's reimbursement obligation under the initial order. Under the new order, the Nevada Resort Association was directed to pay to the Department the sum of \$90,000, representing \$6,000 per day for the period from April 5, 1984, to and including April 20, 1984, and the sum of \$5,000 for each and every day thereafter for the remainder of the time that the order is in effect or until May 7, 1984, whichever is sooner. The payment of the amounts which are specified in the new order will alleviate the situation to some degree, and the Committee on Fiscal Affairs suggested that the Department apply the monies which it has received through forfeitures in connection with recent narcotics arrests to the projected deficit. However, even a combination of these two sources does not appear to be sufficient to eliminate the projected deficit completely.

It was therefore concluded that the City and the County should join in a request, for the benefit of the Department, to the Nevada Tax Commission for a special distribution from the reserve fund for the Supplemental City-County Relief Tax to offset the balance of the projected deficit in an amount of which the City Council will be advised at its meeting which will be held on Wednesday, May 16, 1984. A similar item is scheduled for discussion by the Board of County Commissioners at its meeting which will be held on Tuesday, May 1, 1984.

FISCAL IMPACT

None to the City. If the joint request to the Nevada Tax Commission is approved for both the City and the County, the funds will come from the reserve fund for the Supplemental City-County Relief Tax in the State Treasury. The Las Vegas Metropolitan Police Department will advise the City Council at its meeting which will be held on Wednesday, May 16, 1984, of the specific amount which it desires to be requested from the State.

RECOMMENDATIONS

That the City Council decide whether or not it wishes to join with Clark County in a request to the Nevada Tax Commission for funding for the benefit of the Las Vegas Metropolitan Police Department as aforesaid.

Agenda Item

IV.(a) B

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

PAGE 1

IV(a) ADMINISTRATIVE AGENDA

ITEM B. DISCUSSION AND ACTION CONCERNING JOINT REQUEST WITH CLARK COUNTY TO NEVADA TAX COMMISSION FOR A SPECIAL DISTRIBUTION FROM RESERVE FUND FOR SUPPLEMENTAL CITY-COUNTY RELIEF TAX FOR PURPOSE OF REIMBURSING LAS VEGAS METROPOLITAN POLICE DEPARTMENT FOR COSTS WHICH IT INCURS AS A RESULT OF CURRENT STRIKE.

MAYOR BRIARE:

Next Item, Mr. Hall.

CITY MANAGER HALL:

Number two is the discussion and action concerning joint request with Clark County to Nevada Tax Commission for a special distribution from the reserve fund for supplemental City-County relief tax for the purpose of reimbursing the Las Vegas Metropolitan Police Department for costs which it incurs as a result of current strike. I might say that the County Commission approved yesterday an effort to join with the City of Las Vegas in petitioning the Nevada Tax Commission. It's the recommendation of the City Manager that we pursue that in requesting the Nevada Tax Commission to allocate those funds to the City of Las Vegas and Clark County for the purposes of reimbursing the Metropolitan Police Fund as described.

COUNCILMAN CHRISTENSEN:

I MOVE WE FOLLOW THE RECOMMENDATION AND JOIN THE COUNTY IN THAT REQUEST.

COUNCILMAN LURIE:

I have a question of Mr. Walker. I asked at the last meeting that he provide us with some updated information on the cost.

RANDALL WALKER:

Yes. I just computed out a new total this morning for the overtime that has come in. Basically, it's through the 28th, which is last Saturday. We have some through Sunday and Monday, but we haven't received it all yet. The total at this point that we've logged in is \$532,000, rounded, that we spent on the strike so far. By the time the rest of the overtime is in through today, I'm sure, it'll exceed \$550,000.

COUNCILMAN LURIE:

Have you been in contact with Pat Fine? Does he seem to feel that the Board's going to act favorably on the eventually needed revenue to cover this cost?

RANDALL WALKER:

Yes. Yes, I talked to Pat last week and -- indicated he was aware of the problem or indicated the magnitude of the problem. He seemed to feel that if the request was under a half million dollars in total that they would be able to act favorably upon the request. He'd be willing to make that recommendation for the --

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM B. DISCUSSION AND ACTION CONCERNING JOINT REQUEST WITH CLARK COUNTY TO NEVADA TAX COMMISSION FOR A SPECIAL DISTRIBUTION FROM RESERVE FUND FOR SUPPLEMENTAL CITY-COUNTY RELIEF TAX FOR PURPOSE OF REIMBURSING LAS VEGAS METROPOLITAN POLICE DEPARTMENT FOR COSTS WHICH IT INCURS AS A RESULT OF CURRENT STRIKE.

COUNCILMAN LEVY: I think the request should be for our cost, not for what would be appropriate for them.

RANDALL WALKER: Well, yes.

COUNCILMAN LEVY: I mean, don't stop at half a million if we run into more numbers.

RANDALL WALKER: There's two schools of thought and he, of course, he couldn't give me an indication of what the Tax Commission -- which one they would take. One is that they'd be willing to provide sufficient funds to make sure that we were solvent at the end of the year. The second one would be that they'd provide sufficient funding to make up the difference between what we had expended on the strike-related activities and what we had been reimbursed by the NRA.

COUNCILMAN LURIE: Have we been reimbursed yet?

RANDALL WALKER: I talked to the attorney for the NRA yesterday and I believe that we'll be receiving a check this morning.

COUNCILMAN LURIE: I like the first proposal. The first one which says, "To make you solvent at the end of the year." In case this lasts a little longer than anticipated, go after the first proposal.

RANDALL WALKER: Of course, the only problem we have is we're going to be on the agenda on the 25th of May, which will be held up in Carson City because of problems we have on the 18th. Our only problem, of course, is if the strike hasn't settled by the 25th of May, and we certainly hope that it has, then we'll have no idea what our total costs are going to be. That's the crucial point. At that point of time, if the strike hasn't settled at the time we petition the Tax Commission, we can give them the expenses and the problems as of that date, but not having a crystal ball and not knowing from day-to-day what kind of activities are going to be out on the street associated with the strike, it's difficult for us to determine how much funds were going to actually expend from day-to-day.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM B. DISCUSSION AND ACTION CONCERNING JOINT REQUEST WITH CLARK COUNTY TO NEVADA TAX COMMISSION FOR A SPECIAL DISTRIBUTION FROM RESERVE FUND FOR SUPPLEMENTAL CITY-COUNTY RELIEF TAX FOR PURPOSE OF REIMBURSING LAS VEGAS METROPOLITAN POLICE DEPARTMENT FOR COSTS WHICH IT INCURS AS A RESULT OF CURRENT STRIKE.

COUNCILMAN LEVY: Judge Thompson is under the understanding that we have received some of this.

RANDALL WALKER: It shouldn't be.

COUNCILMAN LEVY: Well, he did as of yesterday. Yesterday he thought we had received the money.

RANDALL WALKER: Okay. You mean from the NRA?

COUNCILMAN LEVY: Yes.

RANDALL WALKER: They were supposed to have paid us on the 27th. I thought maybe they had mailed it and that's why we hadn't got it. When I didn't get it by Monday afternoon, we did get in contact with the attorney and I think we have it straightened out. We should get a check today.

COUNCILMAN LEVY: I'd like to ask Mr. Hall along these lines. Is there any other money owed to the City besides Metro that we are being hit with because of the strike?

CITY MANAGER HALL: Not to my knowledge, Councilman.

COUNCILMAN LEVY: I certainly would like for you to check the departments.

CITY MANAGER HALL: We will. Marvin Leavitt by the way -- I told Marvin in conversation with Mr. Walker, if they indicated the check was in the mail that we'd be willing to go over and pick it up.

COUNCILMAN LURIE: I've heard that story before.

RANDALL WALKER: No, if they don't have it to us today, we'll be on the phone again, and if necessary, I'll send someone out to get it.

COUNCILMAN LURIE: Thanks, Randy.

MAYOR BRIARE: Councilman Christensen, you have a motion on the floor, do you not? Was that your motion?

COUNCILMAN CHRISTENSEN: That's correct.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

PAGE 4

IV(a) ADMINISTRATIVE AGENDA

ITEM B. DISCUSSION AND ACTION CONCERNING JOINT REQUEST WITH CLARK COUNTY TO NEVADA
TAX COMMISSION FOR A SPECIAL DISTRIBUTION FROM RESERVE FUND FOR SUPPLEMENTAL
CITY-COUNTY RELIEF TAX FOR PURPOSE OF REIMBURSING LAS VEGAS METROPOLITAN
POLICE DEPARTMENT FOR COSTS WHICH IT INCURS AS A RESULT OF CURRENT STRIKE.

MAYOR BRIARE:

Yes. Any further comments? Cast your votes.
Post. MOTION'S APPROVED. (Motion carried
unanimously.)

END OF EXCERPT

City of Las Vegas

0025

AGENDA DOCUMENTATION

Date: April 27, 1984

TO: The City Council

FROM: DON J. BAYLOR
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE REQUEST FOR PERMISSION
TO MAIL OUT RFP'S ON THE SALE OF THE CEMETERY.PURPOSE/BACKGROUND

The cemetery represents an annual financial burden to the City of approximately \$150,000 with an anticipated increase in deficit each year we are in operation. The deficit is caused by the fact that there was inadequate provision made for an Endowment Care Fund throughout the history of the operation of the cemetery and the revenue produced from the sale of plots and the income from the Endowment Care Fund is not sufficient to pay for the cost of maintenance. Furthermore, the design of the cemetery (developed portion) is such that it requires a costly maintenance to keep it in an acceptable manner.

Staff has been evaluating ways and means of overcoming the annual financial burden incurred by the operation of the cemetery and have concluded that the most feasible way would be to sell the cemetery on the basis that the purchaser would assume the obligation to maintain the entire cemetery in perpetuity. There are state regulatory provisions which govern cemeteries and which require that a contribution to a perpetual care fund be made on the basis of \$1.00 per square foot for each grave. These regulatory provisions do not apply to the City's cemetery in that it was excluded because it was in operation prior to the adoption of the state regulations. If we do decide to sell the cemetery, one of the provisions could be that the purchaser request of the state inclusion under the state regulations.

We presently have approximately \$500,000 in the Endowment Care Fund. If we had operated under state provisions, the Endowment Care Fund would have amounted to \$723,000. We have approximately 18 acres of undeveloped property in the cemetery that could be sold as part of the package of selling the entire cemetery including the obligation of perpetual maintenance. We have discussed this matter with a leading firm in the field of cemetery and mortuary operations (the firm that presently owns Bunker Brothers) and they have indicated a willingness to purchase the cemetery and assume the obligation of the perpetual care and pay us for the undeveloped portion of the cemetery with those funds going into the Endowment Care Fund along with our existing Endowment Care Fund. We also explored the possibility of a lease on a long-term basis; however, this would mean that somewhere down the line, the City would again have to assume the obligation of maintenance. We feel, therefore, that the sale of the property is in the best interest of the City.

In that all of the mortuary facilities in the City have their own cemetery, the sale of plots in the City's cemetery would necessarily be a very slow, long-term process before the entire cemetery would be developed. Even though the areas of new development could be designed so that maintenance was reduced, it does not appear that we could ever reach a break-even point on

FISCAL IMPACT maintenance.

An immediate savings of approximately \$150,000 annually.

RECOMMENDATIONS

The City Manager recommends that staff be directed to solicit RFP's for the sale of the cemetery predicated upon the owner accepting perpetual care obligations on the entire cemetery in perpetuity and further providing certain safeguards and additions to the Endowment Care Fund.

Agenda Item 5-2-84

IV(a)C.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM C. DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR PERMISSION TO MAIL OUT RFP'S
ON THE SALE OF THE CEMETERY.

PAGE 1

MAYOR BRIARE: Next Item.

CITY MANAGER HALL: On Number C, Mayor, is the discussion and possible action on request for permission to mail out RFP's on the sale of the City's Woodlawn Cemetery. Mr. Saylor.

DEPUTY CITY MGR. SAYLOR: The cemetery has been in a deficit operating position for the past many years and will continue to be that way. In fact, we're averaging about \$150,000 loss a year and I expect that that will continue to increase as time goes by. Staff has evaluated several possibilities in terms of ridding ourselves of that deficit factor. We finally concluded that perhaps the best most feasible method would be to sell the cemetery to someone who would be willing to assume our perpetual care obligation and perpetuity and that would get the City out of the cemetery business, yet continue to guarantee to the people that have interests in the cemetery that they would receive the continuing care. We discussed this with one of the leading cemetery firms in the country, the one that is now the owner of Bunker Brothers, and we are prepared to go out on the street with and RFP if the Council so desires and that would be staff's recommendation. After we receive the RFP's, of course, we would evaluate the proposals. It would then come back to you for approval.

COUNCILMAN CHRISTENSEN: I MOVE WE FOLLOW THE RECOMMENDATIONS OF STAFF AND I MOVE THAT WE -- UNTIL SUCH TIME AS THE CEMETERY IS DISPOSED OF, PROHIBIT ANYONE LIVING OUTSIDE THE CITY OF LAS VEGAS FROM BEING BURIED IN THAT CEMETERY. I think they should be dead first.

COUNCILMAN LURIE: Will you restate that motion?

COUNCILMAN CHRISTENSEN: I got you all, didn't I?

MAYOR BRIARE: Further comments?

COUNCILMAN LEVY: No more comments.

MAYOR BRIARE: Cast your votes. Post. MOTION'S APPROVED. (Motion carried unanimously.)

END OF EXCERPT

*City of Las Vegas***AGENDA DOCUMENTATION**Date: May 2, 1984

TO: The City Council

FROM: ASHLEY HALL
CITY MANAGER

SUBJECT: DISCUSSION AND POSSIBLE ACTION CONCERNING RECOMMENDATION THAT THE CITY OF LAS VEGAS REESTABLISH ITS MEMBERSHIP ON THE CLARK COUNTY CLEARINGHOUSE COUNCIL

PURPOSE/BACKGROUND

In June of 1983, the City of Las Vegas decided not to continue to participate financially in the Clark County Clearinghouse Council. This organization had been recognized as the regional entity responsible for reviewing applications submitted by local entities for federal funding. This process was initiated in an OMB Circular referred to as A-95. This circular was recently revoked in favor of Executive Order 12372. The Order places the responsibility for the overall review process with the State government. The states have been allotted the freedom to either modify or maintain the existing review process as outlined in the original circular (A-95) or to develop, in consultation with local entities, an independent process for review. Pursuant to an Executive Order issued by Governor Bryan in March of 1983, the State Office of Community Services has been designated as Nevada's state level review point for federally-funded projects. In establishing the State's overall review process, the Office of Community Services has advised that a simultaneous review by the Clark County Clearinghouse will be considered mandatory for any applications submitted to the State for federal funding impacting Clark County. This will be specifically delineated in regulations which will be made available to local entities.

Since the City has chosen not to participate financially in the Clearinghouse Council a new interlocal agreement has been executed by the remaining members of the Clearinghouse Council which excludes the City from further participation in the Council. This does not absolutely preclude the review of applications submitted by the City, but it does reduce the City's posture to one of a mere applicant. The City would be precluded from participating in the review of projects that may affect either the land use or human service activities in Clark County.

According to the City's legal counsel, the lack of formal participation by the City will further result in an inappropriate amount of influence of other local entities over projects which may be crucial to the City's best interests. To reestablish membership on the Council, the City must reenter no later than July 1, 1984. Membership will be accepted at the beginning of the fiscal year.

FISCAL IMPACT

Community Development Block Grant funds will be utilized as the City's share of the Council's costs.

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that the City of Las Vegas reestablish its membership on the Clark County Clearinghouse Council.

Agenda Item

IV(a) D.

EXCERPT - CITY COUNCIL MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM D. DISCUSSION AND POSSIBLE ACTION CONCERNING RECOMMENDATION THAT THE CITY
OF LAS VEGAS REESTABLISH ITS MEMBERSHIP ON THE CLARK COUNTY CLEARINGHOUSE
COUNCIL.

PAGE 1

MAYOR BRIARE:

Item D.

CITY MANAGER HALL:

Item D, Your Honor, discussion and possible action concerning recommendation that the City of Las Vegas reestablish its membership on the Clark County Clearinghouse Council. As you're aware, in June of 1983, the City of Las Vegas decided not to continue to participate financially in the Clark County Clearinghouse Council. This organization had been recognized as the regional entity responsible for reviewing applications submitted by local entities for federal funding. I say, that the old A-95 has been superseded by an Executive Order 12372 and that order places responsibility for overall review process with the State government. In establishing the State's overall review process, the office of Community Services has advised that a simultaneous review by the Clark County Clearinghouse will be considered mandatory for any applications submitted to the State for federal funding impact in Clark County. This will be specifically delineated in regulations which will be made available to local entities.

COUNCILMAN LURIE:

Mayor, I'D MOVE FOR APPROVAL OF THE REESTABLISHMENT OF OUR MEMBERSHIP BEGINNING OF THE NEXT FISCAL YEAR.

MAYOR BRIARE:

Comments? Cast your votes. Post. MOTION'S APPROVED.
(Motion carried unanimously.)

END OF EXCERPT

1 RESOLUTION

2
3 WHEREAS, The Nevada State Division for Aging Services provides a
4 valuable and worthwhile service to all senior citizens in residential care
5 homes; and

6 WHEREAS, the ombudsman for the Nevada State Division for Aging
7 Services dedicates her efforts to the preservation and protection of the
8 health, welfare and safety of those senior citizens; and

9 WHEREAS, the City Council of the City of Las Vegas, Nevada, supports
10 the efforts of the ombudsman for the Nevada State Division for Aging Services
11 in safeguarding the lifestyle of the senior citizens in residential care
12 homes within said City;

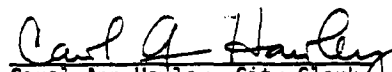
13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
14 Las Vegas, Nevada, that said Council does hereby encourage all department
15 directors of said City to be alert to any violation in senior citizen resi-
16 dential care homes and to cooperate with the ombudsman for the Nevada State
17 Division for Aging Services in resolving any inadequacy in such homes in
18 order to further the protection of health, welfare and safety of senior
19 citizens who reside therein.

20 PASSED, ADOPTED and APPROVED this 2nd day of May, 1984.

21
22 APPROVED:

23 
24 BY WILLIAM H. BRIARE, MAYOR
25

26 ATTEST:

27
28 
29 Carol Ann Hawley, City Clerk
30
31
32

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 25, 1984

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGERSUBJECT: RESOLUTION ENCOURAGING CITY STAFF TO BECOME MORE SENSITIVE TO THE NEEDS OF SENIOR
CITIZENS IN RESIDENTIAL CARE HOMES.PURPOSE/BACKGROUND

A committee comprising private citizens and public officials has been studying problems associated with residential care homes housing 3 or less senior citizens.

The committee concluded that licensing of such facilities would be difficult and cumbersome. The proposed alternative was to request Southern Nevada local governmental leaders to encourage their staff to be sensitive to the needs of senior citizens in residential care facilities and to bring possible discrepancies to the attention of the Ombudsman of the Nevada State Division of Aging Services.

The Resolution before you today endorses this concept and pledges our cooperation to further protect the health, safety and welfare of the senior citizens of our community.

FISCAL IMPACT

N/A.

RECOMMENDATIONS

It is the recommendation of the City Manager that the City Council adopt the proposed resolution.

Agenda Item

IV(a) E.

EXCERPT - CITY COUNCIL MEETING - MAY 16, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM E. RESOLUTION ENCOURAGING CITY STAFF TO BECOME MORE SENSITIVE TO THE NEEDS
OF SENIOR CITIZENS IN RESIDENTIAL CARE HOMES.

PAGE 1

MAYOR BRIARE:

The next Item, Mr. Hall, that's the resolution for the continued assurance -- support for the Nevada State Division of Aging Services?

CITY MANAGER HALL:

Yes, and it's to allow the -- or to request that staff particularly be cognizant and alert the State's Omsbudsman to any problems.

MAYOR BRIARE:

I don't think we need to have a resolution to alert our staff, I think they already are.

COUNCILMAN LURIE:

I'LL MOVE FOR THE ADOPTION OF THE RESOLUTION.

MAYOR BRIARE:

Comments? Cast your votes. Post. MOTION'S APPROVED. (Motion carried unanimously)

END OF EXCERPT

AGENDA*City of Las Vegas*

May 2, 1984

Page 13

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

ITEM

Council Action

Department Action

IV.(a) ADMINISTRATIVE AGENDA
ASHLEY HALL, CITY MANAGER0:45 F. DISCUSSION AND POSSIBLE ACTION ON
SELECTION AND RATIFICATION OF
DIRECTOR OF PERSONNEL & EMPLOYEE
RELATIONS.Christensen -
APPROVED as recom-
mended by staff
and selected Jan
Tait as Director.
Unanimous

Staff to proceed

0:46 G. DISCUSSION AND POSSIBLE ACTION ON
SELECTION AND RATIFICATION OF CHIEF
OF FIRE SERVICES.Nolen -
APPROVED as recom-
mended by City
Manager and selected
Clell West as Chief
of Fire Services
effective June 1,
1984.
Motion carried with
Lurie and
Christensen voting
"No."

Staff to proceed

NOTE: A verbatim transcript of the
items under the Administrative Agenda
made a part of the final minutes.

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 26, 1984

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON SELECTION AND RATIFICATION OF
DIRECTOR OF PERSONNEL AND EMPLOYEE RELATIONSPURPOSE/BACKGROUND

Since the designation of Mike Cool as Deputy City Manager in early January, the Department of Personnel and Employee Relations has been under the direction of Jan Tait as the Acting Department Director.

Jan Tait has been a City employee since April, 1978. She has worked as a Division Chief and the Deputy Director of the Personnel Department prior to being appointed the Acting Director.

Prior to coming to the City of Las Vegas, Jan worked primarily as a consultant in the areas of criminal justice planning, management training and grant research. While with the City, she has developed an in-house training program, helped design the computerized position control system, upgraded the employee medical standards program and implemented the deferred compensation benefit program.

Jan is a member of the American Society for Public Administration and holds a Bachelor's Degree in Psychology from the University of Toronto.

The Personnel Policies and Procedures Ordinance calls for the City Council to ratify department directors that are recommended by the City Manager. Jan Tait is being submitted for your approval as the Director of Personnel and Employee Relations.

FISCAL IMPACT

In accordance with Section III A-3(c) of the Personnel Policies and Procedures Ordinance, if confirmed, Mrs. Tait would receive a 5% promotion to \$42,202.

RECOMMENDATIONS

The City Manager recommends that Jan Tait be confirmed as the Director of Personnel and Employee Relations effective May 2, 1984.

Agenda Item

IV(a) F.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM F. DISCUSSION AND POSSIBLE ACTION ON SELECTION AND RATIFICATION OF
DIRECTOR OF PERSONNEL & EMPLOYEE RELATIONS.

PAGE 1

MAYOR BRIARE: Item F.

CITY MANAGER HALL: Item F, discussion and possible action on selection and ratification of Director of Personnel & Employee Relations. It's my recommendation that Jan Tait --

COUNCILMAN CHRISTENSEN: I MOVE WE FOLLOW THE RECOMMENDATION.

COUNCILMAN LEVY: Well, let him say the name.

CITY MANAGER HALL: I want to say all the great things about Jan Tait and Jan Tait's done a good job for the City of Las Vegas. She's been the Deputy Director for Personnel She's been the Acting Director --

COUNCILMAN LEVY: She's probably better than the last guy. (Laughter)

CITY MANAGER HALL: She's been the Acting Director now since January.

MAYOR BRIARE: Jan, your moment of glory and we're not giving you a chance.

COUNCILMAN CHRISTENSEN: She did all the work before anyway, why don't we go ahead and appoint her.

CITY MANAGER HALL: I recommend that we also give her a 5% increase in salary which would put her where she should be.

COUNCILMAN LEVY: Now, is there a motion?

MAYOR BRIARE: I think Councilman Christensen --

COUNCILMAN CHRISTENSEN: Doesn't that go along with the new job?

CITY MANAGER HALL: It does.

COUNCILMAN CHRISTENSEN: I MOVE WE FOLLOW THE RECOMMENDATION OF STAFF, AGAIN.

MAYOR BRIARE: Comments. Cast your vote. Post. MOTION'S APPROVED. (Motion carried unanimously.)

END OF EXCERPT

*City of Las Vegas***AGENDA DOCUMENTATION**Date: April 26, 1984TO: The City CouncilFROM: Ashley Hall
City ManagerSUBJECT: Discussion and Possible Action on Selection and Ratification of the
Chief of Fire ServicesPURPOSE/BACKGROUND

The City has conducted an extensive recruitment for a new Fire Chief since early March. Initially we received 70 applications of which 64 met the minimum job qualifications. These 64 candidates' applications were then reviewed by staff and members of the Citizens Priority Advisory Committee from which a group of 14 semifinalists were selected. The 10 semifinalists who accepted the City's offer for an oral interview met a five member panel of Fire Chiefs, citizens and department directors on April 19 and 20.

From the oral interviews of the ten semifinalists, five candidates received at least one vote; these five candidates were then requested to be interviewed by the City Manager and his Deputies. Four of the candidates returned for this interview. The finalists represented an average 23 years fire experience and were highly qualified individuals.

After interviewing the finalists, contacting references and giving much consideration to the current needs of our Fire Department weighed against the strengths and weaknesses of each man, I am recommending the selection of Clell West as the Las Vegas Fire Chief.

Mr. West is currently the Assistant Chief of the Phoenix Fire Department. He started out as a rookie fire fighter 26 years ago in Phoenix and has progressed up the ranks as a Fire Captain, Battalion Chief and now Assistant Chief. Clell holds a Bachelor's Degree in Fire Sciences from Phoenix, is a certified fire sciences instructor, is responsible for devising the current Phoenix fire training system and their paramedic program.

In accordance with the Personnel Policies and Procedures Ordinance, I am recommending Clell West for your approval as the City's Fire Chief.

FISCAL IMPACT

Mr. West's proposed annual salary of \$47,500 would save the Fire Budget \$7,300 from the previous Chief's expenditure.

RECOMMENDATIONS

The City Manager recommends that Clell West be appointed the Chief of the Las Vegas Fire Department effective June 1, 1984.

Agenda Item

IV(a) G.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM G. DISCUSSION AND POSSIBLE ACTION ON SELECTION AND RATIFICATION OF CHIEF OF FIRE SERVICES.

PAGE 1

MAYOR BRIARE:

The next Item is?

CITY MANAGER HALL:

The next item, Your Honor, discussion and possible action on selection and ratification of the Fire Chief for the City of Las Vegas. As you're well aware, the City has conducted an extensive recruitment of the new -- for a new Fire Chief since early March. Initially we received some 70 applications of which 64 met the minimum job qualifications. The 64 candidate applications were then reviewed by staff and members of the Citizens Priority Advisory Committee from which a group of 14 semi-finalists were selected. The 10 semi-finalists who accepted the City's offer for an oral interview met a five-member panel composed of two Fire Chiefs from outside the Las Vegas area, a member of the Citizens Priority Advisory Committee and two department heads and they met for interviews on April the 19th and 20th. From the oral interviews of the 10 semi-finalists, 5 candidates received at least one vote; these 5 candidates were then requested to be interviewed by myself, my deputies and Mr. Blue. Four of the candidates returned for the interview. The finalists represented an average of some 23 years of fire experience and were very highly qualified individuals. After interviewing the finalists, contacting references and giving much consideration to the current needs of the Fire Department weighed against the strengths and weaknesses of each applicant, I am recommending the selection of Mr. Clell West as the new Las Vegas Fire Chief. Mr. West is currently the Assistant -- the Executive Assistant Chief of the Phoenix Fire Department. He started out as a rookie fire fighter some 24 years ago. He has worked his way up the ranks, Fire Captain, Battalion Chief and now the Executive Assistant Chief second in command. Clell holds a Bachelor's Degree in Fire Science, is a certified fire sciences instructor, is responsible for devising the current Phoenix fire training system and their paramedic program. In accordance with the Personnel Policies and Procedures Ordinance, I am recommending Clell West for your approval as the City's Fire Chief. I might indicate that proposing that Mr. West's annual salary be \$47,500 and that would be \$7,300 savings -- total savings from our past Fire Chief. It's my recommendation that we appoint Mr. West as the Las Vegas Fire Chief effective June 1, 1984.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(a) ADMINISTRATIVE AGENDA

ITEM G. DISCUSSION AND POSSIBLE ACTION ON SELECTION AND RATIFICATION OF CHIEF
OF FIRE SERVICES. PAGE 2

MAYOR BRIARE: Comments or questions?

COUNCILMAN NOLEN: I MOVE WE FOLLOW THE RECOMMENDATIONS OF THE
CITY MANAGER.

MAYOR BRIARE: Comments on the motion?

COUNCILMAN LURIE: I just have one comment. I'm not going to
support the motion. I looked at all the
applicants and I was glad to see that one
of our own made it as the top four and I
have feelings that I like to see people come
up through the ranks and I'd like to support
one of our own firemen. So, we can vote on
the motion and we'll see if Mr. West has the
necessary votes.

MAYOR BRIARE: Further comments? Cast your votes. Post.
MOTION'S APPROVED AND THE RECOMMENDATION OF
THE CITY MANAGER IS FOLLOWED. (Motion carried
with Lurie and Christensen voting "NO.")

END OF EXCERPT

AGENDA*City of Las Vegas*

May 2, 1984

Page 14

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.

10:55

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

1. Service and Material Warrants
In the amount of \$2,668,601.46
2. Payroll Warrants
In the amount of \$780,772.66
3. Other Warrants and Investments
In the amount of \$29,275.00

Lurie -
APPROVED Items 1,
2 and 3 as recom-
mended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

mp Coe

CITY OF LAS VEGAS

Warrant Register Summaries Recap

0039

SERVICE & MATERIAL WARRANTS AND OTHER WARRANTS

[illegible]

Total Service & Material \$ 2,668,601.46

Total Other \$ 29,275.00

PAYROLL WARRANTS

No	139136	Thru	140811	AMT.	\$ 780,772.66	DESCRIPTION	PP/E April 7, 1984

Total Payroll \$ 720,772.66

TOTAL NET AMOUNT \$ 3,478,649.12

I hereby certify that I have audited the above warrants:
and approve same for payment as being in compliance with all applicable laws, to the best of my knowledge and belief.



DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

CITY MANAGER

On May 19, 1964, The Board of City Commissioners ordered the above warrants paid and the City Treasurer is hereby ordered to disperse the warrants as presented.

William H. May
MAYOR

ATTEST.

CITY CLERK

AGENDA*City of Las Vegas*

May 2, 1984

Page 15

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

ITEM

Council Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

JAN TAIT, ACTING DIRECTOR

A. AUTHORIZATION TO FILL
POSITIONS (CRITICAL HIRES)

1. BUDGETED VACANT POSITIONS TO BE FILLED:

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Management Analyst II	Funds Coordination	\$1,833-2,292	Block Grant
Maintenance Laborer (2)	Public Services	\$1,216-1,479	General
Treatment Plant Operator Trainee	Public Services	\$1,216-1,479	Enterprise

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>HOURLY SALARY</u>	<u>FUNDING</u>
Utility Worker II	Public Services	\$6.53/Hr.	Block Grant
Utility Worker II (3)	Recreation & Leisure Activities	\$6.53/Hr.	General

Lurie -
APPROVED Items I
and II as recom-
mended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

mp Core

10:50

AGENDA*City of Las Vegas*

May 2, 1984

Page 16

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

ITEM

Council Action

Department Action

Page 2

IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

JAN TAIT, ACTING DIRECTOR

AUTHORIZATION TO FILL
POSITIONS (CRITICAL HIRES)

2. SUMMER RECREATION PROGRAMS:

BLANKET APPROVAL TO FILL THE 117 POSITIONS
LISTED BELOW AS NEEDED TO RUN THE SUMMER
POOL AND PLAYGROUND PROGRAMS.

Recreation Assistant (28)
Junior Recreation Assistant (22)
Recreation Instructor (5)
Lifeguard (40)
Pool Supervisor (1)
Pool Manager (7)
Cashier (7)
Utility Worker (7)

APPROVED
See Page 15

See Page 15

APPROVED AGENDA ITEM

mp Carr

AGENDA DOCUMENTATION

Date: April 25, 1984 0042

TO:
The City Council

FROM:
MICHAEL P. COOL
DEPUTY CITY MANAGER

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

PURPOSE/BACKGROUND

Of the 1,457 positions in the City's 1983-84 Fiscal Budget, 10.5% (153 positions) are currently vacant.

The staff is recommending the filling of eight (8) full-time and one hundred seventeen (117) part-time positions at this time.

The chart below gives you a summary of our current staffing, as well as showing the requests to fill positions.

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	1	0	1
Classified	1149	1086	63	3	0	3
Contract	17	14	3	0	0	0
Elective	9	9	0	0	0	0
Hourly	<u>131</u>	<u>57</u>	<u>74</u>	<u>4</u>	<u>117</u>	<u>121</u>
Total	1457	1304	153	8	117	125

FISCAL IMPACT

The eight vacant and budgeted positions shown above are included in the 1983-'84 budget. There are no additional non-budgeted expenses associated with those positions. The fiscal impact of filling the one hundred seventeen part-time positions is covered elsewhere in this agenda package.

The total dollar savings realized through vacancies thus far in fiscal year 1983-'84 is \$886,118. If the positions that are currently vacant were to remain vacant for the remainder of fiscal year 1983-'84, the estimated total savings for the year would be \$1,188,523.

RECOMMENDATION

Staff recommends the filling of the positions indicated above.

Agenda Item

IV. (c)

AGENDA DOCUMENTATION

Date: April 23, 1984

0043

TO:
The City Council

FROM:
ASHLEY HALL
CITY MANAGER

SUBJECT:
AQUATICS AND SUMMER PLAYGROUND PROGRAMS SUMMER 1984-1985

PURPOSE/BACKGROUND

Each year the summer program in the Department of Recreation & Leisure Activities consists of Playground and Aquatics Programs. Individuals are hired on an hourly basis for the duration of these programs.

A pre-selected number of elementary schools are used for Playground Programs for children ages 6 through 12. The normal hours of operation are 8:00 a.m. to 5:00 p.m. Monday through Thursday. In order to continue this program, 55 summer staff will be needed. The staffing breakdown consists of 28 Recreation Assistants, 22 Junior Recreation Assistants, and 5 Recreation Instructors.

The summer Aquatics Program will consist of the operation of 7 swimming pools. The normal hours of the selected swimming programs are 9:00 a.m. to 12:00 p.m. Public swimming is offered between 1:00 p.m. and 6:00 p.m. In order to continue this program, 62 summer staff will be needed. The staffing breakdown of this program consists of 1 Pool Supervisor, 7 Pool Managers, 40 Lifeguards, 7 Utility Workers I and 7 Cashier/Attendants.

FISCAL IMPACT

The total estimated salary cost for the Summer Program is \$240,441 (\$164,855 for F/Y 1984-85 and \$75,586 for F/Y 1983-84). Of this amount, \$167,661 will go to the Aquatics Program and \$72,780 will go to the Playground Program. These programs can be adequately funded through the approximate \$100,000 savings made in personnel costs when the softball program was contracted and through the user fees for pools and playgrounds.

RECOMMENDATIONS

The City Council authorize Personnel to hire 117 part-time summer employees as needed, (55 summer employees for the Playground Program and 62 employees for the Aquatics Program). All these employees would be hourly and only work in the positions specified above during May, June, July and August of 1984 and May and June of 1985.

Agenda Item

IV(c) 2.

AGENDA

CITY COUNCIL MINUTES - MAY 2, 1984

City of Las Vegas

0044

May 2, 1984

Page 17

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

ITEM

Council Action

Department Action

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

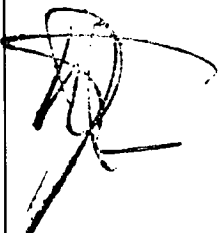
10:50

A. Discussion and possible action on
increased fees for aquatics and
summer playground programs.

Nolen -
APPROVED increased
fees as recommended.
Unanimous

Staff to proceed
Richard Campbell
appeared.

APPROVED AGENDA ITEM



City of Las Vegas

AGENDA DOCUMENTATION

0045

Date: April 23, 1984TO:
The City CouncilFROM:
DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON INCREASED FEES FOR AQUATICS AND SUMMER
PLAYGROUND PROGRAMS.PURPOSE/BACKGROUND

The following increased fees and charges are designed to make the summer aquatics and playground program costs reasonable and, at the same time, assist in defraying the expenditures for the program. Income received from this system of fees will be used for the sole purpose of supporting the summer programs and services from which this income is derived. Therefore, since the benefits of these services and use of facilities accrues directly to the participant, the increase in assessments of a fee to offset costs is justified.

FISCAL IMPACT

Coupled with the increased fees and potential salaries saving resulting from the reduction in full-time staff, the Department of Recreation and Leisure Activities can implement a program allowing for the opening of seven (7) pools, six (6) days a week; and the operation of eighteen (18) playground sites, four (4) days per week during the summer. The following fee structure is recommended:

AQUATICS:PRESENT FEES

Daily 17 and under	\$.25
Daily 18 and over	\$.75
Learn to Swim	\$ 6.00
Family Season Pass	\$15.00

PROPOSED FEES

	\$.35
	\$ 1.00
	\$10.00
	\$25.00

PLAYGROUNDS:PRESENT FEES

Per week	None
Per month	None
Per season	None
Family Season pass	None
Day Camp	\$15.00

	\$ 4.00 (NEW THIS YEAR)
	\$12.00 (NEW THIS YEAR)
	\$20.00 (NEW THIS YEAR)
	\$25.00 (NEW THIS YEAR)
	\$25.00

RECOMMENDATIONS

The Citizens Priority Advisory Sub-Committee and the Parks and Recreation Advisory Board recommend the approval of increased fees for the summer programs. The Department of Recreation and Leisure Activities concurs with these recommendations.


 RICHARD L. CAMPBELL, DIRECTOR
 RECREATION & LEISURE ACT. Agenda Item

IV. (f) A.

AGENDA

CITY COUNCIL MINUTES - MAY 2, 1984

0046

City of Las Vegas

MAY 2, 1984

Page 18

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 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 Council member or citizen so requests.

PURCHASING & CONTRACTS DIVISION

*A. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. Radio Communications Equipment
Department of General Services
2. Laundry Services for Detention Facility
Department of Detention and Correctional Services
3. Expendable Liquid Aluminum Sulfate
Department of Public Services

*B. PURCHASE ORDER APPROVAL

1. Data Processing Equipment
Department of Public Services

Lurie -
APPROVED Items A
and B as recommended.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

mp Cool

AGENDA DOCUMENTATION

Date: APRIL 20, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - MAY 2, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. <u>BID TITLE:</u>	RADIO COMMUNICATIONS EQUIPMENT	<u>BID NUMBER:</u>	80.1220.2
<u>ITEM:</u>	CAPITAL EQUIPMENT	<u>ESTIMATE:</u>	\$25,000.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	RADIO COMMUNICATIONS

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE STEMS FROM ON-GOING REQUIREMENTS TO REPLACE AS WELL AS ADD TO THE CITY'S RADIO COMMUNICATIONS NETWORK.

CONTRACT EXTENSION

MOTOROLA COMMUNICATIONS HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS, FROM JULY 1, 1984, THROUGH JUNE 30, 1985 WITH A 3.77% INCREASE OVER 1983-1984 PRICES. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH JUNE 30, 1985, WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

ESTIMATED ANNUAL USAGE

MOTOROLA COMMUNICATIONS AND ENGINEERING	LAS VEGAS	NV	\$25,000.00

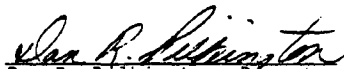
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 84-85. FUNDS ARE AVAILABLE IN THE RADIO 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, Director
Department of General Services

Agenda Item

SECTION A PAGE 1
IV (g)

AGENDA DOCUMENTATION

0048

Date: APRIL 20, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - MAY 2, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

2. <u>BID TITLE:</u>	LAUNDRY SERVICE	<u>BID NUMBER:</u>	84.9999.47
<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$15,000.00
<u>DEPARTMENT:</u>	DETENTION AND CORRECTIONAL SERVICES	<u>INVITATIONS MAILED:</u>	5
<u>FUNDING:</u>	GENERAL FUND	<u>RESPONSES RECEIVED:</u>	2

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE LINEN AND UNIFORMS FOR DETENTION INMATES, AS REQUIRED BY THE 1978 LAMB VS. CHAPEL DECISION.

BID ABSTRACT SUMMARY

MISSION INDUSTRIES	LAS VEGAS	NV	27,650 POINTS
VALLEY UNIFORM SUPPLY	LAS VEGAS	NV	19,350 POINTS

STAFF RECOMMENDATION OF AWARD

THAT THE LOW BID BE AWARDED TO:

MISSION INDUSTRIES	LAS VEGAS	NV	27,650 POINTS
	ESTIMATED ANNUAL USAGE:		\$15,000.00

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT ADDITIONAL TWELVE (12) MONTH PERIODS AT THE END OF THE ORIGINAL CONTRACT, NOT TO EXCEED TWO (2) EXTENSIONS, 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 84-85. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 2
IV (g)

City of Las Vegas

AGENDA DOCUMENTATION

0049

Date: APRIL 20, 1984

TO:
The City CouncilFROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - MAY 2, 1984
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

3. <u>BID TITLE:</u>	LIQUID ALUMINUM SULFATE	<u>BID NUMBER:</u>	84.9999.50
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$900,000.00
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>INVITATIONS MAILED:</u>	35
<u>FUNDING:</u>	SANITATION	<u>RESPONSES RECEIVED:</u>	6

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE STEMS FROM THE REQUIREMENTS PLACED ON THE CITY BY E.P.A. AND THE STATE OF NEVADA TO MEET SPECIFIC WATER QUALITY DISCHARGE REQUIREMENTS OR BE SUBJECT TO A \$10,000.00 A DAY FINE FOR EACH DAY THE STANDARDS ARE NOT MET.

BID ABSTRACT SUMMARY

THATCHER CHEMICAL CO.	SALT LAKE CITY	UT	\$ 707,000.00
STAUFFER CHEMICAL	SOUTH GATE	CA	\$ 797,000.00
IMPERIAL WEST CHEMICAL	ANTIOCH	CA	\$1,060,331.25
MCKESSON CORPORATION	PHOENIX	AZ	\$1,367,500.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

THATCHER CHEMICAL CO.	SALT LAKE CITY	UT	\$ 707,000.00

AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE CONTRACT ADDITIONAL TWELVE (12) MONTH PERIODS AT THE END OF THE ORIGINAL CONTRACT, NOT TO EXCEED TWO (2) EXTENSIONS, 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.

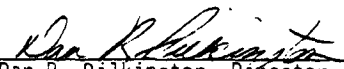
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 84-85. FUNDS ARE AVAILABLE IN THE SANITATION FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 3
IV (g)

AGENDA DOCUMENTATION

Date: APRIL 20, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - MAY 2, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

***B. PURCHASE ORDER APPROVAL**

1. <u>ITEM:</u>	CAPITAL EQUIPMENT	<u>PURCHASE REQUEST:</u>	1711-378 1750-2125
<u>DESCRIPTION:</u>	TERMINAL DISC DRIVES AND PRINTERS	<u>FUNDING:</u>	SANITATION/ ANIMAL CONTROL
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>ESTIMATE:</u>	\$26,500.00

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE IS REQUIRED TO PROVIDE THE NECESSARY ELECTRONIC DATA PROCESSING EQUIPMENT TO ADEQUATELY MONITOR THE EXPANSION ACTIVITIES AT THE WASTEWATER TREATMENT FACILITY AND MANAGE THE OVERWHELMING DAILY CLERICAL ACTIVITIES GENERATED AT THE ANIMAL CONTROL CENTER. BOTH SYSTEMS ARE TO INTERFACE WITH THE CITY'S EXISTING BURROUGHS CENTRAL COMPUTER SYSTEM AND MUST THEREFORE BE BURROUGHS EQUIPMENT ONLY.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

BURROUGHS CORPORATION	LAS VEGAS	NV	\$26,563.00

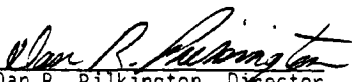
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE SANITATION AND ANIMAL CONTROL FUNDS.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION B PAGE 1
IV (g)

AGENDA*City of Las Vegas*

0051

May 2, 1984

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

ITEM

Council Action

Department Action

IV (i). DEPARTMENT OF ENGINEERING SERVICESC. E. GILPIN, DIRECTOR***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.

10:57

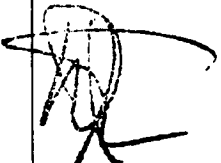
***A. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS**

All offsite improvements on the following subdivisions have been completed in accordance with agreements and City standards except for the final correction list.

1. Lewis Homes Rainbow Park #6. (Lewis Homes of Nevada - property generally located north of Carmen Blvd., west of Rock Springs Drive, No. of acres: 4.9, No. of lots: 33, Zoned R-CL)
2. Lewis Homes Rainbow Park #7. (Lewis Homes of Nevada - property generally located north of Carmen Blvd., west of Rock Springs Drive., No. of acres: 4.4, No. of lots: 31, Zoned R-CL)
3. Cedar Green Estates. (Billy Sloat - property generally located on the northwest corner of 28th Street and Cedar Ave., No. of acres: 1.16, No. of units: 28, Zoned R-3)
4. Charleston Heights 53-D. (Becker and Sons - property generally located on the east side of Jones Blvd., north of Peak Drive, (No. of acres: 17.6, No. of lots: 36, Zoned RPD-2)

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

Staff to proceed

APPROVED AGENDA ITEM


CITY OF LAS VEGAS

CITY COUNCIL MINUTES MAY 2, 1984

Date

0052

INTER-OFFICE MEMORANDUM

June 11, 1984

CITY CLERK

FROM:

ENGINEERING SERVICES

SUBJECT:

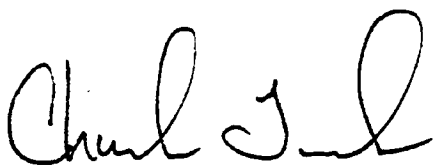
RELEASE OF SUBDIVISION BOND

COPIES TO:

CHUCK TURK

On May 2, 1984 the City Council accepted the improvements for LEWIS HOMES - RAINBOW PARK 7 subject to the completion of the improvement correction list items for this subdivision. Please be notified that these items have now been completed to the satisfaction of the Department of Engineering Services.

It is recommended that the SURETY BOND (#105649) with Developers Insurance Company be released to the subdivider.



CHUCK TURK

for

C. E. GILPIN, DIRECTOR
Department of Engineering Services

CEG:CT:bc

RECEIVED
JUN 15 12 14 PM '84
CITY CLERK

AGENDA*City of Las Vegas*

May 2, 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)*****B. RELEASE OF BOND**

All offsite improvements have been completed, inspected, and accepted. The bond may be released.

1. Location: 2900 W. Meade
Use: Fire hydrant, sidewalk
Builder: KAS Construction
Surety Co.: None (Cash deposit with First Federal Savings & Loan Association of Nevada)
Amount: \$6,224.35
Bond No.: CLV #3-84

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

Staff to proceed

***C. RELEASE OF CONTRACT RETENTION**

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

1. Bid No.: 84.2620.2
Contractor: Nevada Fence Company
For: Freedom Park Fencing
Notice of Completion: April 16, 1984
Release Date: May 21, 1984
2. Bid No.: 84.3550.10
Contractor: Weaver Construction
For: Asphaltic Concrete Entrance Replacement Wastewater Treatment Plant
Notice of Completion: April 16, 1984
Release Date: May 21, 1984

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

Clerk to notify
and Staff to
proceed

APPROVED AGENDA ITEM

0054

AGENDA*City of Las Vegas*May 2, 1984
Page 21CITY 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. Grant Deed
From:**Leroy Wilson and
Hilda J. Wilson,
husband and wife as
joint tenants
To:
For: City of Las Vegas
Portion of Lot 61D
of Vegas Heights
Tract Unit No. 4
(Highland Ave.), pre-
viously recorded on
March 19, 1984 as
Document No. 180501
in Book 1891,
Office of the County
Recorder, Clark
County, Nevada
(7/18/83)Lurie -
APPROVED Items A,
B, C, D and E.
Unanimous

Staff to proceed

2. Grant Bargain, Sale Deed**From:**Sally Apfel, a.k.a.
Sallie J. Apfel, a
widow**To:****For:**City of Las Vegas
Portion of NW-1/4
NW-1/4, Sec. 21,
T20S, R61E, M.D.M.
(Highland Ave.), pre-
viously recorded on
March 14, 1984 as
Document No. 1848957
in Book 1889, Office
of the County Record-
er, Clark County,
Nevada (3/1/84)**APPROVED AGENDA ITEM**

AGENDA*City of Las Vegas*

May 2, 1984

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

ITEM

Council Action

Department Action

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

*D ACCEPTANCE OF RIGHT OF WAY ITEMS
(Continued)

3. Right of Way Easement

From: Sanford F. Rothenberg
and Fay Riskin
To: City of Las Vegas
For: Portion of E-1/2
NE-1/4, Sec. 23,
T20S, R62E, M.D.M.
(Carey Ave. to Metro
Pistol Range)
(4/16/84)

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

Staff to proceed

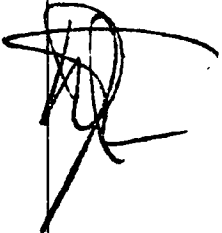
E. REPORTS/ACTION

1. Request from California Hotel &
Casino for an Encroachment Agreement at
12 Ogden Ave.

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

Staff to proceed

APPROVED AGENDA ITEM



AGENDA DOCUMENTATION

Date: April 23, 1984

0056

TO:
The City Council

FROM:
DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FROM CALIFORNIA HOTEL & CASINO FOR AN ENCROACHMENT AGREEMENT
AT 12 OGDEN AVE.

PURPOSE/BACKGROUND

This request is for landscaping and decorative sign trim modification.

The landscaping will consist of tree wells in the sidewalk at the back of curb. For pedestrian safety there will be placed standard expandable steel grates covering the wells. Permanent irrigation will be provided.

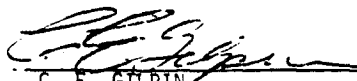
The owner has signed the Encroachment Agreement which has conditions of liability, removal and maintenance.

FISCAL IMPACT

None.

RECOMMENDATIONS

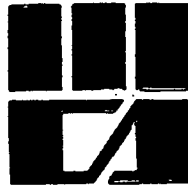
The Director of Engineering Services recommends that the City Council approve the encroachment and authorize the Mayor to execute the agreement.


C. E. GILPIN
Director of Engineering Services

Agenda Item 5/2/84

IV (i). E. 1.

0057



Marnell Corrao Associates

5 April, 1984

City of Las Vegas
City Hall
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: California Hotel & Casino
Our Project Number 283

Attn: Right-of-Way Department

Gentlemen:

The following letter shall serve as an application for the California Hotel and Casino, 12 Ogden Avenue, Las Vegas, Nevada, to apply for an Encroachment Permit, to occupy a portion of the City's sidewalk. Along with this application, is submitted a legal description, Civil Site and Street Plans, Architectural Floor Plan, Sheet A2, a full set of John Fitzpatrick & Associates Landscape drawings, dated 1 February, 1984, and a full set of drawings by Sign Systems, Inc.

The Encroachment requested would involve tree planting wells in the sidewalk as shown on landscape drawings and a small portion of the sign decor band that comes down to the sidewalk on Ogden Avenue.

The landscaping plans have been accepted by the Planning Department. This addition will greatly enhance the appearance of the downtown area and present no public detriment or safety hazard. Therefore, the Encroachment Permit, based upon the above allegations, should be approved.

I appreciate your assistance in the progress of the California Hotel and Casino expansion. If you should have any questions regarding the above matter, please feel free to contact me at (702) 739-9413.

Respectfully yours,

MARNELL CORRAO ASSOCIATES

Alan P. Akershoek

APA:ph

cc Mr. Fred White

4495 South Polaris Avenue Las Vegas Nevada 89103 • 702-739-9413

1V(1)E.1.

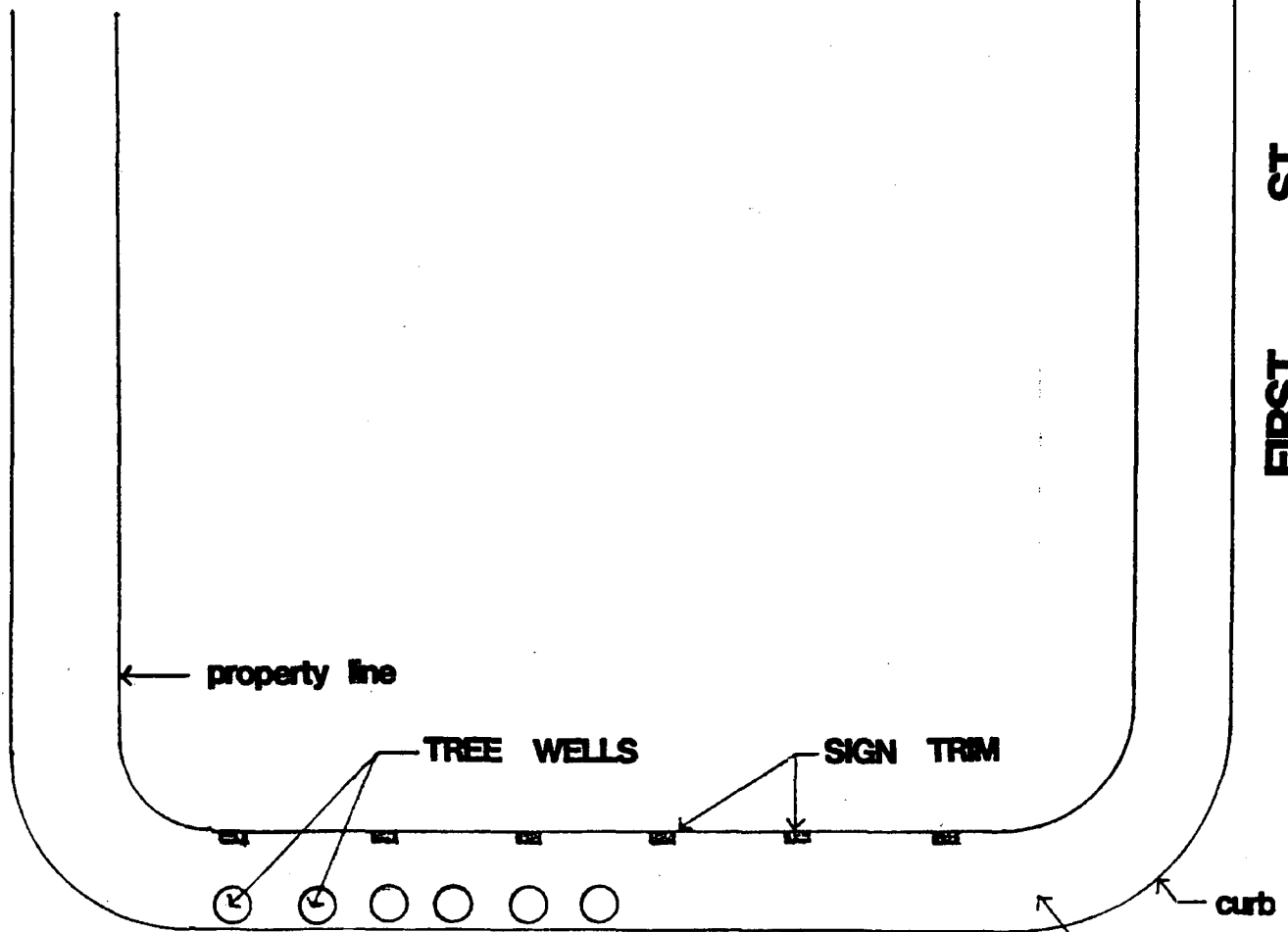


**CALIFORNIA HOTEL
& CASINO**

12 E. OGDEN AVE .

MAIN ST.

FIRST ST.



OGDEN AVE .

14(2) E. 1.

0059

AGENDA*City of Las Vegas*

MAY 2, 1984

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

ITEM

Council Action

Department Action

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND
PROJECT CONTROL
THOMAS B. GRAHAM, AICP, RLA, DIRECTOR

10:57
to
11:11

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE
CENTRAL FIRE STATION COMPLETION DATE AS SUB-
MITTED BY S. J. AMOROSO CONSTRUCTION CO.

Report Given

5/16/84 Agenda

Tom Graham, Dir.,
Architectural
Services,
presented report.

Pat Henderson,
Mgr., S. J.
Amoroso Construc-
tion Co.,
appeared.

David Daileda,
Harris Sharp
Architects,
appeared.

NOTE: A verbatim transcript made a
part of the final minutes.

APPROVED AGENDA ITEM



City of Las Vegas

0060

AGENDA DOCUMENTATION

Date: APRIL 23, 1984

TO:
The City CouncilFROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION DATE AS
SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO. - MAY 2, 1984 CITY COUNCIL AGENDA ITEMPURPOSE/BACKGROUND

S. J. Amoroso Construction Company has committed to the City Council at their meeting of March 21, 1984 that the Central Fire Station would be substantially complete by May 4, 1984, with the exception of the communications equipment which is to be complete by June 9, 1984.

FISCAL IMPACT

By construction contract awarded at the City Council meeting of December 15, 1982, S. J. Amoroso Construction Company is presently under \$500 a day liquidated damages, beginning January 26, 1984, until substantial completion of the entire project.

RECOMMENDATIONS

Reevaluate the General Contractor's compliance with the schedule and assess current performance.


THOMAS B. GRAHAM, AICP, FALA, DIRECTOR
OFFICE OF ARCHITECTURAL SERVICES AND
PROJECT CONTROL

Agenda Item 5-2-84

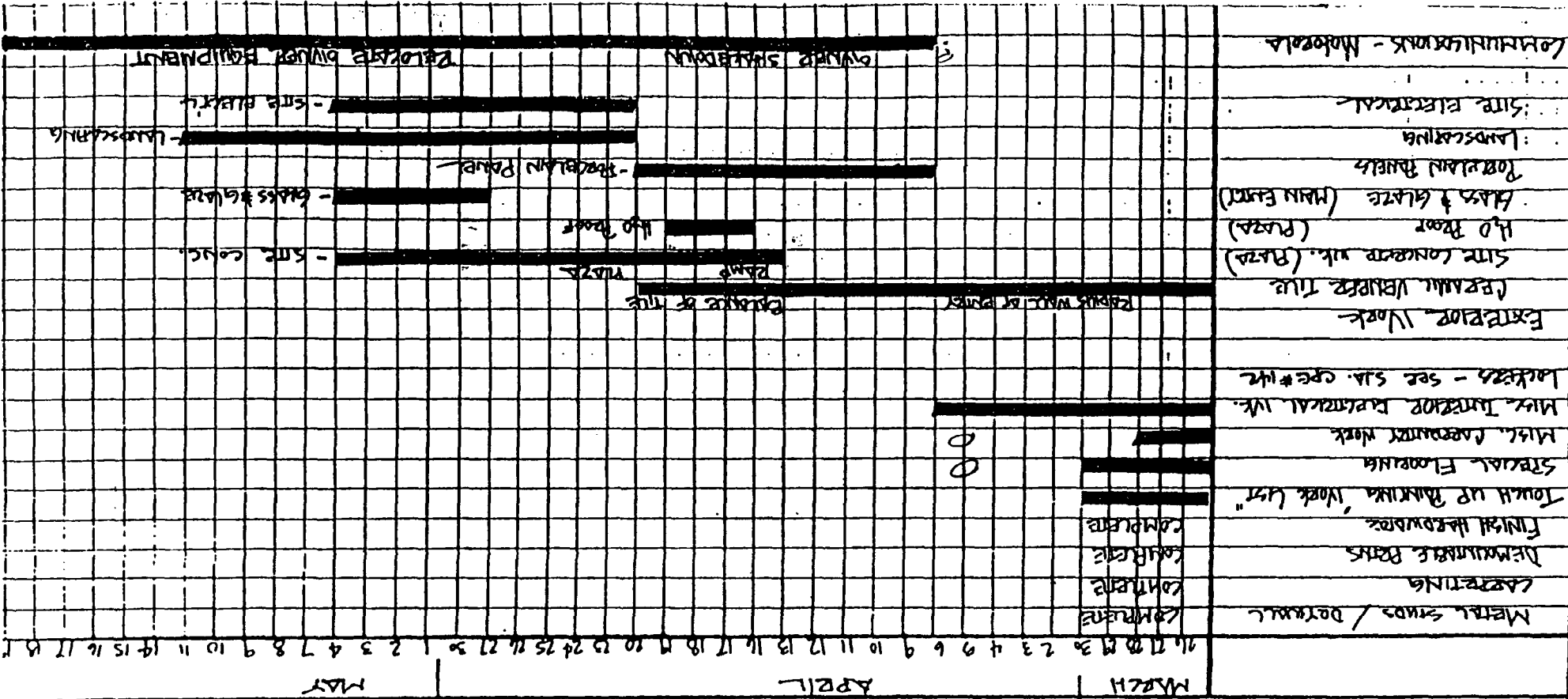
IV(j)A

L.V. CENTRAL FIRE STATION
S.J.A. Job # 244
Date: 3/20/84
Assigned Completion Schedule

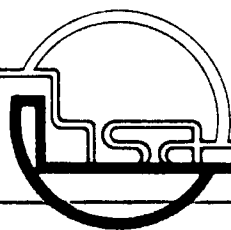
NOTE:

THE TIME SCHEDULE CONTAINED HEREIN REPRESENTS THE TIME FRAME NECESSARY TO COMPLETE REQUESTING APPROVAL IS GIVEN BY THE REQUEST OFFICIALS TO RECOMMEND THE TIME WORK. IF APPROVAL IS DELAYED THE SCHEDULE WILL BE MODIFIED ACCORDANT.

MAY 2 1984



0062

**Harris Sharp Associates Incorporated**
Architecture, Planning, Interiors

2915 West Charleston Boulevard Las Vegas Nevada 89102

(702) 877 0125

April 26, 1984

TO: CITY OF LAS VEGAS, OAS

ATTN: TOM GRAHAM

RE: CENTRAL FIRE STATION
Construction Progress

APR 26 1984

Dear Tom,

As of this date, Harris Sharp Associates would like to make the following observations regarding the progress of S. J. Amoroso and their work toward completion of the Central Fire Station project.

A. JOB SITE

Work at the job site has progressed at a reasonably rapid rate since our last report. Although SJA is falling behind the schedule for completion, they should have work on the building (except for completion of the Communications turn-over) completed by mid-May. The project has not been manned as fully as it could have been, but the work that has been done is satisfactory. I feel the field crew has performed as well as can be expected considering the less than fully cooperative attitude we have seen from the SJA office.

B. OFFICE

Progress on this project has been continually slowed by what we would call a less than cooperative attitude expressed by the office of SJA. Paperwork and negotiations have bogged down. By this I mean that we still have problems getting requested information, pricing and reasonable time estimates from the SJA office. When price quotes are furnished, insuf-

...

Tom Graham
City of Las Vegas, OAS

4/26/84
Page 2

RE: Central Fire Station
Construction progress

ficient back-up is provided, and when it is provided, it is accompanied by an unusually high request for contract extension.

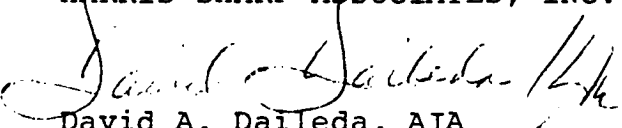
The time issue was to be negotiated during this past month to see if a possible solution could be found. Our attempts at this have only been met by statements from SJA saying that they are preparing information we will have at a later time.

And, finally, the paper battle continues. Letters on every conceivable subject must change hands continually or nothing seems to get done.

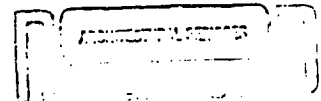
As a summary, I will say that HSA is less than fully pleased with the progress and attitude of SJA during the past month, but we do feel that barring any last minute problems, the facility should be ready by mid-May 1984.

Sincerely,

HARRIS SHARP ASSOCIATES, INC.


David A. Dalleda, AIA

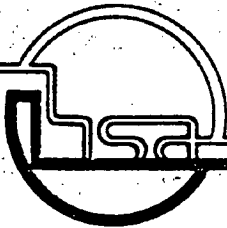
cc: Dave Walliser
Ted Rexing



APR 26 1984

lv(j) A.

0064



Harris Sharp Associates Incorporated
Architecture, Planning, Interiors

2915 West Charleston Boulevard Las Vegas Nevada 89102

(702) 877 0125

April 2, 1984

TO: S. J. AMOROSO CONSTRUCTION COMPANY
ATTN: BRIAN FURLONG
RE: CENTRAL FIRE STATION

Dear Brian,

Harris Sharp Associates and the City of Las Vegas have reviewed the construction completion schedule proposed by your firm and presented to the City Council at its March 21st meeting. We can accept this schedule as your Revised Construction Schedule with two exceptions:

- 1) The landscaping must be completed on May 4th, the date all other work by SJA is scheduled for completion.
- 2) SJA to confirm in writing that June 9th is the day scheduled for completion of Motorola's contract work.

Please note that acceptance of this schedule in no way limits our ability to assess liquidated damages on this project for failure to complete the contract in the contractually agreed upon time limit.

Sincerely,

HARRIS SHARP ASSOCIATES, INC.

David A. Daileda, AIA

DAD/lm

cc: Dave Walliser
Ted Rexing
Dan Evans
WH1353 FILE

APR 9 1984

IV(J)A.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 1

MAYOR BRIARE:

We now go to the Office of Architectural Services. The item on the agenda is the status report on the Fire Station job. Mr. Graham.

THOMAS GRAHAM:

Thank you. If you recall, on March 21st at your regularly scheduled meeting, representatives from S. J. Amoroso Construction Company committed to you that the entire building, including the surrounding treatment to landscaping, would be done on May 4th and that's within two days of this regularly scheduled meeting so I put the item on. There are representatives here from Amoroso, Pat Henderson, Brian Furlong and Mike Springer and I'd like to have them address to you, at this time, their status; and representatives of Harris Sharp Associates are here also and you might want to hear from them.

COUNCILMAN LEVY:

Mr. Graham, I'd like to know where we're at, dollar-wise as well as construction-wise.

THOMAS GRAHAM:

Where we're at on that -- the last pay that you authorized was in the neighborhood of 90% of the contract amount. We are in receipt, at the moment, of another pay request from the contractor which would, if it were authorized by you, pay them 97% of the contract.

COUNCILMAN LEVY:

Ninety-seven?

THOMAS GRAHAM:

Yes, sir. Okay. We do retain, of course, the standard retention, which is in the neighborhood of 10% of the contract amount until such time as we do substantially accept under occupancy, the entire project. So there are monies reserved. Where we are, in my opinion, May 4th is Friday; there is a punch list that was requested by Amoroso that the architects and our staff prepare; we have done that. It is extensive. I would say the majority of items on there are cosmetic in nature. However, there are some outstanding items and I think they're going to have to hurry to have it done by this Friday.

COUNCILMAN LEVY:

I understand there's another problem. There's a lot of sub-contractors are not being paid.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

0066

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 2

THOMAS GRAHAM:

We've had several calls from several of the local subs on that very issue and I've asked, when we do get those calls, that they submit us anything they can. To date, we do not have anything that clearly indicates that is a problem, but I have also indicated that they would perfectly be within their rights as citizens of the community to approach you at this meeting if they have concerns. I've heard that also, Councilman.

COUNCILMAN LEVY:

Do they have any protection?

THOMAS GRAHAM:

From us, only in the sense, they can lien the project if they feel they have not been treated fairly and have not been paid for the work they've done. They do have the right to lien the project and we have an open policy on that. The liens are filed within the City Clerk's Office and I think they're all aware of that. As far as -- obviously, if there's a lien filed, then we would not pay out the entire amount of the contract until that lien is resolved. Other than that, we don't have a direct relationship with the sub-contractors. We do have to, by contract, deal directly with the general contractor.

CITY ATTY. OGILVIE:

I do think, unless this contract is different, we, in our standard specs, do reserve the right to withhold payments to the general contractor when the subs are not being paid; and, in fact, if it goes that far, to make payment directly to the general --

THOMAS GRAHAM:

I agree, George, if we can substantiate the fact they're not being paid. We always ask that when we get these allegations from the sub-contractor that they submit to us whatever documentation that they're basing their allegation on, at which point we immediately ask through Harris Sharp Associates that the general contractor respond to those allegations. In the past, they have responded and outside of literally going into their books to see if the response is accurate, their response correlates with our records.

CITY ATTY. OGILVIE:

We also have a payment bond which is posted to insure payment to the sub-contractors. So sub-contractors are protected. They may have to wait.

THOMAS GRAHAM:

Would you like to hear from representatives --

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION

DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 3

COUNCILMAN NOLEN: I have one question of you at this time. You said that we're about 90% paid on the contract, other than the retention?

THOMAS GRAHAM: As of the last pay, there is a pay in hand --

COUNCILMAN NOLEN: And they have a request for --

THOMAS GRAHAM: Yes. It'll come before you on May 16th for another pay that would bring them up to 97%.

COUNCILMAN NOLEN: And you'll be prepared at that time to make a recommendation whether or not we --

THOMAS GRAHAM: Yes, we will.

COUNCILMAN NOLEN: Alright, thank you.

MAYOR BRIARE: Any other -- anything else, Mr. Graham? This is just in a form of a report.

THOMAS GRAHAM: Just in the form of report. If you would to hear from Amoroso, they are present.

COUNCILMAN LEVY: I mean, we can also if Amoroso doesn't have -- tell us why they're not going to be finished by the 4th, we can ask them to leave the job, can't we?

THOMAS GRAHAM: Yes. I think the thing that I'm concerned about and if they aren't going to make the 4th, then we have a need to know basis in the City because we need to make arrangements to staff that facility, both in terms of communication as well as otherwise.

COUNCILMAN LEVY: Where's the \$500 a day at?

THOMAS GRAHAM: The \$500 a day is still running by contract and I haven't calculated up through today, but it did start on January 26th, so however many days have transpired.

COUNCILMAN LEVY: Is that part of the 97 or 90%?

THOMAS GRAHAM: When they bill that -- of the 97, that's for work in place and what we would pay out would be less whatever liquidated damages we are rightfully due.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

0068

PAGE 4

COUNCILMAN LEVY: I'd like to hear --

COUNCILMAN LURIE: One question I have, Tom --

COUNCILMAN LEVY: Sure.

COUNCILMAN LURIE: -- is reading the letter from the architect is that you're having a paper shuffling problem. How can that be eliminated so we can get this situation back on track and get it finished?

THOMAS GRAHAM: We, and you might want to have the representative from Harris Sharp address that directly, the only thing I can say is we have been attempting to rectify this all through the project. There has been changes within Amoroso in terms of who's handling their paperwork in their office. Anytime you change personnel, you lose continuity and obviously that slows down the process. Hopefully, they're back on track, at least for the duration of completing this.

COUNCILMAN LURIE: Okay.

MAYOR BRIARE: Councilman Levy would like to have someone from Amoroso come forward. Amoroso.

PAT HENDERSON: I'm Pat Henderson, Manager of Amoroso of Las Vegas.

MAYOR BRIARE: I believe Mr. Levy's first question was going to be, when are you going to finish the job? Mr. Levy.

COUNCILMAN LEVY: My first question is, when are you going to finish the job?

PAT HENDERSON: We -- Councilmen, we have at this point got a completed punch list for the entire interior of the building. We feel confident that by May 4th, which is our initial -- on the last schedule we gave, a promise to complete that it will be substantially completed where the owner can in fact take occupancy of the interior of the building. On May 4th, we will not be 100% complete -- on-site concrete work due to delays we've experienced over ceramic tile. We expect to have that done by Monday, the following Monday the 6th, I guess.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(5) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION

DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 5

COUNCILMAN LEVY:

Then you'll be out of the project by the 6th?

PAT HENDERSON:

Other than punch lists and there are additional requests for quotation and change order work that apparently the architect and City Architectural Services want completed.

COUNCILMAN LEVY:

What about these subs?

PAT HENDERSON:

Councilman, the problem that exists there is sub-contractors feel, for example, that they're 100% complete. We represent the sub to the architect and say, "we feel this guy is 100% complete." The architect says for, and possibly rightfully so, I'm not disputing that, "he's 90% complete." At which point, he receives 90% of his contract amount to date. Now, they'll dispute the 10% as being owed or, you know, that they were owed it this month or next month. In any event, every time there's been a complaint, I think there's been three to date, we have brought our books forward, have shown Architectural Services that the right amount of percentage that we were paid for that item work the sub-contractor was also paid and there are no liens on this project. So we dispute that, the subs are being paid.

COUNCILMAN LEVY:

No, but I do.

MAYOR BRIARE:

Anything else?

COUNCILMAN CHRISTENSEN:

Yes, I've got a couple of --

MAYOR BRIARE:

Councilman Christensen.

COUNCILMAN CHRISTENSEN:

-- our own department. It would be my suggestion after the problem that we had at the Convention Center with Cashman Field, that we not occupy this building until it's done.

THOMAS GRAHAM:

I agree with you 100%.

COUNCILMAN CHRISTENSEN:

Because then the next thing that happens and I know there's some bad feelings -- the next thing that happens is we get slapped with a lawsuit saying that we've prevented them from finishing the work because we were in their way while we moved in and the operation of the building and so forth. I don't want to see the City in that building until it's done.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 6

THOMAS GRAHAM:

Yes, I agree with you. That's been our position all along that when we say building complete, substantial completion is at the point where, for instance, liquidated damages would end and a punch list period would start. A punch list is defined as a reasonable time -- reasonable is defined in this contract as seven days. So a seven day punch list period is all I want to see and we've based our punch list on that. If the items, in our opinion, cannot be done in seven days, they are not a punch list. They are incomplete work.

COUNCILMAN LEVY:

Do you agree with that, sir?

PAT HENDERSON:

Yes, I do on the seven-day clause, but I want --

COUNCILMAN LEVY:

So then you figure we'll be through -- you'll be out of the building by a week from Monday, completely completely, completely?

PAT HENDERSON:

We certainly intend to. Yes, sir.

COUNCILMAN LEVY:

Is that right? Is that right?

THOMAS GRAHAM:

That's the way -- if he's committed and does perform and have it done on May 6th, then yes, he should be out of that building in total a week from that.

COUNCILMAN LEVY:

Punch list done?

THOMAS GRAHAM:

Yes.

COUNCILMAN LEVY:

By the 13th?

THOMAS GRAHAM:

The 13th, that's correct.

PAT HENDERSON:

It's my understanding at this time that even prior to the receipt of the punch list, we punched the lower level communications level. At that point, we were made aware as to exactly what type of items the architect would not deem acceptable. We then repunched the entire building ourselves up above and began work prior to a punch list even being issued. On a daily basis, it's being signed off now and I would like to correct a statement that's made. I believe the City is now -- has partial occupancy of that building in the communications level. We don't intend to come back to the City Council and say, "you prevented us from doing your punch list work."

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 7

COUNCILMAN CHRISTENSEN: We have occupancy of the building?

PAT HENDERSON: Yes.

THOMAS GRAHAM: Well, I was going to address that. We have taken partial occupancy. We had to do that, Councilman, in order to move our fire communications people in. As you know, we're working on a wheel. We have to operate both centers. We cannot shut down the system to move the existing equipment out of the existing center into the new one. What we did was we accepted only the communications level in order to move our people in and begin what we call the burn-in or the conversion of the entire system over to the new facility, but that's the extent of it. We will accept no other part of that facility. That was a need basis for our people to know we're getting a system that works and we don't burn it in and all of a sudden, we have bugs in the system. It's a debugging process.

COUNCILMAN LEVY: So the meeting of the 16th, we should have -- they're gone and we'll discuss their money. That's the only thing we'll be discussing on the 16th?

THOMAS GRAHAM: Well, I need to clarify -- if you recall on March 21st their commitment to you was the building and the grounds, the on-site and off-site work and the building architectural components would be done May 4th with the exception of the communications equipment installation.

COUNCILMAN LEVY: Now he's saying he'll have it all done May 6th, a week of punching?

PAT HENDERSON: No, if I might correct myself. You have existing communication system equipment in your current facility as promised that --

COUNCILMAN LEVY: Except for the communication system?

PAT HENDERSON: Which has to all be transferred as you take occupancy bit by bit by bit.

COUNCILMAN LEVY: But that -- but you're going to be gone and everything else?

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO. PAGE 8

PAT HENDERSON: Yes, sir.

COUNCILMAN LEVY: Off-site, on-site, everything?

PAT HENDERSON: Per our list that we presented to the Architectural Services, that is correct. Landscaping will be ongoing. That was always on the list that that would be a continuation item. We have a stop work in a particular area. We're not -- we can't proceed. With the exception of changes, stop works -- apparently now we're looking at -- the gentleman wants some electric strikes in the building and remove -- and move air handling units. With the exception of those types of items, which will not prevent occupancy of that structure, and your occupying it will not prevent us from performing work, yes.

THOMAS GRAHAM: Let me clarify some of what he's saying. We had some quotes in as early as six weeks ago for work that we want done in conjunction with completing this. Getting the quotes has been some of that paper lag problem that the architect so addressed in their backup. So there are items, but I would not say at this point, the owner is impacting him. It's a matter of getting the information back so we can give them direction to finish.

COUNCILMAN LEVY: Well, as far as I can see, he already blew about fifty grand.

THOMAS GRAHAM: Pretty close.

PAT HENDERSON: Well, of course, we contest that. We recognize your position.

COUNCILMAN LEVY: Well, it's going to be in our pocket while you contest it.

PAT HENDERSON: We recognize your position.

CITY MANAGER HALL: I might say, just say as a point of information. I went through a checklist -- a walk through with Tom Graham yesterday and I fully concur with Tom's recommendation to you today.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION
DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 9

COUNCILMAN LEVY: Well, I want this on the agenda for the 16th along with the money and I want you to be able to say, Mr. Graham, that Amoroso is no longer on the project, they're finished. I don't want them on the project, one way or the other.

THOMAS GRAHAM: Okay.

COUNCILMAN LEVY: Except for this stuff that you agreed to.

THOMAS GRAHAM: It'll be on the agenda.

COUNCILMAN LURIE: What money is he talking about?

COUNCILMAN LEVY: The money that we owe.

THOMAS GRAHAM: The payout.

COUNCILMAN NOLEN: They've got another request for a payout on the agenda.

COUNCILMAN LEVY: Which will be on our 16th agenda.

PAT HENDERSON: The last billing the Council approved was for work performed during the month of March which was approved at 90%. Our billing for work performed during the month of April has been agreed upon by the architect and Amoroso to be at approximately 97% of the full contract amount. That's the billing.

COUNCILMAN LEVY: We'll discuss that.

COUNCILMAN LURIE: Okay.

MAYOR BRIARE: Thank you, gentlemen.

PAT HENDERSON: Thank you.

MAYOR BRIARE: Is there any sub-contractor in the audience today for any reason on this job? Mr. Henderson, are there any sub-contractors of yours here today?

PAT HENDERSON: No, sir, not that I'm aware of and I don't see any and I wasn't aware that any would be here.

MAYOR BRIARE: Did the -- any of the representatives of Harris Sharp want to make any comments?

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

0074

IV(j) OFFICE OF ARCHITECTURAL SERVICES AND PROJECT CONTROL

A. STATUS REPORT AND DISCUSSION RELEVANT TO THE CENTRAL FIRE STATION COMPLETION

DATE AS SUBMITTED BY S. J. AMOROSO CONSTRUCTION CO.

PAGE 10

THOMAS GRAHAM: They're certainly here and if they would like to --

MAYOR BRIARE: Does any of the Councilmen have any questions or anything of the architects?

DAVID DAILED: I'm David Daileida from Harris Sharp Associates, Project Architect. We concur with what Mr. Graham has said that they have made quite substantial progress since the last time we were here. We felt that the -- we have gotten the -- put the paperwork battle, if you will, off to the side in order to get the facility complete and they're making great strides toward that.

COUNCILMAN LEVY: Well, we'll see. You know, they'll be gone.

MAYOR BRIARE: Any other comments? Thank you, gentlemen. We'll be in recess for about three minutes.

END OF EXCERPT

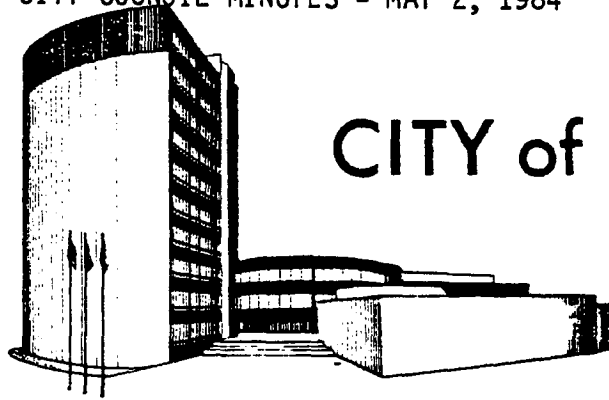
AGENDA*City of Las Vegas*

0075

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011Page 24
May 2, 1984

ITEM	Council Action	Department Action
V. GEORGE F. OGILVIE - CITY ATTORNEY	MAYOR BRIARE WAS EXCUSED FROM THE REMAINDER OF THE MORNING SESSION. MAYOR PRO-TEM LURIE CONDUCTED MEETING.	
1:20 A. Appeal of Work Card Denial: Daniel S. Porter 917 Morgan	Nolen - DENIED Appeal Unanimous (Briare excused)	Clerk to notify Lt. Hash Hanief, LVMPD, and Appellant were present.
1:25 B. Appeal of Work Card Denial: George Jackson 1209 Arrowhead	Nolen - DENIED Appeal Unanimous (Briare excused)	Clerk to notify Lt. Hash Hanief, LVMPD, and Appellant were present.
1:28 C. Regional Transportation Commission Supplemental Cooperative Agreement No. 115b provides funds for construction and inspection of bridges across the Flamingo Wash on Rainbow Boulevard 640 feet south of Tropicana Avenue and on Tropicana Avenue 1,300 feet east of Rainbow Boulevard	Levy - APPROVED Agreements on Items C and D as recommended. Unanimous (Briare excused)	Staff to proceed
D. Regional Transportation Commission Supplemental Cooperative Agreement No. 121a provides funds for engineering design and right-of-way acquisition on Rancho Drive between Sahara Avenue and Charleston Boulevard	Levy - APPROVED Agreements on Items C and D as recommended. Unanimous (Briare excused)	Staff to proceed

MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
ASHLEY HALL



0076
CITY of LAS VEGAS

April 12, 1984

Mr. Daniel S. Porter
917 Morgan
Las Vegas, Nevada 89106

Dear Mr. Porter:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, May 2, 1984, at the regularly scheduled City Council Meeting. This matter will be heard sometime between 10 A.M. and 12 Noon. I would advise you to be present at 10 A.M. and wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

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

Sincerely,

CAROL ANN HAWLEY
CITY CLERK

CAH/lah

CC: CITY ATTORNEY, LAS VEGAS METROPOLITAN POLICE DEPARTMENT - SIB



April 12, 1984

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

Dear Ms. Hawley:

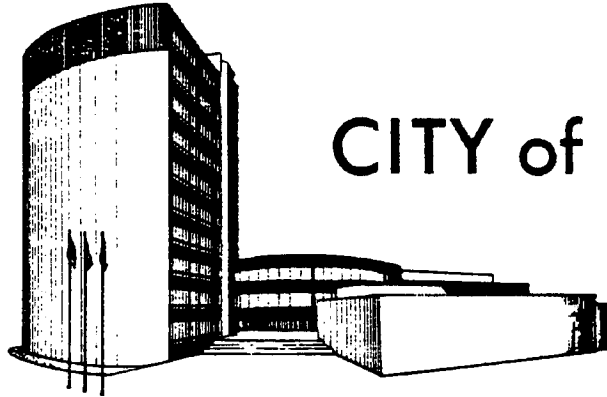
This letter constitutes my formal appeal of denial of a work card by the Metropolitan Police Department. I wish to appeal this denial before the City Council.

Sincerely,



Mr. Daniel S. Porter
917 Morgan
Las Vegas, Nevada 89106

MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

April 18, 1984

Mr. George Jackson
1209 Arrowhead
Las Vegas, Nevada 89106

Dear Mr. Jackson:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, May 2, 1984, at the regularly scheduled City Council Meeting. This matter will be heard sometime between 10 AM and 12 Noon. I would advise you to be present at 10 AM and wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

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

Sincerely,

CAROL ANN HAWLEY
CITY CLERK

By: *Joanne Perry*
Joanne Perry
Senior Office Assistant

CAH:jp

cc: City Attorney
Las Vegas Metropolitan Police Department - SIB



0079

April 18, 1984

Ms. Carol Ann Hawley
City Clerk
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Dear Ms. Hawley:

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

Sincerely,

A handwritten signature in cursive script that reads "George Jackson".

George Jackson
1209 Arrowhead
Las Vegas, Nevada 89106
(702) 647-4535

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 27, 1984 0080

TO: The City Council

FROM: *James F. O'Neil*
CITY ATTORNEYSUBJECT: Regional Transportation Commission Supplemental Cooperative Agreement
No. 115b - Tropicana Avenue Between Industrial Road and Rainbow BoulevardPURPOSE/BACKGROUND

In June of 1983, the participating members of the Regional Transportation Commission approved and executed a Cooperative Agreement for the design and 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. The original agreement was subsequently amended in January of 1984 to provide for the design of 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 the project.

The Supplemental Cooperative Agreement which is before you provides for the construction of, and contract administration in connection with, those bridges in an amount not to exceed \$1,170,000.00 and establishes the total project costs for which the County will receive reimbursement from the Regional Transportation Commission as an amount not to exceed \$1,415,150.00. The supplemental agreement also extends the time for completion of the project from August 1, 1984, to January 1, 1985.

FISCAL IMPACT

None

RECOMMENDATIONS

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

Agenda Item

V-C

SUPPLEMENTAL COOPERATIVE AGREEMENT NO. 2
TROPICANA AVENUE
INDUSTRIAL ROAD TO RAINBOW BOULEVARD

THIS SUPPLEMENTAL COOPERATIVE AGREEMENT is made by and between the County of Clark, a political subdivision of the State of Nevada, hereinafter referred to as 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 and Supplemental Cooperative Agreement No. 1 for the design and right-of-way engineering for Tropicana Avenue, between Industrial Road and Rainbow Boulevard, including a bridge structure on Rainbow Boulevard was previously entered into between COUNTY, the City of Henderson, the City of North Las Vegas, and the City of Las Vegas; and

WHEREAS, it is now desired to provide funding for and proceed with construction of two bridge structures, one bridge structure which is located at the Tropicana Avenue crossing of the Flamingo Wash, and the other bridge structure which is located at the Rainbow Boulevard crossing of the Flamingo Wash.

WITNESSETH

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

SECTION II - PROJECT COSTS shall be modified as follows:

The Regional Transportation Commission of Clark County agrees to provide funding for the project costs in accordance with "Section 6.1 - Reimbursable Costs" of the "Policies and Procedures Manual of the Regional Transportation Commission" within the limits specified below:

1. The preliminary engineering and design shall not exceed \$220,150.00 or 8% of the actual cost of construction, whichever is less. No preliminary engineering and design completed prior to the date of the original Cooperative Agreement shall be reimbursable.
2. The cost of the preparation of right-of-way drawings, documents, title reports of the right-of-way required, and obtaining appraisals shall not exceed \$25,000.00.
3. The cost of construction for the bridge structures on Rainbow Boulevard and Tropicana Avenue shall not exceed \$1,100,000.00.

4. The contract administration for the bridge structures which includes but is not limited to, contract supervision, construction inspection, surveying, and testing to insure compliance with the contract documents, shall not exceed the amount of \$70,000.00, or 7% of the actual cost of construction, whichever is less.
5. The total cost of this project shall not exceed \$1,415,150.00, which includes all of the above items.
6. Private funds which have been deposited with the COUNTY by developers, individuals, or others for the Rainbow Boulevard structures as a condition for the approval of their developments will be paid to the Regional Transportation Commission.

A written request must be made to the Regional Transportation Commission and a supplemental agreement approved to increase any of the amounts noted above prior to payment of any additional funds.

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

4. The items covered by this agreement must be completed to the satisfaction of the Regional Transportation Commission of Clark County prior to January 1, 1985. Anytime thereafter, the Regional Transportation Commission may grant time extensions, or terminate this agreement and require all sums advanced to the County to be repaid.

The fifth, sixth, seventh, eighth, ninth and tenth paragraphs shall be added to SECTION III - GENERAL and they shall read as follows:

5. The construction of said Project shall be by private contractor. The construction contract for said Project shall be let by the COUNTY after duly advertising for bids in accordance with N.R.S. 332, Local Government Purchasing Act.
6. Construction costs shall be paid directly to the contractor based on estimates prepared by the COUNTY.
7. Change orders not in excess of \$10,000 each may be authorized by the COUNTY, not to exceed an aggregate of 10% of the base bid, whichever is less. The Regional Transportation Commission must approve for eligibility of funding.
8. Field staking and construction inspection shall be performed by the COUNTY and/or its agents or representatives.

9. Upon completion of the construction of the Project it shall be maintained by the COUNTY and no funding is provided by this Agreement for such maintenance.
10. It is understood and agreed that the purpose of this Agreement is to fund the Project as hereinabove set forth. It is further understood and agreed that the COUNTY is responsible for the design and construction of the Project and will hold the other Parties to this Agreement and the Regional Transportation Commission harmless for any liability therefore except the funding provided by this Agreement.

The remainder of the Cooperative Agreement and Supplemental Agreement No. 1 remains unchanged.

APPROVED AS TO LEGALITY:

Melvin R. Whipple
MELVIN R. WHIPPLE
Deputy District Attorney

Date of Commission Action :

March 26, 1984

CLARK COUNTY

Thalia W. Dondero
THALIA DONDERO, Chairman

ATTEST:

Loretta Bowman
LORETTA BOWMAN, County Clerk

Date of Council Action:

May 7, 1984

CITY OF HENDERSON

Leroy Zike
LEROY ZIKE, Mayor

ATTEST:

Dorothy A. Henderson
DOROTHY A. HENDERSON, City Clerk CMC

Date of Council Action:

April 18, 1984

CITY OF NORTH LAS VEGAS

James K. Seastrand
JAMES SEASTRAND, Mayor

0084

ATTEST:

Esther J. Borden
ESTHER BORDEN, City Clerk

Date of Commission Action:

May 2, 1984

CITY OF LAS VEGAS

William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

Carol A. Hawley
CAROL HAWLEY, City Clerk

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 27, 1984

0085

TO: The City Council

FROM: *James P. O'Neil*
CITY ATTORNEY

SUBJECT: Regional Transportation Commission Cooperative Agreement No. 121a -- Rancho Drive Between Sahara Avenue and Charleston Boulevard

PURPOSE/BACKGROUND

In March of 1984, the participating members of the Regional Transportation Commission approved and executed a cooperative agreement which provides for the right of way engineering and right of way acquisition for roadway improvements in Rancho Drive between Sahara Avenue and Charleston Boulevard. Since this project lies wholly within the corporate boundaries of the City of Las Vegas, it will be administered and paid for exclusively by this City, subject to reimbursement by the Regional Transportation Commission.

The Supplemental Cooperative Agreement which is before you provides for the adjustment of certain of the reimbursable costs, as follows: Reimbursement for preliminary engineering, design, field staking, construction inspection and testing in an amount not to exceed \$52,800, an increase in the reimbursement for title reports, appraisals and related right of way acquisition expenses from \$20,000 to \$28,000 and an increase in the reimbursement for right of way acquisition costs from \$285,000 to \$320,000, for an aggregate reimbursement in an amount not to exceed \$400,800. The supplemental agreement also extends the time for completion of the project from December 31, 1984, to January 1, 1986.

FISCAL IMPACT

The \$400,800 required to perform the contemplated work will be reimbursed by the Regional Transportation Commission.

RECOMMENDATIONS

It is recommended that Regional Transportation Commission Cooperative Agreement No. 121a be approved and that the Mayor be authorized to execute the same on behalf of the City of Las Vegas.

Agenda Item

V-D

SUPPLEMENTAL COOPERATIVE AGREEMENT

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

WHEREAS, pursuant to Chapter 373 of the Nevada Revised Statutes, a project thereunder to construct Rancho Drive between Sahara Avenue and Charleston Boulevard, being located wholly within the incorporated area of the City of Las Vegas, has been approved by the Regional Transportation Commission.

WHEREAS, pursuant thereto, a Cooperative Agreement was entered into during February, 1984 between the County of Clark, the City of Las Vegas, the City of North Las Vegas, and the City of Henderson; and

WHEREAS, reevaluation of project priorities and recent financial conditions of the participating governmental entities has shown that financial commitments of said entities now require adjustment.

W I T N E S S E T H

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

1. Paragraph 1 of Section II - Project Costs shall be changed to read:

1. All preliminary engineering, design, field staking, construction inspection, and testing for said project completed after the date of this agreement, shall be performed by "THE CITY" and all costs for same shall be reimbursed by the Regional Transportation Commission of Clark County at a cost not to exceed 15% of the construction cost. A maximum of \$52,800 may be reimbursed under the terms of this supplemental cooperative agreement.

CITY COUNCIL MINUTES - MAY 2, 1984

0087

2. Paragraph 2 of Section II - Project Costs shall be changed to read:

2. Right-of-way drawings, descriptions, title reports of the right-of-way required, appraisals, and right-of-way acquisition expenses subsequent the date of this agreement at a cost not to exceed \$28,000, except such cost shall include \$5,696.04 reimbursed to the "CITY" prior to 1981, and may include a maximum of \$3,000 spent 3 months prior to the date this agreement.

3. Paragraph 3 of Section II - Project Costs shall be changed to read:

3. The acquisition cost of the right-of-way not to exceed \$320,000, unless condemnation is necessary in which case reimbursement will be made in the amount of the award.

The appraisals shall be approved by the Regional Transportation Commission before proceeding with acquisition.

4. Paragraph 4 of Section II - Project Costs shall be changed to read:

5. The total amount to be funded pursuant to this agreement shall not exceed \$400,800.00 which includes all the above items.

5. Paragraph 2 of Section III - General shall be changed to read:

2. Preliminary engineering, design, right-of-way acquisition, inspection, and contract administration shall be the responsibility of the City of Las Vegas.

6. Paragraph 4 of Section III - General shall be changed to read:

6. The items covered must be completed to the satisfaction of the Regional Transportation Commission of Clark County prior to January 1, 1986. The Regional Transportation Commission may, at any time thereafter, grant time extensions, or terminate this agreement and require all sums advanced to the CITY be repaid.

CITY COUNCIL MINUTES - MAY 2, 1984

APPROVED AS TO LEGALITY AND FORM:

Melvin R. Whipple
MELVIN R. WHIPPLE
Deputy District Attorney

0088

Date of Commission Action:

March 26, 1984

CLARK COUNTY

By: Thalia M. Dondero
THALIA DONDERO, Chairman

ATTEST:

Loretta Bowman
LORETTA BOWMAN, County Clerk

Date of Council Action:

May 7, 1984

CITY OF HENDERSON

By: Leroy Zike
LEROY ZIKE, Mayor

ATTEST:

Dorothy Vondenbrink
DOROTHY VONDENBRINK, City Clerk, CMC

Date of Council Action:

April 18, 1984

CITY OF NORTH LAS VEGAS

By: James K. Seastrand
JAMES SEASTRAND, Mayor

ATTEST:

Esther Borden
ESTHER BORDEN, City Clerk

Date of Commission Action:

May 2, 1984

CITY OF LAS VEGAS

By: William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY, City Clerk

AGENDA*City of Las Vegas*

0089

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

Page 25
May 2, 1984

ITEM Council Action Department Action

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

E. Special Improvement District No. 451

Step No. 5A - Provisional Order
Resolution
6A - Notice of Hearing

Improvements: Include the installation of a pavement section, concrete sidewalks, standard "L" type curbs and gutters, street lighting consisting of high pressure sodium luminaires, commercial driveway approaches, residential driveway approaches and sewer laterals from the existing sewer mains.

Location: On both sides of Jones Boulevard from Cartier Avenue to Rancho Drive

Levy -
APPROVED as recommended.
Unanimous
(Briere excused)

Staff to proceed

F. Special Improvement District No. 456

Step No. 5A - Provisional Order
Resolution
6A - Notice of Hearing

Improvements: Include the installation of a pavement section, standard "L" type curb and gutters, street lighting, sewer laterals from the existing sewer mains and standard residential driveway approaches.

Location: On the east side of Rancho Drive between Oakey Boulevard and Charleston Boulevard

Levy -
APPROVED as Amended.
Unanimous
(Briere excused)

Staff to proceed

NOTE: This Resolution was amended by the City Attorney during the meeting.

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 16, 1984 0090

TO:
The City CouncilFROM:
George F. Ogilvie
City Attorney

SUBJECT: PROVISIONAL ORDER RESOLUTION AND NOTICE OF HEARING S.I.D. 451

PURPOSE/BACKGROUND

S.I.D. NO.

451

STEP NO.

5A - Provisional Order Resolution

6A - Notice of Hearing

IMPROVEMENTS

Include the installation of a pavement section, concrete sidewalks, standard "L" type curb and gutters, street lighting consisting of high pressure sodium luminaires, commercial driveway approaches, residential driveway approaches and sewer laterals from the existing sewer mains.

LOCATION

On both sides of Jones Boulevard from Cartier Avenue to Rancho Drive.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

Agenda Item

V-E

R E S O L U T I O N

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT THE WORK OF IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 451 SHALL BE DONE.

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

WHEREAS, the City Engineer, on the 30th day of April, 1984, filed at the office of the Clerk of said City and of said City Council, in connection with said improvements and with its proposed Las Vegas, Nevada, Special Improvement District No. 451 the following:

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

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

C. Assessment plats showing the areas to be assessed and the amount of maximum benefits estimated to be assessed against each lot or parcel of property in the assessment district, such

1 estimates being computed on an area basis, as heretofore desig-
2 nated by said City Council; provided that an equitable adjustment
3 will be made for assessments to be levied against any irregular
4 lots or parcels, so that assessments according to benefits
5 will be equal and uniform, parcels or lots receiving sewer
6 laterals will be assessed on the basis that each lot or parcel of
7 property to be assessed shall be assessed a portion of the
8 aggregate dollar amount being levied against the entire district
9 according to the length, size and number of sewer laterals to
10 be installed to serve said lot or parcel; and

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

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
17 THE CITY OF LAS VEGAS, NEVADA, at a regular meeting thereof held
18 on the 2nd day of May, 1984, at 10:00 o'clock A.M., that the
19 City Council shall and hereby does accept said plans, assess-
20 ment plats, typical sections of contemplated improvements,
21 preliminary estimates of costs, and the estimates of maximum
22 benefits to be assessed against each tract or parcel of land in
23 the assessment areas.

24 BE IT FURTHER RESOLVED that said City Council shall, and
25 hereby does, PROVISIONALLY ORDER THAT:

26 SECTION 1. That street improvements shall be installed
27 within that certain area of the City hereinafter described, all
28 as more particularly hereinafter set forth and as described in
29 said plans herein accepted, reference to which is hereby made
30 and which are available for public examination at the Office of
31 said City Clerk, and at a total estimated cost of \$1,342,867.77
32 including engineering, legal and incidental expenses.

1 SECTION 2. The amounts to be assessed shall be made
2 upon all lots and parcels of property benefitted, proportionately
3 to the benefits received and shall be assessed against the property
4 abutting said improvements on an area basis, i.e., on the basis
5 that each lot or parcel of property to be assessed in each such
6 assessment unit shall be assessed a portion of the aggregate
7 dollar amount being levied against that particular entire assess-
8 ment in the proportion that the area of said lot or parcel bears
9 to the area of all the assessable property in such assessment
10 unit, provided that the depth of a lot or parcel in excess of 100
11 feet from the frontage facing the improvements shall not be con-
12 sidered in computing the area of such lot or parcel; provided
13 that in each assessment unit an equitable adjustment will be made
14 for assessments levied against any irregular lots or parcels,
15 so that the assessments according to benefits are equal and uni-
16 form. Parcels or lots receiving sewer laterals will be assessed
17 on the basis that each lot or parcel of property to be assessed
18 shall be assessed a portion of the aggregate dollar amount being
19 levied against the entire district according to the length, size
20 and number of sewer laterals to be installed to serve said lot
21 or parcel. The portion of the costs to be assessed against, and
22 the maximum benefits estimated to be conferred upon each lot or
23 parcel of property shall be as stated in the aforesaid assessment
24 plat.

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

29 SECTION 3. The area comprising said streets to be
30 improved and said property to be assessed (i.e., all of said
31 assessment units), shall be designated "Las Vegas, Nevada, Special
32 Improvement District No. 451."

1 SECTION 4. On Wednesday, the 6th day of June, 1984,
2 at the hour of 2:00 o'clock P.M., at the Council Chambers in
3 City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, or any
4 time prior to said date and time at the Office of the City Clerk
5 in City Hall in said City, the owners of the property to be
6 assessed, or any other person interested therein, may file written
7 protests or objections, and may appear before the City Council at
8 said time and place and be heard as to the propriety of making
9 such improvements, as to the cost thereof, as to the manner of
10 payment therefor, and as to the amount thereof to be assessed
11 against the property to be so improved. Twenty (20) days notice
12 in writing of such time and place shall be given to such property
13 owners, which shall be served by the City Clerk by mailing a
14 copy of such notice, postage prepaid, as first-class mail, to
15 the last known address of each last known owner of property
16 within each assessment unit whose property will be assessed
17 for the costs of such improvements, such names and addresses of
18 such property owners being those appearing on the local property
19 assessment rolls for (ad valorem) taxes on file in the Office of
20 the County Assessor of Clark County, Nevada, wherein said property
21 is located. Notice shall also be given by the City Engineer by
22 posting a copy of such notice in three public places at or near
23 the site of the proposed work in each assessment unit at least
24 twenty (20) days prior to said hearing. Proof of such mailing
25 and posting shall be made by the affidavit of the City Clerk or
26 of the City Engineer as the case may be, such proof to be filed
27 with the City Clerk; provided, however, that the fact that the
28 person to whom any such notice is addressed does not receive the
29 same shall not invalidate or affect the legality of the notice
30 given thereby and shall not invalidate or affect the legality
31 of any assessment nor any other of the proceedings hereunder.
32 Notice of the time and place of such hearing shall also be given

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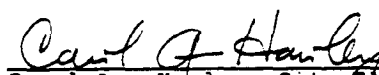
1 by publishing a copy of such notice in the Las Vegas Review
2 Journal, a newspaper published in the City of Las Vegas, Nevada,
3 and of general circulation in said City of Las Vegas, once each
4 week for three consecutive weeks, by three weekly insertions,
5 the first publication to be at least fifteen (15) days prior to
6 the date of the protest hearing. Not less than fourteen (14)
7 days shall intervene between
8 the first publication and the last publication. Such service
9 by publication shall be verified by the affidavit of the pub-
10 lisher and filed with said City Clerk. Said notice shall be in
11 the form as indicated in Exhibit "B", attached hereto and by
12 reference made a part hereof.

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

23 INTRODUCED, PASSED, AND ADOPTED this 2nd day of
24 May, 1984.

25
26 
27 WILLIAM H. BRIARE, MAYOR
28

29
30 ATTEST:

31
32 
Carol Ann Hawley, City Clerk

1 NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND PARTS
2 THEREOF AND PROPOSED ASSESSMENTS WITHIN THE PROPOSED LAS VEGAS,
3 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 451.

4 NOTICE IS HEREBY GIVEN to the property owners within
5 the proposed Las Vegas, Nevada, Special Improvement District
6 No. 451, and to all interested persons that:

7 The City Council of the City of Las Vegas, Nevada,
8 has provisionally ordered that street improvements shall be
9 installed within that certain area of the City hereinafter
10 described, all as more particularly set forth:

11 UNIT I

12 The improvements include the installation of a pavement
13 section adjacent to all properties within the City of Las Vegas
14 on both sides of Jones Boulevard from Cartier Avenue to Rancho
15 Drive, except where adequate improvements have previously been
16 installed, in conjunction with the installation of four driving
17 lanes, a lefthand turn lane and drainage facilities to be paid for
18 with funds other than the levy of assessments, to include the
19 necessary installation, removal and relocation of any and all
20 utilities and appurtenances that are deemed necessary to complete
21 same, as more particularly shown on the plats, diagrams and plans
22 of the work and the locality as filed in the Office of the City
23 Clerk.

24 UNIT II

25 The improvements include the installation of standard
26 concrete sidewalks adjacent to all properties within the City of
27 Las Vegas on both sides of Jones Boulevard from Cartier Avenue to
28 Rancho Drive, except where adequate improvements have previously
29 been installed, in conjunction with the installation of four
30 driving lanes, a lefthand turn lane and drainage facilities to
31 be paid for with funds other than the levy of assessments, to
32 include the necessary installation, removal and relocation of any

1 and all utilities and appurtenances that are deemed necessary to
2 complete same, as more particularly shown on the plats, diagrams
3 and plans of the work and the locality as filed in the Office of
4 the City Clerk.

5 UNIT III

6 The improvements include the installation of standard
7 "L" type curb and gutter adjacent to all properties within the
8 City of Las Vegas on both sides of Jones Boulevard from Cartier
9 Avenue to Rancho Drive, except where adequate improvements have
10 previously been installed, in conjunction with the installation
11 of four driving lanes, a lefthand turn lane and drainage facilities
12 to be paid for with funds other than the levy of assessments, to
13 include the necessary installation, removal and relocation of any
14 and all utilities and appurtenances that are deemed necessary to
15 complete same, as more particularly shown on the plats, diagrams
16 and plans of the work and the locality as filed in the Office of
17 the City Clerk.

18 UNIT IV

19 The improvements include the installation of street
20 lighting consisting of high pressure sodium luminaires and steel
21 lighting standards on concrete foundations with underground
22 wiring adjacent to all properties within the City of Las Vegas
23 on both sides of Jones Boulevard from Cartier Avenue to Rancho
24 Drive, except where adequate improvements have previously been
25 installed, in conjunction with the installation of four driving
26 lanes, a lefthand turn lane and drainage facilities to be paid
27 for with funds other than the levy of assessments, to include the
28 necessary installation, removal and relocation of any and all
29 utilities and appurtenances that are deemed necessary to complete
30 same, as more particularly shown on the plats, diagrams and plans
31 of the work and the locality as filed in the Office of the City
32 Clerk.

UNIT V

The improvements include the installation of standard commercial driveway approaches, as requested by the adjacent property owners within the City of Las Vegas on both sides of Jones Boulevard from Cartier Avenue to Rancho Drive, except where adequate improvements have previously been installed, in conjunction with the installation of four driving lanes, a lefthand turn lane and drainage facilities to be paid for with funds other than the levy of assessments, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality as filed in the Office of the City Clerk.

UNIT VI

The improvements include the installation of standard residential driveway approaches, as requested by the adjacent property owners within the City of Las Vegas on both sides of Jones Boulevard from Cartier Avenue to Rancho Drive, except where adequate improvements have previously been installed, in conjunction with the installation of four driving lanes, a lefthand turn lane and drainage facilities to be paid for with funds other than the levy of assessments, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality as filed in the Office of the City Clerk.

UNIT VII

The improvements include the installation of sewer laterals from the existing sewer mains to the front property line adjacent to all properties within the City of Las Vegas, as found necessary by the governing entity, on both sides of Jones Boulevard from Cartier Avenue to Rancho Drive, except where adequate improve-

1 ments have previously been installed, in conjunction with the
 2 installation of four driving lanes, a lefthand turn lane and
 3 drainage facilities to be paid for with funds other than the levy
 4 of assessments, to include the installation, removal and relo-
 5 cation of any and all utilities and appurtenances that are deemed
 6 necessary to complete same, as more particularly shown on the
 7 plats, diagrams and plans of the work and the locality as filed
 8 in the Office of the City Clerk.

9 All of the plats, diagrams and plans on file in the
 10 Office of the City Clerk are deemed by the City Engineer and the
 11 City to be essential to the construction of said improvements.

12 It is estimated that said estimated total cost shall
 13 be apportioned as follows:

14	Assessment Unit No.	Total Cost	Estimated Amount of Special Assessments
15	I	\$ 25,270.50	\$ 25,270.50
16	II	28,202.92	28,202.92
	III	14,826.28	14,826.28
17	IV	25,613.42	25,613.42
	V	272.00	272.00
18	VI		
	VII	5,624.65	5,624.65
19	Other Street Work	<u>1,243.058.00</u>	
20	TOTAL	\$1,342,867.77	\$ 99,809.77

21 The amounts to be assessed shall be made upon all lots
 22 and parcels of property benefitted, proportionately to the
 23 benefits received and shall be assessed against the property
 24 abutting said improvements on an area basis, i.e., on the basis
 25 that each lot or parcel of property to be assessed in each such
 26 assessment unit shall be assessed a portion of the aggregate
 27 dollar amount being levied against that particular entire assess-
 28 ment in the proportion that the area of said lot or parcel bears
 29 to the area of all the assessable property in such assessment
 30 unit, provided that the depth of a lot or parcel in excess of 100
 31 feet from the frontage facing the improvements shall not be con-
 32 sidered in computing the area of such lot or parcel, provided

1 that in each assessment unit an equitable adjustment will be made
 2 for assessments levied against any irregular lots or parcels, so
 3 that the assessments according to benefits are equal and uniform.
 4 Parcels or lots receiving sewer laterals will be assessed on the
 5 basis that each lot or parcel of property to be assessed shall
 6 be assessed a portion of the aggregate dollar amount being levied
 7 against the entire district according to the length, size and
 8 number of sewer laterals to be installed to serve said lot or
 9 parcel. The portion of the costs to be assessed against, and
 10 the maximum amount of benefits estimated to be conferred upon
 11 each lot or parcel of property shall be as stated in the afore-
 12 said assessment plat.

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

17 The areas to be assessed within the assessment units
 18 which the Council proposes to so have improved are as follows:

19 Those parcels of land within the City of Las Vegas,
 20 County of Clark, State of Nevada, described
 21 as follows:

22 Those parcels of land within the City of
 23 Las Vegas adjoining Jones Boulevard from Cartier
 24 Avenue to Rancho Drive, to include those County
 25 tax parcels as listed or as may be subsequently
 26 divided or changed by the Office of the County
 27 Assessor as follows:

28 Unit I (Pavement)

25	01A-541-002	280-640-067
26	01A-541-003	280-640-068
27	01A-650-001	290-390-001
	280-640-061	

28 Unit II (Sidewalks)

29	01A-541-002	290-504-001
	01A-541-003	290-504-032
30	01A-650-001	290-504- 33
	280-640-061	290-504-034
31	280-640-067	290-504-035
	280-640-068	290-504-036
32	290-390-001	290-504-037

Unit III (Curb & Gutter)

01A-541-002	280-640-067
01A-541-003	280-640-068
01A-650-001	290-390-001
280-640-061	

Unit IV (Street Lights)

01A-541-002	290-504-001
01A-541-003	290-504-032
01A-650-001	290-504-033
280-640-061	290-504-034
280-640-067	290-504-035
280-640-068	290-504-036
290-390-001	290-504-037

Unit V (Commercial Driveways)

280-640-067

Unit VI (Residential Driveways)

Delete

Unit VII (Sewer Laterals)

01A-541-002	280-640-068
280-640-061	290-390-001

The proposed improvements will result in no substantial change in the existing street elevations or grades.

All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of the total cost, the description of the property to be assessed, the portion of the cost to be assessed thereagainst and the maximum amount of benefits estimated to be conferred on each piece of property are on file in the Office of the City Clerk and may be inspected by and property owner, or other interested persons, during regular office hours.

On Wednesday, the 6th day of June, 1984, at 2:00 o'clock P.M., in the Council Chambers at City Hall, 400 East Stewart Avenue, in the City of Las Vegas, or at any time prior to said date and time, at the Office of the City Clerk at City Hall, in said City, the owners of the property to be assessed, or any other persons interested therein, may file written protests or objections, and may appear before the City Council at said

1 time and place and be heard as to the propriety and advisability
2 of making such improvements, as to the costs thereof, as to the
3 manner of the payment therefor, and as to the amount thereof to
4 be assessed against the property to be so improved.

5 The City Council requests that any property owner or
6 other interested persons wishing to make protest or objection,
7 make such protest or objection in writing at the Office of the
8 City Clerk at least three days before the time set for hearing
9 as aforesaid. Those persons shall have the right within thirty
10 (30) days after the City Council have finally passed on such
11 protest or objection to commence an action or suit in any
12 Court of competent jurisdiction to correct or set aside such
13 determination, but thereafter all actions or suits attacking
14 the validity of the proceedings and the amount of benefits shall
15 be perpetually barred. If the owners of more than one-half of
16 the area to be assessed for the improvements shall file written
17 objection thereto, the particular improvements shall not be
18 ordered installed, unless pursuant to NRS 271.305(7)(b)(1), the
19 municipality shall pay one-half or more of the total cost of
20 the entire project with funds derived from other than the levy
21 of assessments, in which event the City Council may order the
22 improvements installed in spite of more than 50% protest.

23 After such hearing, said City Council shall make a
24 determination as to the advisability of so improving said
25 streets and parts thereof, shall determine the kind and character
26 of such improvements so to be made, and shall enter into a con-
27 tract with the responsible bidder submitting the lowest bid for
28 the doing of such work and the furnishing of all necessary
29 materials, in response to a duly advertised invitation for
30 construction bids.

31 After the making of such contract, said City Council
32 shall determine what portion of the cost of such work, including

1 incidentals, shall be paid by the property specially benefitted,
2 and the assessments shall be levied in accordance with the laws
3 of the State of Nevada. In no event shall the assessments
4 exceed the estimated benefits to the property assessed. The
5 City Council shall provide that the assessments may be payable
6 without interest or demand, at the election of the owner, or
7 in ten substantially equal annual installments of principal.
8 The City Council shall also provide the time and terms of
9 payment of such assessments, and the rate of interest per annum
10 upon deferred payments thereof, which rate shall not exceed more
11 than 1% the 'Bond Buyer's' Index of 20 Municipal Bonds which was
12 most recently published before the date on which the ordinance
13 levying the assessments is adopted, and shall fix penalties to be
14 collected upon delinquent payments.

15 By order of the City Council of the City of Las Vegas,
16 Nevada.

17 Dated this 2nd day of May, 1984.

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21 CAROL ANN HAWLEY, CITY CLERK
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City of Las Vegas

AGENDA DOCUMENTATION

Date: April 23, 1984 0104

TO:
The City CouncilFROM:
George F. Ogilvie
City Attorney

SUBJECT: PROVISIONAL ORDER RESOLUTION AND NOTICE OF HEARING S.I.D. 456

PURPOSE/BACKGROUND

S.I.D. NO.

456

STEP NO.

5A - Provisional Order Resolution

6A - Notice of Hearing

IMPROVEMENTS

Include the installation of a pavement section, standard "L" type curb and gutters, street lighting, sewer laterals from the existing sewer mains and standard residential driveway approaches.

LOCATION

On the east side of Rancho Drive between Oakey Boulevard and Charleston Boulevard.

FISCAL IMPACTRECOMMENDATIONS

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

Agenda Item

V-F

FIRST AMENDMENT

R E S O L U T I O N

1
2
3 A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT THE
4 WORK OF IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN
5 THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT
6 NO. 456 SHALL BE DONE.

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

15 WHEREAS, the City Engineer, on the 30th day of April,
16 1984, filed at the office of the Clerk of said City and of said
17 City Council, in connection with said improvements and with its
18 proposed Las Vegas, Nevada, Special Improvement District No. 456
19 the following:

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

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

31 C. Assessment plats showing the areas to be assessed
32 and the amount of maximum benefits estimated to be assessed against
each lot or parcel of property in the assessment district, such

1 estimates being computed on an area basis, as heretofore desig-
2 nated by said City Council; provided that an equitable adjustment
3 will be made for assessments to be levied against any irregular
4 lots or parcels, so that assessments according to benefits
5 will be equal and uniform, parcels or lots receiving sewer
6 laterals will be assessed on the basis that each lot or parcel
7 of property to be assessed shall be assessed a portion of the
8 aggregate dollar amount being levied against the entire district
9 according to the length, size and number of sewer laterals to
10 be installed to serve said lot or parcel; and

11 WHEREAS, since the filing of said plans, assessment
12 plats, typical sections of contemplated improvements, preliminary
13 estimates of costs and estimates of maximum benefits, said City
14 Council has determined, and by this Resolution does so determine,
15 that Unit 1 of the proposed special improvement district be
16 deleted; and

17 WHEREAS, the City Council has examined said plans,
18 assessment plats, typical sections of contemplated improvements,
19 preliminary estimates of costs, and estimates of maximum benefits,
20 so filed with said Clerk, and has found, and does hereby declare
21 the same, as amended as hereinafter provided, to be satisfactory
22 in all respects;

23 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
24 THE CITY OF LAS VEGAS, NEVADA, at a regular meeting thereof held
25 on the 2nd day of May, 1984, at 10:00 o'clock A.M., that the
26 City Council shall and hereby does accept said plans, assess-
27 ment plats, typical sections of contemplated improvements,
28 preliminary estimates of costs, and the estimates of maximum
29 benefits to be assessed against each tract or parcel of land in
30 the assessment areas, as amended as hereinafter provided.

31 BE IT FURTHER RESOLVED that said City Council shall, and
32 hereby does, PROVISIONALLY ORDER THAT:

1 SECTION 1. Unit 1 of proposed Special Improvement
2 District No. 456 be, and the same hereby is, deleted.

3 SECTION 2. That street improvements shall be installed
4 within that certain area of the City hereinafter described, all
5 as more particularly hereinafter set forth and as described in
6 said plans, as amended, herein accepted, reference to which is
7 hereby made and which are available for public examination at
8 the Office of said City Clerk, and at a total estimated cost of
9 \$801,562.30 including engineering, legal and incidental expenses.

10 SECTION 3. The amounts to be assessed shall be made
11 upon all lots and parcels of property benefitted, proportionately
12 to the benefits received and shall be assessed against the
13 property abutting said improvements on an area basis, i.e., on
14 the basis that each lot or parcel of property to be assessed in
15 each such assessment unit shall be assessed a portion of the
16 aggregate dollar amount being levied against that particular entire
17 assessment in the proportion that the area of said lot or parcel
18 bears to the area of all the assessable property in such assessment
19 unit, provided that the depth of a lot or parcel in excess of 100
20 feet from the frontage facing the improvements shall not be con-
21 sidered in computing the area of such lot or parcel; provided
22 that in each assessment unit an equitable adjustment will be made
23 for assessments levied against any irregular lots or parcels,
24 so that the assessments according to benefits are equal and uni-
25 form. Parcels or lots receiving sewer laterals will be assessed
26 on the basis that each lot or parcel of property to be assessed
27 shall be assessed a portion of the aggregate dollar amount being
28 levied against the entire district according to the length, size
29 and number of sewer laterals to be installed to serve said lot
30 or parcel. The portion of the costs to be assessed against, and
31 the maximum benefits estimated to be conferred upon each lot
32 or parcel of property shall be as stated in the aforesaid

1 assessment plat, as amended.

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

6 SECTION 4. The area comprising said streets to be
7 improved and said property to be assessed (i.e., all of said
8 assessment units), shall be designated "Las Vegas, Nevada, Special
9 Improvement District No. 456."

10 SECTION 5. On Wednesday, the 6th day of June, 1984,
11 at the hour of 2:00 o'clock P.M., at the Council Chambers
12 in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, or any
13 time prior to said date and time at the Office of the City Clerk
14 in City Hall in said City, the owners of the property to be
15 assessed, or any other person interested therein, may file written
16 protests or objections, and may appear before the City Council at
17 said time and place and be heard as to the propriety of making
18 such improvements, as to the cost thereof, as to the manner of
19 payment therefor, and as to the amount thereof to be assessed
20 against the property to be so improved. Twenty (20) days notice
21 in writing of such time and place shall be given to such property
22 owners, which shall be served by the City Clerk by mailing a
23 copy of such notice, postage prepaid, as first-class mail, to
24 the last known address of each last known owner of property
25 within each assessment unit whose property will be assessed
26 for the costs of such improvements, such names and addresses of
27 such property owners being those appearing on the local property
28 assessment rolls for (ad valorem) taxes on file in the Office of
29 the County Assessor of Clark County, Nevada, wherein said property
30 is located. Notice shall also be given by the City Engineer by
31 posting a copy of such notice in three public places at or near
32 the site of the proposed work in each assessment unit at least

1 twenty (20) days prior to said hearing. Proof of such mailing
2 and posting shall be made by the affidavit of the City Clerk or
3 of the City Engineer as the case may be, such proof to be filed
4 with the City Clerk; provided, however, that the fact that the
5 person to whom any such notice is addressed does not receive the
6 same shall not invalidate or affect the legality of the notice
7 given thereby and shall not invalidate or affect the legality
8 of any assessment nor any other of the proceedings hereunder.
9 Notice of the time and place of such hearing shall also be given
10 by publishing a copy of such notice in the Las Vegas Review
11 Journal, a newspaper published in the City of Las Vegas, Nevada,
12 and of general circulation in said City of Las Vegas, once each
13 week for three consecutive weeks, by three weekly insertions,
14 the first publication to be at least fifteen (15) days prior to
15 the date of the protest hearing. Not less than fourteen (14)
16 days shall intervene between the first publication and the
17 last publication. Such service by publication shall be verified
18 by the affidavit of the publisher and filed with said City Clerk.
19 Said notice shall be in the form as indicated in Exhibit "B,"
20 attached hereto and by reference made a part hereof.

21 SECTION 6. That the City Clerk and the City Engineer
22 are hereby authorized to advertise at least once a week for three
23 consecutive weeks by three weekly insertions in the Las Vegas
24 Review Journal, a newspaper of general circulation in the City
25 of Las Vegas; provided that not less than fourteen (14) days

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1 shall intervene between the first publication and the last
2 publication; provided that the last publication shall be at
3 least five (5) days prior to the receipt of bids; and provided
4 that no contract shall be awarded until after the aforesaid
5 hearing and until after the creation of said District by
6 ordinance.

7 INTRODUCED, PASSED, AND ADOPTED this 2nd day of May,
8 1984.

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10 
11 WILLIAM H. BRIARE, MAYOR

12
13 ATTEST:

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15 
16 Carol Ann Hawley, City Clerk

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1 NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND PARTS
2 THEREOF AND PROPOSED ASSESSMENTS WITHIN THE PROPOSED LAS VEGAS,
3 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 456.

4 NOTICE IS HEREBY GIVEN to the property owners within
5 the proposed Las Vegas, Nevada, Special Improvement District
6 No. 456, and to all interested persons that:

7 The City Council of the City of Las Vegas, Nevada,
8 has provisionally ordered that street improvements shall be
9 installed within that certain area of the City hereinafter
10 described, all as more particularly set forth:

11 UNIT II

12 The improvements include the installation of standard
13 "L" type curb and gutter adjacent to all properties on the east
14 side of Rancho Drive between Oakey Boulevard and Charleston
15 Boulevard except where adequate improvements have previously been
16 installed, in conjunction with the installation of driving lanes,
17 left hand turn lanes and drainage facilities to be paid for with
18 funds other than the levy of assessments, to include the necessary
19 installation, removal and relocation of any and all utilities and
20 appurtenances that are deemed necessary to complete same, as more
21 particularly shown on the plats, diagrams and plans of the work
22 and the locality as filed in the Office of the City Clerk.

23 UNIT III

24 The improvements include the installation of street
25 lighting consisting of high pressure sodium luminaires and steel
26 lighting standards on concrete foundations with underground
27 wiring adjacent to all properties on the east side of Rancho Drive
28 between Oakey Boulevard and Charleston Boulevard except where
29 adequate improvements have previously been installed, in conjunc-
30 tion with the installation of driving lanes, left hand turn lanes
31 and drainage facilities to be paid for with funds other than
32 the levy of assessments, to include the necessary installation,

1 removal and relocation of any and all utilities and appurtenances
2 that are deemed necessary to complete same, as more particularly
3 shown on the plats, diagrams and plans of the work and the
4 locality as filed in the Office of the City Clerk.

5 UNIT IV

6 The improvements include the installation of sewer
7 laterals from the existing sewer mains to the front property
8 line adjacent to all properties, as found necessary by the
9 governing entity, on the east side of Rancho Drive between Oakey
10 Boulevard and Charleston Boulevard, except where adequate
11 improvements have previously been installed, in conjunction with
12 the installation of driving lanes, left hand turn lanes and
13 drainage facilities to be paid for with funds other than the
14 levy of assessments, to include the necessary installation,
15 removal and relocation of any and all utilities and appurtenances
16 that are deemed necessary to complete same, as more particularly
17 shown on the plats, diagrams and plans of the work and the
18 locality as filed in the Office of the City Clerk.

19 UNIT V

20 The improvements include the installation of standard
21 residential driveway approaches, as requested by the property
22 owners on the east side of Rancho Drive between Oakey Boulevard
23 and Charleston Boulevard except where adequate improvements
24 have previously been installed, in conjunction with the installa-
25 tion of driving lanes, left hand turn lanes and drainage facili-
26 ties to be paid for with funds other than the levy of assessments,
27 to include the necessary installation, removal and relocation
28 of any and all utilities and appurtenances that are deemed
29 necessary to complete same, as more particularly shown on the
30 plats, diagrams and plans of the work and the locality as filed
31 in the Office of the City Clerk.

32 All of the plats, diagrams and plans on file in the

Office of the City Clerk with respect to said described assessment units are deemed by the City Engineer and the City to be essential to the construction of said improvements.

It is estimated that said estimated total cost shall be apportioned as follows:

<u>Assessment Unit No.</u>	<u>Total Cost</u>	<u>Estimated Amount of Special Assessments</u>
II	\$ 3,307.27	\$ 3,307.27
III	26,162.48	26,162.48
IV	4,830.00	4,830.00
V	1,597.40	1,597.40
Other Street Work	748,824.23	--
TOTAL	\$ 784,721.38	\$ 35,897.15

The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to the benefits received and shall be assessed against the property abutting said improvements on an area basis, i.e., on the basis that each lot or parcel of property to be assessed in each such assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment in the proportion that the area of said lot or parcel bears to the area of all the assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing the area of such lot or parcel, provided that in each assessment unit an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform. Parcels or lots receiving sewer laterals will be assessed on the basis that each lot or parcel of property to be assessed shall be assessed a portion of the aggregate dollar amount being levied against the entire district according to the length, size and number of sewer laterals to be installed to serve said lot or parcel. The portion of the costs to be assessed against,

1 and the maximum amount of benefits estimated to be conferred
 2 upon each lot or parcel of property shall be as stated in the
 3 assessment plat with respect to the respective assessment units.

4 Regardless of the basis used by apportioning assess-
 5 ments, in case of wedge or "V" or other irregularly shaped
 6 tracts, an amount apportioned thereto shall be in proportion to
 7 the special benefits derived.

8 The areas to be assessed within the assessment units
 9 which the Council proposes to so have improved are as follows:

10 UNIT II (Curb & Gutter)

11 030-640-001	030-690-013
12 030-690-010	030-690-022
030-690-012	

13 UNIT III (Street Lights)

14 030-640-001	030-711-001
030-640-002	030-712-001
15 030-640-003	030-712-002
030-690-010	030-712-003
16 030-690-012	030-713-001
030-690-013	030-741-003
17 030-690-022	030-741-004

18 UNIT IV (Sewer Laterals)

19 030-640-001	030-741-003
20 030-640-002	030-741-004
030-640-003	

21 UNIT V (Residential Driveways)

22 030-640-001	030-690-013
030-640-002	030-690-022
23 030-640-003	030-712-002
030-690-010	
24 030-690-012	

25 The proposed improvements will result in no substantial
 26 change in the existing street elevations or grades.

27 All persons interested are hereby advised that the
 28 plans, plats, typical sections, preliminary estimates of the
 29 total cost, the description of the property to be assessed, the
 30 portion of the cost to be assessed thereagainst and the maximum
 31 amount of benefits estimated to be conferred on each piece of
 32 property with respect to the respective assessment units are

1 on file in the Office of the City Clerk and may be inspected by
2 and property owner, or other interested persons, during regular
3 office hours.

4 On Wednesday, the 6th day of June, 1984, at 2:00
5 o'clock P.M., in the Council Chambers at City Hall, 400 East
6 Stewart Avenue, in the City of Las Vegas, or at any time prior
7 to said date and time, at the Office of the City Clerk at City
8 Hall, in said City, the owners of the property to be assessed,
9 or any other persons interested therein, may file written protests
10 or objections, and may appear before the City Council at said
11 time and place and be heard as to the propriety and advisability
12 of making such improvements, as to the costs thereof, as to the
13 manner of the payment therefor, and as to the amount thereof to
14 be assessed against the property to be so improved.

15 The City Council requests that any property owner
16 or other interested persons wishing to make protest or objection,
17 make such protest or objection in writing at the Office of
18 the City Clerk at least three days before the time set for
19 hearing as aforesaid. Those persons shall have the right within
20 thirty (30) days after the City Council have finally passed
21 on such protest or objection to commence an action or suit in
22 any Court of competent jurisdiction to correct or set aside
23 such determination, but thereafter all actions or suits attacking
24 the validity of the proceedings and the amount of benefits shall
25 be perpetually barred. If the owners of more than one-half of
26 the area to be assessed for the improvements shall file written
27 objection thereto, the particular improvements shall not be
28 ordered installed, unless pursuant to NRS 271.305(7)(b)(1), the
29 municipality shall pay one-half or more of the total cost of
30 the entire project with funds derived from other than the levy
31 of assessments, in which event the City Council may order the
32 improvements installed in spite of more than 50% protest.

1 After such hearing, said City Council shall make a
2 determination as to the advisability of so improving said streets
3 and parts thereof, shall determine the kind and character of such
4 improvements so to be made, and shall enter into a contract
5 with the responsible bidder submitting the lowest bid for
6 the doing of such work and the furnishing of all necessary
7 materials, in response to a duly advertised invitation for
8 construction bids.

9 After the making of such contract, said City Council
10 shall determine what portion of the cost of such work, including
11 incidentals, shall be paid by the property specially benefitted,
12 and the assessments shall be levied in accordance with the laws
13 of the State of Nevada. In no event shall the assessments
14 exceed the estimated benefits to the property assessed. The
15 City Council shall provide that the assessments may be payable
16 without interest or demand, at the election of the owner, or in
17 ten substantially equal annual installments of principal. The
18 City Council shall also provide the time and terms of payment
19 of such assessments, and the rate of interest per annum upon
20 deferred payments thereof, which rate shall not exceed more
21 than 1% the 'Bond Buyer's' Index of 20 Municipal Bonds which was
22 most recently published before the date on which the ordinance
23 levying the assessments is adopted, and shall fix penalties to be
24 collected upon delinquent payments.

25 By order of the City Council of the City of Las Vegas,
26 Nevada.

27 Dated this 2nd day of May, 1984.

28
29
30 
31 CAROL ANN HAWLEY, CITY CLERK
32

*Resolution
Amended
at Meeting
5-2-84*

R E S O L U T I O N

1
2
3 A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT THE
4 WORK OF IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF WITHIN
5 THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT
6 NO. 456 SHALL BE DONE.

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

15 WHEREAS, the City Engineer, on the 30th day of April,
16 1984, filed at the office of the Clerk of said City and of said
17 City Council, in connection with said improvements and with its
18 proposed Las Vegas, Nevada, Special Improvement District No. 456
19 the following:

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

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

31 C. Assessment plats showing the areas to be assessed
32 and the amount of maximum benefits estimated to be assessed against
each lot or parcel of property in the assessment district, such

1 estimates being computed on an area basis, as heretofore desig-
2 nated by said City Council; provided that an equitable adjustment
3 will be made for assessments to be levied against any irregular
4 lots or parcels, so that assessments according to benefits
5 will be equal and uniform, parcels or lots receiving sewer
6 laterals will be assessed on the basis that each lot or parcel
7 of property to be assessed shall be assessed a portion of the
8 aggregate dollar amount being levied against the entire district
9 according to the length, size and number of sewer laterals to
10 be installed to serve said lot or parcel; and

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

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
17 THE CITY OF LAS VEGAS, NEVADA, at a regular meeting thereof held
18 on the 2nd day of May, 1984, at 10:00 o'clock A.M., that the
19 City Council shall and hereby does accept said plans, assess-
20 ment plats, typical sections of contemplated improvements,
21 preliminary estimates of costs, and the estimates of maximum
22 benefits to be assessed against each tract or parcel of land in
23 the assessment areas.

24 BE IT FURTHER RESOLVED that said City Council shall, and
25 hereby does, PROVISIONALLY ORDER THAT:

26 SECTION 1. That street improvements shall be installed
27 within that certain area of the City hereinafter described, all
28 as more particularly hereinafter set forth and as described in
29 said plans herein accepted, reference to which is hereby made
30 and which are available for public examination at the Office of
31 said City Clerk, and at a total estimated cost of \$801,562.30
32 including engineering, legal and incidental expenses.

1 SECTION 2. The amounts to be assessed shall be made
2 upon all lots and parcels of property benefitted, proportionately
3 to the benefits received and shall be assessed against the property
4 abutting said improvements on an area basis, i.e., on the basis
5 that each lot or parcel of property to be assessed in each such
6 assessment unit shall be assessed a portion of the aggregate
7 dollar amount being levied against that particular entire assess-
8 ment in the proportion that the area of said lot or parcel bears
9 to the area of all the assessable property in such assessment
10 unit, provided that the depth of a lot or parcel in excess of 100
11 feet from the frontage facing the improvements shall not be con-
12 sidered in computing the area of such lot or parcel; provided
13 that in each assessment unit an equitable adjustment will be made
14 for assessments levied against any irregular lots or parcels,
15 so that the assessments according to benefits are equal and uni-
16 form. Parcels or lots receiving sewer laterals will be assessed
17 on the basis that each lot or parcel of property to be assessed
18 shall be assessed a portion of the aggregate dollar amount being
19 levied against the entire district according to the length, size
20 and number of sewer laterals to be installed to serve said lot
21 or parcel. The portion of the costs to be assessed against, and
22 the maximum benefits estimated to be conferred upon each lot
23 or parcel of property shall be as stated in the aforesaid
24 assessment plat.

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

29 SECTION 3. The area comprising said streets to be
30 improved and said property to be assessed (i.e., all of said
31 assessment units), shall be designated "Las Vegas, Nevada, Special
32 Improvement District No. 456."

1 SECTION 4. On Wednesday, the 6th day of June, 1984,
2 at the hour of 2:00 o'clock P.M., at the Council Chambers
3 in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, or any
4 time prior to said date and time at the Office of the City Clerk
5 in City Hall in said City, the owners of the property to be
6 assessed, or any other person interested therein, may file written
7 protests or objections, and may appear before the City Council at
8 said time and place and be heard as to the propriety of making
9 such improvements, as to the cost thereof, as to the manner of
10 payment therefor, and as to the amount thereof to be assessed
11 against the property to be so improved. Twenty (20) days notice
12 in writing of such time and place shall be given to such property
13 owners, which shall be served by the City Clerk by mailing a
14 copy of such notice, postage prepaid, as first-class mail, to
15 the last known address of each last known owner of property
16 within each assessment unit whose property will be assessed
17 for the costs of such improvements, such names and addresses of
18 such property owners being those appearing on the local property
19 assessment rolls for (ad valorem) taxes on file in the Office of
20 the County Assessor of Clark County, Nevada, wherein said property
21 is located. Notice shall also be given by the City Engineer by
22 posting a copy of such notice in three public places at or near
23 the site of the proposed work in each assessment unit at least
24 twenty (20) days prior to said hearing. Proof of such mailing
25 and posting shall be made by the affidavit of the City Clerk or
26 of the City Engineer as the case may be, such proof to be filed
27 with the City Clerk; provided, however, that the fact that the
28 person to whom any such notice is addressed does not receive the
29 same shall not invalidate or affect the legality of the notice
30 given thereby and shall not invalidate or affect the legality
31 of any assessment nor any other of the proceedings hereunder.
32 Notice of the time and place of such hearing shall also be given

0121

1 by publishing a copy of such notice in the Las Vegas Review
2 Journal, a newspaper published in the City of Las Vegas, Nevada,
3 and of general circulation in said City of Las Vegas, once each
4 week for three consecutive weeks, by three weekly insertions,
5 the first publication to be at least fifteen (15) days prior to
6 the date of the protest hearing. Not less than fourteen (14)
7 days shall intervene between the first publication and the
8 last publication. Such service by publication shall be verified
9 by the affidavit of the publisher and filed with said City Clerk.
10 Said notice shall be in the form as indicated in Exhibit "B",
11 attached hereto and by reference made a part hereof.

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

23 INTRODUCED, PASSED, AND ADOPTED this 2nd day of
24 May, 1984.

25
26
27 WILLIAM H. BRIARE, MAYOR

28
29 ATTEST:

30
31 Carol Ann Hawley, City Clerk
32

*Amended
at meeting
5-2-84*

0122

1 NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND PARTS
2 THEREOF AND PROPOSED ASSESSMENTS WITHIN THE PROPOSED LAS VEGAS,
3 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 456.

4 NOTICE IS HEREBY GIVEN to the property owners within
5 the proposed Las Vegas, Nevada, Special Improvement District
6 No. 456, and to all interested persons that:

7 The City Council of the City of Las Vegas, Nevada,
8 has provisionally ordered that street improvements shall be
9 installed within that certain area of the City hereinafter
10 described, all as more particularly set forth:

11 UNIT I

12 The improvements include the installation of a pavement
13 section adjacent to all properties on the east side of Rancho
14 Drive between Oakey Boulevard and Charleston Boulevard except
15 where adequate improvements have previously been installed, in
16 conjunction with the installation of driving lanes, left hand
17 turn lanes and drainage facilities to be paid for with funds other
18 than the levy of assessments, to include the necessary installa-
19 tion, removal and relocation of any and all utilities and
20 appurtenances that are deemed necessary to complete same, as more
21 particularly shown on the plats, diagrams and plans of the work
22 and the locality as filed in the Office of the City Clerk.

23 UNIT II

24 The improvements include the installation of standard
25 "L" type curb and gutter adjacent to all properties on the east
26 side of Rancho Drive between Oakey Boulevard and Charleston
27 Boulevard except where adequate improvements have previously been
28 installed, in conjunction with the installation of driving lanes,
29 left hand turn lanes and drainage facilities to be paid for with
30 funds other than the levy of assessments, to include the necessary
31 installation, removal and relocation of any and all utilities and
32 appurtenances that are deemed necessary to complete same, as more

1 particularly shown on the plats, diagrams and plans of the work
2 and the locality as filed in the Office of the City Clerk.

3 UNIT III

4 The improvements include the installation of street
5 lighting consisting of high pressure sodium luminaires and steel
6 lighting standards on concrete foundations with underground
7 wiring adjacent to all properties on the east side of Rancho Drive
8 between Oakey Boulevard and Charleston Boulevard except where
9 adequate improvements have previously been installed, in conjunc-
10 tion with the installation of driving lanes, left hand turn lanes
11 and drainage facilities to be paid for with funds other than
12 the levy of assessments, to include the necessary installation,
13 removal and relocation of any and all utilities and appurtenances
14 that are deemed necessary to complete same, as more particularly
15 shown on the plats, diagrams and plans of the work and the
16 locality as filed in the Office of the City Clerk.

17 UNIT IV

18 The improvements include the installation of sewer
19 laterals from the existing sewer mains to the front property
20 line adjacent to all properties, as found necessary by the
21 governing entity, on the east side of Rancho Drive between Oakey
22 Boulevard and Charleston Boulevard, except where adequate
23 improvements have previously been installed, in conjunction with
24 the installation of driving lanes, left hand turn lanes and
25 drainage facilities to be paid for with funds other than the
26 levy of assessments, to include the necessary installation,
27 removal and relocation of any and all utilities and appurtenances
28 that are deemed necessary to complete same, as more particularly
29 shown on the plats, diagrams and plans of the work and the
30 locality as filed in the Office of the City Clerk.

31 UNIT V

32 The improvements include the installation of standard

1 residential driveway approaches, as requested by the property
 2 owners on the east side of Rancho Drive between Oakley Boulevard
 3 and Charleston Boulevard except where adequate improvements
 4 have previously been installed, in conjunction with the installa-
 5 tion of driving lanes, left hand turn lanes and drainage facili-
 6 ties to be paid for with funds other than the levy of assessments,
 7 to include the necessary installation, removal and relocation
 8 of any and all utilities and appurtenances that are deemed
 9 necessary to complete same, as more particularly shown on the
 10 plats, diagrams and plans of the work and the locality as filed
 11 in the Office of the City Clerk.

12 All of the plats, diagrams and plans on file in the
 13 Office of the City Clerk are deemed by the City Engineer and the
 14 City to be essential to the construction of said improvements.

15 It is estimated that said estimated total cost shall
 16 be apportioned as follows:

17	Assessment Unit No.	Total Cost	Estimated Amount of Special Assessments
18	I	\$ 16,840.92	\$ 16,840.92
19	II	3,307.27	3,307.27
	III	26,162.48	26,162.48
20	IV	4,830.00	4,830.00
	V	1,597.40	1,597.40
21	Other Street Work	748,824.23	--
22	TOTAL	\$801,562.30	\$ 52,738.07

23 The amounts to be assessed shall be made upon all lots
 24 and parcels of property benefitted, proportionately to the
 25 benefits received and shall be assessed against the property
 26 abutting said improvements on an area basis, i.e., on the basis
 27 that each lot or parcel of property to be assessed in each such
 28 assessment unit shall be assessed a portion of the aggregate
 29 dollar amount being levied against that particular entire assess-
 30 ment in the proportion that the area of said lot or parcel bears
 31 to the area of all the assessable property in such assessment
 32 unit, provided that the depth of a lot or parcel in excess of 100

1 feet from the frontage facing the improvements shall not be con-
2 sidered in computing the area of such lot or parcel, provided
3 that in each assessment unit an equitable adjustment will be made
4 for assessments levied against any irregular lots or parcels, so
5 that the assessments according to benefits are equal and uniform.
6 Parcels or lots receiving sewer laterals will be assessed on
7 the basis that each lot or parcel of property to be assessed
8 shall be assessed a portion of the aggregate dollar amount being
9 levied against the entire district according to the length, size
10 and number of sewer laterals to be installed to serve said lot
11 or parcel. The portion of the costs to be assessed against,
12 and the maximum amount of benefits estimated to be conferred
13 upon each lot or parcel of property shall be as stated in the
14 aforesaid assessment plat.

15 Regardless of the basis used by apportioning assess-
16 ments, in case of wedge or "V" or other irregularly shaped
17 tracts, an amount apportioned thereto shall be in proportion to
18 the special benefits derived.

19 The areas to be assessed within the assessment units
20 which the Council proposes to so have improved are as follows:

21 UNIT I (Pavement)

22 030-640-001	030-711-001
030-640-002	030-712-001
23 030-640-003	030-712-002
030-690-010	030-712-003
24 030-690-012	030-713-001
030-690-013	030-741-003
25 030-690-022	030-741-004

26 UNIT II (Curb & Gutter)

27 030-640-001	030-690-013
030-690-010	030-690-022
28 030-690-012	

UNIT III (Street Lights)

030-640-001	030-711-001
030-640-002	030-712-001
030-640-003	030-712-002
030-690-010	030-712-003
030-690-012	030-713-001
030-690-013	030-741-003
030-690-022	030-741-004

UNIT IV (Sewer Laterals)

030-640-001	030-741-003
030-640-002	030-741-004
030-640-003	

UNIT V (Residential Driveways)

030-640-001	030-690-013
030-640-002	030-690-022
030-640-003	030-712-002
030-690-010	
030-690-012	

The proposed improvements will result in no substantial change in the existing street elevations or grades.

All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of the total cost, the description of the property to be assessed, the portion of the cost to be assessed thereagainst and the maximum amount of benefits estimated to be conferred on each piece of property are on file in the Office of the City Clerk and may be inspected by and property owner, or other interested persons, during regular office hours.

On Wednesday, the 6th day of June, 1984, at 2:00 o'clock P.M., in the Council Chambers at City Hall, 400 East Stewart Avenue, in the City of Las Vegas, or at any time prior to said date and time, at the Office of the City Clerk at City Hall, in said City, the owners of the property to be assessed, or any other persons interested therein, may file written protests or objections, and may appear before the City Council at said time and place and be heard as to the propriety and advisability of making such improvements, as to the costs thereof, as to the manner of the payment therefor, and as to the amount thereof to

1 be assessed against the property to be so improved.

2 The City Council requests that any property owner
3 or other interested persons wishing to make protest or objection,
4 make such protest or objection in writing at the Office of
5 the City Clerk at least three days before the time set for
6 hearing as aforesaid. Those persons shall have the right within
7 thirty (30) days after the City Council have finally passed
8 on such protest or objection to commence an action or suit in
9 any Court of competent jurisdiction to correct or set aside
10 such determination, but thereafter all actions or suits attacking
11 the validity of the proceedings and the amount of benefits shall
12 be perpetually barred. If the owners of more than one-half of
13 the area to be assessed for the improvements shall file written
14 objection thereto, the particular improvements shall not be
15 ordered installed, unless pursuant to NRS 271.305(7)(b)(1), the
16 municipality shall pay one-half or more of the total cost of
17 the entire project with funds derived from other than the levy
18 of assessments, in which event the City Council may order the
19 improvements installed in spite of more than 50% protest.

20 After such hearing, said City Council shall make a
21 determination as to the advisability of so improving said streets
22 and parts thereof, shall determine the kind and character of such
23 improvements so to be made, and shall enter into a contract
24 with the responsible bidder submitting the lowest bid for
25 the doing of such work and the furnishing of all necessary
26 materials, in response to a duly advertised invitation for
27 construction bids.

28 After the making of such contract, said City Council
29 shall determine what portion of the cost of such work, including
30 incidentals, shall be paid by the property specially benefitted,
31 and the assessments shall be levied in accordance with the laws
32 of the State of Nevada. In no event shall the assessments

1 exceed the estimated benefits to the property assessed. The
2 City Council shall provide that the assessments may be payable
3 without interest or demand, at the election of the owner, or in
4 ten substantially equal annual installments of principal. The
5 City Council shall also provide the time and terms of payment
6 of such assessments, and the rate of interest per annum upon
7 deferred payments thereof, which rate shall not exceed more
8 than 1% the 'Bond Buyer's' Index of 20 Municipal Bonds which was
9 most recently published before the date on which the ordinance
10 levying the assessments is adopted, and shall fix penalties to be
11 collected upon delinquent payments.

12 By order of the City Council of the City of Las Vegas,
13 Nevada.

14 Dated this 2nd day of May, 1984.

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17 CAROL ANN HAWLEY, CITY CLERK
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AGENDA*City of Las Vegas*

0129

Page 26

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

May 2, 1984

ITEM

Council Action

Department Action

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

G. Adoption of Resolution declaring City Council's determination to proceed with leasing of the Ogden Avenue Parking Facility

(NOTE: To be considered after the 2 P.M. Public Hearing on this matter - see Page 29.)

Lurie -
ADOPTED Resolution
to proceed with
leasing of parking
facility.
Unanimous

Staff to proceed

11:35
to
11:43

H. Request by Leandrew Lamar McDaniel, dba Henry's Liquor, for a rehearing of the Council's disciplinary action against his liquor license.

Nolen -
APPROVED rehearing
on June 6, 1984
with business to
remain closed.
Motion carried
with Christensen
voting "No" and
Briare "Excused."

Staff to proceed

Atty. James O.
Porter appeared
to represent
Leandrew Lamar
McDaniel.Public Hearing
6/6/84, 3:00 PMProperty Owners
to be notified
of public hearingNOTE: A verbatim transcript of Item H
made a part of the final minutes

CITY COUNCIL MINUTES - MAY 2, 1984
City of Las Vegas

AGENDA DOCUMENTATION

Date: April 26, 1984

TO: The City Council

FROM: *James P. Quinn*
CITY ATTORNEY

0130

SUBJECT: Adoption of Resolution Declaring City Council's Determination to Proceed with Leasing of the Ogden Avenue Parking Facility

PURPOSE/BACKGROUND

At its meeting which was held on Wednesday, April 4, 1984, the City Council referred to the Las Vegas Planning Commission a proposal to lease the Ogden Avenue Parking Facility with the request that that body consider the proposal and submit its recommendations thereon to the City Council. The Planning Commission met and considered the proposal at its meeting which was held on Thursday, April 12, 1984, and endorsed the concept, and the City Council received and accepted that recommendation at its meeting which was held on Wednesday, April 18, 1984.

NRS 268.050(3) requires that the City Council hold at least one public hearing after its receipt of the Planning Commission's recommendation, and that public hearing is set for 2:00 p.m. on Wednesday, May 2, 1984. If, following the conclusion of the hearing, the City Council determines that the continued operation of the facility by the City will be unnecessarily burdensome or that the lease thereof will be otherwise advantageous to the City and its citizens, it may adopt a resolution which states that determination and authorizes the execution of the lease upon completion of the competitive bidding process.

The resolution which is before you, if it is adopted, makes that determination and authorizes the staff to proceed. It also directs that the revenues which are derived from this lease, together with the revenues which are derived from the lease of the Carson Avenue Parking Facility, other than the revenues therefrom which are used to retire the parking garage bonds, be placed in a special fund which is dedicated to funding improvements in the downtown area.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council adopt this Resolution and that the Mayor be authorized to execute the same on behalf of the City of Las Vegas.

Agenda Item

V-G

RESOLUTION

WHEREAS, the City of Las Vegas, Nevada (the "City" herein), is the governmental entity which is responsible for providing for the public health, safety and general welfare of those individuals who reside within its corporate boundaries; and

WHEREAS, pursuant to the provisions of Section 2.240 of its City Charter, the City is authorized to provide for the needs of the public for parking in its central business district by acquiring, improving, equipping, operating and maintaining off-street public parking facilities; and

WHEREAS, in 1961, pursuant to that authorization, the City retained the services of a parking consultant, Wilber Smith and Associates, to assess and evaluate the needs of the public for off-street public parking in its central business district and to make appropriate recommendations to satisfy those needs; and

WHEREAS, that study indicated that there was a need for additional off-street public parking facilities in the central business district of the City and recommended the construction thereof; and

WHEREAS, in order to implement that recommendation, the City issued its Off-Street Parking Revenue and General Obligation Bonds, Series February 1, 1966, and, with the proceeds thereof, proceeded to acquire, through the exercise of its power of eminent domain which is conferred upon it by said Section 2.240 of its City Charter, the necessary real property for the recommended public off-street parking facilities and to construct thereon the two municipal parking facilities which are situated at and commonly known as 333 East Ogden Avenue, Las Vegas, Nevada (the "Ogden Avenue Facility" herein), and 222 East Carson Avenue, Las Vegas, Nevada; and

1 WHEREAS, since those municipal parking facilities were
2 constructed, many of the downtown hotels and Clark County have
3 constructed additional off-street parking facilities in the
4 central business district of the City, with the apparent result
5 that the need for such municipal parking facilities has diminished
6 considerably; and

7 WHEREAS, in order to confirm that fact, the City retained
8 the services of another parking consultant, International Parking
9 Design, Inc., to evaluate the comparability of the physical
10 structure and location of Clark County's newly constructed
11 parking facility which is situate at the southwest corner of the
12 intersection of Casino Center Boulevard and Bridger Avenue with
13 the physical structure and location of the City's parking facility
14 which is located at 222 East Carson Avenue in terms of satisfying
15 the public need for off-street public parking in the central
16 business district of the City; and

17 WHEREAS, that study indicates that Clark County's newly
18 constructed parking facility will provide the public with a
19 parking facility which is superior in structure and comparable in
20 location to the City's facility on Carson Avenue and will adequately
21 satisfy the public need for off-street public parking in the
22 central business district of the City, to the same extent as does
23 the City facility; and

24 WHEREAS, since the Ogden Avenue Facility is of identical
25 construction as is the facility which is located at 222 East Carson
26 Avenue and is only two blocks removed therefrom, it would appear,
27 and the City Council of the City by this Resolution so determines,
28 that the aforesaid findings of International Parking Design, Inc.,
29 apply with equal force to the Ogden Avenue Facility; and

30 WHEREAS, the City has operated its two public off-street
31 parking facilities over the years at a financial loss, and such
32 operation, if it remains the responsibility of the City, will

1 continue to impose a substantial financial burden and drain upon
2 the City's financial resources; and

3 WHEREAS, in order partially to eliminate this burden and
4 drain upon its financial resources, the City leased its parking
5 facility which is located at 222 East Carson Avenue to a private
6 operator, effective April 2, 1984; and

7 WHEREAS, the City desires completely to eliminate this
8 burden and drain upon its financial resources and, at the same
9 time, continue to make the Ogden Avenue Facility available for
10 off-street parking by means of a lease of that facility to a
11 private operator; and

12 WHEREAS, based partially upon the study by International
13 Parking Design, Inc., the City Council of the City has determined,
14 and by this Resolution does so determine, that the needs of the
15 public for off-street parking in the central business district
16 of the City will continue adequately to be met by the downtown
17 hotels' parking facilities and by Clark County's newly constructed
18 parking facility in the same manner and to the same extent as
19 does the Ogden Avenue Facility and that, accordingly, the Ogden
20 Avenue Facility may be disposed of in the manner which is pre-
21 scribed by law; and

22 WHEREAS, NRS 268.050 sets forth the exclusive procedure
23 whereby property which has been acquired by an incorporated city,
24 either through the exercise of the power of eminent domain or
25 under the threat of eminent domain proceedings, may be disposed
26 of; and

27 WHEREAS, NRS 268.050(2) provides that, before any such
28 disposal, the governing body of a city must refer the proposal
29 so to do to the planning commission of the city for its considera-
30 tion and recommendation;

31 WHEREAS, by resolution adopted by said City Council at
32 its meeting which was held on Wednesday, April 4, 1984, the

1 proposal to lease the Ogden Avenue Facility, for the term and
2 upon the terms and conditions which were set forth in the proposed
3 Indenture of Lease attached to said resolution, was referred to
4 the Las Vegas Planning Commission with the request that that body
5 consider said proposal and submit its recommendations thereon to
6 said City Council; and

7 WHEREAS, said City Council received and accepted the
8 recommendations of the Las Vegas Planning Commission at its
9 meeting which was held on Wednesday, April 18, 1984, and set a
10 public hearing on such proposal to be held at 2:00 p.m. on
11 Wednesday, May 2, 1984; and

12 WHEREAS, said public hearing was convened, conducted
13 and concluded on that date, and, based upon discussions thereat
14 and upon other factors,

15 IT IS HEREBY RESOLVED, DECLARED AND DETERMINED by the
16 City Council of the City of Las Vegas, Nevada, at a regular
17 meeting thereof held on the 2nd day of May, 1984, that, in view
18 of the drain upon the financial resources of the City which has
19 resulted, in part, from the operation and maintenance of the
20 Ogden Avenue Facility, the continued operation and maintenance
21 of said Facility will be unnecessarily burdensome and that the
22 lease of said Facility to the private operator whose proposal,
23 submitted by sealed bid or at public auction, offers the highest
24 total rent for said Facility in accordance with the proposed
25 Indenture of Lease, a copy of which is attached hereto and by this
26 reference made a part hereof, will be otherwise advantageous to
27 the City and its citizens.

28 IT IS FURTHER RESOLVED, DECLARED AND DETERMINED that
29 the parcels of land which were originally acquired by the City
30 through the exercise of its power of eminent domain on which to
31 construct the Ogden Avenue Facility have been combined with each
32 other and improved in such a manner as would reasonably preclude

1 the division of said parcels, together with the parcels with
2 which they have been combined, into separate parcels.

3 BE IT FURTHER RESOLVED, DECLARED AND DETERMINED that
4 all of the revenues which will be derived by the City from the
5 lease of the Ogden Avenue Facility, together with all of the
6 revenues which will be derived by the City from the lease of the
7 City's parking facility located at 333 East Carson Avenue and
8 which have not been otherwise appropriated, be, and they hereby
9 are, directed to be placed in a special fund which is dedicated
10 solely to financing improvements in the downtown area of the City.

11 BE IT FURTHER RESOLVED, DECLARED AND DETERMINED that
12 the administrative staff of the City be, and it hereby is, author-
13 ized, empowered and directed to solicit bids for the lease of the
14 Ogden Avenue Facility in accordance with the proposed Indenture
15 of Lease attached hereto.

16 PASSED, ADOPTED and APPROVED this 2nd day of May, 1984.

17 APPROVED:

18
19 William H. Briare
20 BY WILLIAM H. BRIARE, MAYOR

21 ATTEST:

22 Carol Ann Hawley
23 Carol Ann Hawley, City Clerk
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AGENDA DOCUMENTATION

Date: April 26, 1984

TO:
The City Council

FROM: *James F. Stewart*
James F. Stewart
Chief Civil Deputy Attorney

SUBJECT:

Request by Leandrew Lamar McDaniel dba Henry's Liquor for a rehearing of the Council's disciplinary action against his liquor license

PURPOSE/BACKGROUND

On April 9, 1984, the Las Vegas City Council revoked the liquor license held by Mr. McDaniel because it was the cause of a nuisance.

Mr. McDaniel has now filed for a rehearing pursuant to Las Vegas City Code 6.88.130 which provides as follows:

(A) The Board of Commissioners may, upon motion made within ten days after service of a decision and order, order a rehearing before the Board upon such terms and conditions as it may deem just and proper. Such motion shall not be granted except upon a showing that there is new evidence which is material and necessary and reasonably calculated to change the decision of the Board and that sufficient reason existed for failure to present such evidence at the hearing of the Board. The motion shall be supported by an affidavit of the moving party or his counsel showing with particularity the materiality and necessity of the new evidence and the reason why it was not introduced at the hearing.

(B) Upon rehearing, rebuttal evidence to the additional evidence shall be permitted. After rehearing, the Board may modify its decision and order as the additional evidence may warrant.

The request for rehearing, supplemented request for rehearing and a letter from Attorney James Porter are attached hereto for your information.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council consider this request for rehearing. If the Council decides to grant this request then a date should be set for the rehearing.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V-H

0137

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Apr 13 11 58 AM '84

CITY CLERK

1 CASE NO.
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6 BEFORE THE CITY COUNSEL
7 OF THE CITY OF LAS VEGAS, NEVADA
8

9 In the Matter of the Department)
10 of Business Activity on behalf)
of the City of Las Vegas, Nevada,)

11 Petitioner,)
12

13 vs.)

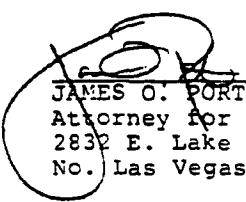
14 Leandrew Lemar McDaniel dba)
Henry's Liquor,)

15 Respondent.)
16

REQUEST FOR REHEARING

17 COMES NOW Respondent, Leandrew Lemar McDaniel dba
18 Henry's Liquor, by and through his counsel, James O. Porter, Esq
19 and requests that the City Counsel grant Petitioner a rehearing
20 of the disciplinary hearing relative to Respondent's license.
21 This Motion is based upon the record and file herein, the
22 affidavits attached hereto and such other matters as will be
23 urged upon the hearing of this Motion.

24 Respectfully submitted
25

26 
27 JAMES O. PORTER, ESQ.
Attorney for Respondent
28 2832 E. Lake Mead Blvd. #F
No. Las Vegas, NV 89030
29
30
31
32

POINTS AND AUTHORITIES IN
SUPPORT OF MOTION FOR REHEARING

At the hearing before the City Counsel, one of the pivotal issues was the responsibility of the Respondent for that area adjacent to his business or, more particularly, the parking lot area. This was so because the testimony presented indicated that the nuisance that was being complained of (vandalism, the selling of narcotics, etc.) took place in that parking lot area. In fact, the legal opinion of the City Attorney was sought during the hearing to determine whether Respondent in fact, had responsibility for that area. That question was answered in the affirmative.

In that regard, Respondent submits that there is new evidence which is material and necessary and reasonably calculated to change the decision of the Counsel. Further that the failure to present said evidence at the hearing on April 9, 1984, was justified.

There appears in the Code of the City of Las Vegas, certain ordinances which address themselves to the requirements to maintain parking. Specifically, Section 19.64.010 provides:

"There shall be provided on the same premises with any building, structure or part thereof erected and/or occupied for any use in any district, off-street parking and loading facilities for the residents, employees, patrons and users of the premises in accordance with the schedule set out in this Chapter."

The subsequent sections then go on to define the number of spaces for certain buildings. For instance, food stores and markets require one space for each two hundred and fifty square feet of gross floor area. Medical and dental clinics, on the other hand, require four spaces for each doctor's office. In reviewing said sections, the closest section which defines the responsibility of the holder of a liquor license appears to be

1 at 19.64.260, where it is provided that:

2 "Retail and service establishments not
3 otherwise specified in this schedule
4 require one space for each five hundred
square feet of gross floor area."

5 Thus, it appears clear that since there were other
6 businesses existing adjacent to Respondent's business, a deter-
7 mination should have been made as to the exact number of parking
8 spaces that Respondent was required to have. Once that deter-
9 mination was made, the Counsel could have then determined whether
10 Respondent was meeting his responsibilities for the parking lot
11 or whether he was falling short. Clearly, if the activities
12 which were alleged to have constituted a nuisance were taking
13 place in areas over which Respondent had no responsibility,
14 Respondent clearly should not have been held to have in any way
15 been responsible for the nuisance created thereby.

16 Unfortunately, at the time of the hearing, there was
17 no specific evidence put before the City Counsel as to the exact
18 provision of the City Code which was applicable for the corres-
19 ponding number of parking spaces that Respondent was required to
20 have. Again, it is noted that the City Attorney was only able to
21 answer that there was a general responsibility and was unable to
22 name the exact ordinance which governed. It should be noted that
23 Respondent's measurements reflect that there are approximately
24 one thousand square feet in his business. Thus, under Section
25 19.64.260 he would have been responsible for only two parking
26 places and not the entire parking lot. This, then, is new
27 evidence which is material and necessary and which Respondent
28 submits as reasonably calculated to change the decision of the
29 Counsel.

30 It is also noted that there is additional new evidence
31 which Respondent submits has a bearing herein. When the Respon-
32 dent appeared at the time of the hearing, he appeared pursuant to

1 the Show Cause notice which indicated that he was to appear be-
2 fore the City Counsel. He notes however, that in the Complaint
3 which was filed by the Director of Business Activity, it was
4 recommended that he appear either before the Counsel or before
5 a hearing examiner. Thus, when he appeared before the City
6 Counsel, he expected that he would not be treated any differently
7 because the fact finders in this case would be the City Counsel
8 rather than the hearing examiner. Unfortunately, just the
9 opposite was true. It is noted that the City Attorney, as
10 indicated above, appeared at the legal advisor to the City Counsel.
11 This was done pursuant to Section 2.10.010 of the City Code of
12 Las Vegas which directs that the City Attorney shall be the
13 advisor of the City Counsel in all matters effecting the City.
14 Said Section also provides that the City Attorney shall act as
15 Attorney for the City in all legal proceedings. In the instant
16 case, Deputy City Attorney Jan Stewart appeared to present the
17 hearing before the Counsel.

18 Thus, you have the Office of the City Attorney appearing
19 in a dual capacity of advisor to the fact finder, the City Counsel,
20 and representing the City Counsel in presenting the evidence and
21 prosecuting the disciplinary matter in the hearing. This,
22 clearly, is an untenable position and resulted in a denial of
23 equal protection under the Fourteenth Amendment of the United
24 States Constitution. Respondent submits that Section 6.88 et. seq.
25 of the City Code of Las Vegas which provides for a hearing in
26 disciplinary matters does not contemplate a situation where the
27 City Attorney acts as prosecutor and as an adjunct to the fact
28 finding body. Rather, Respondent submits that such a situation
29 lends itself to the appointment of a hearing examiner, as provided
30 in Section 2.22.010 et seq. In the latter situation, the City
31 Counsel would not find itself in the conflicting position of
32 presenting evidence and advising the fact finder.

Respectfully submitted

- 5 -

0142

BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of the Department)
of Business Activity on behalf)
of the City of Las Vegas, Nevada,)

Petitioner,)

vs.)

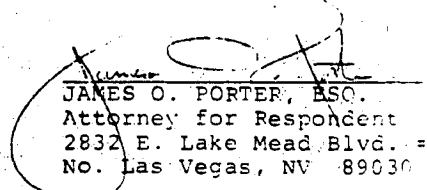
Leandrew Lamar McDaniel dba)
Henry's Liquor,)

Respondent.)

SUPPLEMENTAL REQUEST
FOR REHEARING

COMES NOW Respondent, Leandrew Lamar McDaniel dba
Henry's Liquor, by and through his counsel, James O. Porter, Esq.,
and files this Supplemental Request For Rehearing asking that the
City Council grant Respondent a rehearing of the disciplinary
hearing relative to Respondent's license. This request is
based upon the record and file herein, the Request for Rehearing
previously filed, the affidavit attached hereto and such other
matters as will be urged upon the hearing of this Motion.

Respectfully submitted


JAMES O. PORTER, ESQ.
Attorney for Respondent
2832 E. Lake Mead Blvd. #1
No. Las Vegas, NV 89030

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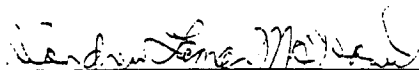
CITY ATTORNEYS OFFICE

1 That there are two other businesses located adjacent
2 to his: a cleaners/laundrymat and the Brown Bombers Pool Hall.
3 Further, he's of the opinion that said businesses have a larger
4 square footage than his business and he thereby concludes that
5 under Section 19.64.260 of the Las Vegas City Code, they are
6 responsible for providing more parking places than he is.

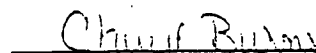
7 That since the cleaners/laundrymat and Brown Bombers
8 Pool Hall are responsible for providing more parking places than
9 he is, they have a responsibility for policing a larger area of
10 the parking lot than he does.

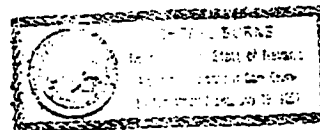
11 That he overheard the City Attorney advise the City
12 Counsel that he had a general responsibility for the parking lot
13 and he overheard the Deputy City Attorney argue that his license
14 should be revoked for failing to adequately police the parking
15 lot.

16 That as stated at the hearing, he is willing to cooper-
17 ate with the City of Las Vegas and all other interested parties
18 in ridding of any nuisance that exists in the area of his busi-
19 ness. That in that regard, he has engaged additional security
20 persons and is willing to work with them in policing not only the
21 area of the parking lot that he is immediately responsible for,
22 but all other areas that have a direct bearing on the existence
23 of any nuisance thereon.

24
25 
26 LEANDREW LEMAR MCDANIEL

27 SUBSCRIBED AND SWORN to before me
28 this 12th day of April, 1984.

29
30 
31 NOTARY PUBLIC



AFFIDAVIT OF LEANDREW LEMAR McDANIEL
IN SUPPORT OF MOTION FOR REHEARING

STATE OF NEVADA)

)ss:
COUNTY OF CLARK)

LEANDREW LEMAR McDANIEL, being first duly sworn, upon
oath, deposes and says:

That he is the Respondent herein and had been the holder
of that alcoholic beverage license number L04-142-4-00025 issued
by the City of Las Vegas.

That he appeared at the disciplinary hearing on April 9,
1984, and informed City Counsel that he was aware of a problem
caused by the persons who milled about the common parking lot
area outside his business known as Henry's Liquor.

That because of the persons who milled around, he
notified the police before they notified him and complained about
the problem those people created.

That he and his employees have tried to combat the
problem by arresting some of those persons and by directing them
to move off his property. In the latter instance, the persons
would be right back milling around within five minutes after they
were asked to leave. That this situation caused great conster-
nation and frustration to him and his employees.

That he has cooperated with everyone in an effort to
remedy the problem and is willing to do so in the future.

That he did not mean by any of his proported statements
that what went on outside his business was not his concern.
Rather, that he had attempted to patrol the parking lot but that
he needed some help and could not do it by himself.

That he has approximately one thousand square feet in
his business and, based upon Section 19.64.260 of the Las Vegas
City Code, estimates that he was responsible for providing two
parking places.

POINTS AND AUTHORITIES IN SUPPORT OF
SUPPLEMENTAL REQUEST FOR REHEARING

On April 13, 1984, Respondent filed his Request for Rehearing pursuant to Section 6.88.130 of the Code for the City of Las Vegas. In said request, he argued that there existed new evidence as a basis for his request relative to the following two issues:

(1) That Respondent did not bear the legal responsibility for the entire parking lot adjacent to his business, but only for that portion occupied by two parking places.

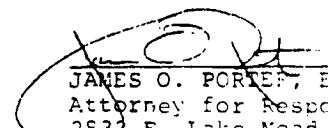
(2) That under Section 2.10.010 of the City Code of Las Vegas, the City Attorney's office should not serve as both the advisor to the City Council and the prosecutor before the City Council in Show Cause hearings for holders of certain licenses.

Respondent has since identified a third issue that he wishes to bring before the City Council in support of his request for rehearing namely:

(3) That the nuisance that was said to have existed in the parking lot area adjacent to Henry's Liquor was caused by the selling of liquor by unlicensed establishments adjacent to Henry's Liquor.

Respondent refers to the affidavit of James O. Porter attached hereto as the basis for his further request for rehearing and respectfully requests this City Council to grant the same.

Respectfully submitted


JAMES O. PORTER, ESQ.
Attorney for Respondent
2832 E. Lake Mead Blvd. #1
No. Las Vegas, NV 89119

1 AFFIDAVIT OF JAMES O. PORTER

2 STATE OF NEVADA)
)ss:
3 COUNTY OF CLARK)

4 JAMES O. PORTER, ESQ., being first duly sworn, upon
5 oath, deposes and says: .

6 That he is an attorney and represents the Respondent
7 Leandrew Lamar McDaniel in all matters arising out of the
8 Show Cause hearing relative to Mr. McDaniel's liquor license
9 and the subsequent revocation of Mr. McDaniel's liquor license.

10 That since the date of the hearing, April 9, 1984,
11 he has discussed the behavior of certain persons who mill around
12 the area of Henry's Liquors with Mr. McDaniel, as well as several
13 other persons who are familiar with the area.

14 That he is informed and believes, and thereupon affirms
15 that there are many persons who mill about in the parking lot
16 in the area adjacent to Henry's Liquor and the other business-
17 establishments there, and that many of these persons are, and
18 have been for some time, indulging in alcoholic beverages which
19 are purchased from businesses in that area that are unlicensed
20 to sell alcohol.

21 That it is Respondent's belief that this constitutes
22 a substantial reason why a nuisance was created there in the
23 parking lot and he wishes an opportunity to bring this informa-
24 tion before the City Council.

25 That while Respondent had some suspicions that this
26 existed prior to his hearing, he had made no effort to investi-
27 gate it as he did not think that the general responsibility for
28 the entire parking lot area would be an issue and, therefore,
29 was not concerned with investigating the course of behavior of
30 the other business establishments.

31

32

1 That this affidavit is made in good faith.

2
3
4 JAMES O. PORTER, ESC.
5
6

7 SUBSCRIBED AND SWORN to before me
8 this 23rd day of April, 1984.

9
10 Charles Burns
11 NOTARY PUBLIC



12
13 RECEIPT OF COPY

14 RECEIPT OF COPY of the foregoing Supplemental Form
15 For Pehearing is hereby acknowledged this 23rd day of April,
16 1984.

17 GEORGE OGILVIE
18 City Attorney
19 City of Las Vegas

20 BY: Robert Yeagum
21
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Law Offices
James Oran Porter, Chartered
A Professional Corporation
Camelot Professional Center
2832 East Lake Mead Blvd., Suite F
North Las Vegas, Nevada 89030

(702) 365-3030

RECEIVED

April 20, 1984

APR 23 1984

CITY ATTORNEYS OFFICE

Mr. George Ogilvie
City Attorney
City of Las Vegas
400 East Stewart Avenue
Suite 906
Las Vegas, Nevada 89101

Re: In the Matter of the Show Cause Hearing of Leandrew Lamar McDaniel
dba Henry's Liquor

Dear Mr. Ogilvie:

Further to our conversation concerning the affidavit of Leandrew Lamar McDaniel in support of his Motion for Rehearing, please be advised as follows:

- (a) That the statement of Mr. McDaniel at Line 11, Page 7 that he overheard certain statements you made in no way implies that your statements were made surreptitiously. For clarification, said statements were made on the record, and based upon my observations, were overheard by all present. They, in fact, give rise to one of my major concerns herein.
- (b) That the substance of the statement referred to at Lines 11 through 13 that Mr. McDaniel had a general responsibility for the parking lot was extrapolated from the following colloquy:

COUNCILMAN CHRISTENSEN : . . . It keeps coming up about the parking lot and I think maybe our staff can clarify that a little bit for me.

STAFF PERSON (UNK.) : Most businesses have a parking lot involved with it and does his business require a certain number of parking spaces for the type of business it is?

CITY COUNCIL MINUTES - MAY 2, 1984

April 20, 1984

0149

Mr. George Ogilvie

Re: Show Cause Hearing of Leandrew McDaniel dba Henry's Liquor

Page Two

STAFF PERSON (UNK.) : I don't know, Councilman, that I can answer that. Maybe Mr. Sayler can because I believe basically that would fall under the area of planning.

COUNCILMAN CHRISTENSEN : . . . What I am getting at because I get the thread here from Henry's Liquors attorney that they are not responsible for the parking lot and I think that what I am trying to get at is don't in fact they have to have that parking lot to be in business so doesn't that give them some responsibility for the parking lot as businessmen there? Maybe you can answer that question.

UNKNOWN : I am sure that the parking is required by ordinance.

COUNCILMAN NOLEN : I think you'd better ask the same of the City Attorney's office, if the establishment or whomever is responsible for the parking lot. I think that will clarify it.

ATTY. GEO. OGILVIE : Well, any business is required to have a certain number of parking spaces to support a common license and I presume that that's the situation with respect to Henry's Liquors.

COUNCILMAN CHRISTENSEN : Well, that's what I was getting at because I keep hearing questions "do they come from Henry's Liquor or from the parking lot" and it really doesn't make a whole lot of difference. If they come from Henry's Liquors parking lot, that's the same as Henry's Liquors as far as I understand it.

CITY COUNCIL MINUTES - MAY 2, 1984

April 20, 1984

0150

Mr. George Ogilvie

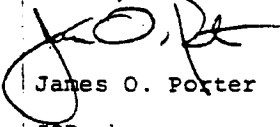
Re: Show Cause Hearing of Leandrew Lamar McDaniel dba Henry's Liquor

Page Three

Based upon the above, it is clear that Councilman Christensen concluded from your opinion that Mr. McDaniel had a general responsibility for the parking lot. The question is then presented whether under said facts, it is proper to conclude that you advised him thusly, especially where no statement is made by you to disaffirm this conclusion. Without answering that question, I would just state that Mr. McDaniel's affidavit was prepared by me without the benefit of a transcript, at a time when time was of the essence and was a sincere effort to set forth accurately the facts herein.

I am enclosing a copy of a Supplemental Request for Rehearing and, again, would hope that said request will be granted.

Very truly yours,



James O. Porter

JOP:cb

enclosure

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

V. GEORGE OGILVIE - CITY ATTORNEY

ITEM H. REQUEST BY LEANDREW LAMAR McDANIEL, DBA HENRY'S LIQUOR, FOR A REHEARING OF
THE COUNCIL'S DISCIPLINARY ACTION AGAINST HIS LIQUOR LICENSE. PAGE 1

MAYOR PRO-TEM LURIE:

We'll go to Item H, a request by Leandrew McDaniel dba Henry's Liquor, for a rehearing of the Council's disciplinary action against his liquor license. Mr. Ogilvie.

CITY ATTY. OGILVIE:

Yes. Mr. McDaniel's attorney is present in the audience and might like to say a few things. The crux of Mr. McDaniel's request is that he feels that I instructed the Commission or the Council erroneously when I indicated that he was required to provide certain number of parking spaces in connection with his business. He also feels that it was improper for me to sit as the advisor to the City Council and also have one of my deputies present the City's case in that application hearing. That is the basis for Mr. Porter's request on behalf of Mr. McDaniel. Perhaps Mr. Porter might wish to --

MAYOR PRO-TEM LURIE:

Mr. Porter, do you have anything you'd like to add?

JAMES PORTER, ATTY.:

I think Mr. Ogilvie --

MAYOR PRO-TEM LURIE:

Can we get you, Jim, put your name and address for the record?

JAMES PORTER, ATTY.:

I'm sorry. James Porter. I'm at 2032 East Lake Mead Boulevard in North Las Vegas appearing on behalf of Mr. McDaniel, Henry's Liquors -- dba Henry's Liquors. If Mr. Ogilvie has in essence stated the crux of our request, I would ask though whether Mr. Ogilvie -- whether he has received a copy of our supplemental request for rehearing?

CITY ATTY. OGILVIE:

Yes, I have and I'm sorry I didn't mention it and the grounds stated in that.

JAMES PORTER, ATTY.:

That's okay. I would just, if I might, note that we did file a supplemental request for a rehearing in which we did add a third ground. We referred to the first -- the first two grounds again. The first being that Mr. McDaniel did not bear the legal responsibility for the entire parking lot, and what we said there in essence was that looking at the regulations and the ordinances of the City, they prescribe a certain number of parking spaces per square footage of the business. Mr. McDaniel has a

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

V. GEORGE OGILVIE - CITY ATTORNEY

ITEM H. REQUEST BY LEANDREW LAMAR McDANIEL, DBA HENRY'S LIQUOR, FOR A REHEARING OF
THE COUNCIL'S DISCIPLINARY ACTION AGAINST HIS LIQUOR LICENSE. PAGE 2

JAMES PORTER, ATTY.: thousand square feet of his business, therefore, we would be responsible for two parking places. We didn't offer any evidence on that and I think that if we had known that that was going to be as germane to the proceedings, we would have been prepared to offer some. We'd like an opportunity to do that.

COUNCILMAN LEVY: Did you say that you didn't realize that we would be talking about what's going on his parking lot?

JAMES PORTER, ATTY.: Not that he would have the responsibility for the entire parking lot, no.

COUNCILMAN LEVY: Mr. Porter, you'd better -- you're not communicating with your client.

JAMES PORTER, ATTY.: Well, I would -- I would say this --

COUNCILMAN LEVY: We had him in here talking about his problems and his parking lot months ago.

JAMES PORTER, ATTY.: Okay, well --

COUNCILMAN LEVY: I'm just making a comment in regard to that.

JAMES PORTER, ATTY.: Right. I understand, but I guess -- I guess, Mr. Commissioner, in part I was basing -- basing, you know, my statement one on, I guess, the Show Cause Order that he received. I just did not get the impression that the parking lot -- that he was going to have the general responsibility for the entire parking lot. In either instance, I would ask that we be given a chance to show that, you know, just what the requirements are. What portion of that parking lot he had a responsibility for based upon the ordinances of the City. If they say, well, put a thousand square feet -- that you -- only to have two parking places, then should he have the responsibility for 15 parking places? So --

COUNCILMAN LEVY: Well, it's too late now, but the facility is closed, is it not?

JAMES PORTER, ATTY.: The license has been revoked.

COUNCILMAN LEVY: The facility is closed?

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

V. GEORGE OGILVIE - CITY ATTORNEY

ITEM H. REQUEST BY LEANDREW LAMAR McDANIEL, DBA HENRY'S LIQUOR, FOR A REHEARING OF
THE COUNCIL'S DISCIPLINARY ACTION AGAINST HIS LIQUOR LICENSE. PAGE 3

JAMES PORTER, ATTY.: The -- I presume it is, yes.

COUNCILMAN NOLEN: Yes, it is. What was the third --

JAMES PORTER, ATTY.: The third -- the third basis was that -- I've been informed that one of the other businesses there is also selling or is selling alcohol and that persons who were there -- and is selling it without a license and the persons who are there in the parking lot area may have been purchasing beer and wine from that other business and we'd like a chance to come back before you so that if -- well, there was a nuisance, there's no question about that, but if, if, if the cause of that nuisance was in part because persons were indulging in alcohol and then spewing out and causing problems to neighbors and other businesses, then we want to be able to show -- and certainly Mr. McDaniel cannot control what someone else does. So those are the two or three additional basis.

COUNCILMAN NOLEN: Mr. Porter, we certainly wouldn't want to be accused of denying Mr. McDaniel his due process. I'LL MAKE A MOTION THAT WE ALLOW THE REHEARING AND SET IT FOR THE FIRST MEETING OF JUNE IN ORDER THAT THE CITY ATTORNEY AND YOURSELF MIGHT BE -- HAVE SUFFICIENT TIME TO BE PREPARED, BUT IN WITH THE MOTION, I WANT IT UNDERSTOOD THAT THE BUSINESS REMAIN CLOSED UNTIL SUCH TIME AS THE REHEARING -- UNTIL WHATEVER ACTION IS TAKEN BY THIS BOARD AT THAT REHEARING.

MAYOR PRO-TEM LURIE: Well, I would think that the business is closed if we have the license. He doesn't have a license to operate.

COUNCILMAN NOLEN: I just want to make sure that that was clear that we weren't rehearing and giving him the right to reopen.

MAYOR PRO-TEM LURIE: Okay. We have a motion to have the rehearing the first meeting in June.

COUNCILMAN NOLEN: Is that a satisfactory date for you?

MAYOR PRO-TEM LURIE: How long will that rehearing take, George? Can we set it for a certain time?

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

V. GEORGE OGILVIE - CITY ATTORNEY

0154

ITEM H. REQUEST BY LEANDREW LAMAR McDANIEL, DBA HENRY'S LIQUOR, FOR A REHEARING OF
THE COUNCIL'S DISCIPLINARY ACTION AGAINST HIS LIQUOR LICENSE. PAGE 4

CITY ATTY. OGILVIE:

I would suggest perhaps three o'clock because I don't intend to offer any additional evidence. I'm going to submit it on the transcript that was presented before, but I may wish to rebut matters which Mr. Porter wants to bring up and also, I think, we should hear from the residents again. I have no idea how long they would wish to talk.

MAYOR PRO-TEM LURIE:

Okay, the time then will be set, if the motion passes, to 3 PM, June the 6th. Do we have any further questions, comments?

COUNCILMAN CHRISTENSEN:

Yes, I have a comment on that.

MAYOR PRO-TEM LURIE:

Councilman Christensen.

COUNCILMAN CHRISTENSEN:

I'm going to oppose the motion because I've read the petition for rehearing and it's based, primarily as I see it, upon what he thinks we used to make that decision and I believe I was the one that made the motion; and I attached nothing in that motion to who was responsible for how many spaces in the parking lot or anything of that nature. The whole idea behind my motion was that one of the reasons that we have privileged licenses is so we do have the control over them and the past experience with this particular place has been that it has been a hotbed of problems and we don't need it any longer to be that hotbed of problems. That was why my motion to close it and consequently, I don't have any -- I think there was enough evidence presented without question of who owns the parking lot or who doesn't own the parking lot or who parks on the street or who runs back and forth from a bar or whether there's an illegal liquor distributing in the area or whatever, it nevertheless ended up a nuisance and I think that that was -- I asked some questions about the parking lot and I got, I think, satisfactory answers about the parking lot and my motion wasn't based on who controlled what spaces in the parking lot. So I'm going to oppose the motion. I don't see any reason to go through the whole hearing again.

COUNCILMAN LEVY:

Well, we're not going to go through the whole hearing again.

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

V. GEORGE OGILVIE - CITY ATTORNEY

ITEM H. REQUEST BY LEANDREW LAMAR McDANIEL, DBA HENRY'S LIQUOR, FOR A REHEARING OF
THE COUNCIL'S DISCIPLINARY ACTION AGAINST HIS LIQUOR LICENSE. PAGE 5

CITY ATTY. OGILVIE: Mr. Mayor.

MAYOR PRO-TEM LURIE: The City Attorney has a comment to make, Al,
and then we'll hear from you.

CITY ATTY. OGILVIE: I want to state for the record that my silence
should not be construed as acquiescence in
Mr. Porter's arguments. I will present those
at the proper time if this motion to hold the
rehearing later. I just don't want to appear
that I'm agreeing with the grounds that Mr. Porter
has stated in his petition more verbally today.

COUNCILMAN LEVY: Mr. Porter, we're not going to have a complete
deal again, are we?

JAMES PORTER, ATTY.: No.

COUNCILMAN LEVY: We're only going to go regarding some new evidence
or something of that nature.

JAMES PORTER, ATTY.: Exactly, that's right.

MAYOR PRO-TEM LURIE: Alright. I'm going to support the --

COUNCILMAN CHRISTENSEN: How are you going to have the new evidence without
referring to the old evidence? He said right in
his petition that it has to do with the parking.
So he's going to try and refute all the parking
and we're going to have to have all the parking lot
evidence back out. There's no way you can make this
not a full hearing.

MAYOR PRO-TEM LURIE: Well, I'm sure that the hearing -- I'm sure the
hearing -- a lot of the old information is going
to come up at the hearing. I believe in the due
process and if we get a request for a rehearing,
I don't mind giving a rehearing. We're holding the
license now. The establishment is closed. If he
doesn't present sufficient information to warrant
us to changing our action, then the action that we
took at the previous meeting will stand. I think
that's pretty self explanatory. Any further comments
on the motion for the request for rehearing? Cast
your votes. Post. THAT MOTION'S APPROVED AND THIS
ITEM WILL BE REHEARD ON JUNE THE 6TH AT 3 PM.

JAMES PORTER, ATTY.: Thank you.

END OF EXCERPT

AGENDA*City of Las Vegas*

May 2, 1984 0156

Page 27

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

- A. BILL NO. 84-14 - MAKES PENNY SLOT MACHINES
SUBJECT TO THE SAME LICENSE FEES AS OTHER
SLOT MACHINES.

Committee: Councilmen Nolen and Levy

First Publication: Review-Journal - 5/5/84

Committee Recommendation:

Adoption at City Council meeting 5/16/84

(NOTE: NO FINAL ACTION MAY BE TAKEN
AT THE 5/2/84 MEETING.)

Recommendation
Noted

5/16/84 Agenda

APPROVED AGENDA ITEM

mp Coe

CITY COUNCIL MINUTES - MAY 2, 1984
AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

0157

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

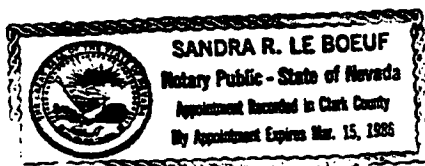
Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 24th day of April, 1984, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 10:30 AM, on Monday April 30, 1984, in the City Council Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, of which the attached is a true and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said AGENDA (NOTICE).

Joanne Perry
SIGNATURE (an employee on the Office of
the CITY CLERK)

Subscribed and sworn to before me this

24th day of April, 1984

Sandra R. Le Boeuf
NOTARY PUBLIC in and for said County
and State.
My Commission expires: 3-15-86



AFFIDAVIT OF POSTING

0158

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

COUNTY OF CLARK) ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 24th day of April, 1984, at the hour of 8:30 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of a NOTICE of a INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances to be held on the 30th day of April, 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 Chamber)

Joanne Perry
SIGNATURE

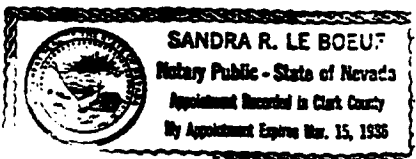
City Clerk
DEPARTMENT

Subscribed and sworn to before me this

24th day of April, 1984

Sandra R. Le Boeuf
NOTARY PUBLIC in and for said County

and State. My Commission expires: 3/15/86



April 18, 1984

N O T I C E

The following Bill proposed for adoption by the City Council of the City of Las Vegas, Nevada, will be the subject of PUBLIC COMMENT before the representative Recommending Committee at the hour of 10:30 A.M., Monday, April 30, 1984, in the Council Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. PILL NO. 84-14 - MAKES PENNY SLOT MACHINES SUBJECT TO THE SAME LICENSE FEES AS OTHER SLOT MACHINES.

Committee: Councilmen Nolen and Levy

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

INTER-OFFICE MEMORANDUM

May 1, 1984 0160

FILE

FROM:

CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
APRIL 30, 1984

COPIES TO:

5/2 and 5/16/84 Council Agenda Books
City Attorney
Business Activity Director
Community Planning & Development Director
Engineering Services Director
Public Services Director
Building & Safety Director
Metro
Fire Services Director

MEETING HELD: Monday, April 30, 1984, at 10:30 A.M. in the Council Chambers, City Hall, 400 E. Stewart Ave., Las Vegas, Nevada. Meeting adjourned at 10:35 A.M.

PRESENT: Councilman Bob Nolen
Councilman Al Levy
Ashley Hall, City Manager
Michael P. Cool, Deputy City Manager
Don J. Saylor, Deputy City Manager
George Ogilvie, City Attorney
Carol Ann Hawley, City Clerk
Marge Hether, Business Activity Department

A. BILL NO. 84-14 -- MAKES PENNY SLOT MACHINES SUBJECT TO THE SAME LICENSE FEES AS OTHER SLOT MACHINES.

Committee: Councilman Nolen and Levy

Committee Chairman, Councilman Bob Nolen, called the meeting to order and announced the meeting was in compliance with Nevada's Open Meeting Law. Councilman Levy questioned why there was a difference in the fee for penny slots and that of other slots. City Attorney Ogilvie responded and stated this matter was in effect prior to his employment with the City and that he did not know for sure but would tend to belief it was to discourage penny slots since the fee is higher than that of other machines. Marge Hether advised that if this bill was adopted, revenue from penny slots would decrease \$5,040 semi-annually. However, it might tend to increase the number of penny slots and if so, it would generate more fees as a result. There was no one present from the public sector to speak for or against the proposed bill. The Committee recommended adoption at the 5/16/84 Council Meeting.

AGENDA*City of Las Vegas*

May 2, 1984

Page 28

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

ITEM

Council Action

Department Action

VII BOARDS AND COMMISSIONSA. MOBILE HOME PARK MEDIATION BOARD
5-Year Terms

1. Robert E. Horner, Term Expires 5/19/84
2. Raymond F. Haldeman, Term Expires
5/19/84

Levy -
Motion to concur
in Mayor Pro-Tem
Lurie's reappoint-
ment of Robert E.
Horner and Raymond
F. Haldeman to new
five-year terms
carried unanimously.
(Briare excused)

Clerk to notify

B. LAS VEGAS METROPOLITAN BEAUTIFICATION
COMMITTEE

1. Jimmy Overholt - Resigned
Term Expires 6/16/85

Levy -
Motion to concur
in Mayor Pro-Tem
Lurie's appoint-
ment of Frank
Keyser, 7374 Valhalla
Lane, Las Vegas,
NV 89123 to fill
the unexpired term
of Jimmy Overholt
to 6/16/85 carried
unanimously.
(Briare excused)

Clerk to notify

MP Core

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 24, 1984

0162

TO:
The City CouncilFROM: *Carol Ann Hawley*
CAROL ANN HAWLEY, CITY CLERK

SUBJECT: MOBILE HOME PARK MEDIATION BOARD

PURPOSE/BACKGROUND

The terms of office for Robert E. Horner and Raymond F. Haldeman expire on May 19, 1984. Both of these gentlemen are mobile home park owners and pursuant to City Ordinance No. 2036, reappointments to these two particular slots must be persons who own a mobile home park.

Both Mr. Horner and Mr. Haldeman have indicated a desire to continue to serve on this Board as per the attached correspondence.

FISCAL IMPACT

NONE

RECOMMENDATIONS

SEE INFORMATION ABOVE

Agenda Item

VII.A

MOTELS

MOBILE HOME PARKS

ACREAGE

INCOME PROPERTIES

0163



Oasis Realty

1605 SOUTH EASTERN
LAS VEGAS, NEVADA 89104
(702) 382-2442



April 6, 1984

RECEIVED
APR 9 11 00 AM '84
CITY CLERK

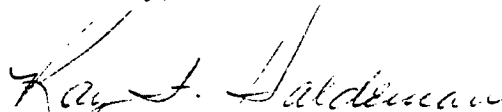
Ms. Carol Ann Hawley
City Clerk
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Hawley:

RE: Mobile Home Park
Mediation Board
Appointments
Haldeman/Horner

This is to advise you that Robert E. Horner and Raymond F. Haldeman would like to remain on the Mobile Home Park Mediation Board and appreciate your considering their reappointment.

Sincerely,


Raymond F. Haldeman

rjh

cc: Ms. Carrol A. Gradillas
City Attorney's Office
400 E. Stewart Avenue
Las Vegas, Nevada 89101

HOMES

INVESTMENTS

REAL ESTATE COUNSELING

PROPERTY MANAGEMENT

VII.A.

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 24, 1984 0164

TO:
The City CouncilFROM: *Carol Ann Hawley*
CAROL ANN HAWLEY, CITY CLERK

SUBJECT: LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE

PURPOSE/BACKGROUND

Jimmy Overholt has submitted his resignation per the attached letter. In the same letter, he has recommended to the Mayor that Mr. Frank Keyser, General Manager, Donrey Outdoor Advertising be appointed to fill the vacancy created by his resignation. I have been in contact with Mr. Keyser's Secretary who advised he would like to be appointed to this Committee. Mr. Keyser resides at 7374 Valhalla Lane, Las Vegas 89123.

FISCAL IMPACT

NONE

RECOMMENDATIONS

SEE INFORMATION ABOVE

Agenda Item

VII. B

DONREY OUTDOOR

ADVERTISING
COMPANY

1211 WEST BONANZA ROAD
POST OFFICE BOX 4491
LAS VEGAS, NEVADA 89127-0491
702-382-5020

0165

April 12, 1984

Clark County Beautification Committee

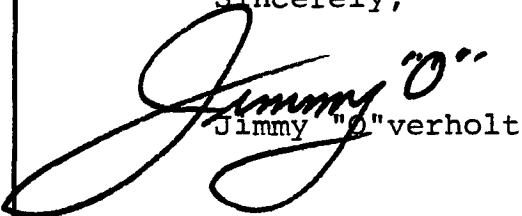
Mayor Briare;

. I regret having to submit this
letter of resignation as I am retiring from my em-
ployment at Donrey Outdoor Advertising April 13, 1984.

I have enjoyed serving on the board and appreciate your
appointing me. If there is anything I can do for you
in the future please call on me.

I can highly recommend a very able person as my replace-
ment and one well versed in the sign industry. He is
Frank Keyser, General Manager of Donrey Outdoor Adver-
tising.

Sincerely,


Jimmy "D" Verholt

Mayor Briare
City Hall
Las Vegas, NV

cc: Council

note: will be placed on 5/2/84 Agenda
City Clerk



AGENDA*City of Las Vegas*

0166

Page 29

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

May 2, 1984

ITEM

Council Action

Department Action

VIII. NEW BILLS TO BE REFERRED TO A STUDY
COMMITTEE OR RECOMMENDING COMMITTEE11:46
and
2:04

- A. Bill No. 84-16 -- Amends LVMC 7.16.020 to
-
- make it coincide with State law.

Sponsored by: Councilman Ron Lurie

First Reading and
referred - Lurie
and Christensen5/14/84 Agenda
Recommending
Committee Meeting.

- B. Bill No. 84-17 -- Repeals the existing sec-
-
- tion imposing the rabies vaccination upon all
-
- warmblooded animals and inserts a new section
-
- requiring only the vaccination of dogs and
-
- cats

Sponsored by: Councilman Ron Lurie

First Reading and
referred - Lurie
and Christensen5/14/84 Agenda
Recommending
Committee Meeting.

MORNING SESSION RECESSED AT 11:49 A.M.

AGENDA*City of Las Vegas*

0167

May 2, 1984

Page 30

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

FULL BOARD WAS PRESENT FOR
AFTERNOON SESSION.

2:04

- A. PROPOSAL TO LEASE THE REAL PROPERTY SITUATE ON OGDEN AVENUE BETWEEN THIRD STREET AND FOURTH STREET (OGDEN STREET PARKING GARAGE), ADOPTION OF RESOLUTION APPROVING THE CONCEPT OF SUCH PROPOSAL AND AUTHORIZATION TO SOLICIT FOR COMPETITIVE BIDS ON SUCH PROPOSAL.

Public Hearing held. APPROVED to proceed with leasing of garage.

Staff to proceed
No one appeared in favor or opposition.

(See page 26 for APPROVAL of Resolution.)

(NOTE: Immediately after this Public Hearing, action should be considered relative to Item G on Page 26 of the City Attorney's agenda.)

APPROVED AGENDA ITEM



(Posting required under the provisions of NRS CHAPTER 241)

0168

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

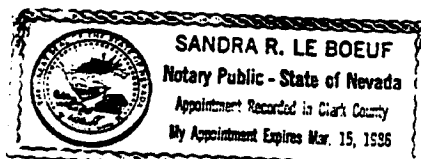
Joseph A. Silvester, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 20th day of April, 1984, at the hour of 2⁰⁰ there were posted copies of a NOTICE, the attached of which is a true and correct copy, of PUBLIC HEARING ON PROPOSAL TO LEASE OGDEN STREET GARAGE. to be held on the 2nd day of May, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the OGDEN STREET GARAGE.

James C. Schuster
SIGNATURE
PLDG. & SAFETY
DEPARTMENT OF DIVISION

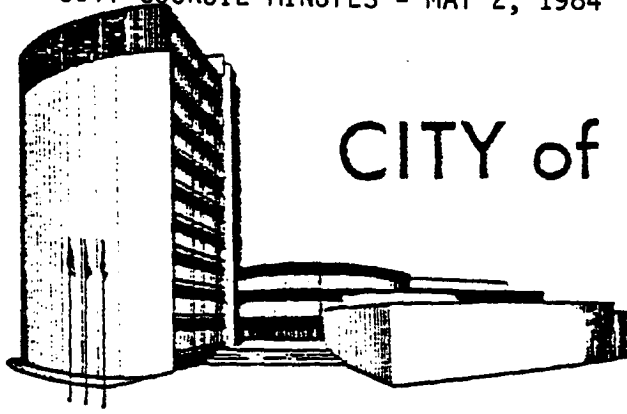
Subscribed and sworn to before me this

20th day of April, 1984

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County
and State. My Commission expires 3-15-86



MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

MAY 2, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, May 2, 1984, at the hour of 2:00 P.M. in the City Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following:

Proposal to lease the Real Property Situate on Ogden Avenue between Third Street and Fourth Street (Ogden Street Parking Garage), adoption of resolution approving the concept of such proposal and authorization to solicit for competitive bids on such proposal.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED GENERALLY AS
LOTS 1, 2, 3, 4, 5, 6, 27, 28, 29, 30, 31, AND 32 IN
BLOCK 31 OF CLARK'S LAS VEGAS TOWNSITE, AS SHOWN BY
MAP THEREOF ON FILE IN BOOK OF PLATS, PAGE 37, IN THE
OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.
AKA COUNTY ASSESSOR PARCEL NO. 020-404-001.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK

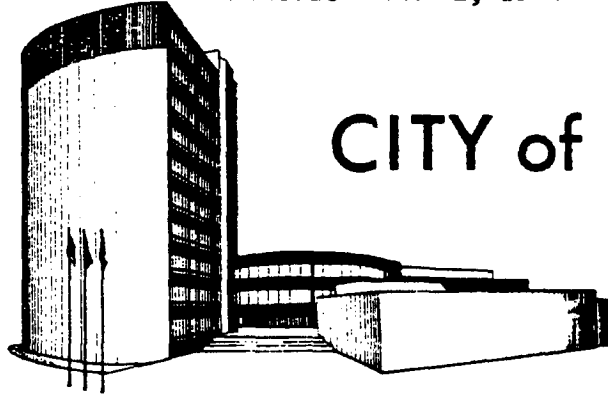


MAYOR BILL BRIARE

COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

0170

NOTICE OF PUBLIC HEARING

MAY 2, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, May 2, 1984, at the hour of 2:00 P.M. in the City Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following:

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AKA COUNTY ASSESSOR PARCEL NO. 020-404-001.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK



12
CITY COUNCIL MINUTES - MAY 2, 1984

0171

May 1, 1984

Below are calls we have received in PROTEST against an
Item that will be heard at May 2nd City Council Meeting.
PUBLIC HEARING - ITEM A -- PROPOSAL TO LEASE THE OGDEN
STREET PARKING GARAGE.

Ellen McNeil
5900 W. Tropicana
Las Vegas, Nevada 89109
873-7889

Madalyn Daleb
1190 S. Mojave, Sp. 313
Las Vegas, Nevada 89104
457-1962

Wayne Hyman
1190 S. Mojave, Sp. 311
Las Vegas, Nevada 89104
457-1962

Donald Pecot
1190 S. Mojave
Las Vegas, Nevada 89104

Erwin L. White
2200 Palm, Sp. #7
Las Vegas, Nevada 89104
457-0130

0172

May 2, 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

IX. 2:00 P.M. - PUBLIC HEARINGS (Continued)

- 2.06 B. VAC-7-84 - Petition of Vacation submitted by JAMES M. AND ALWINE TIGHI to vacate the public right-of-way known as Santa Margarita Street and Holmby Avenue; and to vacate the Government Patent Reservations on the east, south and west sides of Government Lot 10.

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

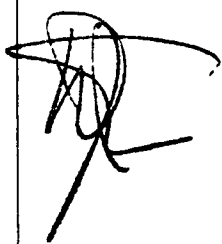
PROTESTS: 0

Lurie -
APPROVED as recommended by Planning Commission and staff, subject to condition.
Unanimous

Clerk to notify and Planning to proceed.

No one spoke in favor or opposition.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - MAY 2, 1984

To: The City Council
 Re: Public Hearing Agenda Item
 May 2, 1984 City Council Agenda

IX. 0173

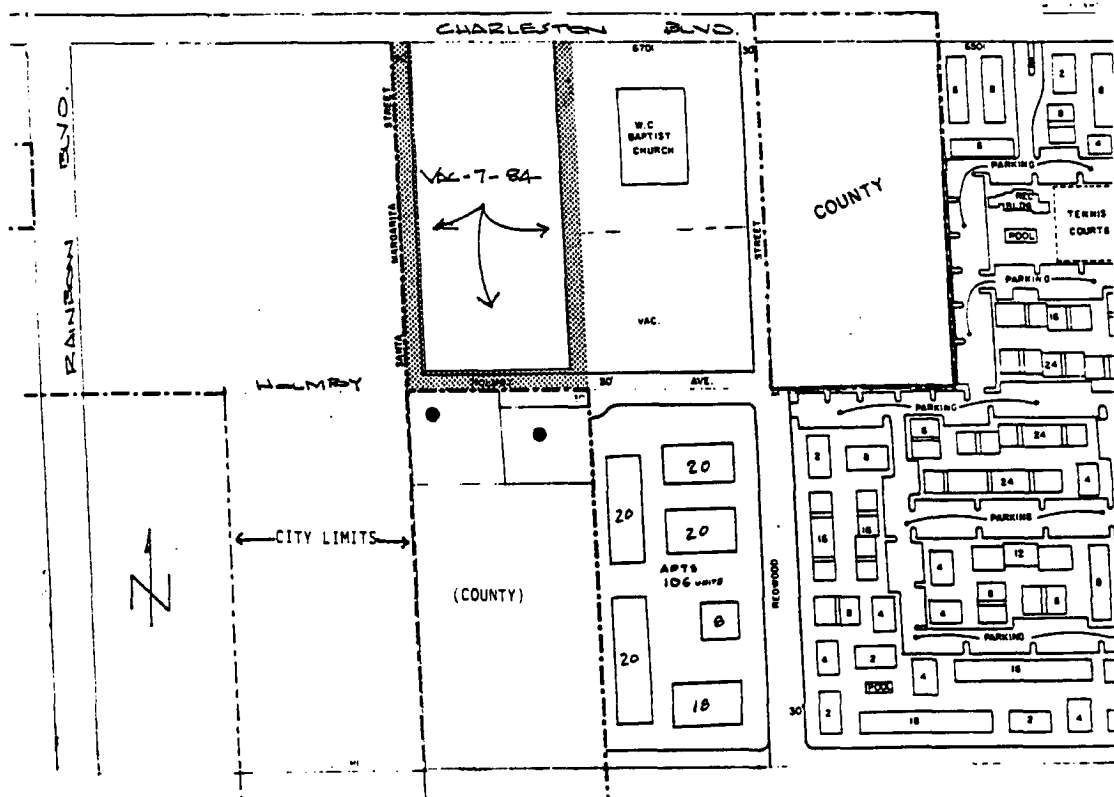
B. VACATION - VAC-7-84 - JAMES M. AND ALWINE TIGHI

The request is to vacate Santa Margarita Street and a portion of Holmby Avenue adjacent to this five acre parcel at the southeast corner of Charleston Boulevard and Santa Margarita Street. Also, the request is to vacate the 33' Government Patent Reservations on the east, south and west sides of this property. The vacation involves 30' on Santa Margarita and 30' on the westerly portion of Holmby. Holmby will exist as a cul-de-sac on the southeast corner of this property and extend east to Redwood Street. The streets requested for vacation are presently unimproved and will not be needed for future street purposes. There is a rezoning application on this property under Item J on this agenda for a proposed office and residential condominium project.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



NOTICE

NOTICE IS HEREBY GIVEN that a petition has been filed with the Clerk of the 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:

The public right-of-way known as Santa Margarita Street and Holmby Avenue, and the Government Patent Reservations on the East, South and West sides of Government Lot 10.

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. Reservation of easements for the facilities of the various utility companies, together with reasonable ingress thereto and egress therefrom.
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 2nd day of May, 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 April, 1984.


CAROL ANN HAWLEY, CITY CLERK

AGENDA*City of Las Vegas*

0175

May 2, 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 (Continued)

2:07

- C. VAC-8-84 - Petition of Vacation submitted by the CITY OF LAS VEGAS, A MUNICIPAL CORPORATION, to vacate a portion of the twenty-foot (20') wide north/south alley generally located on the south side of Ogden Avenue between Third Street and Fourth Street.

Planning Commission unanimously recommends APPROVAL.

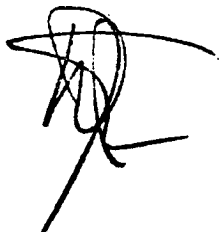
Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED as recommended by Planning Commission and staff.
Unanimous

Planning to proceed

No one spoke in favor or opposition.

APPROVED AGENDA ITEM

To: The City Council
 Re: Public Hearing Agenda Item
 May 2, 1984 City Council Agenda

IX.

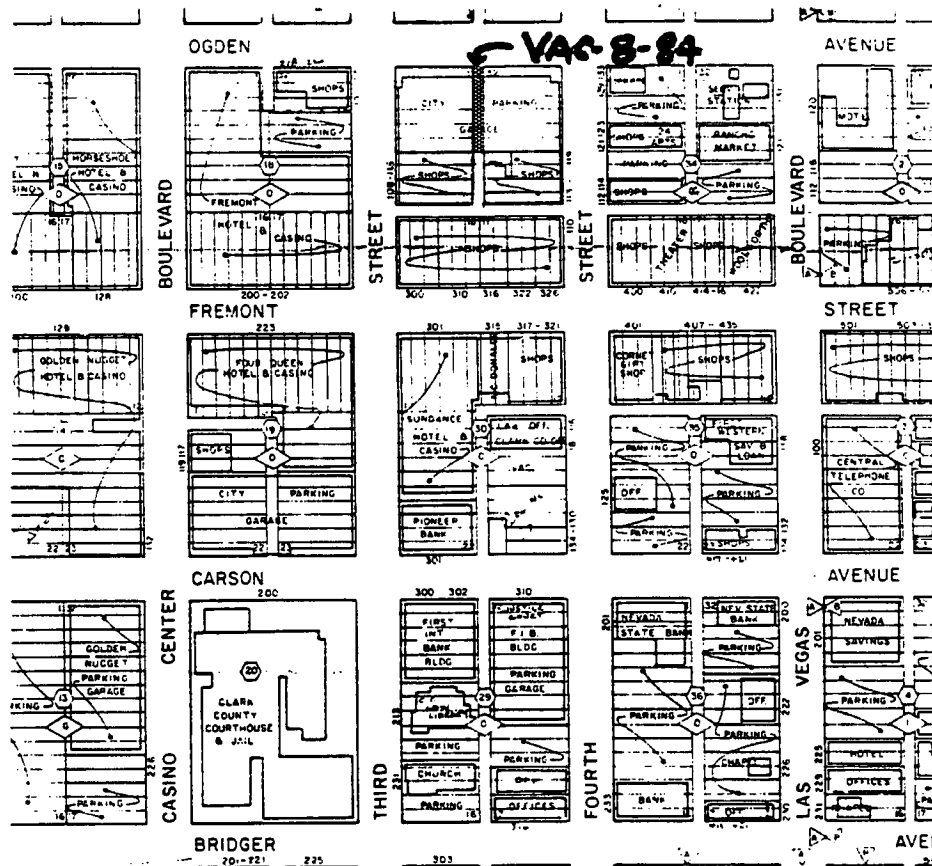
C. VACATION VAC-8-84 - THE CITY OF LAS VEGAS, A MUNICIPAL CORPORATION

This application was initiated by the City to vacate the 20' wide alley that goes through the City owned Ogden Avenue Parking Garage. The vacation of this alley would include all of the land under the structure.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



NOTICE

0177

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 twenty foot (20') wide North/South alley generally located on the South side of Ogden Avenue between Third Street and Fourth Street.

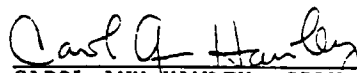
SUBJECT TO

1. Reservation of easements for the facilities of the various utility companies, together with reasonable ingress thereto and egress therefrom.
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.

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 2nd day of May, 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 April, 1984.


CAROL ANN HAWLEY, CITY CLERK

May 2, 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

IX. 2:00 P.M. - PUBLIC HEARINGS (Continued)

D. V-21-84 - Review requested by City Council to modify the action of the Board of Zoning Adjustment in approving the application of Ernest A. Becker, on behalf of Claudette Shawbridge, to allow a telephone answering and mail service and to allow a reduction in the number of required parking spaces on property located at 2917 Vegas Drive, subject to the condition that no advertising signs be allowed on the property.

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

1. No advertising signs shall be permitted on this property.

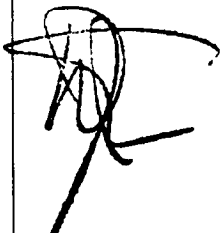
Staff Recommendation: DENIAL

PROTESTS: 0

ABEYANCE

NOTE: The Public Hearing portion of this item is closed.

5/16/84 Agenda
Clerk to notify
Claudette Shaw-
bridge was not
present.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - MAY 2, 1984

IX. 0179

To: The City Council
Re: Public Hearing Agenda Item
May 2, 1984 City Council Agenda

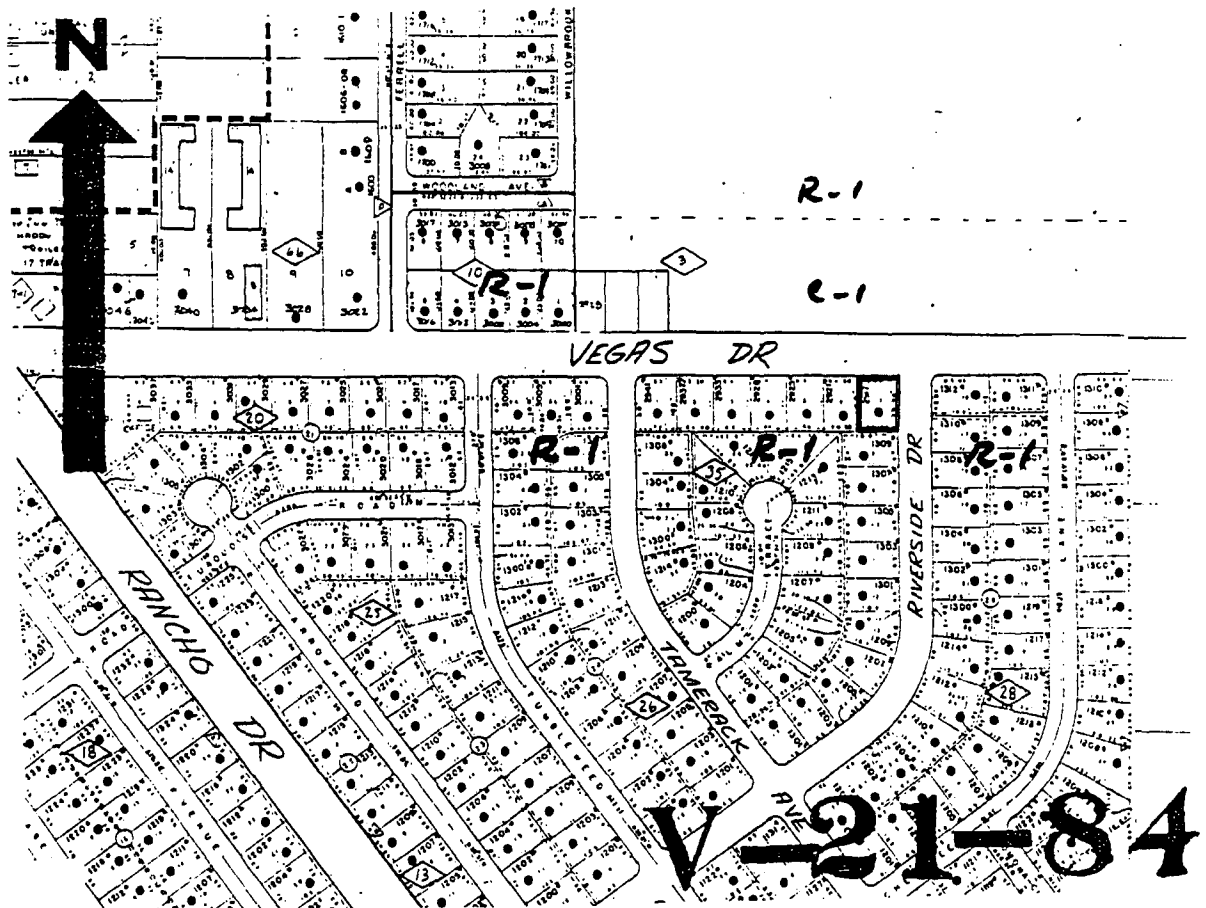
- D. V-21-84 - REVIEW REQUESTED BY CITY COUNCIL TO MODIFY THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN APPROVING THE APPLICATION OF ERNEST A. BECKER ON BEHALF OF CLAUDETTE SHAWBRIDGE TO ALLOW A TELEPHONE ANSWERING AND MAIL SERVICE AND TO ALLOW A REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES ON PROPERTY LOCATED AT 2917 VEGAS DRIVE SUBJECT TO THE CONDITION THAT NO ADVERTISING SIGNS BE ALLOWED ON THE PROPERTY

The request is for a review by a Council member on the condition of approval for this office use in an R-1 zone that prohibited any type of advertising sign for this proposed telephone answering and mail service operation. The property is located at 2917 Vegas Drive which is in a single family development. The variance also included a reduction of the required parking spaces from seven to four spaces with two of the four spaces in a tandem arrangement. This property is located in the Twin Lakes Subdivision. There is vacant C-1 zoning on the north side of Vegas Drive and the area on the south side of Vegas Drive is all zoned and developed R-1. The applicant is requesting a sign on this property to advertise this operation with the size similar to a real estate sign. The applicant contends the condition relative to the sign was added at the time of the motion to approve this application. According to the applicant's letter received after the meeting, she indicated she was not given an opportunity to comment on this condition. A copy of the verbatim transcript clearly indicates that during the public hearing she was asked whether there would be any outdoor advertising and she indicated there would not be because it was not a walk-in business. Attached is a copy of the applicant's letter and the verbatim transcript.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL - Of the telephone answering and mail service use with no signs being allowed.

STAFF RECOMMENDATION: DENIAL - Of the uses and the sign because they are not compatible in an R-1 subdivision.

PROTESTS: 0



2917 Vegas Dr. 0180
Las Vegas, Nv. 89106

April 6, 1984

Carol Hawley, City Clerk
City of Las Vegas
400 East Stewart
Las Vegas, Nv. 89101

Re: Variance 21 - 84

Dear Mrs. Hawley:

I herein request that the above numbered variance be placed on the Council agenda, at the earliest possible convenience, so that I may appeal Condition Three of said variance relating to signs.

No mention of sign restrictions were mentioned by City staff during the two month period this matter was ongoing.

The public hearing was closed and motion for approval was made before City staff requested the inclusion leaving me no opportunity to plead for same.

It is not my intent to place a large aesthetically unpleasing sign on my property. However, I do wish to place a sign somewhat similar in size to a real estate sign.

I would appreciate the opportunity to appear before the Council and appeal this condition.

Respectfully yours.

Claudette Shawbridge
Claudette Shawbridge
646-0757

CITY CLERK

APR 9 3 40 PM '84

RECEIVED

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MARCH 22, 1984

V-21-84 - APPLICATION OF ERNEST A. BECKER ON BEHALF OF CLAUDETTE SHAWBRIDGE FOR A VARIANCE TO ALLOW A TELEPHONE ANSWERING AND MAIL SERVICE WHERE SUCH USE IS NOT PERMITTED AND TO ALLOW A REDUCTION IN THE AMOUNT OF REQUIRED PARKING SPACES FROM 7 SPACES TO 4 SPACES (2 IN TANDEM PARKING) ON PROPERTY LOCATED AT 2917 VEGAS DRIVE IN ZONING DISTRICT R-1.

PAGE 1

CHAIRMAN BUGBEE:

Item two, V-21-84. This was held in abeyance from 2/23/84. This is the application of Ernie Becker on behalf of Claudette Shawbridge for a variance to allow telephone answering and mail service where such use is not permitted and to allow a reduction in the front required parking spaces from 7 to 4 spaces (2 in tandem) on property located at 2917 Vegas Drive in Zoning District R-1.

HAROLD FOSTER:

This was held in abeyance so we could renotify the surrounding property owners of the reduction in parking spaces that is required for this operation. Remember, we pointed out at the meeting that essentially it's a commercial-type operation in a residential zone. You can see the subject property on the south side of Vegas Drive. It's in a single-family area. There is commercial zoning across the street. Staff feels the pattern essentially along the south side of Vegas Drive is residential. We feel that starting a pattern somewhat in the middle of this residential zone is somewhat inconsistent. For that reason, staff would recommend denial of the application.

CHAIRMAN BUGBEE:

This is a public hearing. If there are people here to speak against this, I'll allow the applicant to speak and then you'll have your time and she'll have time for rebuttal. Yes, ma'am.

CLAUDETTE SHAWBRIDGE:

My name is Claudette Shawbridge. I live at 2917 Vegas Drive.

CHAIRMAN BUGBEE:

Staff has recommended against this application. Do you have something you want to tell us?

CLAUDETTE SHAWBRIDGE:

Well, it was my understanding that there was to be an advertisement and if there were no objections from any of the neighbors that I could be granted the variance. This was at the last meeting.

CHAIRMAN BUGBEE:

Okay. This is a public hearing. Is there anyone here to speak against this application? Any questions from the Commissioners of Mrs. Shawbridge?

COMMISSIONER GILES:

Is this for any outdoor advertising in relation to your proposed business?

CLAUDETTE SHAWBRIDGE:

No, sir, this is not a walk-in business.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MARCH 22, 1984

V-21-84 - APPLICATION OF ERNEST A. BECKER ON BEHALF OF CLAUDETTE SHAWBRIDGE FOR A VARIANCE TO ALLOW A TELEPHONE ANSWERING AND MAIL SERVICE WHERE SUCH USE IS NOT PERMITTED AND TO ALLOW A REDUCTION IN THE AMOUNT OF REQUIRED PARKING SPACES FROM 7 SPACES TO 4 SPACES (2 IN TANDEM PARKING) ON PROPERTY LOCATED AT 2917 VEGAS DRIVE IN ZONING DISTRICT R-1.

PAGE 2

COMMISSIONER GILES: No -- everything is handled by mail.

CLAUDETTE SHAWBRIDGE: Very seldom. Once a month clients would come and pick up their billing or bring billing to me.

CHAIRMAN BUGBEE: Any questions?

COMMISSIONER MYERS: Were there any protests?

HAROLD FOSTER: No protests.

CHAIRMAN BUGBEE: Close the hearing.

COMMISSIONER GILES: Move for approval with staff's recommendations. Staff.

HAROLD FOSTER: Conformance to the plot plan and standard conditions 2 through 8. Also if you want, to a put a condition on there about no advertising signs.

COMMISSIONER GILES: Yes.

HAROLD FOSTER: It'd be appropriate.

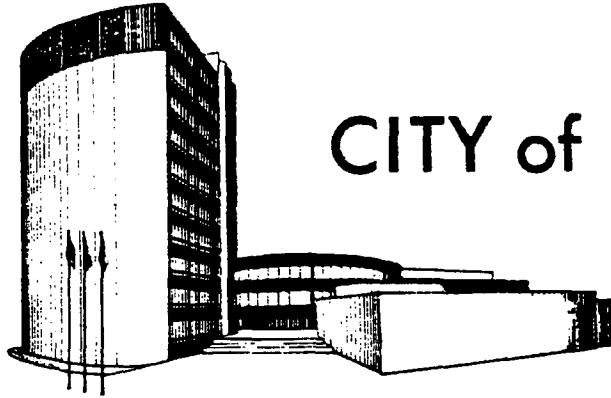
CHAIRMAN BUGBEE: That has been approved. This is final. (Motion carried unanimously with Juniel excused)

END OF EXCERPT

MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

MAY 2, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, May 2, 1984, at the hour of 2:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following:

V-21-84 REVIEW REQUESTED BY CITY COUNCIL to modify the action of the Board of Zoning Adjustment in approving the application of Ernest A. Becker, on behalf of Claudette Shawbridge, to allow a telephone answering and mail service and to allow a reduction in the number of required parking spaces on property located at 2917 Vegas Drive, subject to the condition that no advertising signs be allowed on the property.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT 7, BLOCK 25,
TWIN LAKES UNIT NUMBER 5.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK



INTER-OFFICE MEMORANDUM

May 7, 1984

TO:

FILE

FROM:

Carol A. Hawley
CAROL ANN HAWLEY, CITY CLERK

SUBJECT:

V-21-84 - REVIEW REQUESTED BY CITY COUNCIL -
APPLICATION OF ERNEST A. BECKER, ON BEHALF
OF CLAUDETTE SHAWBRIDGE

COPIES TO:

Final Minutes File, 5/2/84 Agenda

This item was withdrawn from the May 16, 1984 Agenda for the following reason:

Ms. Shawbridge who requested the review and same was authorized by Councilman Christensen is incapacitated, due to a massive stroke, and is unable to proceed. This information was given me in the form of a telephone call from her mother. Ms. Shawbridge is unable to request abeyance/withdrawal, whatever, due to her grave health. Therefore, upon consultation with the Manager and Attorney, I have taken the action of removing same from the Agenda.

AGENDA*City of Las Vegas*

May 2, 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 (Continued)

2:09

Tape 3
at 3:22

E. TO CONSIDER APPLICATIONS FOR TENTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS. THE CITY COUNCIL WILL REVIEW ALL APPLICATIONS SUBMITTED FOR TENTH YEAR COMMUNITY DEVELOPMENT FUNDING AND WILL CONSIDER THE RECOMMENDATIONS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT/CITIZEN PARTICIPATION REVIEW COMMITTEE.

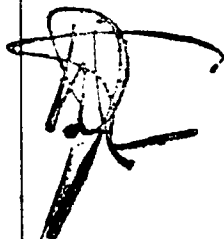
(NOTE: This is the First Public Hearing on this matter. A Second Public Hearing will be held at 2 P.M. on May 16, 1984.)

Public Hearing
held.

5/16/84 Agenda
for Second
Public Hearing.

NOTE: A verbatim transcript made a
part of the final minutes.

APPROVED AGENDA ITEM



TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - MAY 2, 1984
IX-E-PUBLIC HEARING - 10TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT

PAGE 1

MAYOR BRIARE:

The next public hearing is to -- now, we're going to get down to the good stuff, ladies and gentlemen. I'm sure many of you are here for the purpose of considering, or having the Board listen to applicants for the Tenth Year Community Development Block Grant Entitlement Funds. The City Council will review all applications submitted for Tenth Year Community Development Funding and will consider the recommendations of the Community Development Block Grant Citizens Participation Review Committee. Ladies and gentlemen, I wish you'd make particular note of the fact that this is a public hearing -- one of a series of public hearings -- and there will be no decision made today by the Council, because we have a second public hearing that we must hold at this same hour, I think, two weeks from today. Yes, on the 16th of May. So any comments that you have to make today will be, of course, tentatively listened to by the Council members, a recording is being made of any statements that are made by any person who wishes to be heard at this public hearing, and we will have all of the information. If you wish to speak today, now would be the time to do so. I want to indicate to you that each Council member and myself have a rather thick volume -- it's even heavier than what I'm making it look like here of all of the applications that have been submitted. Both those applications which have been reviewed by a Community Development Block Review Committee and those that -- and carry the recommendation of that Committee, and we have the applications for those who's applications were not recommended by the Community Development Block Committee, and I'd like to caution anyone that wishes to be heard on any of these matters that we have all of the material of the applications in here, and we will not be able, because of the many applications that we have -- we're not going to be able to have a rehash of all of the materials that you've gone over at the public hearings that were previously held. So you have to realize that we have the applications before us, we know the information that are contained in the application, and the only thing that we would invite from you would be additional information that you might have gathered since these applications were submitted that you feel would be of interest to us. I want to call on Mr. Blue now who is going to make a few comments before we begin hearing from the general public.

RICHARD BLUE:

Thank you, Mayor. Mayor and Councilmen, today is the first of two public hearings considering recommendations of the City's 1984-85 Community Development Block Grant Program Entitlement Funds. The City will receive Two Million One Hundred and Eighty-Nine Thousand Dollars (\$2,189,000.) in Community Development Block Grant Funds.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - MAY 2, 1984
IX-E-PUBLIC HEARING - 10TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT

PAGE 2

RICHARD BLUE:

Submitted to you are all the applications for funding. These applications, as in previous years, vary in their intent, and must all conform to the program's national primary objectives, and they are to benefit low and moderate income families, to aid in the prevention or the elimination of slum and blight, and to undertake activities the grantee certifies are designed to meet other community development needs having a particular urgency. Prior to the submission of these proposals, the Department of Funds Coordination held a series of four public meetings and technical assistance sessions, spanning the months of January and February. During this time, Las Vegas citizens were able to articulate their perceptions for community priorities, as well as express their feelings and assessments concerning the community development program. Final submission date for proposals was February 21st of this year. The applications were then reviewed by staff for program eligibility; then the Citizens Advisory Review Board reviewed these documents for their direct and indirect support of the Community Development Block Grant Program objectives, both nationally and locally. Today's the culmination of the Citizens Participation process. As in the past, the requests for funding far exceeds the available resource. I would at this time also remind the Council that a year ago, we were fortunate enough to receive additional funding under the Emergency Jobs Bill Act in the amount of One Million One Hundred Thousand Dollars (\$1,100,000.). This is not the case this year. So for that reason, this is going to be a most difficult time for both staff and the Council in terms of making allocations.

MAYOR BRIARE:

Mr. Blue, would you introduce the members of the Citizens Committee that are present here today.

RICHARD BLUE:

The Citizens Advisory Committee is made up of Mrs. Bruner, Mrs. Larsen, Mr. Watts -- I do not see Mrs. Preddy or Mrs. Pinjuv.

MAYOR BRIARE:

How many meetings were held to consider these applications, Mr. Blue?

RICHARD BLUE:

During the months of March and April, they met consistently twice a week.

MAYOR BRIARE:

But before that, even from last year, weren't there meetings held from last year?

RICHARD BLUE:

That's correct.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - MAY 2, 1984
IX-E-PUBLIC HEARING - 10TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT

PAGE 3

- MAYOR BRIARE: So that meetings has been -- meetings to discuss this year's Community Development Block Grant funding has been going on for several months?
- RICHARD BLUE: Since January of this year.
- MAYOR BRIARE: Advertised in accordance with law and everything else?
- RICHARD BLUE: That's correct.
- MAYOR BRIARE: Any comments from the Council members before we begin hearing public comment? (No response.) It goes without saying that there's never enough money to go around for all of the worthy organizations that exist in the community of Las Vegas and North Las Vegas and the other cities and the County. When you have a certain amount of money that's available to you and no more than that, it becomes difficult to try to spread that money in a matter that would be most effective and would serve the community in the minds of the Committee that worked very hard, and for which they have our gratitude, to tie to the small amounts of dollars to the many organizations, and then try to do it in some way that would be as fair and beneficial to the community as possible. I'm first going to go through those organizations which were recommended by the Community Development Block Grant Committee, and as I go through each one, I will ask if there's something that a representative of that particular application would like to say adding onto their already recorded comments that we have before us. If you do not feel that you wish to make any comment, please do not think that we would be disappointed and consider you as being neglectful to your application. Such is not the case. We know the hard work that goes into making up these applications, and I think what I would like to impress with you, or impress you with, is the fact that each member of this Council spends a great deal of hours and time going through these applications over a period of many days, and so give us credit for being aware of your application, and if you have something you want to say, say it to us, and then we'll go on to the next one. The first one then, Mr. Blue -- follow along with me on the Agenda that I have here to make sure I'm keeping these in the order in which they've been presented. The Small Business Economic Revitalization Revolving Loan Fund -- there was a request of One Hundred Thousand Dollars (\$100,000.) and the Recommending Committee proposes to the Council the approval of the entire amount.
- RICHARD BLUE: There will be no comments on this.
- MAYOR BRIARE: There are no comments on that one?

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - MAY 2, 1984
IX-E-PUBLIC HEARING - 10TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT

PAGE 4

RICHARD BLUE:

No.

MAYOR BRIARE:

The Nevada Black Chamber of Commerce made a request of \$36,511; the Committee recommended \$22,303. Is there any comment on this request? (No response.) Each time, Mrs. Hawley, as I go through here, be sure to record it.

The Uptown Motel Renovation requested \$300,000 for a program. The recommendation was the entire program. Any comments on this request? (No response.)

The Urban League of Southern Nevada requested \$65,310, and the Committee recommends to this Council \$35,310. Any comments by the Urban League? (No response.)

CET Job Training requested \$254,826, and the Committee recommends to the Council \$94,745. Comments?

UNIDENTIFIED FROM
AUDIENCE:

Thank you for your consideration.

MAYOR BRIARE:

Thank you for your brevity. Incidentally, ladies and gentlemen, to repeat once again, there's another public hearing after this. We still are obliged to hold another public hearing in two weeks.

Neighborhood Commercial Revitalization Program requested \$126,000. The Committee recommends to this Council the consideration for \$65,000. Comments on this? Yes, sir.

WILLIAM "BOB" BAILEY:

Mr. Mayor, gentlemen of the Council, with your permission, I'd like to address the next two issues. They are both one in the same, basically.

MAYOR BRIARE:

Mr. Bailey, is that the Neighborhood Commercial Revitalization and the Revolving Loan Fund?

WILLIAM "BOB" BAILEY:

Right.

MAYOR BRIARE:

Okay. If there's no objection by the Council members, go right ahead, Mr. Bailey.

WILLIAM "BOB" BAILEY:

Okay. I don't know the basis on which the reduction was made. I'm sure that there are some sound reasons for the reduction in both the amount of money for the programic area of the development of the Jackson Avenue Commercial Revitalization Project and also the Revolving Loan Fund, but I would appeal to you that I would like to remind the Council, as well as the members on the Citizens Committee, that there was commitment made to this project, which is about three years in. The commitment was based on a five-year projection that

WILLIAM "BOB" BAILEY:

would take us to bring this project to any type of fruition that was going to be projective and was going to reach the ultimate end that we had originally started with. We have been plagued consistently with economic conditions that have been negative, but we have been able to pull some of the business starts back up again, and to cut the Revolving Loan Fund -- would certainly go along with the cut of the -- on the staff. We'll put in time for nothing because we're committed to this project, but to cut the Revolving Loan back to \$50,000 is almost a way of saying we have no commitment for the program anymore, and that's all it can say is we have no commitment for the program. In looking at any of the economic development programs that have gone on before us that have been funded by CDBG, none of them have done basically what this program has done already. We're talking about leaving people hanging on a limb who have gone ahead with this program and invested their personal monies, who have put their land up, who are in total belief that what commitment came from this Council was going to be followed through for five years. Some of them now are in dire straits because the project has not been able to move forward at the same rate of speed or pace of speed that originally was anticipated. To cut this Revolving Loan Fund back to \$50,000, you might as well not put anything in it at all and take it and put it somewhere else because you're not doing anything but leaving them out on a limb. This project has done more to stimulate a new area of growth and participation by the banking system in this City than any one project that has started in the West Las Vegas area. There's no where else that the private banking community has given any kind of money or consideration, but because of the program and the incentive factors that have been given to the Revolving Loan Fund, the banking community is participating over there. It's not happening at the other economic development projects that the City has funded. Most of those dollars over there are grant dollars. They're not dollars that are put up by the people in the community. We talk all the time about minorities pulling themselves up by the boot straps and when they start pulling themselves up by the boot straps, all of a sudden they find in the middle of pulling them up, that somebody's cutting the strap, and that's what's happening here, and I appeal to you to give further consideration to the amounts of money that's going into this Revolving Loan Fund. If we don't want to go back on our word -- I say "our word" because we at NEDCO through the U.S. Department of Commerce came to the Mayor and to the Council some four years ago with this idea, and the commitment was made.

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WILLIAM "BOB" BAILEY: To do this right now in the third year of this commitment, is just really a -- it's bastardly, and I appeal to you to reconsider the conditions on which you are going to turn this around. As I said before, I ask you to try any economic development program that started over there, and none of them have done what this has done.

COUNCILMAN LEVY: Mr. Bailey?

WILLIAM "BOB" BAILEY: Yes, sir.

COUNCILMAN LEVY: How much did we put in the revolving fund last year?

WILLIAM "BOB" BAILEY: Two Hundred and Fifty Thousand (\$250,000).

COUNCILMAN LEVY: How much is back?

WILLIAM "BOB" BAILEY: How much is back?

COUNCILMAN LEVY: Yes. How much did they pay back of the Two Fifty?

WILLIAM "BOB" BAILEY: Well, we have not a rundown here. Ernest -- this is Mr. Ernest Fountain who is the Loan Officer for the Revolving Loan Fund.

ERNEST FOUNTAIN: Right. In reference to your question though, based on the loan amortization of the Revolving Loan Fund, in order to reduce the debt service with our clients, the principal repayment has been minimum. We've only received a maximum probably of Twenty-Five Hundred Dollars (\$2,500.) in the last year.

COUNCILMAN LEVY: How much have we -- have much have you put in that pot so far in the Revolving Fund? Over the years?

WILLIAM "BOB" BAILEY: Over the years? We're talking about Two Fifty last year and a Hundred prior to that time of which some was carried over.

COUNCILMAN LEVY: So Three Fifty (\$350,000.).

WILLIAM "BOB" BAILEY: Right. Well, yes, Three Twenty-Five, Three Thirty. We've got -- you gave us approximately \$80,000 that is there presently.

COUNCILMAN LEVY: That has never been loaned?

WILLIAM "BOB" BAILEY: No, but it's already allocated out. We just don't give the money out, Councilman Levy.

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COUNCILMAN LEVY: How much is in deficiency? How many is in the red?

ERNEST FOUNTAIN: We only have -- we only have about \$40,000 that's in deficiency at this point in time, but arrangements are being made on that. But we have simulated over \$426,000 from private sector lenders since we've participated -- since participation of the Revolving Loan Fund.

WILLIAM "BOB" BAILEY: That's about 2.3 times of average of what we've put in.

COUNCILMAN LEVY: Well, explain to me -- explain to me how you're using that revolving fund.

WILLIAM "BOB" BAILEY: Okay. We're using it by -- using it for matching loan funds.

COUNCILMAN LEVY: You say saying you're getting financed from the banks?

ERNEST FOUNTAIN: Right. We set up 50% financing through financial institutions and 50% comes from the Revolving Loan Fund. In some cases we will put in 25% and the bank will put in 75%. It just depends on the circumstances around the financial ability of the client.

COUNCILMAN LEVY: But both at the same interest rate?

WILLIAM "BOB" BAILEY: No, no.

ERNEST FOUNTAIN: It depends on our participation level. If we participate 50%, it's normally 7%. If the bank participates with more, then we participate with them. We go at a lower interest rate. We do, in order to offset the high interest rate of the banks.

COUNCILMAN LEVY: I understand.

COUNCILMAN LURIE: Doesn't "revolving" mean pay back?

ERNEST FOUNTAIN: Yes, but as I indicated because of the fact --

COUNCILMAN LURIE: You mean that so far you've only collected Twenty-Five Hundred Dollars (\$2,500.), and you've got Forty Thousand (\$40,000.) in arrears and --

COUNCILMAN LEVY: How about the interest?

COUNCILMAN LURIE: -- are you waiving any payments --

ERNEST FOUNTAIN: No, this --

COUNCILMAN LURIE: -- for people that can't make them?

WILLIAM "BOB" BAILEY: Yes, we are waiving some payments.

COUNCILMAN LURIE: Why?

WILLIAM "BOB" BAILEY: Yes. We're waiving --

COUNCILMAN LURIE: I mean, how can you ask for more money when you don't collect --

WILLIAM "BOB" BAILEY: Alright --

COUNCILMAN LURIE: -- on revolving funds, Bob? I mean --

WILLIAM "BOB" BAILEY: Okay, I'm ready to answer your question.

COUNCILMAN LURIE: -- you know, you want the project to work. We'd like to see it work, but we're not going to give money away and put it into a business and not expect repayment.

ERNEST FOUNTAIN: Well, let me address that, please. Okay, first of all, like I indicated, we set up a long term amortization with a short term maturity in order to reduce the debt service, which means the majority of payment that comes back, goes into interest. The principal reduction, which is the amount of money that can be re-lent back into the community, it's a small -- the Twenty-Five Hundred Dollars (\$2,500.) that I'm speaking of.

COUNCILMAN LEVY: What did you do with the interest?

COUNCILMAN LURIE: What do you do with the interest?

ERNEST FOUNTAIN: The interest is used to offset the administrative costs.

WILLIAM "BOB" BAILEY: That's re-lent.

COUNCILMAN LEVY: Well, what is the other -- the other amount of money --

COUNCILMAN LURIE: Wait a minute. Wait. Let's back up. You said "administrative costs." What kind of administrative costs do you have?

ERNEST FOUNTAIN: For example, we use -- well, there's overhead expenses that's incurred. For example, we use some of the interest expenses to offset recording fees and things of that nature for the clients.

COUNCILMAN LURIE: Salaries?

ERNEST FOUNTAIN: Pardon me?

COUNCILMAN LURIE: Salaries?

ERNEST FOUNTAIN: No.

COUNCILMAN LURIE: No salaries?

ERNEST FOUNTAIN: No salaries at all -- not a dollar in salaries.

WILLIAM "BOB" BAILEY: But consultants, yes.

COUNCILMAN LURIE: In what?

WILLIAM "BOB" BAILEY: If necessary, yes. Consultants, yes.

COUNCILMAN LEVY: What is the Neighborhood Commercial Revitalization -- what is that money used for?

WILLIAM "BOB" BAILEY: It's the same money. That's the same money, Al -- same money.

COUNCILMAN CHRISTENSEN: I guess I'm confused, Bob. As I understand loans that I -- when I have to repay a loan, I know that the biggest majority of the payment each month goes to the interest until the end of the loan.

WILLIAM "BOB" BAILEY: Right.

COUNCILMAN CHRISTENSEN: And some goes to principal. But what you're telling me is that you've got Twenty-Five Hundred Dollars (\$2,500.) back on the principal, which is a very small part of the payment, and the large part of the payment has all gone to administrative and overhead?

WILLIAM "BOB" BAILEY: No, no, no, no. That's not what we indicated.

COUNCILMAN CHRISTENSEN: Well, where does it go then?

WILLIAM "BOB" BAILEY: That money is sealed in our revolving loan fund account. As they repay the money, we --

COUNCILMAN CHRISTENSEN: Then how come your loan fund account has gone from Three Hundred Thousand Dollars down to Eighty Thousand that's already programmed and you've got Twenty-Five Hundred back? I mean that's --

WILLIAM "BOB" BAILEY: Okay, let me answer this.

COUNCILMAN CHRISTENSEN: -- bad loans or something.

WILLIAM "BOB" BAILEY: Yes. They're marginal loans. There's no question about it. Any loan that's in the black area is a marginal loan as far as downtown is concerned. Whether it's a good loan or not, it's considered a marginal loan.

COUNCILMAN CHRISTENSEN: I understand that --

WILLIAM "BOB" BAILEY: Okay. Wait a minute.

COUNCILMAN CHRISTENSEN: -- but you just got through telling us that you don't have but \$40,000 in arrears, which is a whole long way from Three Hundred.

WILLIAM "BOB" BAILEY: Alright, can I finish? Okay, I think that we should recognize that a couple of the loans which are responsible for probably two-thirds of that money lent out are in two parcels over there. Those parcels, we have not collected any money on because of two or three reasons. Number One, these are the two first businesses that started this project over there, and the project itself is not going to be viable until it at least becomes 60% or 65% completed. We're still about 35 or 40% completed. These two businesses stuck their necks out to go along with this program, and we have refrained by virtue of our Loan Committee, of which you have a representative -- Mr. Blue is on that Loan Committee -- and we have the bankers who have made the loans and other things. We all collectively have set aside those loans for a period of time and given them some kind of relief so that they could try and get their businesses together. The same as the banks do.

COUNCILMAN CHRISTENSEN: Have the banks set aside all these same things? Are the banks into this thing Three Hundred Thousand Dollars and got Twenty-Five Hundred Dollars back?

WILLIAM "BOB" BAILEY: In some instances, yes.

ERNEST FOUNTAIN: Yes, in a couple of --

COUNCILMAN CHRISTENSEN: How about in all instances overall, because we're talking about the whole program?

WILLIAM "BOB" BAILEY: Well, those are the only two really which have the majority of the money at this particular point in time that are not up to snuff. All the other loans are current.

COUNCILMAN CHRISTENSEN: Well, it sounds to me like you don't have many other loans if you've only got \$40,000 that are in arrears plus these, and you've got \$2,500 back off of \$300,000.

ERNEST FOUNTAIN: Well, we have about Four Hundred -- about Three Hundred and Fifty Thousand Dollars (\$350,000) lent out at this point in time, and one of our major loans, the largest loan we have on our books, we have not set up any type of repayment because of some of the difficulties and the bank is doing the same thing. All they require is

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- ERNEST FOUNTAIN: that they pay interest at this point in time until we solve some problems on this particular loan. And that's our major --
- COUNCILMAN CHRISTENSEN: But have they paid interest?
- ERNEST FOUNTAIN: Pardon me?
- COUNCILMAN CHRISTENSEN: Are they paying the interest?
- ERNEST FOUNTAIN: Yes.
- COUNCILMAN CHRISTENSEN: And the interest that you're getting is all going to overhead?
- ERNEST FOUNTAIN: No. The interest -- well, we haven't used it. We have only spent no more than \$500 of the interest that we have received on the loans.
- COUNCILMAN CHRISTENSEN: Well, where's the rest of it?
- ERNEST FOUNTAIN: All I'm saying is it's based on the plan that we submitted to the City of Las Vegas and approved by HUD. We can use those funds, that interest expense, for those purposes if necessary.
- WILLIAM "BOB" BAILEY: We use them primarily -- what we have used -- projected the use of was for development of consultant fees. We get at this particular time --
- COUNCILMAN CHRISTENSEN: Then this really is not a revolving loan fund. What it is is it's a pool of money that you draw from to make loans and then you get the interest back sometime maybe and the interest -- or the principal back, and the --
- WILLIAM "BOB" BAILEY: No, no, no, no.
- COUNCILMAN CHRISTENSEN: -- interest in the meantime gets used for something else.
- WILLIAM "BOB" BAILEY: No, no, no. I think that -- Number One, I think that we have to go back and take a look at what we're dealing with. Number One, this is an urban revitalization project. It doesn't move the same way that other projects move where you put grant money in and --
- COUNCILMAN CHRISTENSEN: I'm aware of that, Bob, but you're complicating the issue.
- WILLIAM "BOB" BAILEY: No, we're not. No, we're not.
- COUNCILMAN CHRISTENSEN: Yes, you are. You are to me. It's a very simple -- it's a very simple issue here. It's a revolving loan fund, but what you're saying is you loan the money out

COUNCILMAN CHRISTENSEN: and you're not going to get the principal back for a number of years and you've waived payment --

WILLIAM "BOB" BAILEY: No, that's not what --

COUNCILMAN CHRISTENSEN: -- on the biggest accounts, and --

WILLIAM "BOB" BAILEY: Mr. Christensen, that's not what was said.

COUNCILMAN CHRISTENSEN: -- of the interest you got back, you've spend most of it for management.

WILLIAM "BOB" BAILEY: No, that's not what was said. I think -- I don't think you have the right information. That's not what we said. What we said was this. Between the banks and the revolving loan fund, because of the conditions that are existing presently with some of the loans, it was mutually decided to call off collection on those loans until such time as other conditions could be brought into place. Now, there is an option that we have. We can foreclose. We can foreclose next week. I don't think that would be the answer.

COUNCILMAN CHRISTENSEN: Hey, I understand all those things, Bob. What we're saying is we don't have the money back. So really and truly, bottom line, regardless of the reasons, the bottom line is the money's loaned out and it's not coming back.

ERNEST FOUNTAIN: No, that's not the bottom line. First of all, I think that if you had more insight on the administrative plan that was submitted to the City of Las Vegas that was approved by HUD you would have more insight on the entire program.

MAYOR BRIARE: HUD approves your plan, but they don't come up with any money. Now, gentlemen, we're taking a lot of time here. This perhaps should be done through the administrative offices --

COUNCILMAN CHRISTENSEN: I have one other --

MAYOR BRIARE: -- but I want to remind you, and I don't know -- Mr. Blue, did you comment on the amount of money that was available all totaled last year, as compared to the amount of money that's available this year?

RICHARD BLUE: Last year? No, I did not.

MAYOR BRIARE: Would you do so. Is your microphone one?

COUNCILMAN CHRISTENSEN: I'd like to ask another question before we get into that, Mayor.

MAYOR BRIARE: Okay. Just a minute, Mr. Blue.

COUNCILMAN CHRISTENSEN: Another thing that Mr. Bailey brought up. He's referred to a commitment that we've made. I'd like to know what the dollar amount of the commitment was and just what the commitment was, because I don't like to be not honoring my commitments, and I want to know what my commitment was that I'm not honoring.

WILLIAM "BOB" BAILEY: There was no dollar commitment made. The only commitment that was made was to see the project through. The project was a multi-year project. It's a five-year project. I think the -- I'm not going to belabor these points any more. Some of the members of JAMA, the Jackson Avenue Merchants Association are here. If they want to address the issue, they can. It now has become a situation where I think the people who are involved in the project themselves are going to have to stand up and speak for themselves. We have tried to explain it. We're mechanics. We're technicians. I think that you'll find that everything that we have done in relationship to the management of the revolving loan fund is in strict accordance with good principles and practices of lending. We have been doing this precisely with the banks overseeing, CPA's overseeing, and those that are on our Revolving Loan Committee. We know what we're doing. We believe in what we're doing. Number One, these people didn't get any grant money like other economic development projects in the West Las Vegas area have received. They have to pay their money back. This is the first time this has happened. It's never happened before -- the first time. They've got to pay the money back. There are a couple of loans that are in trouble. There's no question about it, but I question -- I say to you the Riviera was in trouble. If they hadn't have had the Teamsters Union to put some more money back in -- the Aladdin was in trouble, the Sahara was in trouble; the Dunes is in trouble. So to penalize somebody over here on the west side that's got 10% of the action in the City because they're behind in a loan, I think is a little unfair.

MAYOR BRIARE: Well, that's a pretty unfair statement to make. You've been involved in Community Development Block Grants, and, Bob, you know better than that, and we know you know better than that. So don't get too full of rhetoric here by doing something like that.

- COUNCILMAN LURIE: You made one statement in the beginning that if it wasn't any more than \$50,000, you didn't want the money, and I'm glad you said that, because maybe we ought to take a look at the whole program and allocate this money to other agencies that appreciate it and we'll, on revolving, take action and get the money back.
- WILLIAM "BOB" BAILEY: Well, Commissioner, let me say this and I'll close.
- COUNCILMAN LURIE: I can't -- you know, Bob, I'm surprised at some of the comments that you're making.
- WILLIAM "BOB" BAILEY: Okay, let me say this.
- COUNCILMAN LURIE: You're yelling, getting loud, and you're getting out of line.
- WILLIAM "BOB" BAILEY: Alright. Okay. Let me say this. Let me apologize if I have gotten a little overly zealous. I'm overly zealous because I'm representing something that is very close to my heart, and I know what it's going to do. We have to go through the every day thing of working with these people. You all don't. So accept my apologizes. If I was out of line, I'm very sorry. The money is not for NEDCO. The money is for the merchants and for the program. So if you take the money back, you're not taking the money from us. You're taking the money from the project.
- COUNCILMAN LURIE: Who is Ernest Fountain, William Bailey and Shelby Gibbons who are all consultants getting \$29 an hour, \$11 an hour . and \$12 an hour? Who is all that? Where'd that money go? How many hours?
- WILLIAM "BOB" BAILEY: If I -- if I, Mr. Lurie, and I would be glad --
- COUNCILMAN LURIE: Because I'll tell you what, Mr. Blue's going to have to give me a complete accounting of all those consultant fees that I don't have.
- WILLIAM "BOB" BAILEY: I would be glad -- I will be glad to sit with you personally and show you everything. You don't even have to go through Mr. Blue.
- COUNCILMAN LURIE: I'm going to go through Mr. Blue.
- WILLIAM "BOB" BAILEY: I'd be glad to sit with you personally at any time you want to. If I got paid for the hours that I put in on this, it would probably run somewhere about 45 to \$50,000 a year. I have a top of whatever I get. The rest of mine is in-kind. So there's no moneys that I'm taking out of there.

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COUNCILMAN LURIE: We have a lot of in-kind. We all have a lot of in-kind that we've put in the community.

WILLIAM "BOB" BAILEY: We'll I'm just saying when you're pointing about the moneys there, Commissioner Lurie --

COUNCILMAN LURIE: We'll I'm talking about the other one -- Number 6 -- the Neighborhood Commercial Revitalization -- the \$126,000 you're asking for for salaries --

WILLIAM "BOB" BAILEY: Right.

COUNCILMAN LURIE: -- and personnel.

WILLIAM "BOB" BAILEY: That's not -- no, that's not salaries and personnel.

COUNCILMAN LURIE: Now, you say just forget about that. Let's forget about that and we'll go to the revolving loan fund.

WILLIAM "BOB" BAILEY: No. Have you seen one of these? (showing him an agenda)

COUNCILMAN LURIE: I've got the whole book.

WILLIAM "BOB" BAILEY: You've got the whole book?

COUNCILMAN LURIE: I've got everything.

WILLIAM "BOB" BAILEY: Or a fact sheet?

COUNCILMAN LURIE: I read the whole book.

MAYOR BRIARE: Mr. Bailey, did you -- how many of the meetings did you appear at, or a representative from your office appear at? At the Committee meetings?

WILLIAM "BOB" BAILEY: I think Mr. Gibbons was representative at one of the meetings.

MAYOR BRIARE: At one meeting?

WILLIAM "BOB" BAILEY: Yes.

MAYOR BRIARE: Then only one?

WILLIAM "BOB" BAILEY: Yes.

COUNCILMAN LEVY: And Mr. Gibbons is no longer with the company?

WILLIAM "BOB" BAILEY: No.

COUNCILMAN LEVY: As of Friday?

WILLIAM "BOB" BAILEY: That's of this coming Friday.

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COUNCILMAN LEVY: Yes.

MAYOR BRIARE: Right. I don't know if the -- Mr. Blue, do you attend all those meetings?

RICHARD BLUE: No, not all of them.

MAYOR BRIARE: Are one of the Committee members here that attend all the meetings?

RICHARD BLUE: Staff is here that attend them.

MAYOR BRIARE: Where is the staff? I just want to ask a staff member if they recall Mr. Bailey or a representative of his appearing at a number of meetings?

IRENE CLARK: No.

MAYOR BRIARE: Just one? Just maybe one meeting?

IRENE CLARK: No, they didn't attend any meetings. They were not requested.

WILLIAM "BOB" BAILEY: We were requested.

MAYOR BRIARE: But you knew the meetings were taking place?

WILLIAM "BOB" BAILEY: Yes, but when you're not requested. I had requested that Mr. Gibbons make one of the meetings. As far as I know, he made it. If he didn't, I'm not aware of it.

MAYOR BRIARE: Okay, I'll tell you what. We've got to continue on with some of these others.

COUNCILMAN NOLEN: Your Honor, I'd like to say for the record that in most cases, they weren't requested to be present at the meetings if the package that they submitted was comprehensive enough and covered the areas where the Committee felt they had sufficient data in front of them to make a determination. That was the reason the Committee didn't request something in most cases.

RICHARD BLUE: Your Honor, are you referring to the public meetings or to the Citizen Advisory Committee Meetings?

MAYOR BRIARE: The Committee meetings. Both -- certainly public meetings. Those are noticed. They don't need special invitations.

RICHARD BLUE: Okay, that's correct. The Citizen Advisory Committee, those are invitational.

MAYOR BRIARE: Pardon me?

RICHARD BLUE: Those are by invitation -- the Citizens Advisory Committee.

COUNCILMAN CHRISTENSEN: Aren't all the meetings public?

RICHARD BLUE: All meetings are public.

MAYOR BRIARE: We'll have to get back to this one, Bob. I think there's obviously a little more work that has to be done on this.

WILLIAM "BOB" BAILEY: I hope sincerely that you gentlemen, if you're going to penalize anybody from my operation, you penalize me personally, and not the project, because like I said, I apologize for myself, but I don't apologize for the basis of my sincerity in this project or what I think it will do for not only the City, but the residents in the area.

MAYOR BRIARE: The next is a request -- now, Mr. Blue, the next one on this indication here is Operation Life Professional Building.

RICHARD BLUE: That's correct. The project was recommended by the Citizens Advisory Committee.

MAYOR BRIARE: But the --

RICHARD BLUE: But there is no dollar --

MAYOR BRIARE: But this page here is supposed to say the following represents possible uses of Tenth Year Community Development Block Grant Funds --

RICHARD BLUE: That's correct.

MAYOR BRIARE: -- and the possible recommendation here is zero.

RICHARD BLUE: That's correct.

MAYOR BRIARE: Is this on the right list?

RICHARD BLUE: It is. The project was recommended, but due to the limited dollars, we were not able to come up with a sufficient amount of dollars to cover the cost of the project.

COUNCILMAN LEVY: I'm not quite sure I understand how that works.

RICHARD BLUE: Well, it works simple this, Councilman --

MAYOR BRIARE: When the Committee recommends zero, that sounds to me like they're recommending --

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COUNCILMAN LEVY: I'm sure the Committee would recommend almost every one of these projects if they had the money.

RICHARD BLUE: That's not --

COUNCILMAN LEVY: Pretty much.

RICHARD BLUE: That's not quite so, Councilman.

MAYOR BRIARE: Well, let me ask if there's anyone present that's here in the interest of the application of Operation Life Professional Building. Yes, Ms. Duncan. The request was \$180,000 and the recommendation was zero.

RUBY DUNCAN: Yes, Mayor, I understand, and I guess I would say thanks to the Commissioners and to the Committee that I'm here, and I would like to answer any questions anyone would have to ask me. I think that if we don't get any help from the City, which we never asked for all of the money -- we always go to other places -- so not getting funded for this particular project, that jeopardizes \$400,000 from the Federal Government and possibly a certain amount of money from the County because we're an ongoing project and because you, the City representatives, put in last year a certain amount of money for us to buy the land, do the architectural services. Also, the environmental study, we have did all that, and all that is done. And for us to say that we don't need the money so we can go forward with the project and the program, I guess, me, myself, and the rest of the workers would be working in the parking lot come this time next year. We are overcrowded, as you know, because of the economy and the way it is. Our Medical Center is growing at a rapid rate of 750 or more per month. Our Housing and Counseling Program is growing nearly 300 people per month, and all these people are different people, not to mention the Women and Infants Nutrition Program that we are seeing pretty close to 4,000 people per month. And so, therefore, I mean that's just a starter. I'm not talking about the Energy Programs or the Grievancy Programs that I have to leave out of my office or get up from my desk and go someplace else or walk around until they are counseled and finished with.

MAYOR BRIARE: Ruby, this request is to add onto the building that was supported by Community Development Block Grants in the past?

RUBY DUNCAN: Yes. Yes, it was.

MAYOR BRIARE: Which reminds me. Now, I'm still getting a question from Mr. Blue. I want everybody to know and the record to reflect the amount of money that was available last year as compared to the amount of money that was available this year.

RICHARD BLUE: The total dollar amount last year including the Community Development Block Grant Program and Jobs Bill was \$3,200,000.

MAYOR BRIARE: How much is available this year?

RICHARD BLUE: \$2,189,000.

MAYOR BRIARE: So we're approximately \$1,100,000 short of what we were able to do last year?

RICHARD BLUE: That's correct.

MAYOR BRIARE: This, of course, is something that we have absolutely no control over whatsoever, do we? This is not pick the numbers out of a hat situation. We know how much money is available for all Community Development projects in total, which once again is Two Million One Hundred Thousand --

RICHARD BLUE: One Hundred and Eighty-Nine Thousand.

MAYOR BRIARE: Anything else, Ruby?

RUBY DUNCAN: Okay. Naturally, we are going to other agencies asking for money for the building, and I don't know if you want me to continue or to wait to talk about the Home Counseling Program. I can wait, but if you want to get rid of me all at once?

MAYOR BRIARE: Are any of these -- these programs all sound familiar, Ruby. There are no new programs involved in this, simply a new building to take care of the --

RUBY DUNCAN: Yes.

MAYOR BRIARE: -- overflow work that you have generated over the past year?

COUNCILMAN LEVY: Ruby?

RUBY DUNCAN: We are -- yes, Commissioner.

COUNCILMAN LEVY: Ms. Duncan, can I ask you a question?

RUBY DUNCAN: Yes.

COUNCILMAN LEVY: Do you get any support from the Health Department -- Clark County Health Department?

RUBY DUNCAN: Yes, we do. We get medical support from them.

COUNCILMAN LEVY: What about from the hospital -- Southern Nevada Memorial?

RUBY DUNCAN: As a matter of fact, we support the Southern Memorial Hospital with a certain amount of dollars to --

COUNCILMAN LEVY: No, the other way around?

RUBY DUNCAN: Well, no, we don't. The only support we get from them is medical service. So we put money into the hospital to take care of those as well.

MAYOR BRIARE: Any other questions?

COUNCILMAN LEVY: Does the County help you?

RUBY DUNCAN: Pardon me?

COUNCILMAN LEVY: Does the County give you any?

RUBY DUNCAN: Our proposal is up before the County at this moment and --

MAYOR BRIARE: How about last year?

RUBY DUNCAN: Yes. I mean, if we get zero from you, we get nothing there and we get nothing from the Federal Government.

MAYOR BRIARE: How much did you get from them last year?

RUBY DUNCAN: The County? This is the first time that they are looking at our proposal seriously.

MAYOR BRIARE: They didn't even look at it last year?

RUBY DUNCAN: We didn't put in one last year.

MAYOR BRIARE: So any local funds were solely from the City.

COUNCILMAN LEVY: The reason I asked that is not --

RUBY DUNCAN: The local -- yes, because it wasn't -- well, we didn't put into the County for this building last year.

MAYOR BRIARE: So the fact that maybe they didn't contribute last year, maybe this year, it's their turn.

RUBY DUNCAN: Well, they said --

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MAYOR BRIARE: So don't say if we say no, that they're going to say no.

RUBY DUNCAN: No, no, no. Let me tell you what the County said. The County said it's your problem because we set in the City, and I have to convince those people that we help County people as well. I mean, we reach people all the way up to Moapa Valley.

COUNCILMAN LEVY: Excuse me. Aren't they -- isn't the City in the County?

RUBY DUNCAN: That's what I explained.

COUNCILMAN LEVY: But let me ask. It seems to me that you're saving them a considerable amount of money because of the fact that if they didn't have this facility, they'd probably go to Southern Nevada Memorial and the Health Department.

RUBY DUNCAN: Yes. But to be with you, we need both you and the County to match the Federal Government. And the Federal Government says if we give you dollars, we expect for your local entity to help you first, or you don't get those dollars from the Federal Government.

COUNCILMAN LURIE: Ruby, it says you have a local match of \$165,000?

COUNCILMAN LEVY: That's the County.

COUNCILMAN LURIE: Is that the County money?

RUBY DUNCAN: That's what we asked the County for.

COUNCILMAN LURIE: Well, the Federal Government, you didn't ask anything?

RUBY DUNCAN: Yes, we asked \$400,000 from the Federal Government.

COUNCILMAN LURIE: It's not on the application.

RUBY DUNCAN: No, we only had a chance to apply to the Federal Government this past March because their proposal -- well, say, asking for money, it was time to ask them in March, and we had already submitted our proposal to you.

COUNCILMAN LURIE: What about North Las Vegas?

RUBY DUNCAN: No, we have not asked North Las Vegas for any money at all. As a matter of fact, they said they didn't have monies to give to communities.

MAYOR BRIARE: Did you accept that answer?

RUBY DUNCAN: Pardon me?

MAYOR BRIARE: Did you accept that answer?

RUBY DUNCAN: Well, you know, since they hadn't been giving any anytime before, I did accept that answer, but I won't accept it next year.

COUNCILMAN LURIE: They have Block Grant money.

RUBY DUNCAN: I know.

COUNCILMAN LURIE: They're getting ready to allocate it.

RUBY DUNCAN: Well, it doesn't stop me from asking them. But it still brings us back to you, as the City Commissioners, about the moneys that we ask to continue to --

COUNCILMAN LURIE: Are most of your operations you have over there self supporting now, like you said they were going to be?

RUBY DUNCAN: I would say that the Medical Department is quite sufficient on its own because it has given a certain amount of money to Southern Memorial Hospital. I would say that the Home Counseling Program is a brand new program which we just started last year, and if you give us a little bit more time, we intend to get out of your hair because we're going on to bigger development.

MAYOR BRIARE: Thank you, Ruby.

RUBY DUNCAN: So would you like me to stick around for the Home Counseling, you're going to bring me up again, or what?

MAYOR BRIARE: Well, I think if you'd like to, you're certainly welcome.

RUBY DUNCAN: Oh, okay.

MAYOR BRIARE: It might be well to indicate too -- I think everybody -- Mr. Blue, everybody that wanted a copy of one of these agenda forms had the opportunity of getting one. Did you have sufficient numbers so that everyone could have one?

RICHARD BLUE: (Indicates affirmatively.)

MAYOR BRIARE: Something that would be very helpful, folks, and I don't direct this towards Ms. Duncan because we're very well acquainted with Ruby and she does a pretty good job. I'd like you to recommend, because you only know that you all can do arithmetic -- there's only a certain amount of money that can be funded for this entire program. There are some that we haven't even gotten to yet who are being recommended for absolutely zero.

MAYOR BRIARE:

Maybe you might be helpful to us, because you're all members of the same community that we are, is that if you think that there's money that has been allocated poorly and that your particular project would do better, I'd like you to tell us which one you think the money should come from in order to support yours. And that's a perfectly legitimate manner in looking at this because somebody has to do it, and if you're here to suggest that the money that has been recommended by the Committee is insufficient, then please help us by telling us what fund you think we should take it from in order to fund yours. As an example, Ruby, since you just sat down, I was going to ask you where in these papers that you all have in your hands, which one should we take. Now, Mr. Bailey indicated that if \$50,000 is all we have to allocate, it would be better to give it back or to some other applicant. I would -- if I were the next one up, Ruby -- I didn't invite you up here. If I were the next one up, Ruby, you ought to have said, "Well, I'll take the \$50,000." Come on, Ruby, get back up here now. Now, you've got to help us by saying which one of these do you think we should delete or reduce in order to take care of the other.

RUBY DUNCAN:

Now, Mayor, I honestly will tell you the way I feel. I think each and every project that submitted its proposal should be funded. I would not stand here to except anyone's dollars at all. So I would leave that for you to decide.

MAYOR BRIARE:

In other words, you want us to decide that all by ourselves?

RUBY DUNCAN:

You decide that as the Mayor and the Commissioners. (The audience applauds.)

MAYOR BRIARE:

You can't blame us for trying. The next is the Senior Day Care Facility. The recommendation of the Committee was for \$40,000 on a request of \$90,000. Is there a representative present, or I should say, is there anyone present that wishes to speak on this, preferably, the applicant who's recorded on our books here as being the responsible party? (No response.) The next then under the heading of Housing, we have the Housing Assistance Program, which requested \$427,000 and the recommendation is for \$442,000. Now, Richard, I hope this is not a typographical error. Ruby, you'd better get up here. We've got \$20,000.

COUNCILMAN LEVY:

No, no, Ruby. Sit down, Ruby. (Laughter.)

MAYOR BRIARE: Now, Richard, you're going to have to get me out of this one. They asked for 427 and the recommendation is for 442. Is this yours, Ruby?

RUBY DUNCAN: No. Oh, no. I asked you for a little lousy amount of \$59,000.

COUNCILMAN LEVY: There you go. He put his el food in el mouth this time, Ruby. (Laughing.)

RICHARD BLUE: Mayor, Mr. Williams will address that.

KEN WILLIAMS: Yes, sir.

MAYOR BRIARE: Mr. Williams, you talk to Ruby.

KEN WILLIAMS: I'll talk to Ruby then. The Four Hundred, and let's see, Forty-Two Thousand 0-7-3 -- the increase is due to the fact that this program is a Division of the Department of Funds Coordination. It's the arm that's responsible for the housing component that's part of the overall responsibilities that the City has to housing under the Block Grant Program. The increase came from -- as you can see, we try to break this out in major categories: housing, economic development, social, etc. and working with the Advisory Board, we try to pencil it down to zero in each one of these categories. The increase of a Twenty something Thousand Dollars came from the many times we went over and over with optional places where program monies is necessary. As Council may be aware, the Block Grant Program has just finished undergoing an audit by the Department of Housing and Urban Development. We were found to be deficient in our efforts to do more in the area of housing. The increased money does not go into staff; it's going into the loan program -- the Housing Loan Programs that are sponsored and operated by the Department.

MAYOR BRIARE: This is for residential --

KEN WILLIAMS: Residential.

MAYOR BRIARE: -- where the activity that Mr. Bailey's involved is a commercial.

KEN WILLIAMS: Commercial. We have residential. At the same time this year, we're being pushed more and more into the area of multi-family housing.

COUNCILMAN LEVY: Do we get any of this money back, sir?

KEN WILLIAMS: This money, yes, sir. It's basically set on the same type of principle as all the revolving loan funds.

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COUNCILMAN LEVY: Have we ever done any of this before?

KEN WILLIAMS: This has been a part of our program since we've had the Block Grant Program.

COUNCILMAN LEVY: We have been doing this? How much have we got -- have we got it all back, and has that been running on a --

KEN WILLIAMS: I couldn't tell you at this -- I could tell you --

COUNCILMAN LEVY: Well, somebody had better tell me before I'm voting.

KEN WILLIAMS: I couldn't tell you right now, sir, exactly how much we have that's revolved back. Again, it's basically -- it would be I imagine a lot more than the commercial because again, it's been longer, but we've put less money each year. In 1980, was I think the last time the actual Block Grant dollars went into this Housing Program, and since '80, we've been running on those dollars until this current year, which now we're coming back to request monies to re-capitalize.

COUNCILMAN LEVY: I want to see a breakdown of funds -- of the past funds.

MAYOR BRIARE: Did you want to make a comment on this, Ruby?

RUBY DUNCAN: Yes, I would like to comment on that because the program sounds a lot like ours. We build multi-family -- seven multi-family homes, and we are in the housing business, so why should we be in and the City? I think that we could service the City. You have one program. This is too much like Operation Life's Program for --

MAYOR BRIARE: Well, we'd better get that resolved in the next couple of weeks, hadn't we?

RUBY DUNCAN: I hope so. Yes, I hope so, because --

MAYOR BRIARE: Because one or the other perhaps should go.

RUBY DUNCAN: That's right.

COUNCILMAN LURIE: We don't need duplications.

RUBY DUNCAN: No, no, because this is too much like ours.

KEN WILLIAMS: If I may say just one thing as far as the Housing Program.

COUNCILMAN LEVY: We've been doing this since when?

KEN WILLIAMS: I've been with the program since '76, and I've known us to have a housing program since 1976.

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COUNCILMAN LEVY: This is the tenth year. How long have you been going, Ruby?

RUBY DUNCAN: Ever since 1972.

COUNCILMAN LEVY: Twelve years.

MAYOR BRIARE: Mr. Blue, we want a little report on this before the next meeting. Thank you, Mr. Williams.

The next is a request by Aid for the Homeless. The request was for \$250,000 and the Committee requests that request be granted in full.

The Westside Community Development Commission for Minor Home Repairs Services - the request was for close to \$78,000 and the Committee recommended \$38,000. Is there a representative of Minor Home Repairs Services? Did you want to make a comment, sir?

H. P. FITZGERALD: Mr. Mayor and Councilmen, it's not near enough money to do what we want to do; however, we will do the best we can with what we have. We provide services for the handicapped, senior citizens and the poor. We also train people from the courts, CETA and AARP. We need at least \$50,000 to do the job we want to do for the new year.

CAROL ANN HAWLEY: Your name?

H. P. FITZGERALD: H. P. Fitzgerald.

MAYOR BRIARE: The request of --

COUNCILMAN LEVY: Let me ask a question of him.

MAYOR BRIARE: Go ahead.

COUNCILMAN LEVY: Would you rather have nothing than what the Committee's suggesting, sir?

H. P. FITZGERALD: I beg your pardon?

COUNCILMAN LEVY: The Committee is suggesting --

H. P. FITZGERALD: Thirty-Eight Thousand.

COUNCILMAN LEVY: Thirty-Eight Thousand Four Twenty-Nine. Would you rather have zero? You wanted Seventy-Seven.

MAYOR BRIARE: No, he'll take Thirty-Eight.

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COUNCILMAN LEVY: He'll take the Thirty-Eight?

MAYOR BRIARE: He'll take the Thirty-Eight. Sure.

H. P. FITZGERALD: Right.

COUNCILMAN LEVY: Thank you.

MAYOR BRIARE: I could have answered that one for you.

COUNCILMAN LEVY: Well, I just wanted to make sure, you know. You asked Ruby -- no, Bob, and he didn't want it. I just wanted to make sure we're on the track here.

MAYOR BRIARE: Comprehensive Housing Services requests are \$111,000 and the recommendation is for \$50,000. Is there a representative of the Comprehensive Housing Services?

ERMA O'NEAL: I'd just like to thank you, you know, for what you did do. It might be not enough, but it's a --

MAYOR BRIARE: How long have you been in operation, Erma? You've been in operation for about since 1972 or '73?

ERMA O'NEAL: 1971.

MAYOR BRIARE: 1971?

ERMA O'NEAL: Right. And this community is growing; housing is growing, and the lack of housing is growing, and I don't see a program on here that I think that's going to do some good as well as what we're trying to do is going to open up the community, and I'd like to just say that it might not be enough, but I think even in the years that we have -- we have worked for less than we have, and I think we have served and did a lot in the community and we hope to continue to do. So thanks.

MAYOR BRIARE: If you were to put on a chart the amounts of moneys that have been available for all of these projects over the last 10, 11 years, they would probably be just like so many charts that have to do anything with the Federal Government -- the charts were all -- gradually keep going up, keep going up and keep going up, and now, they're on the way down.

ERMA O'NEAL: Yes, the problem gets bigger and the money gets smaller, and so that's the situation. We've got to learn to deal with it.

MAYOR BRIARE: Thanks, Erma.

COUNCILMAN LEVY: Thank you, Erma.

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MAYOR BRIARE:

The next is the Senior Companion Program. The request was for \$86,000 and the recommendation was for the same amount as requested. So I presume, although there are representatives here from the Senior Companion Program, I'm confident they feel relieved at that recommendation. Yes. Do you want to indicate that I'm perfectly right in my statement?

UNIDENTIFIED FROM
AUDIENCE:

Right on.

MAYOR BRIARE:

I'm perfectly right in my statement. The next is Social and Economic Reinforcement. This is to assist low to moderate income American Indians in providing culturally responsive counseling and job development service. The request was for \$55,000; the recommendation by the Committee was for \$26,000. Any comments on this one? (No response.)

Then the next one, we'll go on to the Boys and Girls Club of Clark County. This is an outreach program to provide after school and summer activities. The request was for \$49,000; the recommendation was for \$49,000. Comments? (No response.)

The next is NALA Child Care Facility, which we're all very familiar with. Seventy-Four Thousand requested; the recommendation is for \$78,000. It's probably safe to say that there's no arguments on that. Right?

The last one on those that have been recommended by the Committee is the Westside Senior Center. Their request was for \$20,000 and the recommendation is for close to \$15,000. Comments? (No response.)

Now, it gets difficult. All of the following have requests before us, and again, I'm referring to this book that we have documented all the requests and the reports that have been made on these. All of the following on the agendas, and I shall not read them -- if someone doesn't have the list, please come forward and get one so that we can try to get through with these items here and give people the opportunity that wishes. You all know who you are, and I guess I'll just go through them real quickly.

We have a request from the Credit Union -- Sarah Allen Community Development Credit Union. A representative? (No response.)

AVERSI BEALS:

We'll come to the next meeting.

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MAYOR BRIARE:

Okay. Now, hold on a second. At the next meeting, I'm going to indicate that if you were at the previous meeting and you didn't take advantage. While you're here, now's the time.

Craftsman's Hotline Employment Agency. A representative?

Come on. Now, are you going to make a comment about Sarah Allen, or are you going to make a comment about the Craftsman Hotline Employment Agency?

AVERSI BEALS:

Sarah Allen. I'm the Teller-Clerk there, and the Manager didn't come. So I'm just wanted to -- Aversi Beals -- and I was going to look over it and recommend something, you know, because if I don't, I'll be out of a job, and with my education, I couldn't get a job. Nobody else would help me. I hope that you will reconsider and give us something. Okay? Thanks.

MAYOR BRIARE:

Craftsman's Hotline Employment Agency? Is there a representative? (No response.)

Revolving Loan Fund? This is to afford small businesses, developers and other qualified borrowers with various outlets. Mr. Bailey, is this your --

MACK THERON JONES:

No, we'll take his \$50,000.

MAYOR BRIARE:

You requested \$300,000, and the Committee ran out of money.

MACK THERON JONES:

On the Revolving Loan Fund, I just have a couple of questions. One would be --

MAYOR BRIARE:

First of all, give us your name.

MACK THERON JONES:

My name is Mack Theron Jones. I'm the President of the Southern Nevada Certified Development Company. And I wrote the application for the \$300,000 revolving fund. I would like to just ask a couple of questions. Would we have time to put in written format some written grievance of complaints before your next meeting and will you take those under consideration?

MAYOR BRIARE:

Grievances and complaints? Is this a new program?

MACK THERON JONES:

Well, let me explain why. I would like to go back to the first year, the approved programs, and I see that the State of Nevada has put in for a similar type of package that we have put in for, and my question is, after making my budget of \$300,000 to loan money out, I can't see how the State of Nevada would first of all be involved in getting money from the City Community

MACK THERON JONES: Development Block Grant Funds to support in competition from the City of Las Vegas community agencies such as mine. I'd would like to know the legality behind this -- that contention, and I would like to ask how in the world can they put mere of a Hundred Thousand Dollars in a revolving form when it takes salaries for a Loan Committee. You have to have people to service, package and process the loan packages and so on. So I would like to know how is this being done with one person or two that's supposed to be doing this.

MAYOR BRIARE: Did you have an opportunity to appear -- it's Mr. Jones, is it?

MACK THERON JONES: Yes.

MAYOR BRIARE: Did you have an opportunity to appear before the recommending committee?

MACK THERON JONES: Yes, we did.

MAYOR BRIARE: And did you bring these up at that time?

MACK THERON JONES: Yes, we did.

MAYOR BRIARE: What was their response?

MACK THERON JONES: There was no response. In fact, we have yet to get a response on why the State is down competing with us and the community when we can do the same thing.

MAYOR BRIARE: Is this a program that you've had in existence for some years?

MACK THERON JONES: Southern Nevada Certified Development Company is just now starting under the Small Business Administration. For the first time last year, the City of Las Vegas gave us \$127,000 for operation funds until certification is realized.

COUNCILMAN LEVY: No revolving funds last year? You didn't give out a loan?

MACK THERON JONES: No, no. Just operation funds, because --

COUNCILMAN LEVY: I know how the State's probably doing it. They're not paying for a Loan Committee and paying for this and paying for that. Maybe they're getting volunteer work out of it.

MACK THERON JONES: Well, I'm asking where's the legality for the State or the City or the County to compete with --

COUNCILMAN LEVY: That's not our problem.

MACK THERON JONES: Well, that's why I'm asking. I don't know. It just seems that that's not right. Why would they want to do that in the first place.

TOM GUTHRIE: If I could address something that Councilman Levy also --

COUNCILMAN LEVY: What's your name, sir?

TOM GUTHRIE: My name's Tom Guthrie. I'm the Executive Director of the Southern Nevada Certified Development Company.

COUNCILMAN LEVY: And what is this gentleman?

TOM GUTHRIE: He's the President of the company.

COUNCILMAN LEVY: Oh, he's the President.

TOM GUTHRIE: The President of the Board of Directors of the Company.

COUNCILMAN LEVY: Is this a private company?

TOM GUTHRIE: It's a private non-profit organization.

COUNCILMAN LEVY: Non-profit?

TOM GUTHRIE: Yes, sir. This CDC Program, the SBA 503 Program, happens to be one of the most successful national programs throughout the country. Last year, they afforded small businesses over a Billion Dollars worth of financing and it also happens to be one of the most successful jobs program, because for every dollar that the CDC puts in, we must target those in terms of jobs -- \$15,000 worth of loans for every job that we put out there. So it makes it not only the most successful business program for small businessmen nationally, the 503 Program, but it also makes it the most successful jobs program. And when we put this program together over the past year, SBA has given us the direction, and for the very first time in this community, we have the lending institutions participating on a full-fledge basis in SBA Programs, and there is no other organization in the community that has had that to this date. And on our board of directors, we have a number of different lending institutions represented, ready and willing to participate in these programs, and we come forth and they were quite astonished that with our expertise, our staff which we have, professional business development specialists that are sensitive to the problems facing the business community and our board of directors with many years of lending experience wanting to get involved and participate in these programs,

TOM GUTHRIE: only to find out that on both cases not only our application for administrative costs, which I might add, by the way, that we came in with a surplus in terms of using good management, to turn money back to the City. The lenders couldn't understand that either, because we said, "Well, why don't we just use what we have, and we won't go in and ask for anything more," and I said, "Well, I don't think that the City would let us do that." So we returned funds to the City utilizing good management skills and then came in and asked for half of the amount that the City had given us last year, because we felt we were doing business in the County; the County should come forth with some money, and we put an application in for the County also. So it's just a matter of --

COUNCILMAN LEVY: Well, could I ask a question? Who asked you to form?

TOM GUTHRIE: Excuse me?

COUNCILMAN LEVY: Who asked you to form your company -- this company?

TOM GUTHRIE: Well, no one really asked.

COUNCILMAN LEVY: I mean, then why are we being held responsible.

TOM GUTHRIE: No, I think --

COUNCILMAN LEVY: We've been accused earlier -- we've been accused earlier of not supporting the groups that we've funded in the past, and, you know, I just don't understand. It sounds like they're all getting to run together and they're getting awful familiar. In other words, I think one is duplication of the other.

TOM GUTHRIE: I disagree.

COUNCILMAN LEVY: Well --

TOM GUTHRIE: Okay, if I could address the point of issue though --

COUNCILMAN NOLEN: I'd like to ask a question also.

TOM GUTHRIE: -- in terms of the formation of it. The fact that there is not a CDC Program operating effectively in Southern Nevada is a disservice to the 1,800 small businesses that we do, or the half of that for the southern part of the State, because the program is so successful on a national basis. And out of the billion dollars worth of financing I might add, Councilman Levy, because of the success of the program, they had less than a 2% fail rate on a billion dollars worth of financing for small business. So we're

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TOM GUTHRIE: talking about small flagellating businesses. We're talking about growth businesses that represent 50% of our --

COUNCILMAN LEVY: I sat on the SBA Council for a few years.

TOM GUTHRIE: So you know exactly what I'm talking about.

COUNCILMAN LEVY: Absolutely. I know exactly what you're talking about.

TOM GUTHRIE: This program is a very -- okay.

COUNCILMAN NOLEN: May I ask how many 503 Loans have you made?

TOM GUTHRIE: We're not certified yet. We have not received our certification from the Small Business Administration, and that certification is imminent and pending with the reorganization of the board of directors that we have reflecting the lending institutions and community organizations involved in our organization.

MAYOR BRIARE: What was the money used for from last year's allocation?

MACK THERON JONES: We only used a portion of the money to staff our three people in the office. We went with a skelton staff. That's why there's so much money we're turning back this year.

MAYOR BRIARE: What has that staff been doing since last year when the grant was made?

MACK THERON JONES: We have in our office now on record -- we have committed loan packages waiting for certification of over a billion dollars, whereby 4,000 jobs would be allocated to dislocated workers in the special impact areas in several of the counties, including Clark County.

MAYOR BRIARE: How many jobs in Clark County?

MACK THERON JONES: These packages can be processed as soon as certification reaches us in two weeks.

TOM GUTHRIE: We have not been sitting idly by waiting for certification. We have gone out there and educated the lenders to the benefit of the program, to the success of the program nationally, to getting them involved in this type of financing program, which they've been reluctant to in the past. We also, as Mr. Jones has indicated -- we also identified a number of small businesses that would be utilizing the 503 Program once we receive our certification.

MAYOR BRIARE: Did you attend any meetings, Mr. Guthrie, or, Mr. Jones?

MACK THERON JONES: Yes, sir, we did.

MAYOR BRIARE: I'm sorry. I've already asked you that and you've already responded.

COUNCILMAN LEVY: Can I ask one more question, Your Honor? I see in this form, unless I'm missing something, Mr. Blue, there's no salaries; there's no monies?

MACK THERON JONES: This is for the revolving loan. We have two packages. If you look at the other package, it's for salaries of \$65,000.

COUNCILMAN LEVY: What is the next one under?

MACK THERON JONES: The revolving loan fund. We just wanted \$300,000 to use as the revolving loan fund and have this --

COUNCILMAN LEVY: Two Hundred Thousand, and then you're going to turn around and have Sixty-Five to take care of all the personnel?

TOM GUTHRIE: For the CDC and the Revolving Loan Fund.

MACK THERON JONES: Well, unlike the other applicants, we don't look at the revolving loan fund as money being granted to us. We look at the revolving loan fund, it will eventually come back to the City and be used in the interim time to help businesses create and stimulate the market.

COUNCILMAN LEVY: Mr. Blue, they indicated they gave you half the money back. What did we do with it?

MACK THERON JONES: As of 30 June we will.

RICHARD BLUE: We have not gotten the money back, no.

COUNCILMAN LEVY: But we haven't received the money.

MACK THERON JONES: As of the end of the grant year, we have in excess of \$60,000 to return back to the City because you can't extend that over. We saved this money by not bringing the full staff because we didn't need a full staff until --

COUNCILMAN LEVY: But you didn't operate. You didn't give out loans.

TOM GUTHRIE: That's right.

MACK THERON JONES: Right.

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COUNCILMAN LEVY: That makes sense.

MACK THERON JONES: But the grant contract told us to staff five people, but we didn't do that. We just went with a skelton crew to save the money to return to the City. And as Mr. Guthrie has mentioned to you that after realizing at this point that we were serving both the County and the City, we went this time with half of the money from the County and asked them for match funds from the City. And I just want to reiterate, that we would like the questions, you know, to be asked why would the City or the State be in competition with Community Services?

MAYOR BRIARE: Well, they're not really in competition until you get certified.

MACK THERON JONES: Right.

MAYOR BRIARE: Maybe the State wants to know why you were spinning your wheels when they're trying to do the same thing. I don't think either question can be answered by this Council.

MACK THERON JONES: Alright, sir. Thanks.

COUNCILMAN LEVY: Who's the Randall Corporation?

TOM GUTHRIE: Randall Corporation is a developer which owns Washington Park and he also has a couple of other projects here, not only in the City of Las Vegas -- a gentleman by the name of Bill Curan, William Curan. He not only has Washington Park in the City, but he also has a little mini industrial project going on in the County.

MAYOR BRIARE: Did you wish to add anything with respect to the Southern Nevada CDC?

MACK THERON JONES: I would like to ask again, if we submit written documentations with the body that are going to consider this in the interim prior to your meeting on May the 16th -- I think it's May the 16th that you'll be meeting again.

MAYOR BRIARE: Right. Do that between now and then, would you?

MACK THERON JONES: What we want to do is research the legality of all of this and then make a response to the body if we could.

MAYOR BRIARE: Do it to us through Mr. Blue.

MACK THERON JONES: Right. Thank you very much.

TOM GUTHRIE: Thank you.

- RICHARD BLUE: Mayor, if I can offer some clarification. As you will recall, a year ago, the City received a grant from the State Office of Community Services Administration to hire an economic development professional in the name of Rose McKinney to process 503 loans on behalf of the Nevada State Development Corporation, which is a certified 503 Program statewide. The loan committees and the processing staff are already in place and their request is in conjunction with that particular program, and we just received a new grant which was approved by this Board last month.
- MAYOR BRIARE: I don't think it's necessary now, Mr. Jones. You're going to go ahead and submit your --
- MACK THERON JONES: I would like to ask, isn't this company he's talking about a truly commercialized company in the community, and why are we using CDBG money to support commercial companies? Aren't they in competition in the market as well as any other finance company out there?
- COUNCILMAN LEVY: Ask Mr. Blue.
- MACK THERON JONES: Those are the type of questions, Mayor, that I would like to be addressed when I respond to this committee through written format.
- MAYOR BRIARE: Well, if you have got any legal problems, you're going to have to bring it up with our City Attorney, Mr. Jones.
- MACK THERON JONES: Right. Thank you.
- MAYOR BRIARE: Which, of course, you may do between now and the next meeting. As well, if you think there is something illegal going on, we want to know about it and the City Attorney wants to know about it
- MACK THERON JONES: Thank you.
- MAYOR BRIARE: The next is Personal Development Program's request for \$50,000. Is there a spokesman present? Is there a spokesman present?
- RICHARD BLUE: No.
- MAYOR BRIARE: Next is Housing Loan Counseling Program.
- RUBY DUNCAN: To you, Mr. Mayor and Commissioners, I would like for you to know that Operation Life is a CDC, which is known as a community development cooperation economically throughout this community and has been ever since we were incorporated.

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- MAYOR BRIARE: Thanks, Ruby. Did you want to comment about the housing?
- RUBY DUNCAN: Well, I thought maybe you want to ask me some more questions about the housing -- the counseling money which we were certified by the Federal Government last year, which will only be a year old this coming July.
- MAYOR BRIARE: How much did you receive last year on this program?
- RUBY DUNCAN: We received \$36,000, I'm thinking, from the City, and we receive a certain amount of money from the Federal Government to do home loan counseling.
- COUNCILMAN LEVY: Ruby, could I ask you -- just to change the subject a second.
- RUBY DUNCAN: Yes.
- COUNCILMAN LEVY: When is the County going to make their decision on their Block Grants?
- RUBY DUNCAN: Well, if you do it on the 16th, I think they do it on the 16th. Is it the 13th?
- RICHARD BLUE: Fifteenth.
- RUBY DUNCAN: Fifteenth, okay. They do theirs on the 15th.
- COUNCILMAN LEVY: It was just bothering me. That's all.
- RUBY DUNCAN: Okay.
- MAYOR BRIARE: If there's no questions, then, Ruby --
- RUBY DUNCAN: No questions? Okay. Thank you.
- MAYOR BRIARE: Nevada Treatment Center?
- CHARLES GOETZ: Mister Mayor and Councilmen, there were times I still wish I was in the Air Force and as a Staff Chaplain, I would get most of my --
- MAYOR BRIARE: There are times when we wish we had your name down for the --
- CHARLES GOETZ: Charles Goetz, G-O-E-T-Z. I'm Executive Director of Nevada Treatment Center. As I said, I would assemble my Catholic Chaplains and have them make a movenus to Saint Jude for hopeless causes. We have been in the business of alcohol and drug rehabilitation treatment since 1972 when the parent organization, Southern Nevada Drug Abuse Council, was formed. Many of you, I believe, were on the Board of Directors at that time.

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CHARLES GOETZ:

It went through a number of changes and evolved as Nevada Treatment Center. I could give you a great deal of statistics. The papers these days are flooded with the fact that principally alcoholism and also drugs is the number one health problem in the nation today. Behind cardiac disease, behind cancer, it's the number three killer. We have the dubious honor in Las Vegas and the State of Nevada of leading the nation in the matter of alcohol consumption per capita, vehicular deaths alcohol connected, and deaths due to alcohol. Prior to 1982 when we received the proposal and the grant from the State to begin a detoxification center, all detoxifications, public were done at Southern Nevada Memorial Hospital. Other than that, you either went to one of the commercial organizations and paid between Four and Twelve Thousand Dollars for your detoxification or you did nothing. When we opened our detoxification unit in the first of September, 1982, George Reece, who was then the Administrator of the Hospital said that it would save Southern Nevada between Two to Three Million Dollars a year. Since 1982, September, we have placed through our unit almost 6,000 people. Few of those are repeaters. Also, we provide through protective custody an inebriate reception center for those who before 1982 were on the streets annoying our tourists, creating an eyesore. We, in turn, provide some cosmetic service for the community in this to the business community, but also interestingly, the national average for those who are treated for that type of organization or that type of program usually has about a 23% return or a 23% recovery rate. Of all the people who go through our inebriate reception center, almost 50% go into the full detoxification program. What we would like to do is establish permanency for this unit, which is not Nevada Treatment Center's unit, but actually a unit for the community for the County. Up to this point, we have never received any money from the City of Las Vegas or the County for treatments in this area, and we feel that this is probably the most important organization that is operating in the community right today. I know it's difficult for me to compete with so many of the other organizations that are here. They have a far more popular cause. I can't hold up to you a child or a poster child. I can't say, "Support the Boy Scouts, the Girl Scouts." I hold up to you a drunk and a dope addict, both of which by and large would seem to be a self-inflicted wound, and the common thought is that if you did it to yourself, you can help yourself. That, of course, is not possible. I think we have to start realizing our societal responsibility. The type of society that we create, creates the type of people in it, and we have a great deal of people who are afflicted with the disease of alcoholism and drug addiction. Induced,

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- CHARLES GOETZ: yes, somewhat by themselves, but also by the pressures and the type of society that we have. I ask you to seriously consider and reconsider our request so that we can begin to have a permanent location. We would like to purchase the unit that we are renting right now. We were fortunate enough when we went out for a building that the people who own our property built a building to our specifications. We lease now. We lease at a very low rate compared to the other commercial areas, rentals in our area. We would like to give it permanency. We would like to save money. As you well know, it's always better to buy than to rent, and we feel that this is an institution that should be permanent within the community and given some consideration and some help.
- MAYOR BRIARE: Mr. Goetz, we have such a variety of requests that come over a period of years and sometimes those years go by so fast you can't remember whether it was last year or the year before, but in any event, the treatment facility that you're talking about is also furnished by other entities.
- CHARLES GOETZ: You mean the funds?
- MAYOR BRIARE: No, no, the care. There are other alcoholic treatment facilities in Southern Nevada communities. Is this your first time to request Community Development Block Grant money?
- CHARLES GOETZ: Yes.
- MAYOR BRIARE: As soon as you say the word "permanent," that just scares the dickens out of me, because if there was anything so unpermanent, it's Community Development Block Grant monies.
- CHARLES GOETZ: Well, we do not expect the City or the County to --
- MAYOR BRIARE: Excuse me. You heard a comment a little earlier, because I know you've been here, Mr. Goetz, since the meeting began. You heard a comment a little earlier that four years ago a grant was made somehow or another on the presumption that that was going to continue to be made over a period of a number of years. There is nothing so unpermanent as Community Development Block Grant money.
- CHARLES GOETZ: We do not expect the City or the County or anybody else to continually to expect that we should feed at the public trough. One of the things that we are concerned about is that -- and this may sound strange since I'm asking you for money -- but we do need a helping hand to get started. We have not asked anything up to this point. For instance, I get \$380,000 from the State to

CHARLES GOETZ: run the detoxification center. It costs me \$472,000 to run it. The rest of that money must be raised in the community. We have done that up to this point. We continue to do it. We will continue to do it. However, we do need some help to get started to get a building to give the program permanency, not necessarily our request to the community.

MAYOR BRIARE: Well, as your request indicates --

COUNCILMAN LEVY: Did you tell us how much you requested from the County?

CHARLES GOETZ: We requested this year -- we requested \$52,000 for medication and food.

COUNCILMAN LEVY: Why are you asking Two Hundred from us and Fifty-Two from them?

CHARLES GOETZ: Frankly because when we considered at the time -- when I inquired about this, the man I talked to told me about the -- I assumed that this was the one we should go for for property and the County for medication and food.

COUNCILMAN LEVY: I mean, in other words, in my mind the hospital and everything related to that in health care is a County problem and should be basically related to the County. That's why I'm wondering --

CHARLES GOETZ: Well, one of the reasons, we are located within the City limits of Las Vegas.

COUNCILMAN LEVY: It's central.

CHARLES GOETZ: Yes.

COUNCILMAN LEVY: But you certainly handle all the County, the North Las Vegas, Henderson.

CHARLES GOETZ: Everybody.

COUNCILMAN LEVY: You'd handle tourists, I would hope.

CHARLES GOETZ: Oh, yes.

COUNCILMAN CHRISTENSEN: Well, besides that, being in the City doesn't take him out of the County, because the City is in the County.

CHARLES GOETZ: Yes.

COUNCILMAN LURIE: But this \$200,000 that you're asking for is as a down payment?

CHARLES GOETZ: That's to be used as a down payment to --

COUNCILMAN LURIE: Where's the money coming from to pay your rent now?
You pay \$10,000 a month rent now.

CHARLES GOETZ: That comes from the --

COUNCILMAN LURIE: And you say that's a moderately amount of rent that you pay. It seems awful high to me.

CHARLES GOETZ: We started out 65¢ a square foot, and we're now paying 67¢ a square foot. There's about a 6% increase each year, and in our area, the cheapest we could find was \$1.05 a square foot -- a building that we would have to renovate and spend another Fifty, Sixty Thousand Dollars to bring up to our function. In the past we've always been in buildings we've had to redesign to meet our function and it's never worked very well. We now feel fortunate enough to have the type of building we have in the location we are, because we will never be in a residential community. We'll never be bothering the residential people. We're in an industrial place. We're centrally located. We're right off the freeway. We're over on 401 South Highland, and we feel that having our own building there would be a great advantage as well as a great savings in the future.

COUNCILMAN LURIE: But you're funded mostly by the State.

CHARLES GOETZ: Mostly by the State and what we can --

COUNCILMAN LURIE: Why doesn't the State buy the building? They have a pretty large surplus in their budget. They should be able to provide you with a building and some additional operating money.

CHARLES GOETZ: I wish that was true, and I hope it is true, but I have asked that same question as to why you don't buy the building for us and deduct that much from the grant, but I seem to get no positive answer.

MAYOR BRIARE: Thank you, Mr. Goetz. The Institute for the Study of Individual Skills?

RICHARD BLUE: Mayor, before the gentleman comes up, I would like to comment that in the second year or the third year of the City's Block Grant Program, we did provide funds to the Southern Nevada Treatment Center under the SNDAC Foundation.

MAYOR BRIARE: Did you wish to comment, sir?

E-TIM E. ADAKAMA: Yes, please.

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MAYOR BRIARE: This is a --

E-TIM E. ADAKAMA: Could you pass this to the gentlemen there. (Asking the City Clerk to pass a handout out to the Council.)

MAYOR BRIARE: This is a new program, is it?

E-TIM E. ADAKAMA: Yes. Institute for the Study of Individual Studies. It's registered as the DECA Center. The owner of the school is Dr. Casselle -- Corene Cassell, and as a matter of fact, in the past years this organization has been able to train people -- I mean, children -- who can now be admitted in school system at the age of three to read and work additions and subtraction of mathematics. It has been successful also to train -- I mean to give remedial programs to people who cannot -- who may not otherwise fit in high school and who are having academic problems, and those children range from the age of 6 to 18, in the evening. In order to support this, you will see in attachment we have there, Las Vegas -- this program has been elected the "Educator of the Year." And it's located on the west side. We also provide day care from 7 a.m. to 7 p.m. in the evening for working mothers, and in this case, children who would otherwise run into trouble or on the streets. We charge only \$150. This \$150 is to defray the cost and this includes feedings and snacks for these kids at school. Afro-American Cultural Services call this organization simply their aspirations. Parents all have written letters attached there. It says their children excell in almost everything due to the success of this school. Las Vegas Magazine this year also wrote extensively about the success of this program. In 1982, Las Vegas Sun called, "Teacher prepares tots for the classroom," says, "It takes a real commitment on the part of the teacher and it takes time. After six months, you will really see the difference in the child and after two years, there is no turning back." This program we consider is good for a student who on the west side -- not only west side -- it's a program for both black and white, and the parents outside the community bring them there when they hear of this program. It has been very successful program, and we were only asking for some money to continue this program until such time as the program can stand on itself and provide the necessary services to continue serving the community. Last year, the owners of the program, run a loss of \$43,000 (See income tax submitted with handout).

MAYOR BRIARE: Are you Mr. Jones?

E-TIM E. ADAKAMA: No. I'm Mr. Adakama. Mr. Jones is a person who wrote the grants along with me. Mr. Jones was a person who

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E-TIM E. ADAKAMA: was representing Southern Nevada Certified Development Company here.

MAYOR BRIARE: Did -- I'm looking through here. It escapes me right now as to when this organization began. When did ISIS begin? I see it's licensed by the City as a Community Child Care Center. When was it licensed?

E-TIM E. ADAKAMA: ISIS I think started in 1978, but the owner was called up by Federal Government to go and develop this program in West Africa and successfully completed the program.

MAYOR BRIARE: No, I mean in Las Vegas. When did it start in Las Vegas?

E-TIM E. ADAKAMA: Before she came back here. She came back to continue the program.

MAYOR BRIARE: Has it been a profit making organization until now?

E-TIM E. ADAKAMA: What, sir?

MAYOR BRIARE: Has it been a profit making organization?

E-TIM E. ADAKAMA: No, it's non-profit organization.

MAYOR BRIARE: Well, I mean, are you breaking even, or --

E-TIM E. ADAKAMA: Most of the money has been going into continue serving the children. We're not breaking even because of several reasons: One, we do not --

MAYOR BRIARE: Who's paying your bills?

E-TIM E. ADAKAMA: Who's paying the bills?

MAYOR BRIARE: Yes.

E-TIM E. ADAKAMA: The little money that we get from the parents and we use that to pay the bills and also use that to feed them and employ people at this particular time -- five people working in the program, and if we don't get this money, those five people will just lose their job, and we consider that by getting this money, we will be able to retain five jobs and hire some more people to work in the program in addition, sir.

MAYOR BRIARE: It says 10 jobs was what you were expecting to be filled.

E-TIM E. ADAKAMA: Yes. With the new proposal, we intend to accept more children on the west side and around Las Vegas community.

MAYOR BRIARE: Why can't you operate the same way you have in the past? The people who bring their children to the facility pay the tuition and you continue to operate?

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- E-TIM E. ADAKAMA: As a matter of fact, that's the reason our project is in a deficit, because most of the money has come from the purse of somebody from the organization. That's why we were \$43,000 in past deficit this year, to subsidize the program.
- MAYOR BRIARE: Right. Okay. Any other questions?
- COUNCILMAN LEVY: Yes, I have one. What is your relationship with Mr. Jones?
- E-TIM E. ADAKAMA: My relationship?
- COUNCILMAN LEVY: I see he is the same gentleman who made application for Southern Nevada Certified Development Company.
- E-TIM E. ADAKAMA: Okay. He's a grants writer. He writes the grants. He wrote the grants. Mr. Jones wrote the grants.
- COUNCILMAN LEVY: For you?
- E-TIM E. ADAKAMA: Yes.
- MAYOR BRIARE: He's a paid consultant.
- COUNCILMAN LEVY: But he's not on the other one. The other grant, that's his company?
- E-TIM E. ADAKAMA: It's not his company.
- COUNCILMAN LEVY: The other one, he's President they said -- or Chairman.
- E-TIM E. ADAKAMA: Well, that has to do with the other company, sir. We're talking about ISIS now. We had our team to write the grants -- as a consortia to write the grants for us.
- COUNCILMAN LURIE: How much he charge to write a grant?
- E-TIM E. ADAKAMA: He did not charge any money at this time, but we hope to compensate him when we get a grant, sir. About \$500 for doing that.
- MAYOR BRIARE: Thank you, sir. The next is an application for a Hydrotherapy Pool. JoAnne.
- JOANNE TOADVINE: Good afternoon, Mayor and Commissioners. First off, we would like to thank you for the Block Grant last year of \$30,000 that built our new gym and that's why our people came down. Thank you. (Applause from representatives of Help Them Walk Again.) Our new gym is fantastic. We don't have wall to wall wheelchairs anymore and in our first month of using it, we had almost 300 appointments that lasted two to three hours. As you know, we're also

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JOANNE TOADVINE:

akin to the national research project and getting tremendous results with that. All the people that are on that program have increased their leg size from one to two inches, and now, we're going to the computerized bicycle. We have one of the finest clinics in the country, and the only free spinal injury clinic in the country. We need a pool. Water therapy is one of the most important things for paralyzed people. They can walk in water. They can learn to move their legs in water. We're begging you to reconsider and help us get this pool. We applied to North Las Vegas. We got \$25,000 there. We applied to the County. I'm trying to be fair. I mean, you guys have known Help Them Walk Again from day one; you watched us grow. You helped us grow. You gave us our first grant in order to make us get where we are today, and we appreciate it. So when I made all these applications this year, I deducted your \$30,000 from last year and added it onto the County and asked the County for more than I asked the City to make it come out right. The County - Citizen Advisory Board came to the clinic. The whole group came to the clinic, interviewed our patients, saw the whole thing the way it was set up, the whole program and what we were doing and everything, and they recommended the entire \$100,000 from the County be funded. North Las Vegas, we made the presentation to them, and being it was capital improvement to our property, they recommended funding for the hydropool. We also went to NIC, and I think you have in front of you a letter from the Administrator of NIC as to why spinal injury patients and why we need a therapeutic pool on our premises to work one on one with our patients. We went to the YMCA. We also sent a letter down from the Administrator of the YMCA as to why this is important that it be on our premises, that the facilities they have is not -- they can take handicapped people, but take a number of handicapped people that we have and due to the research project that is helping these people and people physically fit and in good condition, they need to go maybe three times a week to have this therapy, and it's important. It's important for the lives of these people. They say that these people are not --

MAYOR BRIARE:

JoAnne, we're real familiar with your program.

COUNCILMAN LEVY:

Yes, we've heard your story once or twice at least.

JOANNE TOADVINE:

I'm sorry. I was supposed to bring a tape but I forgot it.

COUNCILMAN LEVY:

No, we understand. Let me just ask one quick question. You know, NIC -- why didn't they help in this situation?

JOANNE TOADVINE:

They can't. They have their own now that they rent. They're taking Medicare and Workman's Compensation.

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COUNCILMAN LEVY: What do they do bottomline?

JOANNE TOADVINE: Workman Compensation, and they think they're filled to capacity as far as the water therapy. Okay, when these people --

COUNCILMAN LEVY: Why didn't NIC get you some money from the State?

JOANNE TOADVINE: Why didn't they get us -- we didn't ask them for money from the State.

MAYOR BRIARE: She didn't know it was available.

COUNCILMAN LEVY: They've got a lot of money.

JOANNE TOADVINE: We've applied for money from the State for our equipment and things like that, but as far as helping us with the pool --

MAYOR BRIARE: Did they participate with you?

JOANNE TOADVINE: Oh, yes, yes. We got money to buy our computerized bicycle and care from Community Service and Disability --

MAYOR BRIARE: Between now and the 16th, why don't you go and ask them.

JOANNE TOADVINE: NIC?

MAYOR BRIARE: Yes.

COUNCILMAN LEVY: Or Richard Bryan.

JOANNE TOADVINE: Okay. I'll try anything. If anybody don't want any money around here, just send it our way. We'll use it.

COUNCILMAN LEVY: We know you'll try anything. We've been up against you before. (Laughter)

JOANNE TOADVINE: I know. This is important. If we lose your grant, we'll lose what we got from North Las Vegas and the County. We get nothing, and --

COUNCILMAN LURIE: Neither one of those have approved it yet.

JOANNE TOADVINE: North Las Vegas has.

COUNCILMAN LURIE: The County is probably going to approve it based on the City approving it.

JOANNE TOADVINE: Right, but they get --

MAYOR BRIARE: Don't put the load on our shoulders --

JOANNE TOADVINE: I don't. You know, they get theirs first.

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MAYOR BRIARE: -- because we can turn right around and say that we'll do it if the County does it.

JOANNE TOADVINE: No, no. I'm not doing that. The County votes first, okay, and then the City votes second.

COUNCILMAN LURIE: They'll make their grant subject to the City putting in their amount of money. You can rest assured that's the way they're going to make the motion.

JOANNE TOADVINE: Well, why do you think that I asked them for more than I asked you, you know, because you already give us x amount of dollars for the gym, so that's why I asked them for more.

MAYOR BRIARE: Wouldn't it be worth going to the NIC because they've helped on smaller contributions, but maybe they might go for this thing, JoAnne.

JOANNE TOADVINE: I don't think they have the money. I'm not sure how we go about it, but I will check into it.

MAYOR BRIARE: You don't think they have, but you think we do?

JOANNE TOADVINE: No, I don't know. I will check into it and ask them, but when I was down there, there was no mention that there would be any funds available for it.

MAYOR BRIARE: They wouldn't volunteer it.

JOANNE TOADVINE: I'm sure of that.

MAYOR BRIARE: Why don't you go ask them.

JOANNE TOADVINE: I will.

MAYOR BRIARE: Get to them before they read it in the paper tomorrow morning.

JOANNE TOADVINE: This is only my fourth meeting today.

MAYOR BRIARE: Wouldn't that make us all feel good.

JOANNE TOADVINE: Anything would make me feel good to think that we're going to get a pool and not be turned down at --

MAYOR BRIARE: You know how the NIC works. They collect money from employers for care of needed workmen that are hurt and they often refund money.

JOANNE TOADVINE: They don't pay us for people we have from NIC using our clinic because they don't have the money or some reason, but we don't get paid for anything.

COUNCILMAN NOLEN: You should start billing them, because I know when I owned a health club, NIC used to send people down to my health club to work out and they paid their annual tuition. So they'd pay their fee for the full year.

JOANNE TOADVINE: I intend to start billing them. Hopefully --

MAYOR BRIARE: Make the request, JoAnne.

JOANNE TOADVINE: I will, and hopefully, in the next six months we will become self-supporting. We applied for Medicaid. We did get our Medicaid, which is a tremendous help for us. We applied for Medicare and we hope that we get it very soon, and we'll soon be able to bill insurance companies and when we do this, you know, we're going to be self supporting, and then you won't have to tell me to bring a paper -- listen to me any more.

COUNCILMAN LEVY: JoAnne Toadvine, we'll see you next year, because you're going to have something bigger and better.

JOANNE TOADVINE: I know we are.

COUNCILMAN LEVY: You do that every year.

COUNCILMAN LURIE: We'll see you on the 16th.

JOANNE TOADVINE: Okay. I hope that you reconsider.

COUNCILMAN LEVY: We know that you're not pushing for your pocket either. Don't -- you know, you're not -- you're doing a good job.

MAYOR BRIARE: JoAnne, come on. We've got so many more applications.

JOANNE TOADVINE: I'll tell you one thing. We have people sitting over there that only make \$4 an hour to help other people.

COUNCILMAN LEVY: They're appreciated.

MAYOR BRIARE: And we appreciate their presence here too, ladies and gentlemen.

(JOANNE TOADVINE SHOWS COUNCIL A RENDERING OF THE PROPOSED HYDROTHERAPY POOL.)

MAYOR BRIARE: We have about eight more applications to go over, and we're going to have to speed them up.

JOANNE TOADVINE: Thank you.

MAYOR BRIARE: SER Automotive Training? Is this a new program?

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COUNCILMAN LEVY: No. No, it isn't.

BOB RAMOS: My name is Bob Ramos.

COUNCILMAN LEVY: You're not on the Committee anymore, Mr. Ramos?

BOB RAMOS: No, sir, I'm not.

COUNCILMAN LEVY: See what happens.

BOB RAMOS: SER has been a community service organization for 12, 13 years. Last year was the first time we were funded. It was a pilot project to train automotive mechanics. We were given \$65,000. We trained seven people the first six months. All seven are placed on the job. Total income for the average wage is \$9.50 an hour. Total income for the year for the first seven is \$138,000 that will be going into the community. We have a second class, the second half of the first year funded. It's in progress now and should be graduating soon. It's another seven people. We have placements for them, which will in turn -- they will pay approximately Fifty-Eight, Sixty Thousand Dollars in taxes in one year. Total income into the community will be over a Quarter of a Million Dollars. This is generated out of the \$65,000 you have allocated. We have been denied because of our track record. This is the reason I am here. I was on the Committee. I guess I'm begging for the ones I turned down for three years. I'm a good loser. The only reason I am here is because of the technicality I believe exists. We were told we were turned down because of our track record. We have placed seven out of seven. We have seven in classes. I think for the first half we're doing 90 something percent. That is not a bad track record. Commitments from the Air Force for parts and equipment. REECO has given us over \$25,000 in parts and equipment for the students to work on. Through our organization, we met some people from General Motors. They committed at that time, about three weeks ago, and confirmed it just this morning. They're going to give us diesel engines and testing equipment, and to be denied the money that because of our track record, I think is a little bit unfair and premature.

MAYOR BRIARE: Bob, also, it's indicated in our records here, for our information, that this is a duplication of services. "Proposed location is not conducive to the needs of low moderate income persons." And then, as you indicated, a track record. Well, that --

COUNCILMAN LEVY: What is the duplication? Where's that at? Mr. Blue?

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RICHARD BLUE: Irene, come to the mike, please.

IRENE CLARK: The Committee was referring to the other training programs that currently exist in the City and in addition to the multitude of ones that have applied for Tenth Year Funding.

COUNCILMAN LEVY: Which automotive repair technology or school?

IRENE CLARK: Community College.

COUNCILMAN LEVY: Community College? That's it?

IRENE CLARK: Yes.

MAYOR BRIARE: Vo-Tech?

COUNCILMAN LEVY: Well, that's community --

IRENE CLARK: Oh, also, yes.

BOB RAMOS: Vo-Tech is for students of high school age. Community College -- I will compare our record to its, and also our time -- we do it in six months compared to a couple of years through the Community College. However, it's your decision. We're returning you money in one year and exceeding that. We set a precedence by having General Motors be interested in us in our area to be able to donate -- to come forward and say we will donate engineers -- diesel engines and testing equipment. And this is, I believe, the track record that we have set, and we ask you to reconsider. One last question: Where's the money coming from? I think we come under the Economic Development, Mr. Blue. Look at the money available -- what you have invested in economic development and look at our record, and we'll ask you to reconsider.

MAYOR BRIARE: Thank you, Bob.

COUNCILMAN LEVY: One more question I had. I think the other objection was regarding location. I'm sure they have to have special zoning. What is wrong with the location that they're at? Let me ask that of the Committee.

MAYOR BRIARE: I think probably, because I don't want to answer for the lady who's an expert on this, but it's in an area -- you're right. It's zoned properly.

COUNCILMAN LEVY: They have to.

MAYOR BRIARE: It might be that in the census areas that are considered as eligible, they might not have proper zoning.

IRENE CLARK: The Committee was concerned that the agency is currently housed on Spring Mountain --

ERMA GARCIA: 3140 Polaris.

IRENE CLARK: Okay. They were concerned with that location. I spoke with Erma several months ago and she had indicated that she was thinking about trying to get a location on Ann Road. That information was related to the Committee, and they were concerned because of lack of bus transportation -- the persons of low moderate income could not reach those facilities.

COUNCILMAN LEVY: Well, Polaris is certainly -- you're able to go by bus to that area. That's down there off of basically Spring Mountain and Wynn and in that area.

BOB RAMOS: We have no problems with the attendance. We can provide an attendance record and it doesn't show any lack of --

COUNCILMAN LEVY: I'm sure if somebody wants to go to that school -- they're not forced to -- they want to and they'll be there.

BOB RAMOS: They're going -- yes.

ERMA GARCIA: Mayor? My name is Erma Gracia and I know just about all of you. I'd just like to also make some few comments. The reason why we show the existing location is simply because it was the industrial part of town. It is whereby we get most of our customers, and the way it works is simply because we have cars from the public that allow the students to work on so they can get the practical experience. So as a result, on 3140 Polaris is a very commercial type of a site and it's very attractive to customers who bring in the cars, so that's the reason why we have that location. We have not proposed for future location; however, we are looking later on to a little larger facility. And also, in addition to what has been said in Mr. Ramos' presentation, I'd just like to also make a comment that the public has been very cooperative and also, donating cars, tools, equipment for their contribution to this program. They feel it's a good program. It is a place where the drop-out person can really get a skill; also, simply because they don't have to pay. On the contrary, they get a small allowance for transportation, and this cannot be available at the Community College or Vo-Tech. So I would, in terms of duplication of service, I think it is an incorrect statement. Thank you.

MAYOR BRIARE: Thank you, Erma. Who's going to talk on Educational Services' request? Yes, sir. Please let us have your name and your organization.

ERMA GARCIA: Excuse me. Mr. Deveans is one of the instructors of the program, and he just wanted to say some few words from his perspective.

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MAYOR BRIARE: Well, on the Educational Services?

MR. DEVEANS: No.

ERMA GARCIA: No, sir. No, sir. He's --

MAYOR BRIARE: I'm not going to allow it because we've heard -- I think you've answered the questions and to back it up with more support -- we still have -- we have five or six more applications to go through, and then we have to get into our afternoon agenda.

ERMA GARCIA: Thank you, sir. I understand. Thank you.

MAYOR BRIARE: So, sir, unless you want to talk on Educational Services. Who's going to talk on Educational Services? You see, what happens when you allow certain people to get a little more time, then the next applicant wants equal time, and the next applicant wants equal time, and quite frankly, they're entitled to it. We're going to cut these a little bit shorter. No one from Educational Services? (No response.) How about Community Service? These are kind of broad definitions. This is to assist the low to moderate income non-English speaking persons to make mutual communication between the American society and the Korean community. Come on, Mr. President. Get up here.

DR. RHEA: My name is Dr. Rhea, and I'm President of Las Vegas Korean Association. Our Association started in 1971. In 13 years, we never applied for this kind of funds, but the community's getting -- growing and getting more people down here -- nearly 4,000 people in this community -- Korean people. Most people don't speak English. They have a lot of problem, but they work very hard, very diligently for the Las Vegas community. So we've this kind of program set up and we are applying for this fund. This is Mr. Steven Kwan, one of the International Relationship Committee.

MAYOR BRIARE: Good afternoon Mr. Kwan.

MR. KWAN: Good afternoon, Mayor and --

MAYOR BRIARE: Nice to see you again. He does a great job for you, I'll tell you that.

DR. RHEA: Yes, I know. I know.

MR. KWAN: Fourteen years ago, we had our members around 700, and these members, every year it grows. Now, 13 years after, it's almost 4,000 members, and during the time our organization officers and we donated our own money to

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- MR. KWAN: run this organization. But now time, 13 years after, we have too many members, then our time, we need some help anywhere to operation -- continue operation of this service club -- service organization -- for better citizens to Americans, and we have a limit, our own pocket, donating money to continue this fine service organization. So now, we have application. We have written everything. So we don't want to take too many hours, to many minutes. Would you please consider what we're doing. Thank you.
- MAYOR BRIARE: I know your organization has been here a long time, since 1971, but you didn't have a project last year, so this is a new request?
- MR. KWAN: Yes. We were never thinking anybody asking help. We tried ourself the sole program, but now, 13 years after and with nearly 4,000 now, we have a limit of time, limit of money. For example, every -- our organization staff donating time, donating money to help our community. Many a member cannot speak English and we trying to -- every day, for example, four hours are donated. Every day we try to donate the time. donating money to help them, but now, we have to take our own job to take our thing too. So it's very difficult donating time too many hours, but we still do it. So what we need is somebody, one person, we can hire so they can speak English and Korean and communicate between the American society and Korean society.
- MAYOR BRIARE: Mr. Kwan, did you make -- excuse me.
- MR. KWAN: Yes.
- MAYOR BRIARE: Did you make a similar application to the County?
- DR. RHEA: No, never. We didn't know at that time.
- MR. KWAN: We didn't know. I find out this funding, it's just before, on four or five days before.
- DR. RHEA: We never knew this funding was available.
- MAYOR BRIARE: Well, unfortunately, that's the trouble. There's an awful lot of funds that are not available. You might be eligible, but they're certainly not available.
- MR. KWAN: But we didn't know. We never consider anybody help. The first time we have a chance to.
- COUNCILMAN LEVY: Do you have an office now? Does your society have an office now?
- MR. KWAN: Yes. Yes, we have office.

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COUNCILMAN LEVY: Do you have a --

MAYOR BRIARE: Paradise Road, I think it is.

COUNCILMAN LEVY: Paradise Road.

MR. KWAN: 1995 Paradise Road.

MAYOR BRIARE: Is that up near the airport?

COUNCILMAN LEVY: No, no.

MAYOR BRIARE: Oh, pardon me, 1995.

COUNCILMAN LEVY: Just north of Sahara.

MR. KWAN: Across from Vegas World.

COUNCILMAN LEVY: You pay, what, Three Fifty a month now?

MR. KWAN: Yes, \$350 a month.

COUNCILMAN LEVY: Do you have a secretary now?

MR. KWAN: We don't have anybody.

COUNCILMAN LEVY: You don't have a secretary? Do you have a -- I guess what I'm saying is --

COUNCILMAN LURIE: You can be the secretary.

MR. KWAN: I try to have a secretary, but it's hard.

COUNCILMAN LEVY: Well, what I guess I'm coming at, is you guys are covering quite a bit of this bill right now, of this which you're asking us to help. I think you just need a few fund raisers and you could be on your toes.

MR. KWAN: Okay. Fund-raising -- well, fund-raising, yes, we did it, but fund-raising, we cannot ask the entire City, anybody. If I asking you, you are a business. We can't.

COUNCILMAN LEVY: Everybody else asks me.

MR. KWAN: Yes. We have a limit community, which is non-speaking -- non-English speaking Korean community. We are talking about the Korean community. Okay, we're not talking about another community -- just Korean community. That's complete different.

MAYOR BRIARE: Thank you, Mr. Kwan. Thank you, sir.

MR. KWAN: Thank you, sir.

DR. RHEA: Thank you.

MAYOR BRIARE: The Athletic Counselling Center representative? (No response.) Next, the -- this one's got me. The Painge Training Center?

PATSY GREEN: It's the Painge Development Company, Mayor.

MAYOR BRIARE: I'm sorry.

PATSY GREEN: Mr. Mayor, Councilmen, my name is Patsy Green. I'm representing the Painge Development Company. The President, which is Jerome Jackson -- he's unavailable to be here, and I would like your permission to allow him to meet with you on the 16th of this month.

MAYOR BRIARE: Do you have any comments you want to make though on behalf of Mr. Jackson?

PATSY GREEN: Well, frankly, I would like to know why we were denied, but I don't -- I can't speak for him, and he would like to say some things since the fact, we have been denied.

MAYOR BRIARE: The briefing that we have on our report, indicates the application was not clear and the request was excessive. Were you funded last year?

PATSY GREEN: Sir, we are new.

COUNCILMAN LEVY: Did you ever come down to the meetings and make your presentation?

PATSY GREEN: Mr. Jackson did attend some meetings. Yes, he did. But we are new and we would like the opportunity to prove ourselves because we do have a very good program. I feel that it's very good for the community, and I'm speaking of the children of our City.

MAYOR BRIARE: Is Mr. Jackson -- what is his occupation here in this City?

PATSY GREEN: He is with Operation Engineering.

MAYOR BRIARE: Pardon?

PATSY GREEN: Operation Engineering.

MAYOR BRIARE: He's an Operating Engineer?

PATSY GREEN: Right.

MAYOR BRIARE: He drives a tractor or --

PATSY GREEN: He drives what you call a back hoe.

MAYOR BRIARE: Yes, right. And, Ms. Green, are you --

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PATSY GREEN: I'm a modeling instructor. I'm also one of the board members.

MAYOR BRIARE: Is that within the program that's defined here?

PATSY GREEN: That's correct.

MAYOR BRIARE: Self defense and exercise, arts and crafts.

PATSY GREEN: No, I'm not the instructor for that, but Mr. --

MAYOR BRIARE: No, no, no. This is part of the program -- self defense, arts and crafts, auto mechanics, reading and writing. It's not in operation right now. As you indicated twice, it's brand new.

PATSY GREEN: No, it's -- exactly. Exactly.

MAYOR BRIARE: Any comments or questions? (No response.) Thank you, Ms. Green.

PATSY GREEN: But do we have the opportunity to meet with you?

MAYOR BRIARE: Yes, you will, but you'd better indicated to Mr. Jackson that we have the materials here, and it's a brand new program. We're not going to reopen the whole thing again next. It's going to be very brief next time, unless something specific that could not be handled today comes up then. That's why I wanted you at least to get up here and let us know who you are and that you're going to be involved in the program, because we can't go through the whole thing again. It serve no one any good in two weeks to begin it again brand new and do the whole thing again next time, okay.

PATSY GREEN: Okay, sir. Thank you.

MAYOR BRIARE: Emotional and Nutritional Fitness Program? The request is for \$49,800. Good afternoon, ladies. You've been very patient.

ELLEN CHRISTINE: Thank you. So are you. I think I'll just get right to the point. This is the first time we've ever asked for anything like this, and --

COUNCILMAN LEVY: Will you tell us your name before you get to the point?

ELLEN CHRISTINE: Excuse me. I'm Ellen Christine. This is my sister.

JUDY CHRISTINE: I'm Judy Christine.

ELLEN CHRISTINE: We have prepared a more detailed explanation of what we had in mind, and I would like to ask you on what grounds we were refused so that I have a little more idea. Would you be willing to do that?

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MAYOR BRIARE: "This program falls under a religious theme and Community Development Block Grant monies is not an appropriate funding source for this program."

ELLEN CHRISTINE: Why not? That surprises me. I would --

MAYOR BRIARE: Did you appear at any of the Committee meetings?

ELLEN CHRISTINE: We -- as I said, we're very new to this. I'm really surprised that we could have.

MAYOR BRIARE: Could you answer me the question?

ELLEN CHRISTINE: No. We didn't even -- that, we didn't know. We didn't know.

MAYOR BRIARE: That's a good answer.

ELLEN CHRISTINE: Great. And my sister kept saying, "Why don't we call?" and I said, "Well, I just didn't want to be pushy." What I'd like to say is that this is the first time I've ever been at a meeting like this about how tax money is disbursed, and I am just --

COUNCILMAN LEVY: This is Federal.

ELLEN CHRISTINE: Oh, Federal, excuse me. Well, it's tax money; it's still money.

MAYOR BRIARE: You bet. Sure.

ELLEN CHRISTINE: But I was thinking of City taxes. But I am just overwhelmed at the way the money is distributed, and if you will look at -- we have further information to give you for the 16th, and what is staggering to me is that so many of the programs foster dependents, and -- for homeless and for all these people that can't -- and loans and just what we see as furthering a problem. And exactly what we do is about empowering people and giving them their own sense of dignity and that sense of being able to do it for themselves. And that's just -- it's unique and it's brand new and it's just very exiting.

JUDY CHRISTINE: The results are phenomenal. Everyone gets results. Everyone without exception.

ELLEN CHRISTINE: And we wanted to let you know that we -- this would be brand new for us, and we're wide open and flexible as to how much monies, or whether it's a pilot program, or how you'd want to examine us for a month, or two months, or whatever. But we just know how much we could in terms of pulling people out of those places that are devouring so much money unnecessarily as we see it -- drugs and

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ELLEN CHRISTINE: alcohol. It's all related to that trauma that's deep down, and that's exactly what we work with real effectively.

JUDY CHRISTINE: I myself have worked with alcoholics and people who were in prison, and the results I've had have been phenomenal with them.

COUNCILMAN LURIE: Are you licensed counselors?

ELLEN CHRISTINE: Well, you'll --

COUNCILMAN LURIE: What type of experience do you have with counseling?

ELLEN CHRISTINE: You'll see our resume. It's real -- no, it's not there.

COUNCILMAN LURIE: All that I know is that you're asking for salaries of \$23,000 each for providing service that -- I don't understand what you're providing.

ELLEN CHRISTINE: Let me have one of them --

COUNCILMAN LURIE: I mean, nutritional fitness. If you have a brochure, I'll be happy to read it.

ELLEN CHRISTINE: Why don't you hand that out, Judy.

MAYOR BRIARE: Ladies, anything that you have now, give it to us now, because if you have it now and you don't give it to us now, next week is going to be too late.

COUNCILMAN LEVY: Thank you.

COUNCILMAN LURIE: Next time is too late.

ELLEN CHRISTINE: If you would look at the Training Format on Page 2. It doesn't have a number on the page, but it says "Training Format." And actually, the next page after that describes the courses. Effective Communication Course is the fourth course down, and it says: "Are there unresolved conflicts in your family? Do you talk without feeling understood or without accomplishing anything? Learn not only how to say all that needs to be said to those you care about, but how to be heard." What we offer are tools to break through what is now in their lives, and as I know the world out there, there aren't many people out there serving and supplying those tools. And as we mentioned in what we just gave you, we can give you testimony of people's results they attributed directly to these courses. I mean a monumental transformation in their lives that no one dreamed possible. That kind of --

COUNCILMAN LURIE: You're going to charge for all the --

ELLEN CHRISTINE: No, no. That's what we had. We just stuck it in there last night

COUNCILMAN LURIE: Yes, but it says you're going to charge. So why do you need money from us?

ELLEN CHRISTINE: No, no. That's not what we going to charge.

JUDI CHRISTINE: That's what I was charging in D.C. before I moved out here six months ago.

ELLEN CHRISTINE: And that's the business --

COUNCILMAN LURIE: Well, you give me something to read, and I'm reading it and it says that you're going to charge for individuals, families, groups, and so on, so why -- you know, if you charge, you don't need money from us.

JUDI CHRISTINE: What that course description is a description of the courses that we were proposing to do as a business before this, and they are the kind of courses we would like to do for the City.

ELLEN CHRISTINE: I don't want to take more time, but I just want you to know that the kind of thing we do is just aimed directly at the root of problems instead of all of the facilities for the results.

JUDI CHRISTINE: And the truth is, we're brand new at this. We don't know how to go about it, and we would love your help.

MAYOR BRIARE: Thank you, ladies. Thank you very much. Golden Gloves representative? (No response.) Stewart-Mojave Sports? Did I leave any out, Mr. Blue? I think we're on the last one.

RICHARD BLUE: (Indicates affirmatively)

MAYOR BRIARE: A representative of Stewart-Mojave Sports? (No response.) Okay, that's it. That concludes -- Mr. Blue?

RICHARD BLUE: Mayor, I would like to recognize one of the members of our Citizens Committee, Mr. Joe Vasquez, who came in late.

MAYOR BRIARE: Oh, good, Joe. Thanks very much. Did we miss you a little earlier, or did you come in late? Two weeks from now, you all are going to sit up here, and we're going to sit out there. Mr. Blue, just before we take a short recess, I know that the people that are here for Planning are anxious to get onto Planning, and we will in just a moment or two. Mr. Blue, I sure would like the Council to have a

MAYOR BRIARE:

recap. I think this was done quite well, and all this material here -- if a person has an opportunity to go through this, which we have to go through all of them -- the general public can't go through all of this stuff. But next time, for those programs that were not recommended, I think the Council would like to know which programs, if any, were funded last year, but denied this year. And for those that were recommended, which programs are new this year. Would you identify those for us, because we have so many names of organizations, and today -- I hope the Council members recognized some of these. We didn't have by organizations. I just got to where I was getting to know the names of the organizations, and now, this year, some of them don't show the names of the organization. They show their principle activities.

COUNCILMAN LEVY:

I'd like to go one step farther. I'd like to have a breakdown of every year. In other words, what are the projects that we've been doing every year. I'd like to see where we are. I think you'd even like to see that.

MAYOR BRIARE:

Mr. Blue, would you contact each member of the Council in the next several days so that we can give you an indication of what would make it a little bit more understandable for us, even more so than all of this, because there did seem to be a lot of duplication, especially the one that was brought up -- well, no use going back over them again. But also, Mr. Blue, the Council members and myself are kind of impressed with the fact that it has taken so much longer this year, and Councilman Lurie I think probably had a pretty good explanation -- that the Federal Government and the State Government have been cutting back on programs almost as if they felt that maybe City Government could pick them up, and as we've been preaching for nine years, and even before that, when the Feds give up a program, it's done, because there's just no City money to pick up Federal programs.

RICHARD BLUE:

Mayor, if I may, if I could refer to Item 6 in your briefing book, it refers to all the applications --

MAYOR BRIARE:

Right.

RICHARD BLUE:

-- and whether they're new or currently being funded.

MAYOR BRIARE:

Well, I know, but, Richard, you've got how many tabs in here. You could put them on some kind of a chart for us and give us a little --

RICHARD BLUE:

Yes, Item 6 in your book.

MAYOR BRIARE:

Pardon?

RICHARD BLUE:

It is in your book.

MAYOR BRIARE:

The comparison sheet?

RICHARD BLUE:

That's correct.

MAYOR BRIARE:

Well, you're talking about current funding, the requested amount. Well, there's a little more detail.

END OF DISCUSSION ON THIS ITEM.

MAYOR WILLIAM H. BRIARE
 COUNCILMAN RON LURIE
 COUNCILMAN PAUL J. CHRISTENSEN
 COUNCILMAN AL LEVY
 COUNCILMAN BOB MOLEN

DRAFT STATEMENT OF TENTH YEAR COMMUNITY DEVELOPMENT
 BLOCK GRANT ENTITLEMENT PROGRAM
 OBJECTIVES AND PROJECTED USE OF FUNDS

The following represents possible uses of Tenth Year Community Development Block Grant funds:

ECONOMIC DEVELOPMENT: Foster community development and redevelopment by stimulating private investments through community initiative.

STATE OF NEVADA, OFFICE OF COMMUNITY SERVICES

1. Small Business Economic Revitalization, Revolving Loan Fund - provide below market loans to small to medium sized businesses located within the City of Las Vegas to stimulate the local economy by creating permanent jobs.

REQUEST \$100,000.00 RECOMMENDED \$100,000.00

NEVADA BLACK CHAMBER OF COMMERCE

2. Nevada Black Chamber of Commerce - mesh private and public sectors of various disciplines for business enhancement and growth through workshops, technical assistance with regards to procurement process, thus resulting in strengthening the City's economic base.

REQUEST \$36,511.00 RECOMMENDED \$22,303.00

LAS VEGAS OPPORTUNITIES INDUSTRIALIZATION CENTER

3. Uptown Motel Renovation - acquire a thirty-seven room motel and renovate to accommodate a training program for low to moderate income persons in the areas of restaurant and hotel operations and management.

REQUEST \$300,000.00 RECOMMENDED \$300,000.00

URBAN LEAGUE OF SOUTHERN NEVADA

4. Urban League of Southern Nevada - provide low to moderate income persons with the tools, skills and training necessary for upward mobility in the job market.

REQUEST \$65,310.00 RECOMMENDED \$35,310.00

DET OF NEVADA

5. DET Job Training - provide job training opportunities to the unemployed and unskilled persons, thus allowing access to a process of economic self-sufficiency and reducing structural unemployment.

REQUEST \$264,826.00 RECOMMENDED \$94,745.00

NEVADA ECONOMIC DEVELOPMENT COMPANY

6. Neighborhood Commercial Revitalization - provide ongoing management and technical assistance to the Jackson Avenue Merchants Association (JAMA) in the form of consulting, grant writing, and loan packaging for individual merchants to continue the economic revitalization of the Jackson Street area.

REQUEST \$126,095.00 RECOMMENDED \$65,279.00

NEVADA ECONOMIC DEVELOPMENT COMPANY

7. Revolving Loan Fund - provide loan monies to JAMA members to induce participation by local lending institutions to complete the Jackson Avenue revitalization project.

REQUEST \$450,000.00 RECOMMENDED \$50,000.00

OPERATION LIFE, COMMUNITY DEVELOPMENT CORPORATION

9. Operation Life Professional Building - construct a 3,000 square foot building to house the administrative staff and programs of OLCDC while leasing the remaining space to medical businesses (doctors, health plan programs, etc.).

REQUEST \$180,293.00 RECOMMENDED \$ -0-

GENERAL PUBLIC IMPROVEMENTS: Attain visible improvement by alleviating physical distress through community revitalization, including upgrading of public facilities and streets and installation of infrastructure.

ECONOMIC OPPORTUNITY BOARD OF CLARK COUNTY

9. Senior Day Care Facility - construct a senior day care facility including sidewalks, lighting and landscaping. The program to be housed in the facility will serve low to moderate income senior citizens, whose participation may result in delaying or preventing institutionalization in a convalescent home.
REQUEST \$90,000.00 RECOMMENDED \$40,000.00

HOUSING: Rehabilitate, conserve, and expand the City of Las Vegas' housing stock while increasing the opportunity for low to moderate income persons to obtain and maintain a suitable living environment.

CITY OF LAS VEGAS, DEPARTMENT OF FUNDS COORDINATION

10. Housing Assistance Programs - expand housing opportunities for low to moderate income homeowners and residents of rental properties located in Census Tracts 3.01, 3.02, 5.04 and 11 through various loan programs.
REQUEST \$427,903.00 RECOMMENDED \$442,073.00

CITY OF LAS VEGAS/CATHOLIC COMMUNITY SERVICES OF NEVADA

11. Aid For The Homeless - purchase structure located at 1501 Las Vegas Boulevard North to house particular elements of CCNV program while creating refuge for the homeless.
REQUEST \$250,000.00 RECOMMENDED \$250,000.00

WESTSIDE COMMUNITY DEVELOPMENT COMMISSION

12. Minor Home Repairs Services - assist low to moderate income seniors, handicapped persons/households in first bringing their homes up to code and second providing eligible cosmetic rehabilitation.
REQUEST \$77,840.00 RECOMMENDED \$38,429.00

POOR PEOPLE PULLING TOGETHER

13. Comprehensive Housing Services - provide pre and post occupancy counseling to all potential and current tenants of designated private apartment complexes with special emphasis on public housing.
REQUEST \$111,158.00 RECOMMENDED \$50,381.00

SOCIAL SERVICES: Maintain the quality of social services which complement and foster other existing community development activities.

CATHOLIC COMMUNITY SERVICES OF NEVADA

14. Senior Companion Program - provide senior and handicapped persons companion and community resource services and make housing assistance referrals to the City of Las Vegas.
REQUEST \$86,491.00 RECOMMENDED \$56,491.00

LAS VEGAS INDIAN CENTER, INC.

15. Social & Economic Reinforcement - assist low to moderate income American Indians in providing culturally responsive counseling and job development services to increase job stability and decrease dependency on public assistance and welfare programs.
REQUEST \$35,411.00 RECOMMENDED \$25,642.00

BOYS & GIRLS CLUB OF CLARK COUNTY

16. Boys & Girls Club of Clark County Outreach Program - provide after school and summer activities for boys and girls in Census Tracts 5.03 and 5.04 to develop self expression, creativeness, and physical conditioning.
REQUEST \$49,685.00 RECOMMENDED \$49,685.00

CITY COUNCIL MINUTES - MAY 2, 1984

NEVADA ASSOCIATION OF LATIN AMERICANS

0249

17. NALA Child Care & Pre-School - provide no cost child care to low income families.
REQUEST \$74,435.00 RECOMMENDED \$79,000.00

ECONOMIC OPPORTUNITY BOARD OF CLARK COUNTY

18. Westside Senior Center - expand health maintenance plan through health and diet consultation, exercise programs and blood pressure screening.
REQUEST \$20,740.00 RECOMMENDED \$14,945.00

Any comments or further detailed information concerning any or all of the aforementioned activities may be obtained from:

RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION
CITY OF LAS VEGAS
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
(702) 386-6462

MAYOR WILLIAM H. BRADY
 COUNCILMAN ROY LURIE
 COUNCILMAN PAUL W. CHRISTENSEN
 COUNCILMAN AL LEVY
 COUNCILMAN BOB MOORE

PROJECTS NOT RECOMMENDED FOR TENTH YEAR
 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

SARAH ALLEN COMMUNITY DEVELOPMENT CREDIT UNION

1. Credit Union - provide funding to the credit union to maintain staffing and loan monies for businesses and homeowners in the community.
REQUEST \$260,000.00 RECOMMENDED \$ -0-

DRAFTSMAN'S HOTLINE EMPLOYMENT AGENCY

2. Draftsman's Hotline Employment Agency - provide low to no income persons assistance in preparing job applications, following job leads, and job placement.
REQUEST \$43,500 RECOMMENDED \$ -0-

SOUTHERN NEVADA CERTIFIED DEVELOPMENT COMPANY

3. Revolving Loan Fund - afford small businesses, developers and other qualifying borrowers various outlets for low interest rate loans.
REQUEST \$300,000.00 RECOMMENDED \$ -0-

SOUTHERN NEVADA CERTIFIED DEVELOPMENT COMPANY

4. Southern Nevada CDC - provide funding to CDC to maintain staffing.
REQUEST \$65,000.00 RECOMMENDED \$ -0-

HCN, INCORPORATED

5. Personal Development Program - assist low to moderate income persons in developing specific marketable skills to enhance productivity.
REQUEST \$50,264.00 RECOMMENDED \$ -0-

OPERATION LIFE, CDC

6. Housing Loan Counseling Program - provide professional, comprehensive housing counseling to homeowners within the Las Vegas City limits.
REQUEST \$59,324.00 RECOMMENDED \$ -0-

NEVADA TREATMENT CENTER

7. Nevada Treatment Center - provide down payment to purchase existing alcohol and drug treatment center located at 401 South Highland.
REQUEST \$200,000.00 RECOMMENDED \$ -0-

INSTITUTE FOR THE STUDY OF INDIVIDUAL SKILLS

8. Institute for the Study of Individual Skills - provide total child care services to greatly facilitate and conclude the learning potentialities of children.
REQUEST \$175,027.00 RECOMMENDED \$ -0-

HELP THEM WALK AGAIN

9. Hydrotherapy Pool - afford handicapped persons the opportunity to improve their physical and mental well being.
REQUEST \$75,000.00 RECOMMENDED \$ -0-

SER/OPS FOR PROGRESS, INC.

10. SER Automotive Training - train Hispanic youth to obtain employment.
REQUEST \$148,420.00 RECOMMENDED \$ -0-

LEAGUE OF UNITED LATIN AMERICAN CITIZENS

11. Educational Services - aid in the prevention of Hispanic youths from dropping out of school and increase the number of Hispanics attending.
REQUEST \$72,121.00 RECOMMENDED \$ -0-

KOREAN ASSOCIATION OF LAS VEGAS

12. Community Service - assist low to moderate income non English speaking persons/households by maintaining an office to make mutual communication between the American society and the Korean community.
REQUEST \$38,340.00 RECOMMENDED \$ -0-

ATHLETIC COUNSELING CENTER

13. Athletic Counseling Center - provide assistance to students/athletes from low income families who have athletic and academic potential in selecting a college or university.
REQUEST \$30,913.00 RECOMMENDED \$ -0-

PAINGE DEVELOPMENT COMPANY

14. PAINGE Training Center - provide services to reduce neighborhood tension, combat community deterioration and relieve poverty.
REQUEST \$170,016.00 RECOMMENDED \$ -0-

LIGHT CENTER

15. Emotional and Nutritional Fitness Program - "provide training to households to reverse the skills it took to create the world they now have so that they can create the world they want."
REQUEST \$49,800.00 RECOMMENDED \$ -0-

GOLDEN GLOVES OF NEVADA

16. Golden Gloves Gymnasium - complete renovation of existing gymnasium.
REQUEST \$65,000.00 RECOMMENDED \$ -0-

Application(s) not considered for funding due to ineligibility

JOSEPH PHILLIPS

17. Stewart Move Sports - provide citizens education and instruction in boxing and sports fitness.
REQUEST \$10,680.00 RECOMMENDED \$ -0-

Any comments or further detailed information concerning any or all of the aforementioned activities may be obtained from:

RICHARD B. BLUE, JR., DIRECTOR
DEPARTMENT OF FUNDS COORDINATION
CITY OF LAS VEGAS
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
(702) 386-6462

0252

INTENSIVE Personal Growth
Workshops

Ellen Q. Christine
and
Judi Q. Christine

Judi and Ellen Q. Christine

6540 Tara Ave.

Las Vegas, Nevada 89102

0253

We would like to be of service to the community and believe that the courses we offer are of inestimable value. We wish to be flexible with our program so we can make the greatest contribution. We submit this program expecting it to change as need arises. The enclosed schedule has been presented only as a guage for all of us. We know there must be a plan as something to "come from only", not to be used as a limiting factor.

We believe our program will work because people in general trust us, especially because we are not held at a distance as many "helping" and medical services are. We would be pleased to submit testimonies of dramatic results people attribute directly to these courses.

Though we work individually we work best together and will probably be doing so most of the time.

Our experience with low income families is that circumstances continuously get in the way of their doing anything about their frantic desire to help themselves. What we offer is a means of getting beyond these circumstances.

We realize we need to make ourselves available to these people either in their homes or in some facility convenient to their home. We further realize that our hours will be far more extensive than originally predicted.

Yours very sincerely,

Ellen Christine

Ellen and Judi Q. Christine

Judi Q. Christine

TRAINING FORMAT

0254

- Mon. 1.A COMMUNICATION COURSE *
- B Common-sense, long-forgotten basics of good eating.*
- Tues. 2. "THE COURSE"(Includes"Completing relationship with parents.)*
- Wed. 3. FAMILY REBIRTHING
- Rebirthing is a safe, subtle, gentle, and powerful breathing process.
The immediate benefits are better breathing, reduced stress and
increased enthusiasm. It is perhaps the most holistic of all the
modern approaches to well being.
- Thurs. 4.A FOOD AND BEHAVIOR*
- B THE COURSE ADVANCE*(Given on an individual basis only. Candidate
most willing to face personal issues will be
selected.)
- Fri. 5. One day a week to write program reports and evaluations.

* See next page for course descriptions.

COURSE DESCRIPTIONS.....Judi (assisted by Ellen) 0255

REBIRTHING HEALING THE INNER CHILD

Relive your life with music while using the rebirthing breath and courageously discover what forgotten sadness and disappointment helped mould your life. The main value of experiencing this course is you will be able to stop blaming yourself for things you will see you had no control over and reclaim the sense of omnipotence the child within you still possesses. \$50 individual, \$25 groups of 3 or more, \$15 review. 3-4 hours.

REBIRTHING COMPLETEING THE PRIMAL RELATIONSHIP: THE ONE WITH YOUR PARENTS

Every relationship in your life comes from the first one; the one with your parents. Using the rebirthing breath and with the magic of music; discover that under all disappointment is unconditional love. \$50 individual, \$25 groups of 3 or more, \$25 review. 3-4 hours.

"THE COURSE"

The ultimate course for manifesting ALL the joy that life has to offer. We are programmed from birth to believe in our limitations, that we are too dumb, too fat, too loud; and, that we can't have exactly what we want. You can have all of it, by opening up those parts of you that have been shut down for many years, experiencing unqualified forgiveness to be the only completion. Using a unique and brilliant format, make a tape that will rework the fabric of your thinking. Learn to let go of your 'history' easily, unconditionally and forever. Includes rebirthing. \$75 individual, \$50 groups of 3 or more. 6-7 hours.

EFFECTIVE COMMUNICATION COURSE

Are there unresolved conflicts in your family? Do you talk without feeling understood or without accomplishing anything? Learn not only how to say all that needs to be said to those you care about, but how to be heard. \$60 a couple, \$75 family, \$50 individual. 2-3 hours.

THE COURSE ADVANCE

This is designed to break you through all your barriers, so that you can manifest all the fullness that life has to offer. We've all buried feelings of sadness, anger, and disappointment that block us from the richness of life we are capable of having. Discover the patterns that have blocked you from realizing that fullness. \$200 individual only. 8-12 hours.

REBIRTHING AND MERIDIAN THERAPY

Breathe up negative energy while I teach you to release blocks throughout your body painlessly and lovingly. Let me interpret for you what your body is trying to tell you. \$50 Individual only. 1-2 hours.

COURSE DESCRIPTION.....Ellen

FOOD INTENSIVE

Learn, step by step, how to joyously transform your lifelong eating habits to bring you optimal health and aliveness. Removing the veil of misinformation, discover the ancient knowing written within you, that has long been buried under centuries of mass unconsciousness. A unique awareness not taught anywhere else. \$50

FINDING PARTICIPANTS

1. Make public service announcements.
2. Arrange newspaper coverage.
3. Deliver fliers personally to homes.
4. Go to churches and other organizations frequented, including hospitals, drug abuse centers, and maternity care facilities.
5. Personally screen families to identify their needs.
6. Personally invite families to seminars on Emotional and Nutritional Well Being of the Family. (Low cost eating for better health, how to stop anger and abuse in the home while kindling enthusiasm for positive changes in their lives.)

SOME QUESTIONS WE WOULD HAVE IF WE WERE GRANTED FUNDING.

1. Are there lists of names and addresses available for designated area?
2. What support can we expect from the City or Commission?
3. Has anything like this been attempted before? If so, can the studies be made available to us?
4. Do we work totally on our own?
5. Is this a pilot program run by the City or by Judi and Ellen Christine using City monies?
6. Are there guidelines of what is expected and by when?
7. How is program monitored and by whom?
8. When do we start?

PROFESSIONAL PROFILE OF ELLEN Q. CHRISTINE

0258

POSITION: Trainer

EXPERIENCE: Taught High School English for eighteen years in the #1 high school in the country using Title III money for innovative programming. Executive marketing representative for Webber-Time in Philadelphia, D.C., and Las Vegas. Producer of 100 seminars from 1980-1984 in Las Vegas in both time management and nutrition. Made frequent radio and T.V. appearances, and for three months had her own radio show to present her inspiring views on self-improvement. For the entire year 1971-72 made sabbatical tour of Europe, North Africa, and East Asia, followed by additional travels to the North and Central American continents. Developed curricula and implemented unequalled training programs in nutritional awareness.

EDUCATION: 1964 B.S. Temple University.
1970 Master's equivalency, granted by Abington School District.
1970-74 30 graduate hours beyond Master's.
1970-83 Personal growth trainings as follows: Insight and advanced courses, EST and all advanced courses, and Starr Systems Training.
MENSA candidate.

PROFESSIONAL PROFILE OF JUDI Q. CHRISTINE

0259

POSITION: Trainer

EXPERIENCE: Fine Artist, Layout Artist and Illustrator.

Designed and taught custom-made religious education programs for severely handicapped children, and was also responsible for the teacher training program. This was the first time in the church's history that blind, deaf, and emotionally disturbed children received the sacraments with other "normal children".

Developed and taught programs for emotional well-being of Army and Navy Officers'wives.

Of special note is her two years experience as administrator, executive producer, consultant, and marketing representative for Starr Systems International.

It must be mentioned that most note worthy of all, are her "natural gifts" that have unfolded particularly in the past three years and proven to be of invaluable assistance to people.

EDUCATION: 1959-60 received honor of attending the Philadelphia Museum College of Art while still in high school.

1961-63 Pennsylvania Academy of Fine Arts.

1963 Declined Fine Arts Scholarship to Paris.

1961-63 St. John's College, courses on Psychology Related to Art and Sales.

1972-76 Catholic University - Behavior Management Courses

1977-78 Fairfax Community College - Psychology Courses.

1980-83 Personal Growth Training as follows:

Expansion, Life Spring and advanced courses, EST and advanced trainings, Parent Effectiveness Training, and Starr Systems advanced trainings.

ISIS UNIQUENESS, AND ITS SERVICES TO OUR COMMUNITY

May 2, 1984

Dear Sirs:

In consideration of the request of Institute for the Study of Individual skills, Inc., (ISIS to receive Tenth Year Community Blcok Grant Funds, please take note of the following:

ISIS is providing a community service not to be equalled throughout Las Vgeas. Despite the fact that we do charge a nominal monthly tuition (\$150.00), we have never dropped any child because of failure to pay. Of course, ISIS cannot advertise this fact as we do need income, as does anyone, in order to survive. At present, ISIS is carrying the following debts of parents who have not been able to pay for services rendered.

12.50	Tuition	August' 83
170.00	Tuition	August' 83
250.00	Tuition	Oct/Nov'83
15.00	Test	January'83
150.00	Tuition	January'83
150.00	Tuition	January'83
352.00	Tuition	Oct/Nov'83
352.00	Tuition	Oct/Nov'83
50.00	Test	October'83
186.00	Tuition	Februar'84
524.00	Tuition	Feb-Mar'84
750.00	Tuition	Feb-Mar'84
725.00	Tuition	Feb-Mar'84
75.00	Tuition	April '84
25.00	Test	April '84

These figures total \$3,786.50. Were it not for the patience and selfless which allowed these people to receive these services despite their failure to compensate, these and many other children would never know the warm feeling within which comes from learning and having confidence in self to succeed.

Each houshold which has received the services of ISIS has done so being subsidized by ISIS' founders. To be sure, in order for good to triumph over evil, good people must sacrifice above and beyond the call of duty--for the children. ISIS founders reported an income loss in 1983 in excess of \$34,000; but never gave/give up, as

long as there yet a breath of life a child to be taught, and a community to be served. Not only are the needs of children being met by ISIS. Five employees are subsidizing their own families while being subsidized. These are people who are basically unemployable.

ISIS AS A DAY CARE CENTER:

ISIS, in addition, to promolgate economic activities of Westside Community through adequate day care system.

ISIS utilizes a successful model developed from projects follow through, a massive Socio-educational program undertaken in late 60's by the Federal Government to train under-privilage children to have super mind.

ISIS superb educational program utilizes direct instruction program known as (Distar) for teaching arithmetic, reading and comprehension to children as young as three years.

Five year old child leaving ISIS to public school usually skip first grade in public school and excel academically.

ISIS is not registered as educational program, it is a daycare center hence ISIS can not benefit from the public school fund to provide its unique services.

ISIS REMEDIAL PROGRAM

ISIS provides remedial programs for high school students who otherwise would not succeed in public schools.

High school students attending ISIS in the evening usually keeps up with their homework, stay away from street life and gangs thereby duced crime rate. We beleive that ISIS has played a direct role in reducing drop out rate, and crime among children attending ISIS is none existence.

Westside Community needs ISIS program because most of these disadvantage families do not have the availability to ample education, and through ISIS supplemental program they will be able to tap resources available at ISIS to bring up their below average performance at school.

ISIS QUALIFICATION TO SERVICE THE COMMUNITY:

ISIS's, Director is a qualified trainer, and a nationally reconized research scientist.

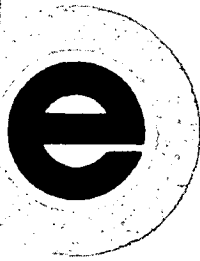
ISIS has the mentorship and direction of a competent educator who has a PH.D in education, with extensive background in Soci-economic and educational development.

With this background, and her early involvement in the development of direct instruction program used in 60's to train under-privilage children, ISIS stands a chance of contributing more to the Westside community than any other organization of this kind.

At present ISIS is the only Institution that offers such opportunities to black and white youth, and West Community.

ISIS increase employment and tax base through training, and hiring qualified people to attend to children. ISIS currently have hire five employees and contracts with another agency to prepare meals for its children.

If ISIS is funded, through the City Block Grant then the burden of current overhead administrative, and supplies cost will be greatly reduced. Consequently, ISIS will re-examine its current rate, and structure its financial needs to reasonable cost factors to enable sound operation, and to further operate financially well without looking for outside fundings.



**economic
OPPORTUNITY
BOARD OF
CLARK COUNTY**

2228 COMSTOCK DRIVE
LAS VEGAS, NEVADA 89030
(702) 647-2010

*The Community Action Agency
For Clark County, Nevada
Since 1965*

James W. Tyree, *Executive Director*
Sylvia M. Staples, *Deputy Director*

May 1, 1984

Mayor Bill Briare
and Las Vegas City Council
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

On behalf of the Senior Day Care Advisory Board, I am requesting your support for the EOB Senior Day Care funding application. I serve as Chairperson of the Advisory Committee for this very worthwhile program, and the requested financial support would make it possible to increase the number of clients we serve.

We are grateful for your past contribution, along with that of the Clark County Commission, which is making it possible to acquire a permanent facility for the Center. With present financial resources, and donated land from the Las Vegas Housing Authority, Senior Day Care will be able to serve 45 clients; granting our present request will result in a facility that can serve 20 to 25 additional seniors or a total of 70 clients. EOB's Senior Day Care Center is the only one of its kind in Southern Nevada and presents a cost-effective alternative to institutional care. I hope that you will select this project as one of your priorities for Community Development funding.

Jan McEachern

Jan McEachern, Chairperson
EOB Senior Day Care Advisory Committee

— Board of Directors —

WES McPHERSON, CHAIRMAN • EMMA YANCY, VICE CHAIRMAN
Theron Goynes, Bob Nolen, Charlotte Yakubik, Robert D. Larsen, Woodrow Wilson,
Clyde Lowe, Sam Roberson, Jesse Scott, Randy Williams,
George Burns, Verlla Davis, Jacqueline McKinney, Naomi Millisor

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR

The items listed below, where appropriate, have been reviewed by the various City departments including sanitary sewer, storm drainage, Traffic Engineering, Engineering Services, Fire and Building, and their comments and/or recommendations and requirements incorporated into the action.

All zoning items shall conform to the following general conditions:

1. Conformance to the plot plan and elevations;
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license;
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy;
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (Excluding single family development);
5. Satisfaction of City Code requirements and design standards of all City departments.
6. Approval of the parking and driveway plans by the Traffic Engineer.

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

May 2, 1984

0265

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BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & 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. Reservation of easements for the facilities of the various utility companies

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

May 2, 1984

0266

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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ITEM

Commission Action

Department Action

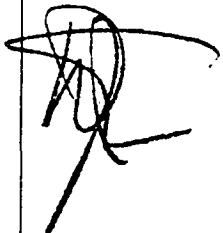
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

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



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

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

15 A. TENTATIVE MAP - CENTURY PARK PLAZA

Property generally located on the north side of Sahara Avenue, east of Spencer Street, R-1 and R-2 Zones (under Resolution of Intent to C-1 and P-R).

Owner: Las Vegas Board of Realtors

Subdivider: Century Omega Joint Venture

No. of Acres: 3.3 No. of Lots: 39

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

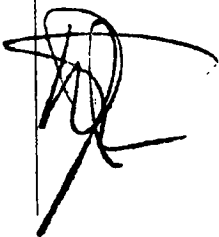
1. Conformance to the conditions of approval for Z-32-80 and for the plot plan review.
2. Provide a drainage plan for approval by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions. Unanimous

Clerk to notify and Planning to proceed

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

A. TENTATIVE MAP - CENTURY PARK PLAZA

The tentative map is to subdivide the proposed development on the Board of Realtors property for an office condominium. The map conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA*City of Las Vegas*

May 2, 1984

0269

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 - SIERRA OESTE #2

Property generally located on the south side of Lake Mead Boulevard, west of Jones Boulevard, C-1 Zone (under Resolution of Intent to R-3).

Owner/Subdivider: Young American Homes
No. of Acres: 10.8 No. of Lots: 45

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

1. Conformance to the conditions of approval for Z-11-84.
2. No vehicular access to Lake Mead 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. Conformance to the Flood Hazard Reduction Ordinance.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A,
B, C, D, E, F and
G as recommended
by Planning
Commission and
staff, subject to
all the conditions.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM

0270

To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

B. TENTATIVE MAP - SIERRA OESTE #2

This tentative map conforms to the Subdivision Regulations and the approved zoning plan.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

C. FINAL MAP - SIERRA OESTE #2

Property generally located on the south side of Lake Mead Boulevard, west of Jones Boulevard, C-1 Zone (under Resolution of Intent to R-3).

Owner/Subdivider: Young American Homes
No. of Acres: 10.8 No. of Lots: 45

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

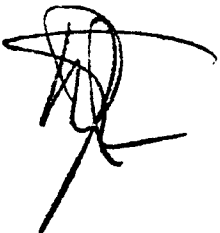
1. Approval of the tentative map.
2. Conformance to the conditions of approval for the tentative map.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions.
Unanimous

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

C. FINAL MAP - SIERRA OESTE #2

This is the final map for the entire area on the tentative map under Item C. If the tentative map is approved, then this map is in order to also be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

D. EXTENSION OF TIME - Z-19-83 - UNITED FOOD
AND COMMERCIAL WORKERS UNION

Extension of Time on property generally located on the west side of Decatur Boulevard between Carmen Boulevard and Westmoreland Drive, R-1 Zone (under Resolution of Intent to C-1).

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

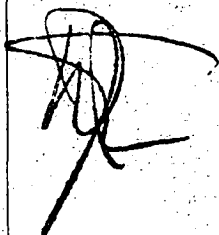
1. Extension of Time shall expire April 6, 1985.
2. Conformance to all ordinance amendments enacted subsequent to the original conditions.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions. Unanimous

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

D. EXTENSION OF TIME - Z-19-83 - UNITED FOOD AND COMMERCIAL WORKERS UNION

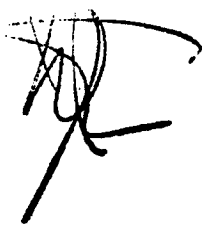
The request is for an extension of time for the C-1 zoning to allow the construction of a new union hall facility for the United Food and Commercial Workers Union. This is the first request for an extension of time.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one year time limit.

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
E. EXTENSION OF TIME - Z-48-83 - CRAIG G. BILLINGS, ET AL		
Extension of Time on property generally located on the south side of Owens Avenue between Henry Street and Gateway Road, R-E Zone (under Resolution of Intent to R-PD18).		
Planning Commission unanimously recommends APPROVAL, subject to the following conditions:		
1. Extension of Time shall expire June 15, 1985. 2. Conformance to all ordinance amendments enacted subsequent to the original approval.		
Staff Recommendation: APPROVAL		
Lurie - APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions. Unanimous		
		Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

E. EXTENSION OF TIME - Z-48-83 - CRAIG G. BILLINGS, ET AL

This is the first request for an extension of time on this proposed planned development. The applicant indicated economic conditions have prevented the construction of this project during the past year.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one year time limit.

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CITY COUNCIL

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ITEM

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Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)F. EXTENSION OF TIME - Z-14-83 - DICK HUNTER

Extension of Time on property generally located on the south side of Harris Avenue between Sandhill Road and Lamb Boulevard, R-E Zone (under Resolution of Intent to R-CL).

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

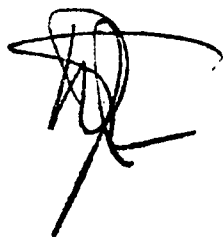
1. Extension of Time shall expire April 6, 1985.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions.
Unanimous

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

F. EXTENSION OF TIME - Z-14-83 - DICK HUNTER

This is the first request for an extension of time on this proposed R-CL development. The applicant is proposing to start construction this year.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one year time limit.

STAFF RECOMMENDATION: APPROVAL -- Subject to a one year time limit.

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ITEM

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Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)G. REINSTATEMENT AND EXTENSION OF TIME -
Z-60-80 - CHARLESTON HEIGHTS ASSOCIATION

Reinstatement and Extension of Time on property generally located on the west side of Torrey Pines Drive, 1300' south of Smoke Ranch Road, N-U Zone (under Resolution of Intent to R-PD14).

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

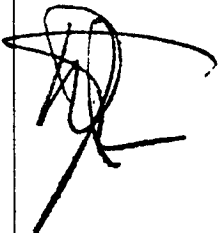
1. Extension of Time shall expire May 2, 1985.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Lurie -
APPROVED Items A, B, C, D, E, F and G as recommended by Planning Commission and staff, subject to all the conditions.
Unanimous

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - MAY 2, 1984

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To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

G. REINSTATEMENT AND EXTENSION OF TIME - Z-60-80 - CHARLESTON HEIGHTS ASSOCIATION

The request is for a reinstatement and extension of time of the R-PD14 zoning for this proposed project. This is the third request for an extension of time. Current economic conditions have delayed this project.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to a one year time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one year time limit.

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)H. PLOT PLAN REVIEW - Z-49-73 - VALLEY
HOSPITAL

Plot Plan Review to allow a four-story medical office building and to eliminate the required landscaped planter along the west property line on property generally located on the northwest corner of Goldring Avenue and Shadow Lane, C-1 Zone.

Planning Commission recommends APPROVAL (4-1-1 vote), subject to the following conditions:

1. Conformance to the revised plot plan and elevations.
2. Condition #6 relative to the required landscaping to the west on the original resolution is hereby expunged.
3. Enter into an agreement with the City to provide permanent required parking for this project and the overall Valley Hospital complex.

Staff Recommendation: APPROVAL

PROTESTS: 1

Lurie -
APPROVED plot plan review, subject to conditions with the additional condition that: The agreement for permanent parking be a covenant running with the land and the agreement to include provision for subterranean parking.

NOTE: Affidavit of Kenneth E. Johnson made a part of the final minutes.

NOTE: City Attorney and Director of Planning Department requested by Councilman Christensen to review code relative to the parking required for doctor's offices.

Clerk to notify and Planning to proceed

Appeared on behalf of applicant:
Atty. John Moran, Jr.

Ernest Libman,
Administrator for Valley Hospital

Harry Campbell,
architect for Valley Hospital

Appeared in protest:
Atty. Brent Larsen on behalf of Geo. Rudiak

Milton Schwartz

APPROVED AGENDA ITEM

To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

The request involves a plot plan review for a four-story medical office building to replace the existing one-story medical building on the northwest corner of Goldring Avenue and Shadow Lane in a C-1 zone. The building will contain 40,000 square feet of office area and will have 20 doctors' offices. The new buildings will require 140 parking spaces and 73 will be provided on-site with the remainder across the street in the hospital's employee parking lot. The hospital is in the process of acquiring several properties on the south side of Goldring Avenue that will provide additional parking in the future but those properties are not part of this application. The hospital has a total of 716 parking spaces and 392 are required for the existing facilities. The 140 additional spaces required for this four-story office complex will still leave 184 spaces over what the Ordinance requires. As a result of this application, it has been brought to the attention of staff that the co-owners, Milton Schwartz and George Rudiak, who are in protest to this request, presently lease a majority of the parking spaces to the Valley Hospital complex. They pointed out that approximately 15 years remain on the current lease. The employee lot east of Shadow that is to be used in connection with this office development is also under the lease arrangement. The City Attorney was consulted on this matter and he recommended if this plot plan review is approved, that it be conditioned to require Valley Hospital to enter into an agreement with the City that it will provide permanent required parking for this project and all remaining Valley Hospital facilities. This was brought out at the Planning Commission meeting and the hospital representatives were in agreement. They also indicated the hospital is in the process of acquiring additional property for parking as evidenced by the acquisitions on the south side of Goldring Avenue. The initial rezoning application on this application required a landscaped planter with Arizona Cypress trees along the west boundary to serve as a buffer for the adjoining residential property which was where Ann Greta Jones resided. She has since passed away and the property will more than likely transition to non-residential use thus removing the need for this planter. The proposed four-story office building will be located near the property line which would require the removal of this planter.

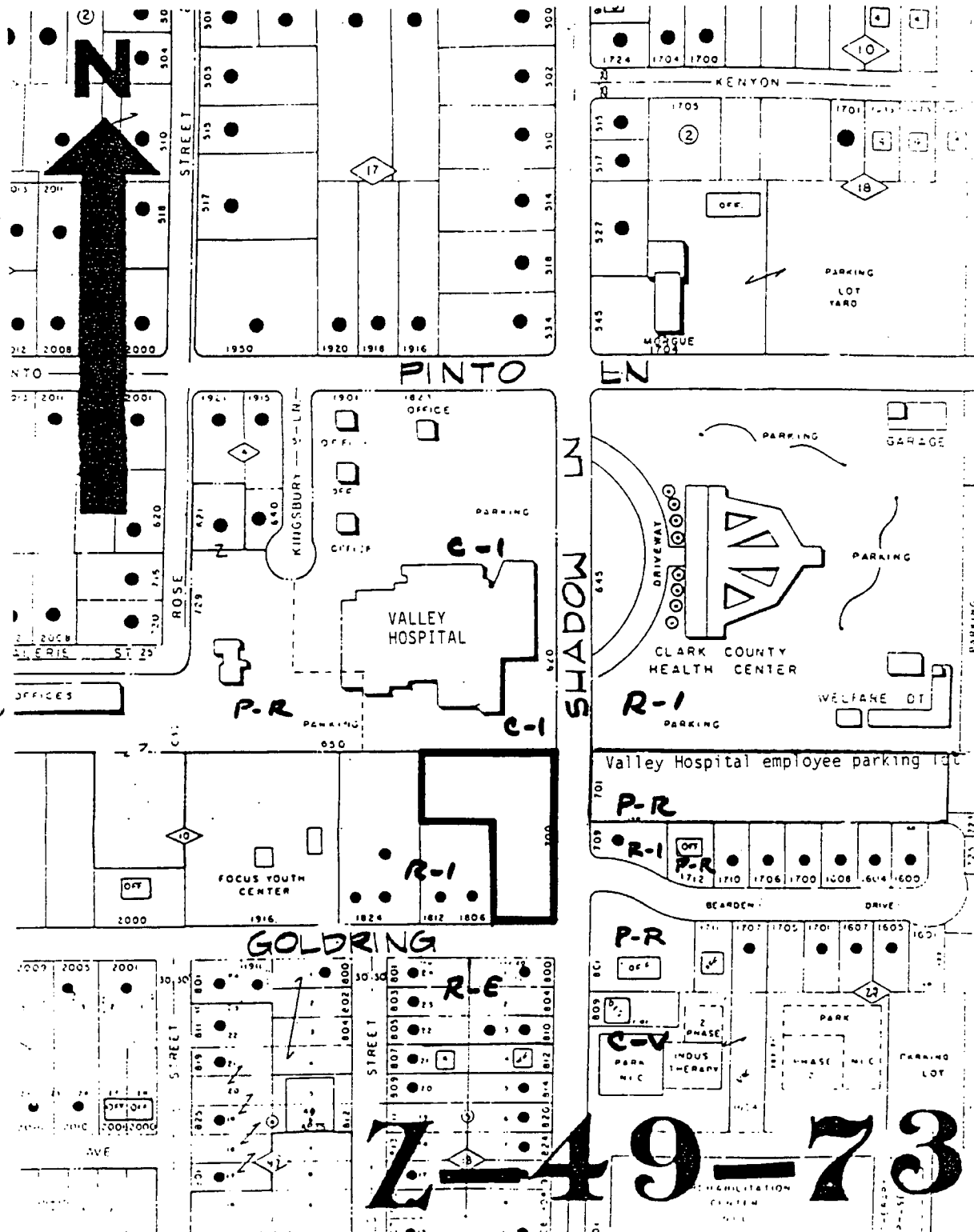
PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to an agreement for permanent required parking be provided for all Valley Hospital facilities.

STAFF RECOMMENDATION: APPROVAL - Subject to a parking agreement being provided.

PROTESTS: 1 - Appeared at Planning Commission meeting

SEE ATTACHED LOCATION MAP

H. LOCATION MAP - Z-49-73



AFFIDAVIT OF KENNETH E. JOHNSON

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

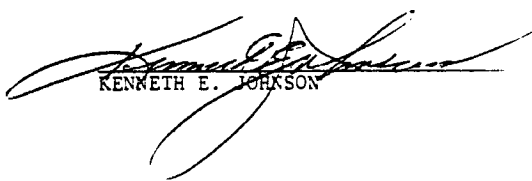
KENNETH E. JOHNSON, being duly sworn, deposes and says:

(1) I am an employee of LAND TITLE OF NEVADA, INC.

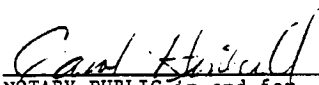
(2) At the request of GEORGE RUDIAK, I, this day visited the premises of VALLEY HOSPITAL for the purpose of counting the number of parking spaces on the land owned by VALLEY HOSPITAL.

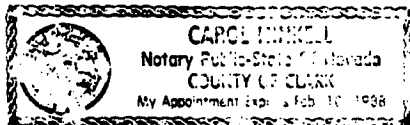
(3) I found that there are 267 marked parking spaces on the property owned by VALLEY HOSPITAL. This total includes all restricted parking (i.e. handicapped, doctors', ambulance, etc.) and visitor parking.

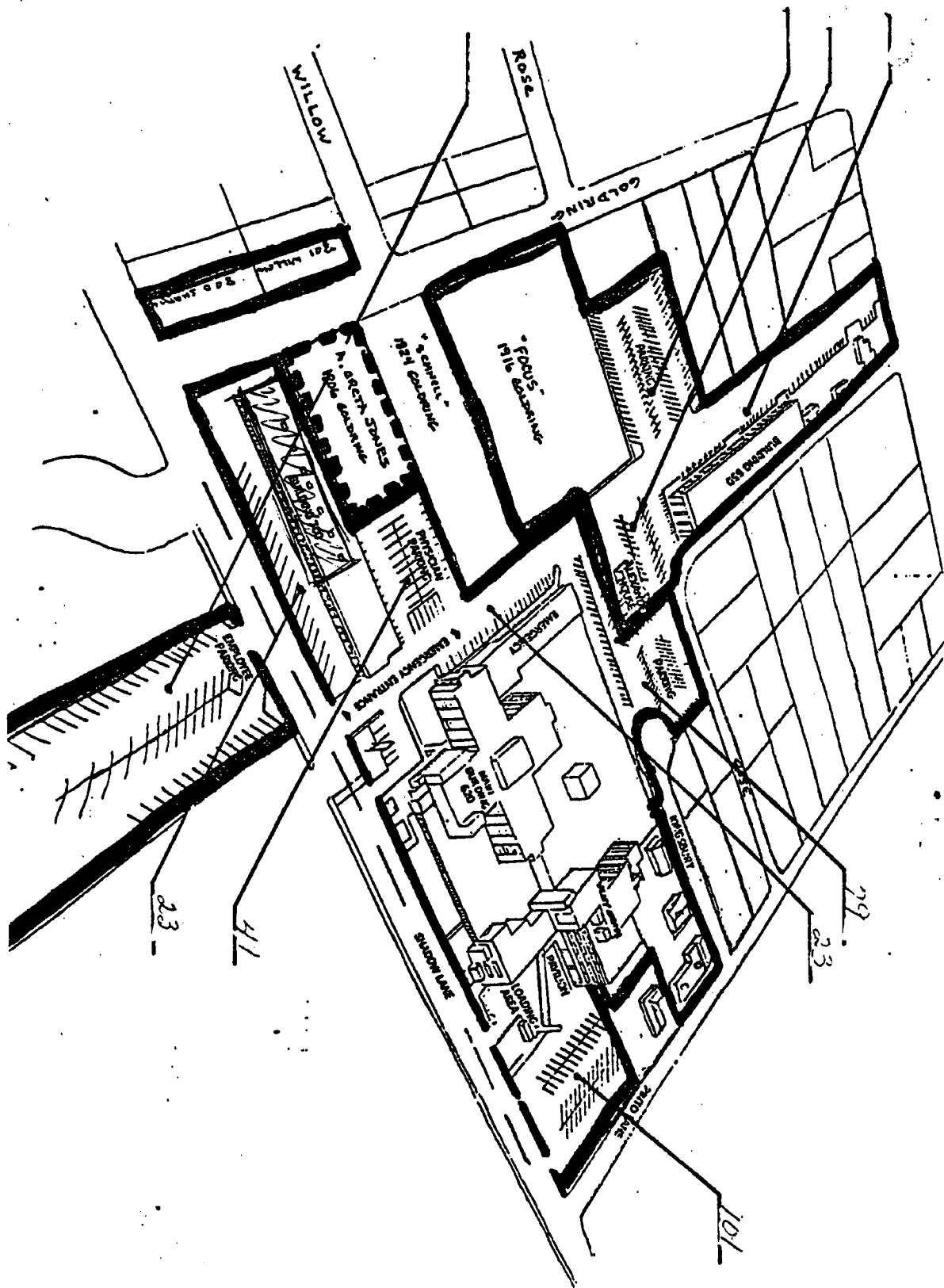
(4) The total of parking spaces include only those spaces that have been marked by painted lines upon the pavement.


KENNETH E. JOHNSON

SUBSCRIBED and SWORN to before
me this 27th day of April, 1984.


NOTARY PUBLIC in and for
said County and State





EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

PAGE 1

- MAYOR BRIARE: Item H is a Plot Plan Review, Z-49-73, for Valley Hospital.
- JOHN MORAN, JR.: Almost said, good evening, but good afternoon, Mr. Mayor, Councilmen. John Moran, Jr. appearing on behalf of the applicant, Valley Hospital. In the audience is Mr. Ernest Libman who is presently the Administrator of the hospital, as well as Mr. Harry Campbell who is the architect on the project. Basically speaking, if I can get my notes out here --
- COUNCILMAN LURIE: Let me ask you one question.
- JOHN MORAN, JR.: Yes, sir.
- COUNCILMAN LURIE: Do you have a lease, a 15-year lease on the parking spaces, approximately 250 spaces? My understanding is staff has recommended and the City Attorney's office that an agreement be given to the City that upon the termination of that lease, you will have sufficient parking to take care of the obligation of all of the square footage that you presently have?
- JOHN MORAN, JR.: That's -- that's absolutely correct.
- CITY ATTY. OGILVIE: Before you commit to that, John, one of the things that I would put in that lease, that if all else fails that you would construct subterranean parking on property that Valley owns.
- JOHN MORAN, JR.: Well, I understand that. I don't -- I would enter into that agreement, but I don't think that that agreement is necessary and the reason it isn't is because of additional other sites that we own currently that are our property -- exclusion of any other claims that afford us a lot of additional parking spaces out there in addition to anything else that's even contemplated with or without lease provisions; and I could point those out if the Councilmen would like to see that.
- COUNCILMAN LEVY: Well, I'd like to hear the opposition, what they have to say about this.
- COUNCILMAN LURIE: Right now, what you're saying is with the spaces that you have at Valley Hospital plus the spaces that you presently have under lease and I believe the leases are 15 years, you have sufficient parking in order to get the plot plan review for your new building?

EXCERPT - CITY COUNCIL MEETING - MAY 2, 1984

X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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JOHN MORAN, JR.: Absolutely.

COUNCILMAN LURIE: Okay.

COUNCILMAN LEVY: Let me ask you a question, Mr. Moran. Looking at this map, I think that you're adding more parking, am I right or wrong?

JOHN MORAN, JR.: Oh, we're absolutely adding more parking. We have a lot of areas out there that are available to us for parking and I have the breakdown. The figures actually are, in a nutshell -- and the reason that staff has recommended approval and the reason that the Planning Board recommended approval to the Councilmen, is as follows: We have, according to staff's count, 716 spaces there now. We have a requirement of 392 for the hospital facility.

COUNCILMAN LEVY: How many?

JOHN MORAN, JR.: Three hundred and ninety-two for the hospital, itself, facility. That would give us -- just as to the hospital, 324 spaces over. The new project requires pursuant to staff and our concurrents and the recommendations of planning, 140 more spaces for the new project which would bring the required parking for the hospital, as well as for the new contemplated project, to 532 required spaces. We also have, and we must keep in mind that there are 716 currently approved spaces available pursuant to the count of staff -- there are 716 spaces there right now without reliance on any other property or talking about any other property, which leaves us from 532 required parking spaces for the new venture and the hospital, a total 184 spaces that are currently over without taking into consideration any adjacent property which we own and which we are currently in the process of seeking the proper zoning to accommodate parking on those spaces. Now, if we were to throw that figure in, our overage goes to hundreds and I can get into that, but basically that was the presentation and that was what was approved by the Board and recommended by staff for approval before you gentlemen.

MAYOR BRIARE: Well, Mr. Moran, just as further clarification, in the backup material that we have here there's an indication that the City Attorney was consulted -- this is from the Planning Commission meeting. The City Attorney was consulted on this matter and he

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X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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MAYOR BRIARE: recommended, "If this plot plan review is approved, that it be conditioned to require Valley Hospital to enter into an agreement with the City that it will provide permanent required parking for this project and all remaining Valley Hospital facilities." This was brought out at the Planning Commission meeting and the hospital representatives were in agreement.

JOHN MORAN, JR.: And, Mr. Mayor, we would agree with that completely and totally. In fact, as I represent here today before you gentlemen, that is in fact what we've undertaken to do by the acquisition of certain parcels of property, in addition to parcels that we currently own; and we are in the process of seeking the appropriate zoning on those parcels in concurrence with the recommendation of staff, the Board and what you've just recited, Mr. Mayor.

MAYOR BRIARE: Mr. Moran, you're familiar with the way we handle the meetings. You get your chance to make your application and then anybody that wishes to make any comments that would be in protest to your application, may do so; and then you get last shot to address that protest.

JOHN MORAN, JR.: Thank you, Mr. Mayor.

MAYOR BRIARE: Do you have anything you want to add at the moment on your application?

JOHN MORAN, JR.: At this point, no, I do not.

MAYOR BRIARE: Councilman Lurie has a question.

COUNCILMAN LURIE: Mr. Moran, are there any plans at present to try and break any leases you presently have on parking?

JOHN MORAN, JR.: Absolutely not. We have no plans to break any leases that we have. That would definitely be detrimental to our project and our plans in that area and we certainly have no plans to attempt to break any leases. In fact, we want to honor all leases that we have and all of our commitments under them and we seek to do so at every instance.

MAYOR BRIARE: Thanks very much, John. Is there anyone present here this afternoon for the purpose of protesting this request?

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X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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BRENT LARSEN:

Yes, Your Honor, Councilmen. I'm Brent Larsen. I reside at 7708 Peacock Avenue. I'm here as an attorney on behalf of George Rudiak and Valley Group Constructors and we are opposed to this zoning change and this plan for the simple reason that there is not enough parking. We have had an affidavit prepared. Could I have just one moment to get my briefcase? Your recess threw us off track a little bit.

MAYOR BRIARE:

Sure, go ahead. It usually throws us off our track, too.

COUNCILMAN LEVY:

Mr. Mayor, while we're here, I'd like to ask Mr. Schwartz if he would just come up. I just want the record straight that what we said before while we took the break, Milton, that I have in the past have dealt in real estate with both you as well as Valley Group and you feel that I can make my judgement and you have no objection to me voting this afternoon?

MAYOR BRIARE:

Depends on how he's going to vote, Milton.

COUNCILMAN LEVY:

No, I mean, in other words, you said, give me a fair shake --

MILTON SCHWARTZ:

Al, I think that's got to be your judgement, not mine. So, however, you feel, I think, that's what you should do.

COUNCILMAN LEVY:

You have no problem then, that's what you told me before?

MILTON SCHWARTZ:

I think that every one of these Councilmen, including you, are honest men and I can rely on your voting your conscience, yes, sir.

COUNCILMAN LEVY:

Thank you.

MAYOR BRIARE:

I want six copies of that.

COUNCILMAN LEVY:

Especially the honest part. You ought to have been here last week.

MILTON SCHWARTZ:

I've been here many many times and I'm sure that the last statement I made is correct.

MAYOR BRIARE:

Mr. Larsen.

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H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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BRENT LARSEN: Yes, Your Honor. I have an affidavit prepared by Kenneth Johnson. I believe Mr. Schwartz has made it available to some of the Commissioners, but could I make this part of the record? I have extra copies if --

MAYOR BRIARE: I don't see one here. Milton, did you leave me out?

COUNCILMAN LEVY: Me too.

BRENT LARSEN: Does everyone have a copy? This affidavit from Ken Johnson points out --

COUNCILMAN LEVY: Who's Ken Johnson?

BRENT LARSEN: Alright. Ken Johnson is one of the title officers at Land Title of Nevada. When the present group -- when the people who now own Valley Hospital purchased Valley Hospital, Land Title issued a policy of Title Insurance. Mr. Johnson has gone back, researched the records, and he has, based on a survey, made a determination of what land is owned by Valley Hospital and what land is not owned by Valley Hospital. Based upon his survey, based upon his title search and after he did the title search he went to the property and he personally counted all of the parking spaces on the property owned by Valley Hospital and there is a total of 267 parking spaces owned by Valley Hospital.

COUNCILMAN LURIE: How many parking spaces do they have leased?

BRENT LARSEN: Mr. Schwartz could answer that.

MILTON SCHWARTZ: I don't know. I accept what --

COUNCILMAN LURIE: I mean the amount that they have that you have in this affidavit are spaces that they presently own. The leased parking that they have for 15 years you're not including that as their parking spaces?

BRENT LARSEN: That's right. The number of parking spaces that are under lease in my recollection is about 140, but I could stand corrected, but in any event, that lease is for 15 years. These buildings are designed to last for 50 years. The problem that we now have is, whatever you do today, we would encourage and advocate as strongly as we can that you do not simply pass the buck for 15 years. In other words, say --

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H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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COUNCILMAN LEVY: We passed the buck five years ago for 20 years when we allowed Mr. Schwartz to do what he was doing, building that hospital with the parking that he has, didn't we?

BRENT LARSEN: No, because --

MILTON SCHWARTZ: No, sir. At all times we had proper parking.

BRENT LARSEN: No, you didn't because --

COUNCILMAN LEVY: Or leased.

BRENT LARSEN: Wait a minute --

COUNCILMAN LEVY: Wait a minute, let me ask -- you said that, Mr. Schwartz. Wasn't any of that leased?

BRENT LARSEN: Councilman, I could best answer that by referring to the Zoning Code. The Zoning Code provides that if you can use other parking spaces -- you can use leased parking spaces if a certain condition is met and that is that there is a common ownership. When Mr. Schwartz came to you five years ago, they were able to satisfy the parking arrangement through a lease because it was through common ownership at that time.

COUNCILMAN LEVY: Valley -- wait a minute -- no, no, I think that's been their legal discussion you're into right now, isn't it?

BRENT LARSEN: No, at the time --

COUNCILMAN LEVY: Valley Group --

BRENT LARSEN: Valley Group Constructors, the principals of Valley Group Constructors are the same principals, the same founders of Valley Hospital at Valley Hospital's inception.

COUNCILMAN LEVY: All of them? Do you know who owns --

MILTON SCHWARTZ: Can I answer that?

COUNCILMAN LEVY: Well, let me just ask another question. Do you know who owns the northeast corner of Goldring and Tonopah which is not on your map and it shows vacant?

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X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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- BRENT LARSEN: The northeast corner of Goldring and Tonopah?
- COUNCILMAN LEVY: Tonopah is the street right there at the end of the property. I think it's two acres. Tonopah is the street on the north end of there. Goldring is the --
- COUNCILMAN LURIE: Isn't this what you're talking about.
- COUNCILMAN LEVY: Yes.
- COUNCILMAN CHRISTENSEN: He's talking about right here.
- MILTON SCHWARTZ: We don't know.
- BRENT LARSEN: I don't know.
- COUNCILMAN LEVY: Valley Hospital.
- BRENT LARSEN: What difference does, would that make?
- COUNCILMAN LEVY: Well, in other words, I think that they're going to show you that they are supplying more parking.
- BRENT LARSEN: But wait a minute, the Zoning Code requires that this parcel of property be within 300 feet of the buiding.
- COUNCILMAN LEVY: It is 300 feet. The hospital goes all the way to Tonopah.
- BRENT LARSEN: No, 300 feet of the building is what the Zoning Codestates. I have it right here. I can read it.
- COUNCILMAN CHRISTENSEN: We don't need to read the Zoning Code, but you really -- you really peaked my curiosity about maybe we should change our Zoning Laws because -- take the legalese out of it and simplify it to layman's language. What you're telling me is that leased parking can't be used unless there's common ownership; and the reason you give is because 15 years down the line when the lease runs out you don't have the parking and we've passed the buck for 15 years.
- BRENT LARSEN: That's right.
- COUNCILMAN CHRISTENSEN: And yet, you can have common ownership for 30 minutes while you execute the lease and get the zoning and the guy can sell off the parking and then you're in the same boat, only you're worse off and maybe that's a loophole in our Zoning Code that we should plug.

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H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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COUNCILMAN NOLEN:

I better say we're not passing the buck anyway if we go along with the recommendation here, subject to an agreement for permanent required parking to be provided.

COUNCILMAN CHRISTENSEN:

Well, that's a different matter, but this really shakes me because I wasn't aware that that requirement was that way; and if that requirement is that way, that means we could -- that you could build a building with no parking; buy the lot next door; then build a building with no parking; lease the parking spaces in the lot next door. Once you leave this meeting, then sell the lot next door. No parking, that bothers me.

COUNCILMAN LEVY:

Can I make another comment, sir?

BRENT LARSEN:

Sure.

COUNCILMAN LEVY:

You are here protesting this -- you know, you don't live on the street. Mr. Schwartz doesn't live in the neighborhood.

MILTON SCHWARTZ:

Yes, I do.

COUNCILMAN LEVY:

I thought you lived over in Scotch 80?

MILTON SCHWARTZ:

Which is in the City of Las Vegas.

COUNCILMAN LEVY:

Well -- no, no, I know -- let me finish my -- I'm talking about -- I feel that if this hospital does not have enough parking, then it's going to be the hospital's penalty, because they're not going to have enough parking and their business is going to go down in business I would think just like any other office complex or shopping center that doesn't have enough parking. It's interesting that the people who live in the neighborhood aren't protesting.

BRENT LARSEN:

Well, I don't speak for the people in the neighborhood. I haven't made any effort to circulate a petition or make any attempt to speak for them --

COUNCILMAN LEVY:

No, no, no, I didn't suggest that you did, sir.

BRENT LARSEN:

-- but the point is, my clients do own property in the neighborhood. The whole concept -- the whole purpose of zoning is to make sure that a proposed use does not become a nuisance, that it doesn't have a

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BRENT LARSEN: detrimental impact on the surrounding neighborhood in the community at large. I believe that granting a zoning change with deficient parking would be a bad precedent for the community in general and would also severely impact our property. For instance, the map that's attached to the affidavit shows the focus property, that's undeveloped.

COUNCILMAN LEVY: That's right.

BRENT LARSEN: Alright. We own that property.

COUNCILMAN CHRISTENSEN: This is not a zone change, is it? Let me clarify something here. This is not a zone change, is it?

COUNCILMAN LEVY: Yes.

COUNCILMAN LURIE: No, it's not a zone change.

COUNCILMAN CHRISTENSEN: No, it's not a zone change.

COUNCILMAN LURIE: It's a plot plan review.

COUNCILMAN CHRISTENSEN: What's the difference between a plot plan review and a zone change?

HAROLD FOSTER: It's just a change to the development plan under the plot plan review from what was approved on the original zoning.

COUNCILMAN CHRISTENSEN: Okay, does the zone change require the parking and require the dual ownership if you lease parking?

HAROLD FOSTER: Well, in either case.

COUNCILMAN CHRISTENSEN: In either case, that's required.

HAROLD FOSTER: Sure.

COUNCILMAN CHRISTENSEN: Even on a plot plan review?

HAROLD FOSTER: Yes. You have to meet code requirements.

BRENT LARSEN: Alright, but the whole point why we have these hearings is to make sure that a proposed use of a property does not have a detrimental impact on the surrounding property, the neighbors. Valley Group Constructors owns the focus property. If you allow this to take place, then you say it's going to adversely affect Valley Hospital, that's not true. It'll adversely affect anybody who owns property in the area because

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- BRENT LARSEN: since Valley Hospital hasn't made arrangements to provide sufficient parking, those patrons are going to look to our property and they're going to park on our property because they -- because Valley Hospital didn't provide it and the onus should not be on us to have to continue to go to court and trespass and things of that nature to protect our property when the zoning laws themselves which are explicit in the parking requirements put the onus upon the applicant to take care of that problem and not upon the pro-
testor to insure that his property is not adversely affected.
- COUNCILMAN LURIE: Have you offered that property to Valley Hospital?
- BRENT LARSEN: We've offered to lease it. They don't want to lease it.
- COUNCILMAN LURIE: Okay. What about the piece behind this 700 building, the Greta Jones property, don't you -- aren't you going to buy that property and then that property will have to be leased from you by Valley Hospital for parking?
- BRENT LARSEN: Well, that's in litigation and that issue has not yet been resolved. We intend to buy it. We intend to lease it to them, but we have not been able to resolve the differences of opinion that we have with respect to that property, but be that as it may, my point is that Valley Hospital has to show that they own property and that this ownership of property would be sufficient to meet their parking needs. Until they can come to this board and show that they have met that burden, then their application should be denied.
- COUNCILMAN LURIE: Well, I don't think this board should get involved in any kind of legal situation that you have with Valley Hospital. I think what we have to decide is whether or not there's sufficient parking in order to build this building at the present time and do they have sufficient years left on their lease and are they going to provide adequate parking after the termination of the leases and are they going to provide additional parking before then --
- BRENT LARSEN: I agree with you.
- COUNCILMAN LURIE: -- and I think that's already been answered.

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BRENT LARSEN:

Well, I disagree with you that it's been answered in the sense that is the 15 year lease a long enough duration to satisfy parking for buildings that are designed to last 50 years. Now --

COUNCILMAN LURIE:

We've given other applicants the opportunity to build based on leases of parking and one example was Vegas World, to build that high-rise. He leased additional parking around Vegas World until he bought sufficient parking to come in and get approval for a garage to house all the cars that he's going to need for when he opens the building. So that precedent was like a two-year lease that he had, actually a five-year lease, but he's going to be building and have it open within two years. That was only five years. So, I mean, 15 years is a long time.

BRENT LARSEN:

Alright, but if you start from the premise of your own Zoning Code and you say, this additional property that they would acquire has to be within 300 feet of the building, there isn't any other parking that is available that they could buy. If you talk about saying, let's defer this problem 15 years from now because we have a contract and that's an important point I want to address. Can you reasonably rely on this promise that Valley Hospital will give you a contract that 15 years from now they will buy the space? In the first place, that doesn't meet the requirements of this shared-use Zoning Code under 19.6.480. That Code contemplates a present contract, not a contract to be obtained 15 years from now. The language reads, "The consent must be in the form of a binding contract between the parties in question." Who are the parties in question where they're going to find this other parking? They're non-existent. They're mysterious at this point. So it's really an illusory contract, but in addition to that, that contract is meaningless where you're dealing with a foreign corporation, a corporation that's incorporated in the State of Pennsylvania. Who's to say that this corporation will be here, will own that property, 15 years from now. Are you going to ask for teeth in a contract such as a personal guarantee by the principals of Valley Hospital so that if they default 15 years from now, you're not having to chase a corporation that may or may not be here 15 years from now, that may or may not exist 15 years from now?

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COUNCILMAN LEVY: Mr. Schwartz sold that hospital. Did you get a personal guarantee out of them, Milton?

MILTON SCHWARTZ: I did not.

BRENT LARSEN: He didn't need it, but my point is --

COUNCILMAN LURIE: But he sold the hospital and he sold those leases and those leases had to be written with some strong language in them.

BRENT LARSEN: Mr. Schwartz certainly got sufficient security for his contract. My point is, what security are you having for yours? Without a personal guarantee and just taking their word for it, you have no security.

COUNCILMAN LEVY: You feel -- you don't feel that they'll be the loser if they lose those parking lots, the hospital itself?

BRENT LARSEN: I feel that anybody in this immediate community will be the loser, in addition to the City of Las Vegas.

COUNCILMAN LEVY: And the hospital.

BRENT LARSEN: They may well lose, too.

COUNCILMAN LEVY: Well, I would think they would be the big loser.

BRENT LARSEN: Well, if they're the loser and everybody's the loser, why proceed with granting the application then?

COUNCILMAN LEVY: Because I think it will be worked out.

BRENT LARSEN: Well, this kind of promise that they're proposing is the exact kind of promise that got Clark County in hot water when they dealt with the R. B. Albert situation over on Flamingo Road.

COUNCILMAN LEVY: What do you mean? Because they went out there and they had a wrong legal? What are you talking about? A wrong legal on Flamingo because an attorney wrote the wrong legal?

BRENT LARSEN: No.

COUNCILMAN LEVY: A defendant? That's exactly what happened, sir, because I'm very familiar with that case. A wrong legal was written.

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BRENT LARSEN: I'm very familiar with it myself.

COUNCILMAN LEVY: I know. You guys are representing Mr. Albert.

BRENT LARSEN: Exactly and I'm very familiar with it. I know the case forwards and backwards.

COUNCILMAN LEVY: And Mr. Singleton wrote the -- had the wrong legal when they bought the hotel.

BRENT LARSEN: No, you're mistaken. You're mistaken in that Mr. Singleton represented Mr. Kerkorian.

COUNCILMAN LEVY: That's right.

BRENT LARSEN: Mr. Kerkorian came into the picture two years after the County got in the soup, in hot water.

COUNCILMAN LEVY: Because Mr. Wolf leased the property and he didn't have the right to.

BRENT LARSEN: Right.

COUNCILMAN LURIE: Which has nothing to do with this issue.

BRENT LARSEN: My point is the County got into hot water with a lease based on a promise from some third party that they would continue to honor this lease and to continue to provide them the rights to the lease just like they're saying, we'll continue to be able to lease it 15 years from now and the whole thing -- the bottom fell out and so now the County's in hot water for relying on a promise on the if -- come 15 years from now with no teeth to enforce the promise.

MAYOR BRIARE: Mr. Larsen, I think you've expressed the objections that you have to this plot plan review request. Now, what --

BRENT LARSEN: I would like to make one further point if I may? My point is this, under the Zoning Code that deals with hospitals, the Zoning Code requires that a hospital must have one space for every bed. There are 363 beds. That means that --

COUNCILMAN CHRISTENSEN: Three hundred sixty-three spaces?

BRENT LARSEN: Pardon.

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COUNCILMAN CHRISTENSEN: One hundred eighty spaces.

BRENT LARSEN: 183 spaces. One space for every two beds. Okay, I stand corrected.

COUNCILMAN LURIE: You said, every bed.

BRENT LARSEN: One space for every two beds.

MILTON SCHWARTZ: They only have 306 beds.

BRENT LARSEN: Excuse me, if Mr. Schwartz is correct, they have 306 beds, so they would need 153 spaces just for the beds. In addition, they need one space for every two employees. There are 400 employees, that's another 200 spaces. They need one space --

MILTON SCHWARTZ: Four hundred employees per shift.

COUNCILMAN LEVY: Well, Milt -- go ahead, Milt, you do the --

MILTON SCHWARTZ: They have 400 employees per shift, that's what the law says.

BRENT LARSEN: Alright, so they need an extra 200 spaces there. They also need one space, and this is straight out of the code, one space for every doctor and there are 400 doctors on staff. That's another 400 spaces. My point is this, every single parking space they have has to be allocated to the hospital itself. When those are allocated --

COUNCILMAN CHRISTENSEN: Do we have to have one space for every doctor that's on staff, is that in the Code?

BRENT LARSEN: That's what the Code says.

COUNCILMAN CHRISTENSEN: We got 300 -- how many beds, 300 beds?

MILTON SCHWARTZ: I believe it's 306.

COUNCILMAN CHRISTENSEN: Three hundred six beds and you've got 400 doctors on staff?

MILTON SCHWARTZ: Yes, sir. That's more than 400.

COUNCILMAN NOLEN: Are you trying to represent --

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COUNCILMAN CHRISTENSEN: Okay, that means that you're going to have a doctor and a half for every bed, every shift in that hospital?

MILTON SCHWARTZ: It doesn't work that way, Councilman Christensen.

COUNCILMAN NOLEN: And that he would be on duty all the time?

MILTON SCHWARTZ: There are over 400 doctors that have privileges in the hospital. The same 400 --

COUNCILMAN LURIE: Well, how many are there at one time? There's not 400 there at one time.

MILTON SCHWARTZ: The same 400 doctors have privileges in all other hospitals or most other hospitals.

COUNCILMAN CHRISTENSEN: I understand that. What I'm getting at is if our code requires that, we're deficient one more place in our hospital code because it's ridiculous to require parking --

MILTON SCHWARTZ: He's just reading you the code.

COUNCILMAN CHRISTENSEN: I know, but it's ridiculous to require a parking space for every doctor that's on staff because some of those doctors won't hit Valley Hospital once in three days.

BRENT LARSEN: Well, that may be --

COUNCILMAN CHRISTENSEN: You wouldn't be able to get down the halls if you had 400 doctors in Valley Hospital at any one time.

BRENT LARSEN: Well, that may be, but my point is according to the Code, they're way deficient now with just the hospital, but even taking out the irregular -- even if you take out the irregularities in the Code, my point is this, every single parking space they have is allocated to the hospital itself. When you talk about a new addition, you have to talk about new additional parking in sufficient numbers to meet the requirements of just the new building and they haven't done that and they can't do that because it's just not there.

COUNCILMAN LEVY: Did we have enough parking yesterday?

MAYOR BRIARE: And you say it is, John? Okay.

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COUNCILMAN LEVY: Did we have enough parking, by our Code, today -- do they have enough, or are they short now?

BRENT LARSEN: For just the hospital?

COUNCILMAN LEVY: Well, for everything. Are they short right now?

BRENT LARSEN: By the Code, I would say they're short right now.

COUNCILMAN LEVY: Did you get variances for the parking?

BRENT LARSEN: What do you mean?

COUNCILMAN LEVY: When you were running the hospital?

MILTON SCHWARTZ: Can I answer these questions because you've asked questions, Al, and answered them and with respect, when I talk to myself, I get no argument, but -- You said, "When I came before this board five years ago and asked for variances as to parking to allow me to build a hospital," if I'm quoting you correctly, that you gave it to us.

COUNCILMAN LEVY: Did you ask for variances? I don't -- I -- no, I'm asking a question.

MILTON SCHWARTZ: I'm saying, "I did not."

COUNCILMAN LEVY: I didn't think you did.

MILTON SCHWARTZ: I'm saying, the hospital was built in 1971. The hospital had adequate parking of ownership in 1971. The hospital sold in 1979. It was in connection with the preparation for that sale because UHS, the company who bought the hospital, said, "We're in the hospital business, we're not in the real estate business. We don't want to buy this property. We want you to buy it."

COUNCILMAN LEVY: No, that's not what I'm asking, Milton. What I'm trying to get to --

MILTON SCHWARTZ: That's when we took -- separated the property.

COUNCILMAN LEVY: No, the gentleman, your attorney has indicated to us that the property is illegal basically unless they have a variance for parking today.

MILTON SCHWARTZ: That's right.

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COUNCILMAN LEVY: Today, today, right now without this new addition.

MILTON SCHWARTZ: Today. "It's wrong right now," he says.

COUNCILMAN LEVY: Right and all I'm asking is, how did we get there?

MILTON SCHWARTZ: I tried to explain it. I'll do it again.

COUNCILMAN LEVY: No, no, wait a minute. He just said, "With the leased parking and everything else, that that hospital does not have enough parking."

BRENT LARSEN: No, I didn't say with the leased property.

COUNCILMAN LEVY: Just this now?

MILTON SCHWARTZ: He said, "Up to Code." In accordance --

COUNCILMAN LEVY: Up to code, it's illegal then?

MILTON SCHWARTZ: That's right.

COUNCILMAN LEVY: Then he's illegal right now, is that right?

MILTON SCHWARTZ: If you put in the leased property, they are not illegal.

COUNCILMAN LEVY: That's not what he was trying to get to.

COUNCILMAN CHRISTENSEN: But we can't put in the leased property anymore because it's no longer the same owner?

MILTON SCHWARTZ: That's right.

COUNCILMAN LEVY: Even though its got a 14-year lease.

COUNCILMAN CHRISTENSEN: So then we sort of got hoodwinked. What we should have done is never allowed the sale of the hospital.

MILTON SCHWARTZ: Good. I wish you didn't. Let's rescind it.

COUNCILMAN CHRISTENSEN: If we hadn't allowed the sale of --

MILTON SCHWARTZ: Let's rescind it.

COUNCILMAN CHRISTENSEN: Did we have any jurisdiction over the sale of the hospital?

COUNCILMAN LEVY: No.

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MILTON SCHWARTZ: No.

COUNCILMAN CHRISTENSEN: Well, then how can we be held to that kind of a code when they can break the agreement and thereby make the parking spaces illegal with no control of ours? That's where --

MAYOR BRIARE: I'm going to have a recommendation here.

COUNCILMAN CHRISTENSEN: I sure am too because I think we better change our whole hospital procedure in parking.

MAYOR BRIARE: It's easier than that.

COUNCILMAN CHRISTENSEN: Because it looks to me like it's as broad as it is long. If it's illegal for a person to use leased parking places and then have the lease cancelled 15 years later, it ought to be illegal to use leased parking spaces when the ownership is the same and then have the ownership change. It's as broad as it is long.

MILTON SCHWARTZ: Do I get a chance to say a few words if I may?

COUNCILMAN CHRISTENSEN: Have we ever been able to deny you that chance?

COUNCILMAN LEVY: Or want too?

MILTON SCHWARTZ: Thank you. Are you through?

BRENT LARSEN: Yes, go ahead.

COUNCILMAN LURIE: This is a much better attorney. The last one you had up here, you made him sit down and you took over anyway.

MAYOR BRIARE: Milton, please proceed because when you talk to yourself you don't get any argument, isn't that what you said?

MILTON SCHWARTZ: When I talk to myself, but now I'm hoping to talk to Councilmen who will listen with open ears and hearts and brains. When we sold the hospital -- preparatory for the sale of that hospital, we only didn't include -- the reason we didn't include the land is that they didn't want the land.

COUNCILMAN LEVY: Any of it?

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MILTON SCHWARTZ: Any of it. They refused to buy it. They couldn't afford to buy it, frankly.

COUNCILMAN LEVY: You owned all the land under the hospital? No, I just asked that question. Yes or no.

MILTON SCHWARTZ: Well, I'll show you what we own. We don't own -- we own --

COUNCILMAN CHRISTENSEN: You misunderstood his question. Milton. He asked you if you owned the land under the hospital?

MILTON SCHWARTZ: We do not own the land under the hospital. I did misunderstand. Thank you for the clarification. We own all the land or have the right of first refusal around the hospital, except for the northwest corner of the hospital-owned land and if Brent Larsen is correct -- I don't know what that says. This is the map of the -- this is the City map.

COUNCILMAN LEVY: That's just the building they want to build, Milton.

MILTON SCHWARTZ: No, it isn't.

MAYOR BRIARE: Do we have copies of that, Milton?

MILTON SCHWARTZ: Huh?

MAYOR BRIARE: Color-coded? Yes, we have copies that are color coded.

MILTON SCHWARTZ: Good. Okay, now if Brent is right and the law says they have to own the land, not only don't they own it now, they'll never be able to own it unless they buy it from us or lease it from us. When we bought the focus land --

MAYOR BRIARE: What would happen if they lease it?

COUNCILMAN CHRISTENSEN: They can't lease it.

MILTON SCHWARTZ: They haven't leased it. When we bought in 1980 after we sold the hospital to them and we entered into an agreement with them in good faith and if you can rely upon getting their contract from them, I'm suggesting you don't because I'm going to give you some experiences as to why you shouldn't.

MAYOR BRIARE: Milton, you better hurry up and do it because I think we're just going through so much history that this particular parcel of land certainly has a long

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MAYOR BRIARE: history.

MILTON SCHWARTZ: Yes.

MAYOR BRIARE: Now, I don't -- if the Councilmen are going to ask a question and this is necessary for them to make a decision or something -- I don't want to go through the whole lengthy --

COUNCILMAN LEVY: I don't think there's anything being changed. I think there's just one point --

MILTON SCHWARTZ: I say that if the law is that they're not in zone now unless they own the land, wait until they own the land and then by all means, you won't even see us protesting. They don't own the land. They're never going to own the land up to code because they refused opportunities to own or lease the land on the same basis that they're presently leasing the land from us now and you have copies of the letter offering it to them at no increase in price -- at the same price and they've turned it down. You also have copies of letters where 52% of their present medical buildings are empty of doctors. Where Pandelis is building a 27,000 foot building next door with no tenants, he told me, Nick Pandelis. There's no need for the building. There's no need for the rush. Let them own the land and then go ahead and give them the permission.

COUNCILMAN LEVY: Let's not get into economics, that's their problem.

MILTON SCHWARTZ: I hope I've proven that they can never own land up to code, not now or in 15 years, never and I don't think the City of Las Vegas should be a party to something that they know right now can never happen. They cannot acquire land ever up to code. Take a look at who owns what. I rest my case.

MAYOR BRIARE: Thank you, Mr. Schwartz. Mr. Larsen, you're concluded?

BRENT LARSEN: Yes, Your Honor.

MAYOR BRIARE: Yes. Did anyone else want to make any comments on this before we give the applicants the right to come back and make rebuttals to this, anyone at all? Gentlemen, you may be seated now. Thank you very much. Mr. Moran, you're going to concentrate just on

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MAYOR BRIARE:

what Mr. Schwartz and Mr. Larsen have brought up to us and then I have a comment I want to ask you, what your legal opinion is on something? George, I'm not getting legal opinions just haphazardly here, but I'm going to ask Mr. Moran for a legal opinion here pretty quick.

JOHN MORAN, JR.:

Well, first of all, the presentation I just sat back there and witnessed was quite amazing because I saw Mr. Schwartz and his attorney give so many viewpoints and so many contradictions in what each of them were saying, it's fairly difficult to address, but I will endeavor to do so. First of all, I'd like to point out, why is Mr. Schwartz here today? I think -- I think the Councilmen and Mr. Mayor hit the nail on the head. They certainly didn't see Mr. Schwartz here years back when, in fact, he was the Administrator and deeply involved in Valley Hospital. He wasn't here then --

COUNCILMAN LEVY:

Oh, yes, he came.

COUNCILMAN CHRISTENSEN:

Yes, he was here.

JOHN MORAN, JR.:

-- but he was on the other side of the fence and he was asking for things then. He wasn't trying to have something that completely and totally lawful set aside, but be that as it may, I'd like to point out why was he here? Well, I'd like to point out to the Commission that directly behind our project is a parcel of land owned by no other than the estate of Ann Greta Jones and Mr. Schwartz has recorded right of first refusal on that property that's directly on our western boundary and Mr. Schwartz, I'm sure his motive for being here today and objecting to our proposed seeking of 140 additional spaces, and that's what we're seeking 140 additional spaces, is that he's hoping that he can persuade Mr. Mayor and the Councilmen as to not follow the recommendations of staff, not follow the recommendations of Planning and, in fact, turn us down so that he can have us over a barrel and try to, in fact, have us enter into a lease with his property that he has the right of first refusal on allegedly. Now, that as it may -- I would like to point out that Mr. Schwartz, once again, has in fact, presented an affidavit. At the last hearing in front of the Planning Board, we had a different attorney, Mr. Rudiak was there, and he presented an affidavit signed by Niola Perez who happened to be, to my understanding, secretary to Milton Schwartz and that was filed with the Planning Board.

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JOHN MORAN, JR.:

They reviewed that affidavit; and in her affidavit, what's interesting is that Exhibit "B" they indicated that Valley Hospital, my clients, owned 318 spaces. Now -- yet today they come in with a totally different affidavit again since, I guess, Mrs. Perez's obviously didn't work. They come in with another affidavit from a Kenneth Johnson who says that Valley Hospital only owns 267 spaces. I would suggest that if we come any more times before the Board, we're going to end up owning no spaces based on their affidavits. Because every time they spring an affidavit that they prepared, it seems that our spaces diminish again. I just wish that they could agree as to their affidavits, but I'm pointing out that their affidavits are in conflict as I pointed out, that there was contradictory information in their first affidavit which did not jive with the staff's own counting of the spaces available out there. I'd also like to point out that the lease of approximately 14 years is not for 140 spaces as represented by Mr. Schwartz and his attorney. The lease of the parking facility directly across from the hospital facility is for approximately 198 spaces and that's indicated on Exhibit "B" of Mr. Schwartz's own exhibit that he presented the last time indicated by a red rectangular saying, "employee parking." There are 198 spaces there, not a 140 spaces as represented this time by his counsel. I would also point out that no matter which way -- no matter which way you slice this pie, we have the required parking and I know the Commissioners can, in fact, add two and two and I know that they understand numbers and I'm going to go through a little drill, a real short drill, as to why we have enough parking out there; and the reason that we have enough parking out there is because of the fact that there are 716 spaces available, that are lawfully available, out there and that's verified by staff and verified by the approval of the Board. Again, we need for the hospital, as stated by staff themselves and recommended by the Board, 392 spaces. That makes us over 324 spaces. Next --

COUNCILMAN LEVY:

You said, 392?

JOHN MORAN, JR.:

Three hundred ninety-two are required --

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X. PLANNING AND DEVELOPMENT DEPARTMENT

H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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COUNCILMAN LEVY: Now, how does that break down?

JOHN MORAN, JR.: Well, I'm going to break that down right now.
We have 716 lawfully leased, owned or otherwise.

COUNCILMAN LEVY: No, no, I mean, how do you break the 392?

JOHN MORAN, JR.: I don't break the --

COUNCILMAN LEVY: In other words, how many per bed?

JOHN MORAN, JR.: I didn't break that down. That is broken down by staff and Mr. Foster would have to break that down and I'm sure he'll be able to do that. In any event, I would like to continue just so I can get through this because it's not too long but its several different ways that I'm going to show you no matter which way you approach this thing, we've got plenty of spaces, okay. Let's approach it from this standpoint which reads, 716 are required, 716 are out there; 392 are required. The project needs 140 spaces which obviously there's no doubt as to that because we didn't hear anything from the protestants as to that. That means that we have to come up with 532 required spaces. You simply subtract 532 required spaces and you subtract that from 716, which are there, and you come up with a figure that we are 184 spaces over, but now if that isn't enough, let's go to a different approach; and this will be the approach, that is why are we here today. We're here today to get 140 spaces and show you that that's what we need and that's what we have. We're not here to litigate whether Valley Hospital has a billion beds or one bed and every bed needs this and that. We're here for 140 spaces, gentlemen, and what that means is that: Number one, we have additional lots that we are the owners of and those lots if I may approach over here for a moment -- these lots are, in fact, located here on Goldring. Here's the proposed site right here. These lots are right in here. The lots and the legals for them is Lots 24, Lot 1, Lot 2, Lot 3, Lot 23. These lots, right here, under this approach will yield 88 spaces, okay. Now, since in fact those lots -- all we need is 144. Those lots will yield -- will yield 83 spaces or 88 spaces. We also have the lot that's located at Tonopah which is the Tonopah lot and that lot consists of 70,000 square feet, 1.6 acre, which will accommodate up to 200 spaces. If you add the 288 available additional spaces -- even using this approach, not approach

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JOHN MORAN, JR.:

number one which we're approved on, but using this approach, you have 288, you subtract 140 needed that gives you 140 -- 148 spaces over what's required by the project just with those two parcels of property. Then if you want to even go a little bit further, you can do that because there's 73 available spaces on the site itself on which we're going to build, which is that red -- red diagram there. When we tear those buildings down and start reconstruction, when the smoke clears, we're going to have 73 spaces there. That would give us at that juncture an overage of some 221 parking spaces under that approach. Now, if you don't like that approach, we've got another approach and that's approach three. I'm going through each of these, Mr. Mayor, because to listen to the other side, it seems like we're real bad guys and we don't have these, but I want to show you that we do have them. If you want to use approach three, we need 140 spaces. Seventy-three are going to be located on site. We have 67 more -- 67 more needed. Well, if we're looking for 67 spaces if 140 are needed and we've got 73 on site, you go right to that piece of property there on the corner of Goldring next to our lot that I pointed out and we have 88 spaces there which will give us 21 over on that one. Now the final approach is going to be the one that Mr. Schwartz is going to like the best and the reason that he's going to like that the best is because we're going to use his figures to point out why in fact we have enough spaces. This approach is -- considering the hospital which requires 392 required and that's staff's own counting, the project which requires 140, that means we need 532 spaces. Now, by Mr. Schwartz's Exhibit "B," he indicates here that all this property here in blue is our property, okay, and his figures here indicate how much parking he says that we have on these areas of blue and I'd also like to point out so there's no confusion, he does mark this in blue, that we own it, except that two things are wrong. Number one, he should have marked in blue that we also own these lots over here which are the lots I gave the identification on which this parcel is marked in blue are bigger so his diagram is wrong in that regard. We actually own more property than he's represented to you, right here; and I also point out that he doesn't indicate any parking spots available in that. He doesn't compute that figure.

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JOHN MORAN, JR.:

I would show you that based on his figures that he has, excuse me, he's very distracting. Could you ask him to step down somewhere? Thank you. I would point out that there is 318 according to his figures and the way he gets that is he says that we have 23 spaces, which is indicated, we have 106 spaces, 121, 45, 23 which totals to the 318 figure that he's given us. Now, I would like to show you that the additional loss that I've pointed out we have using Mr. Schwartz's own figures comes to the fact that we have 406 where 392 are required, which is an overage of 14, and then you throw the Tonopah lot in, that's another 200 spaces based on his own figures and you end up with 214 available. The new project requires 140 and we have 74 overage under that type of a computation. So --

MAYOR BRIARE:

I feel like cheering, John. (Laughter)

JOHN MORAN, JR.:

That's it. I'm sorry to waste all the good people's time in the audience with this, but I had to say it like it was.

MAYOR BRIARE:

I was just waiting for you to say, now, you say you're not satisfied with 27 spaces, I'll tell you what I'm going to do. I'm going to give you those 27 spaces and I'm going to give you 14 more and you say you're not satisfied. I'm just looking for my little silk purse, or whatever it is, wristwatch or something like that.

JOHN MORAN, JR.:

It's terrible what the legal profession has to do sometime.

MAYOR BRIARE:

Thank you, John. Listen, when we get down -- when we all get down to brass tacks here, it would seem to me and this is where I think about a legal opinion. This is not as complicated as I think you're both making it because if at any time it's determined by a court of law or anybody else that the subject of adequate parking being in compliance with City ordinance was improperly presented to us here, that if that should occur, that at that time, I'm very confident the City Attorney will go in and make you shut down your hospital with the commensurate number of rooms to make up for the spaces that you understated to us here. So it's as simple as that. Whether we do it 15 years from now or what the Board that is sitting

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H. PLOT PLAN REVIEW - Z-49-73 - VALLEY HOSPITAL

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MAYOR BRIARE:

here does 8, 10, 15, 20 years from now is quite immaterial. If there's not enough parking spaces out there at the hospital, just shut down the significant number of rooms to make it right. It's probably not that easy though.

COUNCILMAN LEVY:

I heard you, Mayor.

MAYOR BRIARE:

Thank you very much, John. I'm hopeful that concludes your presentation.

JOHN MORAN, JR.:

Thank you, Mr. Mayor. Yes, it does and I would just ask the Commissioners and Mr. Mayor, to follow the recommendations of their staff as well as the Board below in approving our request and thank you and I'm sorry I had to take up a lot of your time with this.

COUNCILMAN LEVY:

We are too.

MAYOR BRIARE:

Anyone else? Comments from the Council or questions? What's the pleasure of the Board?

COUNCILMAN LURIE:

Well, Mayor, I thought that both sides put on a great presentation, but I still believe that there's sufficient parking based on what Valley Hospital owns and the leases that they have and I'd like to make a MOTION TO APPROVE THE PLOT PLAN REVIEW, SUBJECT TO THE CONDITIONS AND I'D LIKE TO ADD ONE OTHER CONDITION THAT THE CITY ATTORNEY'S GOING TO HAVE TO HELP ME ON THE WORDING SO THAT WE GET THE PROPER AGREEMENT FROM VALLEY HOSPITAL IF AND WHEN THE LEASES ARE COMPLETED THAT VALLEY HOSPITAL'S GOING TO PROVIDE THE NECESSARY PARKING SPACES.

COUNCILMAN CHRISTENSEN:

That's condition number three, is it not?

COUNCILMAN LURIE:

Well, I know, but he added something that goes along with the covenant of land.

CITY ATTY. OGILVIE:

That there be a covenant running with the land that subterranean parking would be provided on land they (Valley Hospital) presently own.

THE COUNCIL THEN CAST THEIR BALLOTS ON THE MOTION BY COUNCILMAN LURIE. IT CARRIED WITH UNANIMOUS APPROVAL BY THE FULL COUNCIL.

END OF EXCERPT

GEORGE RUDIAK
BRENT LARSEN
BRYCE DIXON

FIRST NATIONAL BANK BUILDING, SUITE 610
302 EAST CARSON AVENUE
LAS VEGAS, NEVADA 89101
AREA CODE 702 • 382-322, 382-323

October 28, 1981

Alan B. Miller
President
Universal Health Services, Inc.
1 Presidential Blvd.
Bala Cynwyd, PA 19004

Re: FOCUS
2 acres of land and approximately
7,750 square feet of buildings

Dear Alan:

Milton has caused a meeting to be held of the partners of Valley Group Constructors to consider your offer to buy the above mentioned land and buildings. He has told us that you had offered to repay all our money, including the cost of money that we paid for this property.

Because Milton is an employee of Valley Hospital Medical Center, and with his complete agreement, we have unanimously decided that any negotiations regarding this property should be carried on by myself as Alternate Managing Agent. Incidentally, I want you to know that I have been Alternate Managing Agent from the first day that Valley Group Constructors was formed and have acted as such in many instances when Milton was not available or when it was in the interests of the joint venture that I do so.

Alan, it has come as a surprise to us to learn that you are now interested in acquiring real estate in fee, since you had never so indicated to us in the past. On the contrary, at the time that our interest in Valley Hospital was sold to your organization, you indicated that you were interested only in acquiring the hospital facility itself, and that you preferred to lease from us the adjoining properties which are used as medical office buildings and parking areas. In fact, as you are aware, your organization now has a long term lease with us on these facilities.

Miller
per 28, 1981
page 2

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We have considered your offer at length, as well as other offers and options that we have regarding this property and we have decided that it is not in the best interests of Valley Group Constructors to sell this property at this time, at least as a separate unit. As you know, we own the property that is adjacent and contiguous to this parcel directly on the west and north. We also have the right of first refusal as to certain property to the east. The south of course is a street. Our holdings therefore surround this property. I am sure you can see the sale by itself may damage the marketability of a much larger parcel when the lease runs out, should you be unwilling to lease it from us in the future at some fair rental.

Also, should you want to buy the entire property that we own, either at this or at some other time, we would have a more attractive package to offer you than the disjointed parcels we would have if we sold you this piece now.

Therefore, before we accept any other offers that we have available to us at this time, or before we avail ourselves of any other options that may be available to us, we make you the following offer:

1. You may rent the two acres and buildings from us at the same rent as we are now charging you for the other medical buildings you lease from us i.e. approximately 7,750 square feet of buildings and two acres of land, as is, for \$7,500.00 per month, the term to run concurrently with our existing lease with you as to adjoining properties and to be subject to the escalator provisions and other terms of the lease.
2. If you want an option to either buy or extend the lease on all the property, I am prepared to discuss this with you.
3. If you want to buy all the property at this time, I am prepared to discuss this with you.

Since this is an expensive piece of property, I would appreciate hearing from you at your very earliest convenience.

Sincerely,



George Rudlak
Alternate Managing Agent
Valley Group Constructors

GR/vc

17 Suites are now Medical Doctor used

52 TO EMPTY

Valley Group Constructors
Property Inspection
Friday, September 23, 1983

In attendance: Milton I. Schwartz
Ernest Libman
Claus Eggers
Maraea Yates

650 Shadow Lane

1. Gaps in shrubbery at back of building needs attention.
2. Holes in building on east wall need to be filled.
3. Dr. Wilchin's office #3 - locked. Not able to inspect.
4. Cancer Clinic #4 - Good condition.
5. Dr. Charles' office #6 - Good condition.
6. Dr. Wharton-Ali's office #7 - Good condition.
7. Suite #8 - Storage. Repairs to wall and carpeting needed.
8. Suite #9 - Empty. Walls need repairs. Leak in ceiling needs repairing.
9. Suite #10. Not open, unable to inspect.
10. Suite #11 & 12. Dr. Tangredi moving in - renovations in progress.
11. Suite #14 - Dr. Defonseka - Good condition.
12. Suite #15 - UHS use. Good condition.
13. Suite #16 - Empty.
14. Suite #17 - Storage.
15. Suite #18 - Storage.
16. Suite #19 - Audit Room. Needs to be painted.
17. Suite #20 - Dr. Milford. Ceiling tiles broken and need to be repaired.
18. Suite #21 - Auditors. Ceiling tiles broken and stained. Need to be repaired.
19. Suite #22 - Accounting. Good condition.
20. Suite #23 - In service - Staff Development. Good condition.
21. Suite #24 - Storage. Never completed.
22. Balcony needs painting.

647½ Tonopah

Unable to conduct interior inspection. Exterior needs painting.

647 Tonopah

Caminar - Half-Way House.

Shed

Equipment storage.

812 Shadow Lane

Exterior needs painting. Empty

600 Shadow Lane #B

Roof needs repair.

600 Shadow Lane #C

Very good condition.

600 Shadow Lane #D

Outer trim needs to be painted.

600 Shadow Lane #E

File storage. Needs to be painted.

600 Shadow Lane #I

Paint job being done next week.

Empty. DeWoolf used

600 Shadow Lane #H

Very good condition.

600 Shadow Lane #A

Very good condition.

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

I. ZONE CHANGE - Z-13-84 - JAMES M. AND
ALWINE TIGHI

Reclassification of property generally
located on the southeast corner of
Charleston Boulevard and Santa Margarita
Street.

From: N-U (Non-Urban)

To: P-R (Professional Offices & Parking)
and R-PD22 (Residential Planned
Development)

Proposed Uses: Offices and Medium High
Density Residential
(Condominiums)

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

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Application be amended to R-PD21.
3. Conformance to the plot plan and
elevations amended to:
 - (a) Redesign the office building to
provide off-street parking and
setbacks as required by Code.
 - (b) Approval of the office building
site plans and elevations by the
Department of Community Planning
and Development.
4. Vacation of Santa Margarita Street and
Holmby Avenue.
5. Sign an assessment district agreement
for Holmby Avenue and provide for
participation in the assessment district
for street improvements and relocation
of power poles in the Conditions,
Covenants and Restrictions.
6. Dedication of the cul-de-sac radius
for Holmby Avenue.

Lurie -
APPROVED as recom-
mended by Planning
Commission and
staff, subject to
all Planning
Commission and
staff's conditions.
Unanimous
(Levy excused)

Clerk to notify
and Planning to
proceed.

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CITY COUNCIL
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

I. ZONE CHANGE - Z-13-84 (CONTINUED)

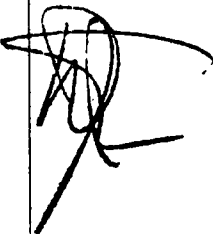
7. Provide a 6' block wall on the south,
east and west property lines of the
R-PD21 site.8. Install a sidewalk on Charleston
Boulevard as required by the Department
of Engineering Services.Staff Recommendation: APPROVAL - With the
application amended
to R-PD21.

PROTESTS: 0

APPROVED
See Page 46

See Page 46

APPROVED AGENDA ITEM



To: The City Council
 Re: Community Planning and Development Agenda Item
 May 2, 1984 City Council Agenda

X.

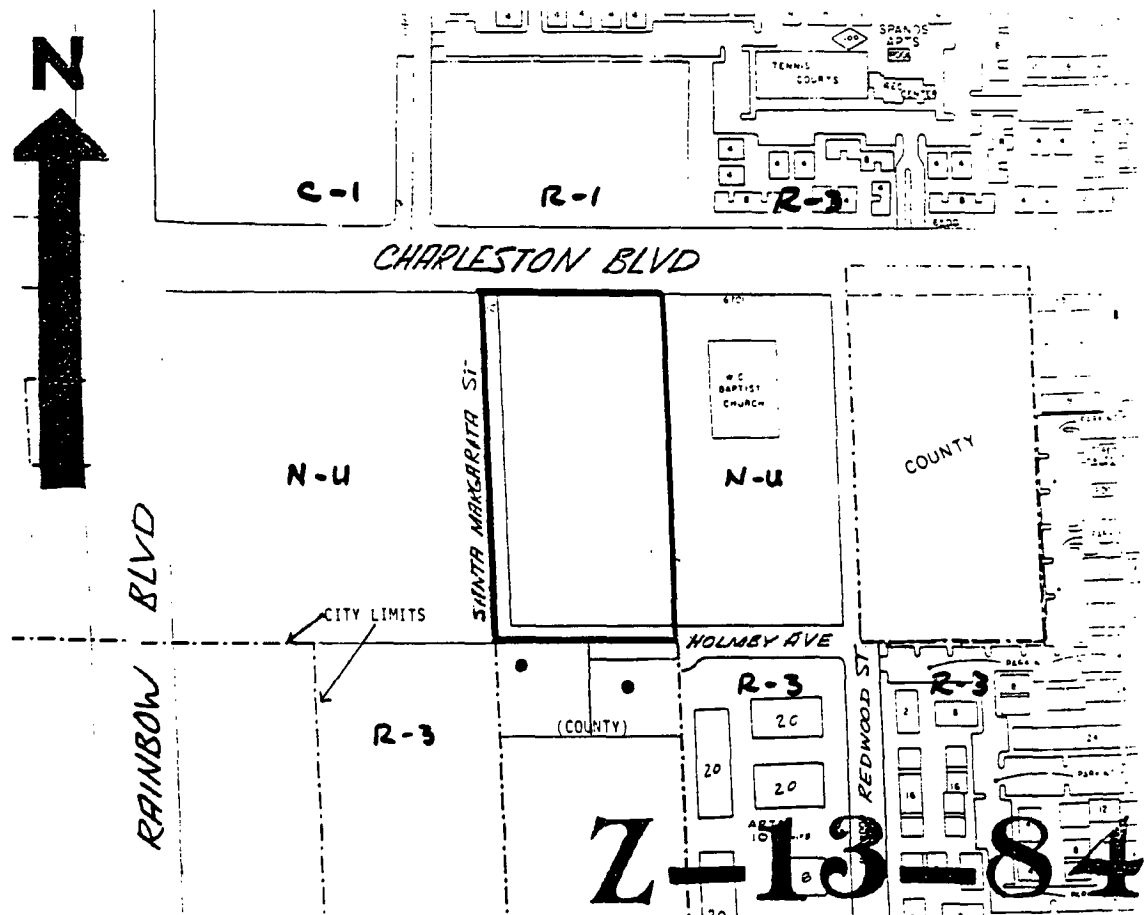
I. ZONE CHANGE - Z-13-84 - JAMES M. AND ALWINE TIGHI

The request is to rezone this five acre parcel at the southeast corner of W. Charleston Boulevard and Santa Margarita Street from N-U to P-R and R-PD22. Approximately 1-1/2 acres would be used for office purposes along Charleston and 3-1/2 acres for a 78-unit condominium project to the south. The condominium site will have ingress and egress through the office area along the east and west sides. The units will be two stories with ample parking and landscaping to be provided. The office development is very preliminary at this time and it appears the size of the proposed 30,000 square foot office building may have to be altered to provide the required off-street parking. A portion of the cul-de-sac for Holmby Avenue at the southeast corner of the property is to be dedicated if this project is approved and an assessment district agreement signed for future improvements. At the time this street is constructed, the developer will also provide for the relocation of the power poles in the right-of-way in the Conditions, Covenants and Restrictions for this condominium project to obligate future owners. The density of the application can be amended from R-PD22 to R-PD21. The applicant was in agreement.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Compatible with the zoning pattern along this portion of Charleston Boulevard.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)J. ZONE CHANGE - Z-24-84 - CARMELO AND SHERI
GONZALEZReclassification of property located at
1319 S. Eastern Avenue.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Offices

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

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.

Staff Recommendation: APPROVAL

PROTESTS: 0

Lurie -
APPROVED, subject
to the condition.
UnanimousClerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



To: The City Council
 Re: Community Planning and Development Agenda Item
 May 2, 1984 City Council Agenda

X.

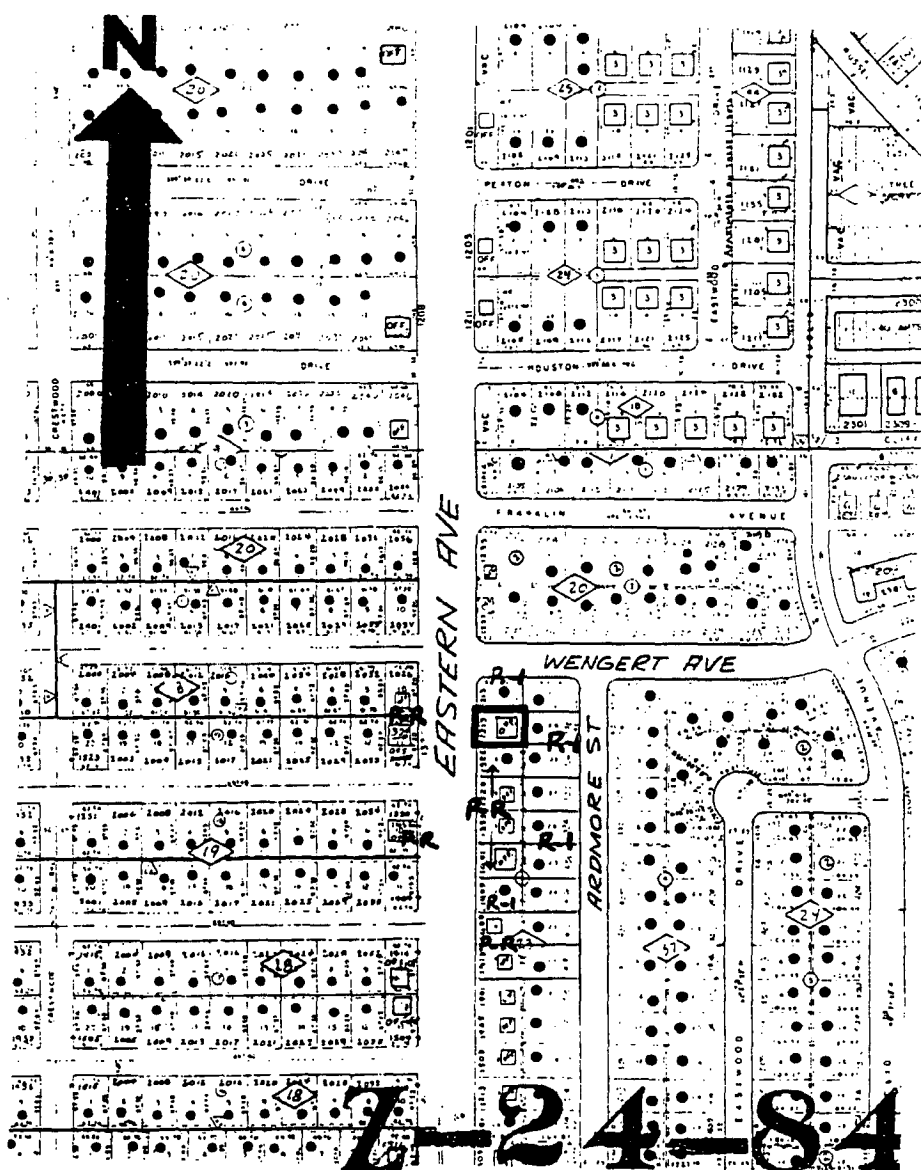
J. ZONE CHANGE - Z-24-84 - CARMELO AND SHERI GONZALEZ

The request is to rezone the property at 1319 S. Eastern Avenue from R-1 to P-R for a proposed office. The request is in accordance with the P-R pattern along Eastern. Adequate parking and landscaping will be provided.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

K. ZONE CHANGE - Z-22-84 - S.S.L. INVESTMENT

Reclassification of property located at
1133 and 1137 S. 3rd Street.

From: R-4 (Apartment Residence)

To: C-2 (General Commercial)

Proposed Use: Hotel (Youth Hostel)

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

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Conformance to the plot plan amended
to provide a minimum of four paved
off-street parking spaces.
3. A maximum of eight guest rooms or units
be permitted.

Staff Recommendation: APPROVAL

PROTESTS: 3

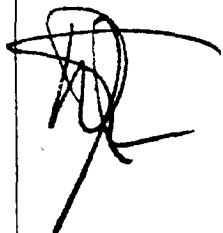
Nolen -
DENIED
Unanimous

Clerk to notify

Jeri LeBoeuf and
Jim Metcalf
appeared.

PROTESTS:
Muriel Molsberio

APPROVED AGENDA ITEM



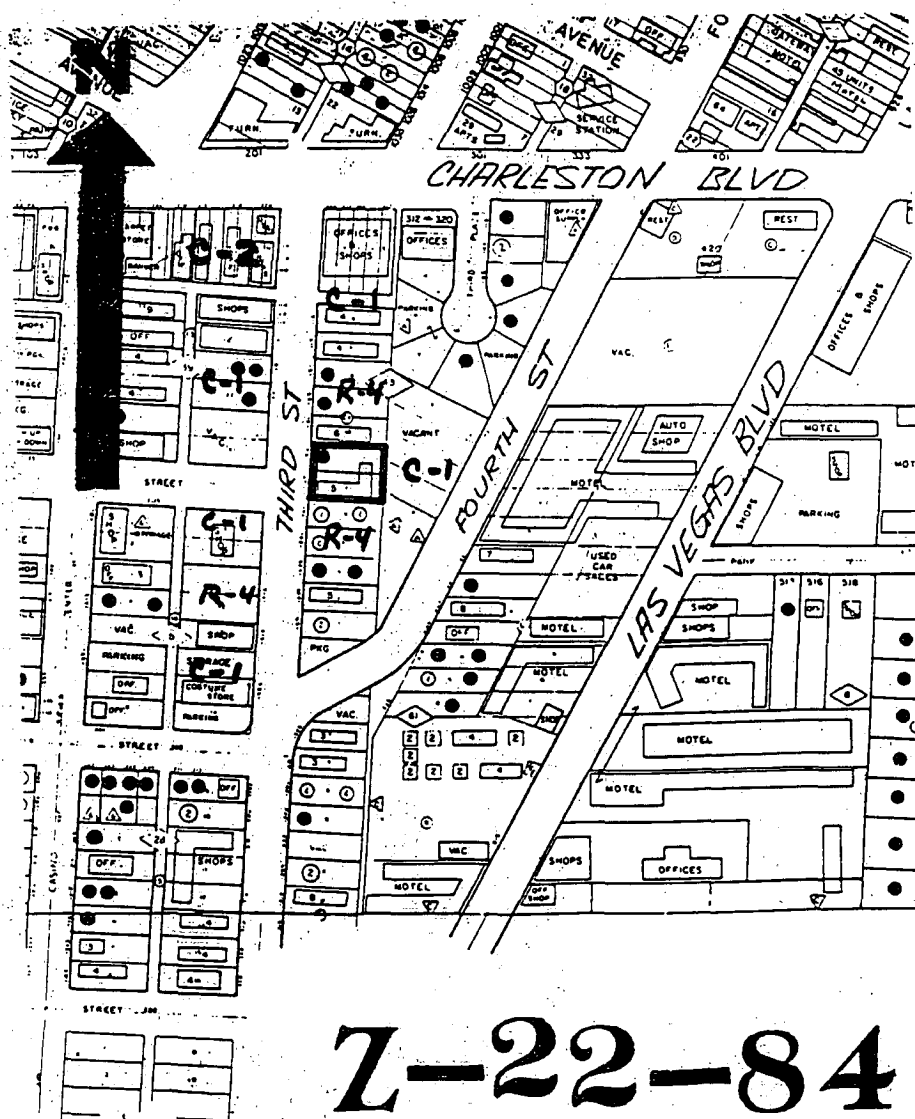
X

The application is to rezone this property from R-4 to C-2 for a small youth hostel. There is a five plex and a single family residence on the property. The zoning pattern is primarily R-4 along the east side of 3rd Street with C-1 to the east and west. Approximately one block to the south and north a C-2 pattern is evolving. The General Plan indicates this entire area is to transition to C-2. The representative of the applicant indicated this operation is connected with the international chain of youth hostels and will be operated in a very strict and quiet manner. There were some protestants at the meeting concerned if this operation would be compatible in this area.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Compatible zoning for this area.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 3 - 2 Persons spoke at the Planning Commission meeting
1 Letter



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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

5:24

L. ZONE CHANGE - Z-23-84 - LEWIS HOMES OF
NEVADA

Reclassification of property generally
located on the southwest corner of Alta
Drive and Rainbow Boulevard.

From: R-1 (Single Family Residence)

To: R-CL (Single Family Compact Lot)

Proposed Use: Medium Density Detached
Single Family Residences

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

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Application be amended to delete the
row of R-1 lots on the west side of
the development.
3. Conformance to the site plans and
elevations.
4. All dedication and street improvements
shall be provided on the recorded
subdivision maps.

Staff Recommendation: APPROVAL

PROTESTS: 0

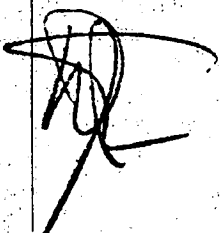
Lurie -
APPROVED, subject
to conditions.
Unanimous

Clerk to notify
and Planning to
proceed.

Robert Lewis
appeared.

No one appeared
in opposition.

APPROVED AGENDA ITEM



To: The City Council
 Re: Community Planning and Development Agenda Item
 May 2, 1984 City Council Agenda

X.

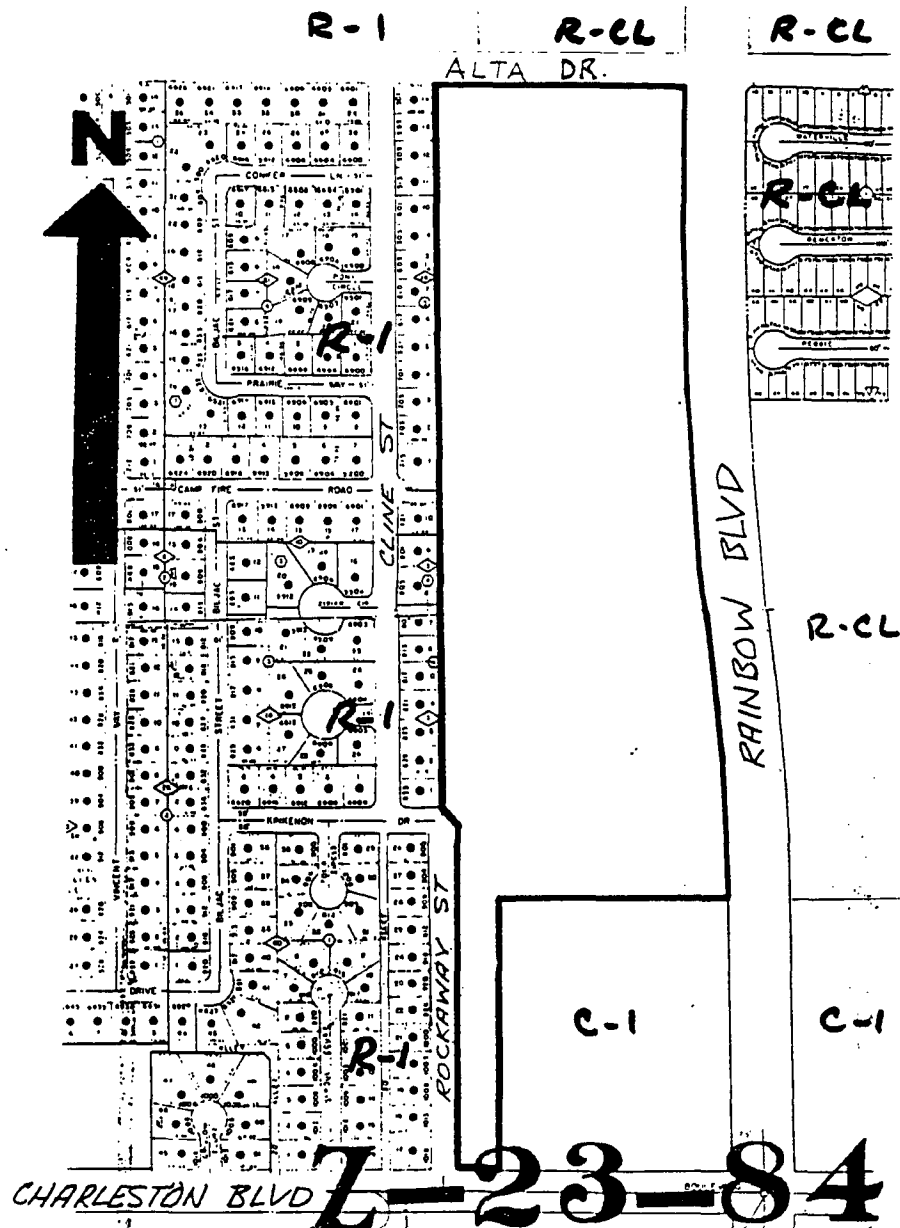
L. ZONE CHANGE - Z-23-84 - LEWIS HOMES OF NEVADA

The application is to rezone the property southwest of Alta and Rainbow from R-1 to R-CL. The parcel extends from Alta south to the approved C-1 parcel that fronts on Charleston. As a condition of the C-1 zoning a row of R-1 lots was required from Charleston north along the west side of the C-1 site. The developer is also proposing to extend this row of R-1 lots all along the west line adjacent to the existing R-1 development. There will be 30 R-1 and 182 R-CL lots in this 29 acre development which has a gross density of 6.3 units per acre.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to deleting the row of R-1 lots.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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

ITEM Council Action Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

M. ZONE CHANGE - Z-21-84 - TERRY B. BRODKIN

Reclassification of property generally
located on the southwest corner of Decatur
Boulevard and Alexander Road.

From: R-E (Residence Estates)

To: R-PD2 (Residential Planned Development)

Proposed Use: Low Density Detached
Single Family ResidencePlanning Commission recommends APPROVAL
(4-2 vote), subject to the following
conditions:

1. Resolution of Intent shall be restricted
to a twelve (12) month time limit.
2. Conformance to the site plan as amended
to eliminate the recreational vehicle
storage area.
3. Provide a copy of the Conditions,
Covenants and Restrictions for
maintenance of the common area and
private streets at the time the
tentative subdivision map is filed.
4. Dedicate 50' of right-of-way for
Alexander Road and Decatur Boulevard
and the radius corner as required by
the Department of Engineering Services.
5. Install street improvements on Alexander
Road and Decatur Boulevard as required
by the Department of Engineering Services.
6. Relocate the fire hydrants as required
by the Department of Fire Services.
7. All accessory buildings and uses shall
be permitted as provided in the R-E
District.
8. A maximum of two horses shall be
permitted per lot.

Staff Recommendation: APPROVAL

PROTESTS: 110

Nolen -
APPROVED, subject
to the conditions.
UnanimousClerk to notify
and Planning to
proceed.Charles P. Brechler,
Brechler, Rice &
Associates, Inc.,
appeared to
represent the
applicant.No one appeared in
opposition.

APPROVED AGENDA ITEM

To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

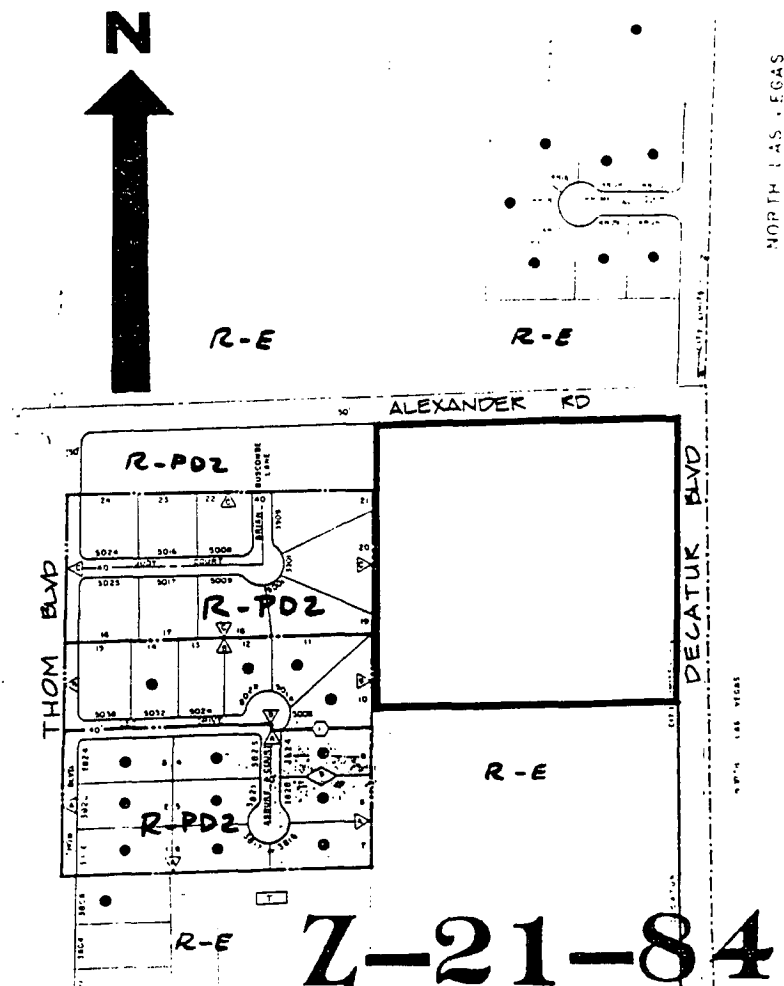
M. ZONE CHANGE - Z-21-84 - TERRY B. BROOKIN

The request is to rezone this 10 acre site from R-E to R-P02 for a 22-lot subdivision for custom homes at the southwest corner of Alexander and Decatur. There is R-P02 zoning immediately west and southwest of this property. To the east is land located in North Las Vegas and to the north and south is R-E zoning. The proposed development will have private streets and a central recreation area. The gross density of this project will be the same as an R-E development (2 units per acre). The developer is proposing that a maximum of two horses be permitted per lot. There was a substantial protest factor from the R-E area in the City and from those in North Las Vegas on the basis that the lot sizes in this development would not be the same as their R-E lots. The lot sizes in this development range in size from approximately 14,500 to 16,700 square feet. In an R-P02 development the private drives, the public streets and common area are all considered as part of the gross density for this development which averages two units per acre.

PLANNING COMMISSION RECOMMENNOATION: APPROVAL - Compatible zoning and density for this area.

STAFF RECOMMENDATION: APPROVAL - Compatible zoning.

PROTESTS: 110 - Petitions with a total of 100 property owners
7 Letters
3 Persons spoke at Planning Commission meeting



ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
29 N. TENTATIVE MAP - FINISTIERRA Property generally located on the southwest corner of Decatur Boulevard and Alexander Road, R-E Zone (proposed R-PD2). Owner/Subdivider: Terry B. Brodtkin No. of Acres: 10 No. of Lots: 22 Planning Commission unanimously recommends APPROVAL, subject to the following conditions; 1. Approval of Z-21-84. 2. Conformance to the conditions of approval for Z-21-84. 3. No vehicular access to Alexander Road and Decatur Boulevard from the abutting lots. 4. If a wall is constructed on an exterior boundary street, the Conditions, Covenants and Restrictions shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall. 5. Conformance to the Flood Hazard Reduction Ordinance. 6. Approval of the design for private streets as required by the Department of Engineering Services. 7. All common area shall be located on the west side of Calwick Court. Staff Recommendation: APPROVAL	Nolen - APPROVED, subject to the conditions. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
May 2, 1984 City Council Agenda

X.

N. TENTATIVE MAP - FINISTIERRA

This is the tentative map in connection with the rezoning project under Item N. The map conforms to the Subdivision Regulations and to the zoning plan. If the zoning is approved, this map can also be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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CITY COUNCIL
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PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

5:29

O. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE CITY PLANNING COMMISSION AT
ITS APRIL 24, 1984 MEETING.

None

None

P. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD APRIL 26, 1984.

V-42-84

5/16/84 Agenda

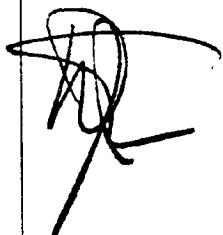
V-43-84

5/16/84 Agenda

U-20-84

5/16/84 Agenda

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

May 2, 1984

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ITEM

Council Action

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XI. ADDENDUM ITEMS

NONE

NONE

APPROVED AGENDA ITEM

MP Core