

MAYOR BRIARE: Item L is Council's Page 48. We're being asked to alter some conditions for S.F.S. Investment. The Planning Commission's recommendation was for approval; staff recommended approval on 1, 2 and 4, but wanted to deny Number 3, and there were three protests.

COUNCILMAN LURIE: Let me ask a question on --

DAN KIZERMAN: Dan Kizerman, National Heritage Corporation, 720 South 4th Street, developer.

COUNCILMAN LURIE: Harold, the item that you recommended denial of Item 3, which one? I've got so many. I've got two Item 3's.

DAN KIZERMAN: That was for the minimum of 1200 square feet.

COUNCILMAN LURIE: And you wanted to substitute 1170?

DAN KIZERMAN: Eleven fifty-two (1152).

MAYOR BRIARE: Eleven fifty-two (1152) instead of 1200?

DAN KIZERMAN: Correct, Mayor.

COUNCILMAN LURIE: How many homes are going to be 1152?

DAN KIZERMAN: As few as possible since it's the leader item. I can't tell you exactly how many.

MAYOR BRIARE: Is there anyone here present to oppose this? Are you opposing this particular part of it, ladies, that you don't want them to make them 48 square feet smaller than what they had in mind?

NITA BURROWS: Can I come up?

MAYOR BRIARE: Sure. Come on up.

NITA BURROWS: Nita Burrows, 917 Mohawk. We're not opposing the 48 feet. We just want to make sure that it's on record that that is the lowest amount that will be allowed, so that we're not back down here in a couple more months for a 900 square foot house.

COUNCILMAN LURIE: I was going to ask if this was going to be the final deletion that you're going to come --

DAN KIZERMAN: As far as I know at this point, yes.

NITA BURROWS: That's really all, because the 48 square feet is really not --

COUNCILMAN LURIE: Do you agree with all the other requirements on the paving of the street on Cory and Mohawk, agree to the type?

DAN KIZERMAN: Absolutely. But deleting the -- the property on Cory to Upland, which we requested.

COUNCILMAN LURIE: Up to Upland. That's going to be -- that's the problem Harold's working on. Okay, based on that, Mayor, I'd move --

COUNCILMAN CHRISTENSEN: I agree with the size of the houses, but are you aware of the fact that if you are a single home owner of a piece of property that's an R-1 lot, that you can build a house as small as 500 square feet?

COUNCILMAN LURIE: Who's he talking to? Is he talking to me?

COUNCILMAN LEVY: No.

DAN KIZERMAN: I think he's directing the question to the young lady.

COUNCILMAN CHRISTENSEN: If often comes to me and because people don't understand and don't know, and I think they should know those things, that if this were R-1 property and there was no R-CL or anything involved, a developer without asking for anybody's permission could build houses 500 square feet. I wonder if you're aware of that?

NITA BURROWS: Does that mean that a plot plan has now --

COUNCILMAN LEVY: No, it's not this one here.

COUNCILMAN CHRISTENSEN: I'm not talking about that.

COUNCILMAN LEVY: We're not talking about this one here today.

COUNCILMAN CHRISTENSEN: I'm talking about any R-1 lot in this community, you can build a 500 square feet house on.

COUNCILMAN LURIE: Nita, can we swear you in (laughter)?

COUNCILMAN CHRISTENSEN: Come on up here. We're going to swear you in.

NITA BURROWS: Basically, you're saying --

COUNCILMAN LEVY: Not this one.

NITA BURROWS: No, I know. Not this one. But a little bit ago, and since he brought this up, I want to ask him a question because Mr. Lurie knows how much we've been involved in this --

COUNCILMAN CHRISTENSEN: I'm aware of that, and I agree with you.

NITA BURROWS: But basically what you're saying now is if somebody -- if approved R-CL, no matter what kind of plan they come up with, they can turn around and change it?

COUNCILMAN CHRISTENSEN: I didn't say R-CL.

NITA BURROWS: But -- Okay. Any type of zoning, you said awhile ago --

COUNCILMAN CHRISTENSEN: No, I said R-1.

NITA BURROWS: Okay, R-1. No matter what they come up here and get approved, they can change it without ever notifying the neighbors. Now, that's what you said awhile ago.

COUNCILMAN CHRISTENSEN: What I'm saying is that if you own an R-1 lot anywhere in this community --

COUNCILMAN LEVY: One lot somewhere.

COUNCILMAN CHRISTENSEN: You can go down to the Building Department and get a permit and build a house 500 square feet. That's the minimum size allowed under the code. If you have an R-A lot, which is an acre, you can build a 500 square foot house on it if you wish.

COUNCILMAN LEVY: The lot you live on. If somebody had wanted to.

NITA BURROWS: But what I'm asking you, and just to really verify and save a few of us taking off work every other week to come down here and visit with you. You know, I love it, but today's really been an education.

COUNCILMAN LEVY: Boy, hasn't it.

COUNCILMAN CHRISTENSEN: It has for us too.

NITA BURROWS: If somebody submits a plot plan such as developer has, and he has been very generous in meeting with us and everything. He's been very nice. I want to say that.

NITA BURROWS: We have met and it's become a very good arrangement as far as I'm concerned. But basically what I'm worry about now, because there's a lot of desert left out by our house, is somebody can come in and get it zoned and turn around a month later and change what they want to do on it and never have to notify us?

COUNCILMAN LEVY: Not if it's specifics.

COUNCILMAN LURIE: I'll guarantee you in that area where you live, you'll be notified on every application.

COUNCILMAN CHRISTENSEN: What I'm saying is really kind of simple, but it's so simple it confuses people, and I didn't realize it for a long time, but if you have most of the vacant property around you area -- what is it now? R-E or R-1?

NITA BURROWS: R-1.

COUNCILMAN CHRISTENSEN: R-1. Okay, if I go out and buy one R-1 lot, I can build a 500 square foot house, or --

NITA BURROWS: What if you buy 10?

COUNCILMAN CHRISTENSEN: Pardon?

NITA BURROWS: If you buy 10 lots, can you build 10 500 --

COUNCILMAN CHRISTENSEN: If I buy 10 lots together and it doesn't require a zone change to R-CL or anything like that and I want to go out and develop it, I can develop it with 500 square foot houses, yes. Or if I buy 100 lots, I can put 500 square foot houses if I feel I can sell them.

NITA BURROWS: As long as you keep the setbacks, etc.?

COUNCILMAN CHRISTENSEN: As long as I meet the setbacks and code requirements, everything.

NITA BURROWS: What if you get it rezoned and submit a plot plan for -- okay, like he's asked for changes.

COUNCILMAN CHRISTENSEN: Then we watch that closer. What he's doing, we watch closer, yeah, but I'm saying saying --

NITA BURROWS: By what you said on that single lot, I was wondering.

COUNCILMAN CHRISTENSEN:

But what I'm saying is that you're very careful to watch the size of the house and so forth, and I agree with that. I would be very particular about what's built in my neighborhood, but by the same token, if he had developed this whole area R-1, not R-CL, and wanted to build 500 square foot houses on it, it would never have come before this Board, the Planning Commission or anybody else. It would have gone straight to the Building Department for approval. So you actually gained more by having a public hearing on R-CL than if he'd gone down and developed it R-1, because he could have put 900 square foot all he wanted. You see what I mean. You say it's an education and it really is, and I hope you understand what we're up against when we get these kind of requests, because we have to take that into consideration. We approved smaller lots, but made him built bigger houses than he was required if we'd approved bigger lots. It's confusing.

COUNCILMAN LURIE:

We'll see you at the next meeting, Nita.

MAYOR BRIARE:

What is the wish of the Council. We don't have a motion year.

COUNCILMAN LURIE:

Yes, we do. I made a motion to approve as recommended by the Planning Commission.

COUNCILMAN LEVY:

No.

DAN KIZERMAN:

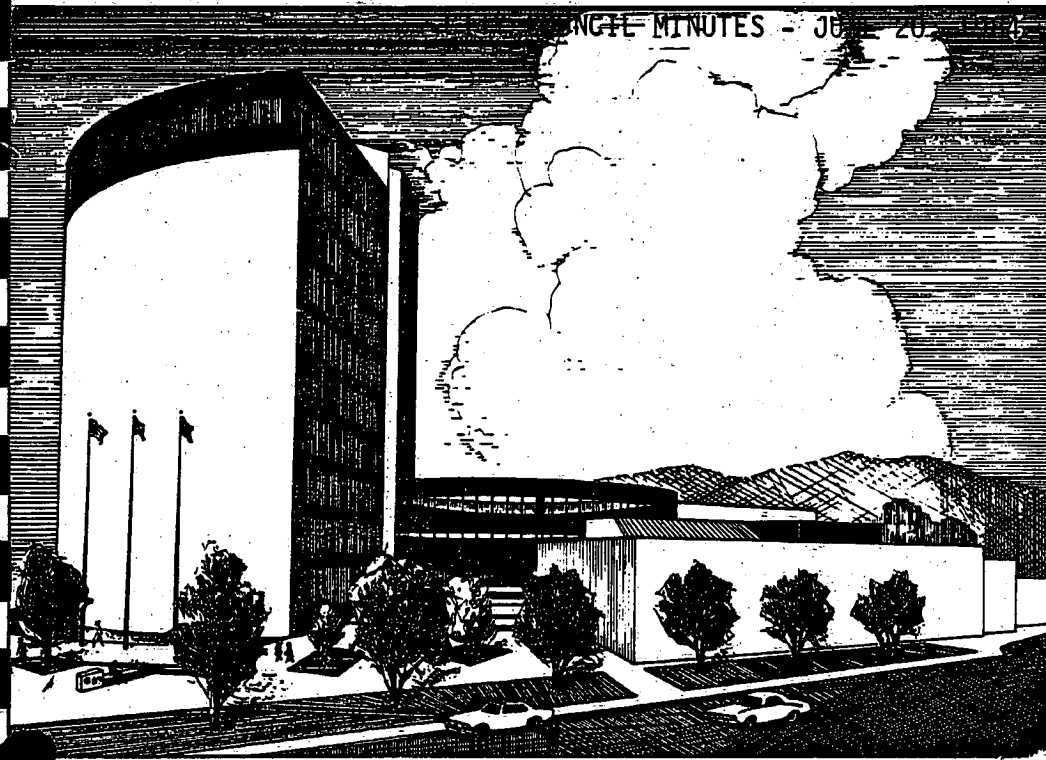
With one exception of Item 3 to 1200 square feet.

COUNCILMAN LURIE:

The 1200 would be 1152.

MAYOR BRIARE:

Any questions or comments by the Councilmen on this motion? Cast your votes. Post. THE MOTION'S APPROVED.



MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: June 20, 1984

TIME: 9:45 A.M.

INVOCATION: Reverend David Rose
First Presbyterian Church

PLEDGE OF ALLEGIANCE: Given

CITY COUNCIL

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

CITY ATTORNEY

GEORGE F. OGILVIE

☒ Deputy City Atty.
John Roethel was present

APPROVED BY REFERENCE August 7, 1985

ATTEST:

Carl A. Hawley
CITY CLERK

William H. Briare
MAYOR

AGENDA*City of Las Vegas*

June 20, 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>	Deputy City Attorney John Roethel was present. (City Attorney George Ogilvie excused)	
B. <u>SPECIAL EVENTS</u>	Plaque and check for \$680 was presented to Billie Joe. See Final Minutes for information on Honorable Mentions.	
1. Presentation of Willie W. Davis Memorial Award for Outstanding City Employee.		
2. Presentation of Service Award Pins and Service Award Certificates to include City Employees with anniversary dates falling January, February, March, April, May and June 1984.	Presentation was made by Mayor and Council to City's employees. See details in Final Minutes.	
3. Presentation to the City of Las Vegas of a Certificate of Conformance in Financial Accounting Awarded by the National Municipal Finance Officers Association.	City Manager Ashley Hall presented the award.	
II. 10:00 A.M.		
A. <u>ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW</u>	ANNOUNCEMENT MADE	
B. <u>INVOCATION</u>	Invocation Given by Reverend David Rose	
Reverend David Rose First Presbyterian Church		
C. <u>PLEDGE OF ALLEGIANCE</u>	Mayor Briare led audience in Pledge.	
D. <u>APPROVAL OF CITY COUNCIL FINAL MINUTES</u>	Lurie - APPROVED Unanimous	Clerk to proceed
For the Meeting of February 1, 1984		

APPROVED AGENDA ITEM

mp Cor

(Mailing required under the provisions of NRS CHAPTER 241)

0002

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 15th day of June, 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 20th of June, 1984, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said AGENDA (NOTICE).

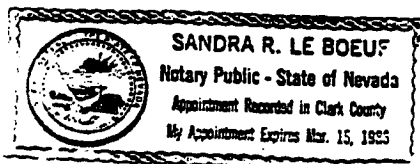
AND ADDENDUM NUMBER ONE

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

Subscribed and sworn to before me this

15th day of June 1984

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



(Posting required under the provisions of NRS CHAPTER 241)

0003

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 15th day of June, 1984, at the hour of 9:30am 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 20th day June, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

AND ADDENDUM NUMBER ONE

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)

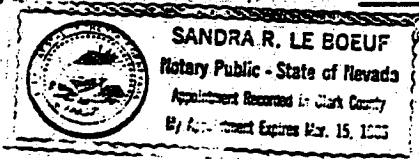
Joanne Perry
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

15th day of June, 1984

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County
and State.

My Commission expires: 3-15-86

WILLIE W. DAVIS MEMORIAL AWARD

Fact Sheet

Award Recipient

Billie J. Joe
Lead Animal Control Officer
Department of Public Services
Animal Care & Control Division
Hire Date: May 7, 1979 - 5 year City employee
Animal Control Officer - 5 years (5/79 - 5/85)
Lead Animal Control - Promoted 5-1-84

Honorable Mention

Linda Grimes
Detention Specialist
Detention & Correctional Services Department
Hire Date: 10-29-82 - 1 1/2 year City employee

Olan Lee Green
Auto Body Mechanic
Department of General Services
Vehicle Services Division
Hire Date: 6-19-72 - 12 year City employee

Theresa Vesely
Parking Enforcement Officer
Department of Engineering Services
Traffic Engineering Division, Parking Enforcement
Hire Date: 7-24-78 - 6 year City employee

Alma Vondenbrink
Stenographer
Department of Public Services
Animal Care & Control Division
Hire Date: 6-23-80 - 4 year City employee

INTER-OFFICE MEMORANDUM

June 13, 1984

0005

Ashley Hall
City Manager

FROM: *Jan Tait*
Jan Tait, Director
Personnel & Employee Relations

SUBJECT:

Willie W. Davis Memorial Award

COPIES TO:

Mike Cool
Deputy City Manager
Don Saylor
Deputy City Manager

The selection process for the 1984 Willie W. Davis Award has been completed. Five nominees were selected by the Employee Selection Committee from the 18 nominations received by the Department of Personnel & Employee Relations. The five finalists were submitted to the Citizen's Selection Committee which, after further evaluation, chose this year's recipient.

Billie J. Joe, a Lead Animal Control Officer for the Animal Care and Control Division, was selected as the Employee of the Year for her dedication and achievements which have contributed to improving operations and promoting the professional image of the Animal Care and Control Division.

The Citizen's Selection Committee also recommended the following four persons for honorable mention:

1. Linda Grimes, Detention Specialist
Department of Detention and Correctional Services
2. Olan Lee Green, Auto Body Mechanic
General Services, Vehicles Services Division
3. Theresa Vesely, Parking Enforcement Officer
Engineering Services, Traffic/Parking Enforcement Division
4. Alma Vondenbrink, Stenographer
Public Services, Animal Control Division

Presentation of the Willie W. Davis Award and the four Honorable Mention Certificates is scheduled for the City Council meeting June 20, 1984, at 9:45 a.m.

In keeping with the procedure established last year, the employees being honored will receive a letter from the Mayor notifying them of their selection.

JT:rc

CITY COUNCIL MINUTES - JUNE 20, 1984
5 YEAR/10 YEAR/15 YEAR SERVICE AWARDS

0006

BUSINESS ACTIVITY (1)

5-YEAR AWARD

Michael L. Flynn

BUILDING & SAFETY (1)

5-YEAR AWARD

Ken Duncan, Jr.

CITY ATTORNEY (1)

5-YEAR AWARD

Stephen G. Jones

COMMUNITY PLANNING & DEVELOPMENT (2)

5-YEAR AWARD

Carol A. Gradillas

Kimberly Hovaldt

DETENTION & CORRECTIONAL SERVICES (1)

5-YEAR AWARD

Joyce A. Coyle

ENGINEERING SERVICES (6)

5-YEAR AWARD

Alan T. Hampton

Angie M. Richards

15-YEAR AWARD

William G. Burke

David H. Dillard

Nancy R. Miller

Raymond V. Parmer

FIRE SERVICES (6)

5-YEAR AWARD

Judith A. Kusler

Lynda S. Sayge

Clarence J. Small

FIRE SERVICES (6) CONT'D

15-YEAR AWARD

Gerald T. Grabo

Paula G. Lenke

William S. Lescenski

FUNDS COORDINATION(3)

5-YEAR AWARD

Patricia A. Benefiel

Nathaniel Borden

Shirley Warmouth

GENERAL SERVICES (4)

5-YEAR AWARD

Furman D. McClain

David A. Rawski

10-YEAR AWARD

Orville L. Means

15-YEAR AWARD

Charles T. Butler

MUNICIPAL COURT (1)

10-YEAR AWARD

Marva D. Goodyear

PUBLIC SERVICES (8)

5-YEAR AWARD

Tracy F. Coleman

John C. Gengler

Billie J. Joe

Alexander Webb

10-YEAR AWARD

Percy Coleman

Daniel W. Kingsley

Jerrold B. Magnuson

15-YEAR AWARD

Thomas M. Varden

CITY COUNCIL MINUTES - JUNE 20, 1984

RECREATION & LEISURE (5)

0008

5-YEAR AWARD

Donald S. Newquist

10-YEAR AWARD

Elvin C. Dawson

Donald R. Peters

Hazel M. Traylor

15-YEAR AWARD

Glenn W. Black

SOUTHERN NEVADA EMPLOYMENT TRAINING PROGRAM (3)

5-YEAR AWARD

Otis Perkins

10-YEAR AWARD

Jimmie L. Gantt

Leo A. Johnson

20 YEAR/25 YEAR SERVICE AWARDS

0009

ENGINEERING SERVICES (3)

20-YEAR AWARD

James Gist

Richard Schacht

25-YEAR AWARD

Richard F. Sheffield

FIRE SERVICES (2)

20-YEAR AWARD

Richard Kendall

James P. Pechacek

GENERAL SERVICES (2)

20-YEAR AWARD

Richard Dalke

Arnold Garren

PUBLIC SERVICES (3)

25-YEAR AWARD

Bill Jackson

Hansel D. Newton

Jewell Taylor

AGENDA*City of Las Vegas*

June 20, 1984

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

ITEM

Council Action

Department Action

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

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

1007

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

1. CATHERINE ARMSTRONG
3300 Corona Del Mar
5 children days
2. ELSE JOHNSON
2021 Embrey Avenue
6 children days
3. CHERYL LETTERIELLO
1316 Wintergreen Drive
5 children days
4. PATRICIA MAHONEY
6548 Figtree Road
3 children days

Lurie -
APPROVED Items 1
thru 7 as recommended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

June 20, 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. CHILD CARE FACILITY APPLICATIONS
(cont'd)

Family Child Care Homes
(cont'd)

5. JILL VANDERBUR
2136 Conchita Street

4 children days

6. VICKI WAGNER
6600 Hyde Avenue

4 children days

7. KATHLEEN WILLIS
908 Meadbrook

6 children days

Child Care Center

1. BUSY BUDDIES
2010 Palomino

38 children days

APPROVED
See Page 2

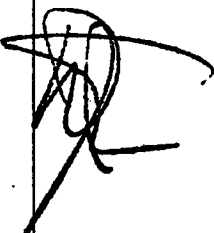
See Page 2

Lurie -
APPROVED
Unanimous

Staff to proceed

1007

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

0012

June 20, 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)

1007

***B. GAMING -- Additional**

1. FOUR QUEENS, INC.

Four Queens Hotel & Casino
202 East Fremont
5 slots

2. E. G. & H., INC.

Las Vegas Club
18 East Fremont
1 Poker Table

3. RUJO, INC.

Club Rouge
900 West Bonanza
5 slotsLurie -
APPROVED Items 1
thru 3.
Unanimous

Staff to proceed

008

***C. FIREWORKS PERMITS**(Subject to the provisions of the
Fire codes)1. BONANZA HIGH SCHOOL, AMERICAN
LEGION BASEBALL
120 South Rainbow2. BONANZA HIGH SCHOOL, ATHLETICS
6103 Clarice Avenue3. BOY SCOUTS OF AMERICA, TROOP
#64
4750 Vegas DriveLurie -
APPROVED Items 1
thru 39 and other
applications at the
Director's discretion.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 8, 1984

0013

TO:
The City Council

FROM:
DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 20, 1984 CITY COUNCIL AGENDA
FIREWORKS PERMITS

PURPOSE/BACKGROUND

Item, "C"

Appearing on the agenda under item "C" are 39 applications from organizations requesting permits for the sale of fireworks. By Ordinance, these permits can only be issued to duly recognized charitable and fraternal organizations, and only for the period June 28 through July 4.

Since there will not be another Council meeting held prior to the fourth of July, it is recommended that, as in the past years, the Council include in their motion authority for the Director of the Department of Business Activity to approve any additional applications received by staff, provided they meet code regulations.

FISCAL IMPACT


Jerry J. Cahill, Director
Department of Business Activity

RECOMMENDATIONS

Agenda Item

III C

AGENDA*City of Las Vegas*

0014

June 20, 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)*C. FIREWORKS PERMITS
(cont'd)APPROVED
See Page 4

See Page 4

4. BOY SCOUTS OF AMERICA, TROOP
#88
NE corner Charleston/Lamb
5. BOY SCOUTS OF AMERICA, TROOP
#102
1000-1078 North Rancho
6. BOY SCOUTS OF AMERICA, TROOP
#103
NW corner Bonanza/Eastern
7. BOY SCOUTS OF AMERICA, TROOP
#133
6000 West Cheyenne
8. BOY SCOUTS OF AMERICA, TROOP
#137
748 South Decatur
9. BOY SCOUTS OF AMERICA, TROOP
#154
1560 North Eastern
10. BOY SCOUTS OF AMERICA, TROOP
#172
218 North 15th Street
11. BOY SCOUTS OF AMERICA, TROOP
#236
2220 West Charleston
12. BOY SCOUTS OF AMERICA, TROOP
#253
6115 West Charleston

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

June 20, 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)*C. FIREWORKS PERMITS
(cont'd)APPROVED
See Page 4

See Page 4

13. BOY SCOUTS OF AMERICA, TROOP
#259
4618 Meadows Lane14. BOY SCOUTS OF AMERICA, TROOP
#280
4411 West Sahara15. BOY SCOUTS OF AMERICA, TROOP
#299
4717 West Charleston16. BOY SCOUTS OF AMERICA, TROOP
#370
4301 East Charleston17. BOY SCOUTS OF AMERICA, EXPLORER
POST #555
225 North Lamb18. CLARK COUNTY CHRISTIAN SCHOOLS
2929 Cedar Avenue19. DOWNTOWN SERTOMA BREAKFAST
CLUB
1500 East Charleston20. FAITH LUTHERAN JR. & SR. HIGH
SCHOOL SERVICE CLUB
NW corner Bonanza/Nellis21. FIRST CHRISTIAN CHURCH
101 South Rancho22. FRATERNAL ORDER OF EAGLES #1213
1601 East Washington

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

June 20, 1984

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

ITEM

Council Action

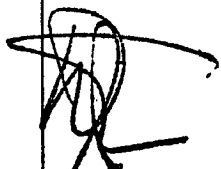
Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)*C. FIREWORKS PERMITS
(cont'd)APPROVED
See Page 4

See Page 4

23. INSTITUTE FOR THE STUDY OF
INDIVIDUAL SKILLS
NW corner "D" Street/Van Buren
24. LOYAL ORDER OF MOOSE #1928,
TEEN CLUB
SW corner Cheyenne/Rancho
25. MOST HIGH CHURCH OF GOD IN
CHRIST
1439 Lawry Street
26. NEVADA BIDDY BASKETBALL
ASSOCIATION
1592 North Eastern
27. NEVADA ZOOLOGICAL SOCIETY
1775 North Rancho
28. ORDER OF DEMOLAY, OASIS CHAPTER
821 North Rancho
29. PILGRIM REST MISSIONARY
BAPTIST CHURCH
1000 North Highland
30. RAINBOW GIRLS, OASIS ASSEMBLY
#19
6400 West Charleston
31. RANCHO HIGH SCHOOL, WRESTLING
CLUB
3051 East Charleston
32. SOUTHERN NEVADA GYMNASTIC
ASSOCIATION
3036 South Valley View

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

June 20, 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)*C. FIREWORKS PERMITS
(cont'd)APPROVED
See Page 4

See Page 4

- 33. SOUTHERN NEVADA MINOR HOCKEY ASSOCIATION
1221 East Sahara
- 34. SPRING MOUNTAIN SCHOOL
4420 East Bonanza
- 35. ST. FRANCIS DE SALES YOUTH MINISTRY
1111 Michael Way
- 36. ST. JOSEPH SCHOOL PARENTS CLUB
1704 South Maryland Parkway
- 37. SILVER STATE BUDGERIGAR SOCIETY
3830 West Sahara
- 38. WESTERN HIGH SCHOOL
J.A.F.R.O.T.C. BOOSTERS
3121 North Rancho
- 39. WORLDWIDE CHURCH OF GOD
840 North Decatur

D. LIQUOR -- NewLurie -
APPROVED
Unanimous

Staff to proceed

- 1. *LARRY HUGHES
dba
LARRY'S ROYAL CHAMPION MEATS
420 South Valley View

Beer/Wine Off-Sale

Larry G. Hughes, 100%

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

1009

AGENDA*City of Las Vegas*

0018

June 20, 1984

Page 9

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

ITEM Council Action Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

009

E. LIQUOR -- Change of Ownership

1. From: Ronald Ashby, 100%

TO: PETER TOGNERI

dba
PAPA'S PIZZA & PASTA
6010 West Cheyenne

Beer/Wine On-Sale

Peter J. Togneri, 100%

Lurie -
APPROVED
Unanimous

Staff to proceed

Applicant and
Lt. Hanief, LVMPD,
appearedNote: Police report made part of
record and on file at LVMPD.

1012

F. LIQUOR -- Change of Ownership/
Change of Location/Change of
Business Name1. From: Puggy's
333 Rancho DriveMargaret L. Kratzer,
100%TO: *CHAR-SHAL CORPORATION
dba
SHALIMAR HOTEL,
RESTAURANT & LOUNGE
1401 Las Vegas Blvd. So.General On-Sale
Restaurant LimitedA. Charlotte Richards,
Pres, Secy, Treas,
100%Lurie -
APPROVED, subject
to provisions.
Unanimous

Staff to proceed

Applicant and
Jerry Cahill
appeared*Subject to the provisions of the
Planning, and Fire codes and
Health Department regulations

APPROVED AGENDA ITEM

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 8, 1984

0019

TO:

The City Council

FROM:

DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 20, 1984 CITY COUNCIL AGENDA
LIQUOR -- Change of Ownership

PURPOSE/BACKGROUND

Item, "E", 1.

Appearing on the Department of Business Activity portion of the agenda is a request from Peter Togneri for a change of ownership on the beer/wine on-sale liquor license issued to Papa's Pizza & Pasta at 6010 West Cheyenne.

This item has received an "unfavorable" police report. A confidential investigative report will be submitted by the Special/Privileged Investigations Section of the Las Vegas Metropolitan Police Department to the City Council prior to the meeting.


Jerry J. Conill, Director
Department of Business Activity

FISCAL IMPACT

RECOMMENDATIONS

Agenda Item

III E 1

June 20, 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

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

1013

G. LIQUOR -- Change of Location

1. From: 1724 East Charleston

TO: *LAS VEGAS PRESS CLUB
dba
LAS VEGAS PRESS CLUB
1116 East Fremont

Non-Profit Club General

William Wright,
Responsible Licensee*Subject to the provisions of the
Planning, and Fire codesLurie -
APPROVED, subject
to provisions.
UnanimousStaff to proceed
Applicant present

1013

H. LIQUOR -- Approval of District
Manager1. SOUTHLAND CORPORATION
dba
7-ELEVEN FOOD STORES
431 Rue 13
1740 Fremont
1468 East Charleston

Beer/Wine Off-Sale Licenses

District Manager:
Richard A. KravanLurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

0021

June 20, 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)

1013

I. PRIVATE INVESTIGATOR LICENSE --
Approval of Qualifying Agent

1. D. RICHEY MANAGEMENT CORP.
dba
D. RICHEY MANAGEMENT CORP.
1000 South Third, #A

Qualifying Agent:
Leo A. StevensNolen -
APPROVED
UnanimousStaff to proceed
Leo Stevens appears

1014

J. PRIVATE PATROLMAN LICENSE --
Six-month Review

1. NEVADA SECURITY ALARMS, INC.
dba
NEVADA SECURITY & PATROL
SERVICES
3301 Spring Mountain Rd., #3

Peter B. Eliason, Pres
Casey A. Underwood, V. P.
Linda M. Eliason, Secy
Patricia A. Underwood, TreasQualifying Agent:
Richard Dean BaublitzLurie -
APPROVED
UnanimousStaff to proceed
Peter Eliason and
Richard Baublitz
appeared

APPROVED AGENDA ITEM

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 8, 1984

0022

TO:

The City Council

FROM:

DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 20, 1984 CITY COUNCIL AGENDA
PRIVATE PATROLMAN LICENSE -- Six-Month Review

PURPOSE/BACKGROUND

Item "J"

On December 21, 1983, the City Council approved Nevada Security Alarms, Inc. dba Nevada Security and Patrol Services, 3301 Spring Mountain Road, for a private patrolman license. The principals of Nevada Security Alarms, Inc. are as follows:

Peter Bart Eliason, President
Casey Allen Underwood, Vice President
Linda Mae Eliason, Secretary
Patricia Ann Underwood, Treasurer

Richard D. Baublitz, Qualifying Agent

Due to the fact that Mr. Baublitz resides in Carson City, Council approval was granted subject to a six-month review to assure there are adequate controls and supervision of the business.

Attached are copies of letters from Bart Eliason, President, and Richard Baublitz, Qualifying Agent, outlining their method of operation. A review by the Department of Business Activity of the telephone bills submitted, reveals the following number of phone calls made between the local Las Vegas office and Mr. Baublitz:

December 1983	11
January 1984	2
February 1984	5
March 1984	10
April 1984	1
Five-Month Total	<u>29</u>

During the six-month licensing period, the Department of Business Activity has not received any complaints nor derogatory information regarding the licensee.


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III. J. 1



CITY COUNCIL MINUTES - JUNE 20, 1984

TAHOE BUREAU of INVESTIGATION

0023

P. O. BOX 4097
CARSON CITY, NEVADA 89702
(702) 885-1706 - 883-3409

SERVING ENTIRE NORTHERN NEVADA

REPOSSESSIONS • INVESTIGATIONS • PROCESS SERVING

PROTECTION SERVICES

5/29/84

Nevada Security and Patrol
Reno Office and
Las Vegas, Nevada Office

Attn: Bart Eliason, President;

Dear Bart;

Per our many telephone conversations, I am working with the Reno office here as well as paying attention to the other activities in your office.

I can only be in one office at a time.

What specifically does Mr. Jim Difore with the Business Licensing, City of Las Vegas want?

I have been in constant contact with your office as well as the Reno office and also working on qualifying for the California State License required for the Lake Tahoe, California accounts.

Perhaps I can meet with Mr. Difiore, when we do our June audit in your fair City and find out what his thinking is.

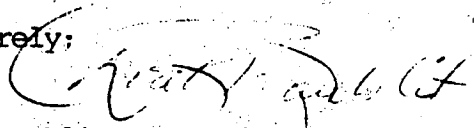
I am sure we are complying with all of the State and County laws, so it should be no problem to comply with any other special problems the City might think we have.

I will be at your service as always and will continue to serve as qualifying agent and security advisor and intend to do everything in my power to comply with all requirements in that capacity.

Let me know in advance, if you sense and special problems with the City of Las Vegas, and please advise me, so that I might be prepared to bring any other information they might request of me.

I will be in Sacramento, California momentarily and you have the number, in case you wish to call me. I will be making application for the California exams.

Sincerely;


Dick Baublitz, Security Consultant

III.J.I.



**NEVADA SECURITY
AND PATROL SERVICES**

3301 SPRING MTN. ROAD, #3
LAS VEGAS, NEVADA 89102

387-1077

0024

June 5, 1984

City of Las Vegas
400 E. Stewart
Las Vegas, Nevada 89101
Licensing Investigation Department
Attn: Mr. Jim Difiore

Dear Mr. Difiore:

Enclosed are copies of telephone bills along with a letter from Richard Baublitz concerning his counsel with our Las Vegas office.

In order to keep costs down, Mr. Baublitz drove, instead of flying to Las Vegas on his visits to our office. We have only a few receipts for his gas on these trips, because other times he visited our office he was also on personal business and we did not pay his expenses.

On all major decisions regarding our firm, we have consulted with Mr. Baublitz for his advice and expertise in the security field.

We regret we do not have more tangible evidence of Mr. Baublitz's management of our firm, especially our Las Vegas office, but we assure you we have counseled with Mr. Baublitz frequently during the past six months. We look forward to gaining even more knowledge of the security business from him in the next six months.

If more information is required, please contact our office for the specific information needed.

Sincerely,


Bart Eliason
President

III, J. 1.

AGENDA*City of Las Vegas*

June 20, 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)

015

K. LIQUOR -- Request for Approval
of Nonoperational Status1. KEITH LOPEMAN
dba
MALLORY'S
1511 North Nellis

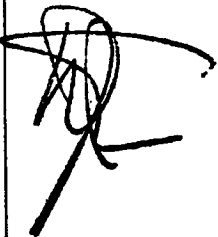
General On-Sale License

Keith Lopeman, 100%

(Request for approval of nonopera-
tional status for three-month
period: 7/1/84 to 10/1/84.)Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



AGENDA DOCUMENTATION

Date: June 8, 1984

0026

TO:
The City Council

FROM:
DON SAYLOR, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 20, 1984 CITY COUNCIL AGENDA
LIQUOR -- Request for Approval of Nonoperational Status

PURPOSE/BACKGROUND

Item, "K", 1.

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

1. Keith Lopeman dba Mallory's

A copy of letter requesting extension is attached.


Jerry J. Cahill, Director
Department of Business Activity

FISCAL IMPACT

RECOMMENDATIONS

Agenda Item

III K 1

260 Country Club Drive
Henderson, Nevada 89015
May 24, 1984

City of Las Vegas
Dept. of Business Activity
P. O. Box 1900
Las Vegas, Nevada 89125

Attention: Marjorie Heather

Re: Liquor License No. 04-029-4-00271

The above mentioned Liquor License for Keith Lopeman is in effect April 1, 1984, through September 30, 1984, paid by Ch. No. 10848 on March 23, 1984.

As of March 31, 1984, the place of business, Mallory's Supper Club, conducted its last day of business and is still now closed.

This letter is to request non-operational approval for this license from the City Council, and that this request be on the agenda for the June 20 meeting. I shall be glad to provide any further information on request at telephone number 452-1511 or 565-8098.

Sincerely,


Keith Lopeman

AGENDA*City of Las Vegas*

June 20, 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)

1016

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

1. From: B. J.'S PUB, INC.
dba
THE GETAWAY PUB

Stephen R. Backus,
Pres, Dir
Sharon K. Backus,
Secy/Treas, Dir

TO: *4TH B, LIMITED
dba
B & P'S GETAWAY
1111 South Decatur Blvd

General On-Off Sale
Gaming: 15 slots

Bruce David Boles,
Pres, Dir
Penny Kay Boles,
Secy/Treas

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

Also subject to final State gaming
approval on 6/28/84

Lurie -
APPROVED, subject
to the provisions
and final State
gaming approval.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

June 20, 1984

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

ITEM

Council Action

Department Action

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

1016

- A. CONSIDERATION OF DIRECTOR OF ENGINEERING SERVICES REPORT IN REGARD TO PROPERTY LOCATED AT 953 MILLER STREET TO RECOVER COST OF DANGEROUS BUILDING ABATEMENT BY THE CITY OF LAS VEGAS AND SETTING OF A DATE FOR A PUBLIC HEARING AS SET FORTH IN SECTION 902 OF THE ABATEMENT OF DANGEROUS BUILDINGS CODE.

Lurie -
Motion to set date
for Public Hearing
on 7/5/84 at 2:00 PM
carried unanimously.
(Christensen excused)

7/5/84 Agenda

1018

- B. CONTRACT FOR PROFESSIONAL SERVICES -
MANAGEMENT CONSULTANT SUPER-SPEED
TRAIN PROJECT.

Lurie -
Motion to reject
Contract and readvert-
tise for bids carried
Unanimously.
(Christensen excused)

Staff to proceed

Note: Verbatim transcript made part of
Final Minutes.

1020

- C. F/Y 1983-84 BUDGET AUGMENTATION.

Levy -
APPROVED as recom-
mended.
Unanimous
(Christensen excused)

Staff to proceed

Note: Verbatim transcript made part of
Final Minutes.

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 6, 1984

0030

TO: The City Council

FROM: ASHLEY HALL
CITY MANAGER

SUBJECT: REQUEST TO SET A PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES FOR
ABATEMENT OF FOUR DANGEROUS BUILDINGS AT 953 MILLER AVENUE

PURPOSE/BACKGROUND

The subject property, 953 Miller Avenue, consists of four vacant buildings. The Department of Building and Safety declared the site as dangerous on December 5, 1983.

Staff has been in contact with the owner's daughter and son-in-law, Carol and John Minefee. Mr. Minefee indicated in a telephone conversation that he would do the work himself; however, no action was taken. On June 4 and 5, 1984 the Department of Engineering Services hired a contractor to abate the dangerous buildings and clean the property. The attached Report of Expenses has been filed with the City Clerk.

The owner, Ruth McMillan as well as John and Carol Minefee, were notified by mail of this item on today's agenda, and were furnished a copy of the abatement procedures.

FISCAL IMPACT

\$2,550.00 has been paid to Weaver Construction.

RECOMMENDATIONS

The City Manager recommends the City Council set a time, place and date for a public hearing to consider the report and any protests thereto.

Agenda Item

IV.(a) A.

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

June 6, 1984

Ruth McMillan
P. O. Box 28182
Las Vegas, Nevada 89126

DANGEROUS BUILDINGS AT 953 MILLER AVENUE

Dear Mrs. McMillan:

On June 4, 1984 the City of Las Vegas caused the four dangerous buildings at 953 Miller Avenue to be abated and the property to be cleaned. A Report of Expenses has been submitted by the Department of Engineering Services.

At the City Council meeting on June 20, 1984, the City Council will set a time, date and place for hearing the report and any protests or objections thereto. Your presence is requested at the June 20th meeting which will be held in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada. This item will be heard between the hours of 10:00 a.m. and 12:00 noon. Please arrive at 10:00 a.m. and await your turn.

For your information, a copy of the procedure for abatement of dangerous buildings is attached, as well as a copy of the Report of Expenses.

Very truly yours,

CAROL ANN HAWLEY
City Clerk

CAH/lm

cc: Don Saylor
Clay Hymer
Nancy DelaBarre

Letter sent: Certified & Regular Mail



INTER-OFFICE MEMORANDUM

June 6, 1984

TO:

Carol Ann Hawley
City Clerk

FROM:

Nancy DeLaBarre
Nancy DeLaBarre
Management Analyst II
For Director of Eng. Services

SUBJECT:

Dangerous Building Abatement
Report of Expenses - 953 Miller Ave.

COPIES TO:

After giving due process, notice, and an opportunity for hearing as specified in the "Uniform Code for the Abatement of Dangerous Buildings", 1976 Edition, the Department of Engineering Services has caused four dangerous buildings at the above location to be abated and the property cleaned.

Work was performed by Weaver Construction on June 4 and 5 at a cost of \$2,550.00 as follows:

Labor - 4-man crew plus supervisor \$ 1,100

Material/Equipment 1,450

3/4" exterior grade plywood, bolts,
nails, front end loader, dump truck

\$ 2,550

Property location:

953 Miller Avenue
Las Vegas, Nevada

Assessor's Parcel No.:

01B-024-004

Owner of Record:

Ruth McMillan
P. O. Box 28182
Las Vegas, NV 89126

You are hereby requested to present the above report to the City Council to set a time, date and place for hearing the above report and any protests or objections hereto.

ND/jb

AGENDA DOCUMENTATION

Date: June 15, 1984

TO:

The City Council

FROM:

DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT:

CONTRACT FOR PROFESSIONAL SERVICES - MANAGEMENT CONSULTANT -
SUPER-SPEED TRAIN PROJECTPURPOSE/BACKGROUND

We mailed RFPs to more than 50 firms but only received one proposal. The City contacted several of these firms to find out why they had not responded. There were two major reasons, one being the fact that they felt they might be prohibited from submitting proposals on other studies if awarded this contract. The second reason was the fact that the amount of funding available for the service was not mentioned in the RFP.

The task force recommends that the Council reject all proposals and authorize staff to make available a new RFP which will include language satisfying the two points mentioned above.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that all proposals be rejected and that new RFPs be sent out.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

IV(a) ADMINISTRATIVE AGENDA

B. CONTRACT FOR PROFESSIONAL SERVICES - MANAGEMENT CONSULTANT SUPER-SPEED
TRAIN PROJECT.

0034

PAGE 1

MAYOR BRIARE:

The next, Mr. Hall.

CITY MANAGER HALL:

Item Number two, Mr. Saylor.

DEPUTY CITY MGR. SAYLOR:

Even though we mailed out -- I think it was over 50 RFP's on our management consultant for the super-speed train, the response was extremely limited and due to that fact, we are seeking permission to reject all responses and to put the RFP out on the street again. We feel that we have received enough information from those firms that did not reply as to why they didn't and have incorporated those changes in the new RFP which allows us to be optimistic in terms of, if we put it out again, we will receive an adequate number of responses. So we recommend that we reject all responses and re-put it out, readvertise it.

COUNCILMAN LURIE:

SO MOVE.

MAYOR BRIARE:

Is there any comment by any of the general public? Mr. Saylor, I think it should be noted as you did in your backup material that there were some specific reasons given as to why these firms did not respond, but now with what you've just indicated to us, you expect to have more responses. It also should be noted that we're talking about a science that it's never ever in the whole history of the Country, let alone Las Vegas, that any contract of this nature has been going out. So we just have to go one step at a time until we get them resolved. Cast your votes. Post. Motion's APPROVED. (Motion carried unanimously with Christensen excused)

END OF EXCERPT

AGENDA DOCUMENTATION

Date: June 20, 1984

0035

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGERSUBJECT:
F/Y 1983-84 BUDGET AUGMENTATIONPURPOSE/BACKGROUND

During each fiscal year there are a number of expenditure changes, both increases and decreases, that have been approved but were not projected at the time the final budget was filed. Instead of approving a budget amendment or augmentation as each change occurs, these are combined and presented to the Council during the month of June. During the current year, changes to the budget are necessitated by the following:

- (1) Salary increases granted by the arbitrator which became effective in January, 1984. (\$1,010,000)
- (2) Retirements by City employees in larger numbers than normal, resulting in substantially higher payoffs than were originally projected. (\$530,000)
- (3) The approval of the Council of additional employees in the Municipal Court. (\$122,116)

These expenditure increases have been funded by the following:

- (1) Expenditure savings because of the Critical Hire policy, savings on annual contracts, less than budgeted medical insurance costs, and other cost cutting programs which have been implemented.
- (2) The refund of moneys previously advanced to the CETA Program and a premium rebate from the industrial insurance fund.
- (3) Revenues that are higher than anticipated because of economic improvements in the Las Vegas area. Examples of this are in the sales tax and building permit areas.

The attached schedules reflect these adjustments and represent the recommended augmented 1983-84 budget for your approval.

FISCAL IMPACT

The amount of the augmentation to the Fiscal Year 1983-84 budget is \$1,270,143. This amount has been offset in the FY 1983-84 budget as explained above.

RECOMMENDATIONS

It is recommended that the Council approve the augmentation of the FY 1983-84 budget in the amount of \$1,270,143 as is reflected in the accompanying schedules.

Agenda Item

IV.(a) C.

CITY COUNCIL MINUTES - JUNE 20, 1984
RESOLUTION TO AUGMENT THE 1983-84 BUDGET

OF THE CITY OF LAS VEGAS

0036

WHEREAS, the resources of the General Fund of the City of Las Vegas, County of Clark, State of Nevada, were estimated to be \$62,036,891 on August 17, 1983; and

WHEREAS, those resources are now determined to be \$63,484,782; and

WHEREAS, there are adjustments to expenditure appropriations in General Fund functions; and

WHEREAS, the City Council of said City desires by this Resolution to Augment the Budget for the City of Las Vegas, Nevada, for 1983-84, pursuant to NRS 354.615 for the purpose of effecting an increase in appropriations,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 20th day of June, 1984, that the 1983-84 Budget of the City of Las Vegas for the General Fund functions itemized in Exhibit B, which is attached hereto and incorporated herein, is increased to the amounts listed opposite each function, and

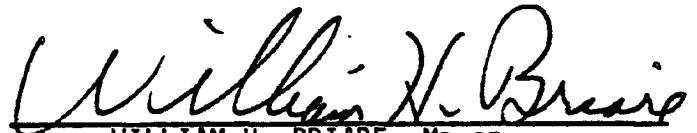
BE IT FURTHER RESOLVED that said Augmentation shall become effective upon delivery of a certified copy of this Resolution to the Nevada State Department of Taxation.

PASSED and ADOPTED this 20th day of June, 1984, by the following vote:

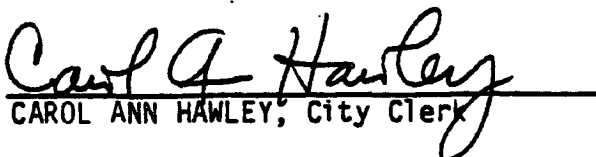
Ayes: Mayor Briare, Councilmen Lurie, Levy and Nolen

Nays: None

Absent: Councilman Christensen


WILLIAM H. BRIARE, Mayor

ATTEST:


CAROL ANN HAWLEY, City Clerk

CITY OF LAS VEGAS
FISCAL YEAR 1983-84
BUDGET AUGMENTATION - REVENUES
GENERAL FUND

0037

<u>Revenue Sources</u>	<u>Amended Final Budget</u>	<u>Augmented Budget</u>	<u>Increase (-)Decrease</u>
<u>CHARGES FOR SERVICES</u>			
Recreation Charges	\$ 75,000	\$ 75,000	\$ 0
Construction & Subdivision Inspections	100,000	210,000	110,000
Planning & Development Charges	75,000	66,300	(8,700)
Police Investigation Charges	5,000	1,000	(4,000)
SUBTOTAL	\$ 255,000	\$ 352,300	\$ 97,300
<u>FINES AND FORFEITS</u>			
Forfeited Bail	\$ 275,000	\$ 250,000	\$ (25,000)
Fines - Court	1,675,000	1,737,500	62,500
Fines - Admin. Assessment	259,500	120,000	(139,500)
SUBTOTAL	\$ 2,209,500	\$ 2,107,500	\$ (102,000)
<u>MISCELLANEOUS REVENUES</u>			
Interest	\$ 750,000	\$ 1,100,000	\$ 350,000
Property Sales	5,000	5,000	0
Miscellaneous Sales & Rentals	7,500	4,500	(3,000)
Miscellaneous Revenue	85,000	525,490	440,490
SUBTOTAL	\$ 847,500	\$ 1,634,990	\$ 787,490
<u>SUBTOTAL REVENUES</u>	\$ 61,388,884	\$ 62,625,266	\$ 1,236,382
<u>OTHER FINANCING SOURCES</u>			
Transfers from Revenue Sharing	\$ 2,270	\$ 12,374	\$ 10,104
Transfers from Other Funds	297,730	297,730	0
SUBTOTAL	\$ 300,000	\$ 310,104	\$ 10,104
<u>SUBTOTAL REVENUES AND TRANSFERS</u>	\$ 61,688,884	\$ 62,935,370	\$ 1,246,486
<u>OPENING FUND BALANCE</u>	\$ 348,007	\$ 549,412	\$ 201,405
<u>TOTAL</u>	\$ 62,036,891	\$ 63,484,782	\$ 1,447,891

SUMMARY EXHIBIT A

CITY OF LAS VEGAS
FISCAL YEAR 1983-84
BUDGET AUGMENTATION - REVENUES
GENERAL FUND

<u>Revenue Sources</u>	<u>Amended Final Budget</u>	<u>Augmented Budget</u>	<u>Increase (-)Decrease</u>
Taxes	\$ 31,747,804	\$ 32,453,604	\$ 705,800
Licenses, Permits and Franchise Fees	15,470,000	15,667,500	197,500
Intergovernmental Revenues	10,859,080	10,409,372	(449,708)
Charges for Services	255,000	352,300	97,300
Fines and Forfeitures	2,209,500	2,107,500	(102,000)
Interest	750,000	1,100,000	350,000
Other Revenues	97,500	534,990	437,490
Other Financing Sources	<u>300,000</u>	<u>310,104</u>	<u>10,104</u>
 TOTAL NEW SOURCES	 \$ 61,688,884	 \$ 62,935,370	 \$ 1,246,486
 OPENING FUND BALANCE	 <u>348,007</u>	 <u>549,412</u>	 <u>201,405</u>
 TOTAL	 <u>\$ 62,036,891</u>	 <u>\$ 63,484,782</u>	 <u>\$ 1,447,891</u>

0039

CITY OF LAS VEGAS
FISCAL YEAR 1983-84
BUDGET AUGMENTATION - REVENUES
GENERAL FUND

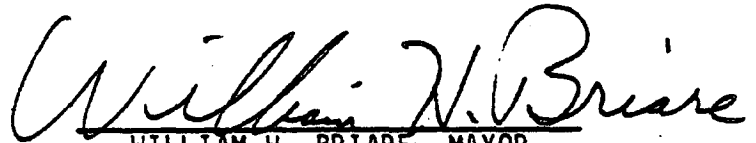
<u>Revenue Sources</u>	<u>Amended Final Budget</u>	<u>Augmented Budget</u>	<u>Increase (-)Decrease</u>
<u>TAXES</u>			
Ad Valorem Taxes	\$ 7,333,192	\$ 7,333,192	\$ 0
Basic County/City Relief	13,355,150	14,060,950	705,800
Supplemental County/City Relief Tax	<u>11,059,462</u>	<u>11,059,462</u>	<u>0</u>
SUBTOTAL	\$ <u>31,747,804</u>	\$ <u>32,453,604</u>	\$ <u>705,800</u>
<u>LICENSES AND PERMITS</u>			
Business Licenses	\$ 2,670,000	\$ 2,490,000	\$ (180,000)
Liquor Licenses	800,000	725,000	(75,000)
Local Gaming Licenses	2,590,000	2,575,000	(15,000)
Other Licenses, Permits & Fees	55,000	61,000	6,000
Building/Construction Permits	1,200,000	1,661,500	461,500
Hotel/Motel Room Tax	<u>720,000</u>	<u>635,000</u>	<u>(85,000)</u>
SUBTOTAL	\$ <u>8,035,000</u>	\$ <u>8,147,500</u>	\$ <u>112,500</u>
<u>FRANCHISE FEES</u>			
Utility Business Licenses	6,960,000	6,960,000	0
Garbage Franchise Fees	375,000	395,000	20,000
Other Franchise Fees	<u>100,000</u>	<u>165,000</u>	<u>65,000</u>
SUBTOTAL	\$ <u>7,435,000</u>	\$ <u>7,520,000</u>	\$ <u>85,000</u>
<u>INTERGOVERNMENTAL REVENUES</u>			
Motor Vehicle Privilege Tax	\$ 1,209,080	\$ 1,091,300	\$ (117,780)
Cigarette Tax	4,850,000	4,326,900	(523,100)
State Liquor Tax	775,000	819,500	44,500
Share of County Gaming Tax	1,750,000	1,750,000	0
Real Property Transfer Tax	875,000	1,166,672	291,672
Transfer from other Local Governments:			
Gasoline Tax	1,350,000	1,205,000	(145,000)
Sr. Citizen Service	<u>50,000</u>	<u>50,000</u>	<u>0</u>
SUBTOTAL	\$ <u>10,859,080</u>	\$ <u>10,409,372</u>	\$ <u>(449,708)</u>

CITY OF LAS VEGAS, NEVADA

0040

NOTICE OF INTENTION TO ACT ON RESOLUTION
TO AUGMENT GENERAL FUND BUDGET

Notice is hereby given that the City Council of the City of Las Vegas, State of Nevada, will act on a resolution to augment the General Fund Budget for the 1983-84 fiscal year in the amount of \$1,270,143 in order to effect an increase in appropriations, pursuant to NRS 354.615, at a meeting to be held at the Council Chambers, City Hall, City of Las Vegas, Nevada, on June 20, 1984, at the hour of 10:00 A.M., at which time all persons may attend and be heard. Prior to the meeting, written comments may be filed with Carol Ann Hawley, City Clerk, and will be considered.


WILLIAM H. BRIARE, MAYOR
CITY OF LAS VEGAS, NEVADA

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984
IV(a) ADMINISTRATIVE AGENDA
C. F/Y 1983-84 BUDGET AUGMENTATION.

PAGE 1

MAYOR BRIARE: Item C, Mr. Hall.

CITY MANAGER HALL: Item C is the F/Y '83-'84 Budget Augmentation. This is an annual process of setting up a prepared process for closing out the fiscal year's budget for '83-'84. The attachments to that are already previously approved items by the Council having to do with those items on the arbitrator's award, the retirement of other employees and so forth. It's the recommendation of the City Manager that the Council approve the augmentation for F/Y '83-'84 budget in the amount of one million two hundred seventy thousand one hundred forty-three dollars as reflected in the accompanying documents.

COUNCILMAN LEVY: I'LL MOVE TO FOLLOW THE RECOMMENDATIONS.

MAYOR BRIARE: Comments.

CITY MANAGER HALL: One comment, Mayor.

MAYOR BRIARE: Yes.

CITY MANAGER HALL: The budget this year -- we'd indicated back in -- first part of February that we had some departments that had financial problems. I'm pleased to inform you and inform others that the budget for F/Y '83-'84 that we're closing out by those departments, particularly that were in problems at that time, have been resolved and we will close out this year in the black of about \$500,000.

COUNCILMAN LEVY: Are you talking about Metro and the Justice Courts our court systems were the two problems?

CITY MANAGER HALL: Yes, I'm talking about those departments. The Fire Department, Municipal Court and others that came before you at that time.

COUNCILMAN LEVY: Well, I think that they should be complimented.

CITY MANAGER HALL: We've already patted them on the back.

MAYOR BRIARE: Further comments? Cast your votes. Post. The motion's APPROVED. (Motion carried unanimously with Christensen excused)

END OF EXCERPT

AGENDA*City of Las Vegas*

June 20, 1984

Page 14A

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

ITEM

Council Action

Department Action

IV(a) ADMINISTRATIVE AGENDA (Cont'd)
ASHLEY HALL, CITY MANAGER

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D. A-95 CLEARINGHOUSE COUNCIL COOPERATIVE
AGREEMENT.

Christensen -
ADOPTED Resolution.
Unanimous

Staff to proceed

E. DISCUSSION AND POSSIBLE ACTION ON
RECONSIDERATION OF OPPORTUNITIES
INDUSTRIALIZATION CENTER GRANT.

(ADDENDUM ITEM)

Christensen -
Motion APPROVED to
follow recommen-
dations of City
Manager and withdraw
Grant and hold money
(\$250,000) for re-
allocation.
Motion carried with
Nolen and Levy
voting "No."

Staff to proceed

Roy Woofter, Atty.
represented OIC.

Christensen directed City Manager to
make City's audit findings available to
appropriate County, State, and Federal
authorities. (Note: Verbatim Trans-
cript made part of Final Minutes)

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F. REQUEST OF CLARK COUNTY FOR AN EASEMENT
ACROSS CITY PROPERTY IN CONNECTION WITH
THE LAS VEGAS WASH ADJACENT TO THE CITY'S
WASTEWATER PLANT.

(ADDENDUM ITEM)

Levy -
APPROVED as recom-
mended, subject to
the following con-
ditions:

Staff to proceed

1. The design of the flood control
channel being compatible with the
hydraulic elements of the effluent
channel from City's Wastewater Treat-
ment Plant.

2. The Clark County give the City an
easement to accommodate the City's
flow channel for the effluent.

Unanimous
(Briare excused)

Note: Verbatim transcript made part of
Final Minutes.

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 19, 1984

0043

TO:

The City Council

FROM:

RICHARD B. BLUE, JR.
EXECUTIVE ASSISTANT TO CITY MANAGER

SUBJECT:

A-95 CLEARINGHOUSE COUNCIL COOPERATIVE AGREEMENT

PURPOSE/BACKGROUND

At the May 2, 1984 City Council meeting, the City of Las Vegas decided to reestablish its membership in the Clark County Clearinghouse Council.

In order to reestablish membership, the City must enter into an agreement with the other entities involved: North Las Vegas, Clark County, Henderson and Boulder City.

Additionally, it will be necessary to adopt a Resolution which details the terms and conditions of the agreement.

The anticipated share for the City is approximately \$10,000 for the fiscal year 1984-85.

FISCAL IMPACT

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

RECOMMENDATIONS

The City Manager recommends that the agreement be approved and the Resolution adopted and the Mayor authorized to sign both documents.

Agenda Item

IV.(a) D.

CITY COUNCIL MINUTES - JUNE 20, 1984

RESOLUTION

0044

WHEREAS, the Clark County Clearinghouse Council was established pursuant to a Cooperative Agreement for the purpose of administering the efforts which are necessary for the review, comment and recommendation for compliance with Presidential Executive Order 12372 and the Executive Order of the Governor of the State of Nevada, dated June 9, 1983, relative to applications for Notification and Review System, Direct Federal Development, State Plans and Coordination of Planning in Multijurisdictional Areas; and

WHEREAS, the City of Las Vegas elected not to participate financially in said Council and, therefore, the membership of said Council elected to exclude representation of said City on said Council; and

WHEREAS, said City has now elected to participate financially in said Council; and

WHEREAS, said Council, at its meeting which was held on the 24th day of May, 1984, approved a motion which permits said City to become a member of said Council; and

WHEREAS, it has been determined that, in order to admit said City to membership on said Council, it will be necessary for the City Council of said City and the governing body of each of the members of said Council to adopt a resolution which approves a new cooperative agreement which reestablishes said council in accordance with the terms and conditions thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof which is held on June 20, 1984, that the Cooperative Agreement which provides for the reestablishment of the Clark County Clearinghouse Council and admits said City to membership on said Council be, and the same hereby is, approved, that said City hereby agrees to be bound by all of the terms and conditions of said Cooperative Agreement and that the Mayor be, and he hereby is, authorized, empowered and directed to execute said Cooperative Agreement on behalf of said City.

PASSED, ADOPTED AND APPROVED this 20th day of June, 1984.

APPROVED:

By William H. Briare
WILLIAM H. BRIARE, MAYOR

ATTEST:

Carol Ann Hawley
Carol Ann Hawley, City Clerk

COOPERATIVE AGREEMENT
FOR THE FORMATION OF THE
CLARK COUNTY CLEARINGHOUSE COUNCIL

0045

THIS COOPERATIVE AGREEMENT is made and entered into this ____ day of _____, 1984, by and between the COUNTY OF CLARK, the CITY OF LAS VEGAS, the CITY OF NORTH LAS VEGAS, the CITY OF HENDERSON and the CITY OF BOULDER CITY, each of which is a political subdivision of the State of Nevada.

W I T N E S S E T H:

WHEREAS, the governing body of each of the aforementioned political subdivisions desires to authorize the formation of a Clark County Clearinghouse Council, hereinafter referred to as the "Council", consisting of representatives of each such political subdivision, to provide a Council, regional in nature, with the responsibility to administer the efforts necessary for the review, comment, and recommendations required for compliance with Presidential Executive Order 12372 and Governor's Executive Order, State of Nevada, June 9, 1983, relative to applications for Project Notification and Review System, Direct Federal Development, State Plans, and Coordination of Planning in Multijurisdictional Areas; and

WHEREAS, the term "clearinghouse" shall be synonymous with the words "areawide clearinghouse" both being defined as a Council responsible for identifying the relationship of any programs and/or projects to statewide or areawide comprehensive planning; and the relationship of any program or project to the plans of particular state agencies or local governments; and

WHEREAS, the Council's comments and recommendations regarding applications from Federal agencies and applications for Federal assistance for Federal or federally assisted programs and/or projects are advisory only and endorsement of a program and/or project will not assure positive action by the Federal agency, nor will negative recommendations constitute negative action by the Federal agency.

NOW, THEREFORE, pursuant to the authority and direction of the

Resolutions hereinabove referred to, adopted by each of the political subdivisions who are parties hereto, and pursuant to the authority of Nevada Revised Statutes 277.080 to 277.180 inclusive, the Interlocal Cooperation Act, providing that any power, privilege or authority exercised or capable of exercise by a public agency of the State of Nevada may be exercised jointly with any other public agency of the State, and in consideration of the mutual covenants and agreements herein contained, it is hereby covenanted and agreed by and between the aforesaid political subdivisions, and each of them, and each of their successors as follows:

ARTICLE I

A. The Council, having a fiscal year beginning on the first day of the month of July of each year and ending on the last day of the month of June first following said month of July, is hereby created and established with such powers, duties, functions and responsibilities as hereinafter set forth.

B. The membership of the Council shall consist of one elected official of each of the governing bodies of the political subdivisions that are a party to this Agreement in accordance with the provisions of Article IIA.

C. The Council shall create and establish a Technical Committee.

D. The membership of the Technical Committee shall consist of one staff personnel appointed by each of the political subdivisions that are a party hereto (hereinafter referred to as "party member"). In addition, there may be one staff personnel appointed by the governing body of any political subdivision of the State of Nevada desiring membership on the Technical Committee upon submittal of written request from such political subdivision to the Council (hereinafter referred to as "nonparty member"). Each party member of the Technical Committee shall be entitled to one vote, except as provided in Article IIG and H, and provided, however, a nonparty member shall not be entitled to either vote or hold office. No compensation shall be paid for any services rendered by a

party member or a nonparty member.

E. The Technical Committee shall conduct the review of all applications submitted to the Council and the Chairman of the Technical Committee shall attend the Council Meetings and advise the Council of the action taken by the Technical Committee.

F. The Council shall administer through said Technical Committee the necessary efforts for the review, comment, and recommendations required for compliance with Presidential Executive Order 12372 and Governor's Executive Order, State of Nevada, June 9, 1983, relative to Applications for Project Notification and Review System, Direct Federal Development, State Plans, and Coordination of Planning in Multijurisdictional Areas, and the Council shall transmit to all applicants submitting projects to the Council for review the findings and comments of the Council.

ARTICLE II

A. The Council members shall be appointed by the governing body of each such political subdivision from among its members, and shall serve without compensation. Each such member shall have one vote.

B. The Council officers shall consist of a Chairman and a Vice-Chairman, and shall be elected by the majority vote of the Council at its regular meeting held in January of each year and shall serve for a term of one (1) year. The Council officers shall be nominated from the floor by the members of the Council and no second shall be necessary.

C. The Council Chairman shall preside at all meetings, provide for a secretary for each meeting, sign the approved minutes of each meeting, sign all resolutions and actions passed by the Council, sign all correspondence representing the Council, maintain custody of all minutes, resolutions and records at a location and in a manner approved by a majority vote of the Council, and perform such other duties as may be assigned by the Council.

D. The Council Vice-Chairman shall perform all of the duties of the

Council Chairman in the latter's absence or disability, provided that upon the death, resignation, or inability of the Chairman to act, the Council may declare the office of Chairman vacant and elect a successor to fill the unexpired term.

E. The Council shall hold regular meetings on the fourth Thursday of each month at a time and place designated by a majority vote of the Council except when said Thursday falls on a legal federal, state or local holiday, then the meeting shall be held the Wednesday immediately preceding said holiday. All such meetings shall comply with the requirements of the Nevada State Open Meeting Law (Chap. 527, Nevada Statutes, 1977 as may be amended).

F. The Council Chairman may call special meetings, and must call a special meeting, when such is requested by two or more members of the Council. All such meetings shall comply with the requirements of the Nevada State Open Meeting Law (Chap. 527, Nevada Statutes, 1977 as may be amended).

G. The Technical Committee officers shall consist of a Chairman and a Vice-Chairman and shall be elected subject to the provisions set forth in Article ID, by the majority vote of the party members only of the Technical Committee at its regular meeting held in January of each year and shall serve for a term of one (1) year.

H. The Technical Committee Chairman shall preside at all meetings of the Technical Committee, provide for a secretary for each meeting, sign the approved minutes of each meeting, sign all correspondence representing actions of the Technical Committee, maintain custody of all Technical Committee records at a location and in a manner approved by a majority vote of the party members only.

I. The Technical Committee Vice-Chairman shall perform all the duties of the Technical Committee Chairman in the latter's absence or disability, provided that upon the death, resignation, or inability of the Technical Committee Chairman to act, the Technical Committee may

declare the office of Chairman vacant and elect a successor to fill the unexpired term.

J. The Technical Committee shall hold regular meetings on the second Tuesday of each month at a time and place designated by a majority vote of the party members and nonparty members of the Technical Committee except when said Tuesday falls on a legal federal, state or local holiday then the meeting shall be held the Wednesday immediately following said holiday. All such meetings shall comply with the requirements of the Nevada State Open Meeting Law (Chap. 527, Nevada Statutes, 1977 as may be amended).

K. The Technical Committee Chairman may call special meetings and must call a special meeting when so requested by two or more party and/or nonparty members of the Technical Committee. All such meetings shall comply with the requirements of the Nevada State Open Meeting Law (Chap. 527, Nevada Statutes, 1977 as may be amended).

L. Each member of the Council and each party or nonparty member of the Technical Committee shall serve at the pleasure of the governing body of the political subdivision making the appointment. In the event of the death, resignation or the inability of a member of the Council and/or a party or nonparty member of the Technical Committee, the governing body which made the appointment shall appoint a successor.

ARTICLE III

Bylaws may be prepared by the Council and adopted by majority vote of the Council, prescribing appropriate provisions for the transaction of business, the duties of the Council and the powers of the Chairman and the Vice Chairman, and such other officers as may be elected, which Bylaws may be amended from time to time by the majority vote of the Council.

ARTICLE IV

A. The Council shall review an annual fiscal budget prepared by the Technical Committee Chairman and submitted to the Council for inclusion as a business item on the Council's agenda for its regular meeting held in December of each year, and upon approval of said budget by a majority

vote of the Council shall, prior to the first day in February of each year, submit the same for ratification to the governing body of each Council member. The budget shall include only the expenses proposed to be incurred during the fiscal year beginning on the first day of the month of July first following the foregoing month of December, by the secretarial staffs of the Chairman of the Council and the Chairman of the Technical Committee and the direct costs proposed to be incurred for, but not limited to, courier services, postage, telephone, reproduction, and supplies in performing the functions assigned to said officers by this Agreement and by the bylaws. Upon ratification of the budget by the governing bodies of the political subdivisions made a party hereto, the budget shall become the approved budget of the Council and each of the parties to this Agreement shall be obligated to pay at the commencement of the fiscal year its proportionate share of the of the budget as determined under paragraph B of this Article IV.

B. The proportionate share of the budget due from each of the parties to this Agreement shall be that percentage of the total budget which is the same as that party's percentage of the total population in Clark County as set forth in the Official 1980 Census of the United States. For the purpose of computing the percentage of the budget due from Clark County, its population shall be deemed to be only the population outside of the incorporated Cities of Las Vegas, North Las Vegas, Henderson, and Boulder City, respectively.

C. Other than the costs and expenses which are part of the Council's budget under paragraph A of this Article IV, all costs and expenses incurred by any member of the Council or any party or nonparty member of the Technical Committee shall be borne by the party making the appointment, and all costs and expenses incurred by any political subdivision in appointing and maintaining its Council and/or Technical Committee members shall be borne by that political subdivision.

ARTICLE V

The Council may by majority vote authorize any political subdivision not a party to this Agreement to become a party to this Agreement upon the presentation of a Resolution duly passed and adopted by the governing body of such political subdivision seeking membership on the Council, provided, however, said Resolution shall have been submitted to the Technical Committee and the Technical Committee Chairman submits to the Council that the Resolution adequately expresses the petitioning political subdivision's obligation of compliance with all the administrative and budgetary provision of this Agreement. Said membership of such petitioning political subdivision shall not become effective until the first day of the Council's fiscal year immediately following the Council's approval of the new member.

ARTICLE VI

A. The term of this Cooperative Agreement shall continue from year to year unless terminated.

B. This Cooperative Agreement may be terminated, and the Council disbanded, prior to the expiration of such term by the adoption of a resolution to that effect by the governing bodies of three (3) of the five (5) political subdivisions represented on the Council and who have executed this Cooperative Agreement, all such resolutions having been adopted within three (3) calendar months of each other; provided, however, that such termination shall not be made effective earlier than the end of the fiscal year of the Council in which the last of the required number of political subdivisions adopts such resolution, and provided, further, that such termination shall not be effective unless and until adequate provisions shall have been made for the assumption by the political subdivisions that are party to this Agreement of all outstanding indebtedness and/or contractual obligations of the Council theretofore incurred, which said provisions for assumption shall have first been accepted in writing by the obligees of such obligations.

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This Agreement may be executed in any number of counterparts and when so executed each such counterpart shall be deemed to be an original hereof.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: _____
Chairman

ATTEST:

By _____
County Clerk

CITY OF LAS VEGAS, NEVADA

By: _____
Mayor

ATTEST:

By _____
City Clerk

CITY OF NORTH LAS VEGAS, NEVADA

By: _____
Mayor

ATTEST:

By _____
City Clerk

CITY OF HENDERSON, NEVADA

By: _____
Mayor

ATTEST:

By _____
City Clerk

CITY OF BOULDER CITY, NEVADA

By: _____
Mayor

ATTEST:

By _____
City Clerk

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
IV(a)-E - DISCUSSION AND POSSIBLE ACTION ON RECONSIDERATION OF
OPPORTUNITIES INDUSTRIALIZATION CENTER GRANT

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MAYOR BRIARE:

The next item, Mr. Hall.

CITY MANAGER HALL:

The next item, Your Honor, is discussion and possible action on reconsideration of Opportunities Industrialization Center Grant. As you're aware, the City of Las Vegas conducted an internal audit on OIC, and based on the results of the OIC Audit, I recommended previously in a memo dated June 14, 1984, to the City Council -- I recommended that as of a result of that audit, I hereby recommend that the City withdraw its commitment to OIC for the \$250,000 in Community Development Block Grant Funds previously allocated as a result of recent Council action and that OIC not be considered for future grants until the organization can demonstrate marked improvement of their ability to account for grant dollars.

MAYOR BRIARE:

Good morning, Mr. Woofter. It's our understanding, I think, that you represent -- well, I'll let you tell us who you represent.

ATTY. ROY WOOFTER:

Good morning, Mayor, Council. Roy Woofter, Attorney at Law, 333 N. Rancho Rd., Las Vegas, NV. I am here to represent OIC in respect to the consideration to be given by the body here this morning. On that date that Mr. Hall mentioned, June 14, we did have a meeting with City staff, as well as Councilman Nolen also being there, in which we went over the financial report that was submitted by Mr. Leavitt and Mr. Hanson in respect to the concerns that they had in regards to OIC. The summation, without going into the report, seems to indicate that there were certain procedural irregularities that the Director of Finance had great concern or anybody in accounting would. However, there did not seem to be any allegations as far as any criminal fraud or any criminal activity. It was just a matter of trying to set forth the procedure in respect to the administering of this grant, as well as ones before. I feel that because of this, and going into it in great detail, that there was explanations that was set forth by Jim Chaney that the Director of Finance took into consideration and was going to follow through. So there is certain follow-up as far as the City is concerned, and naturally, along with this, there is a certain investigation being conducted by the Federal Government which is going on at the present time to determine whether or not there is any criminal activity or irregularity other than possible certain bad procedure that was done by OIC. And also, I'd like to mention too, when I was on board here as a City Commissioner, I had many meetings with Jim Chaney and other members of this organization and previous organizations Jim Chaney has been associated with, along with Richard Blue, where it's always been Mr.

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IV(a)-E - DISCUSSION AND POSSIBLE ACTION ON RECONSIDERATION OF
OPPORTUNITIES INDUSTRIALIZATION CENTER GRANT

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ATTY. ROY WOOFER:

Chaney's desire, as well as the other members of OIC, to allow the City to set up stringent procedural guidelines that they would follow, and I feel that there is a grey area in respect to what has occurred here, that Mr. Chaney has always been able, willing to come forward to answer any, and for some reason, all of a sudden, wham, bang, here we got this situation where possibly, this could have been resolved in the past. What I'm asking here this morning is that since this is still up in the air as far as the final result of what these investigations on both the City and the Federal Government will finalize is that rather than turning this money loose to be reallocated, is to consider freezing it for a period of 60 days to determine the outcome of this before going forward with the \$250,000 allotment. Mr. Chaney -- we're not dealing with individuals that are fly by night organizations. The individuals that are involved with OIC have been in this community, been active in many affairs, many community affairs, many governmental affairs, and they're here to stay, and I feel that the final outcome will be that there will not be shown any criminal activity or allegations that will be confirmed. It will be a situation where I feel that the City would come back and determine that stricter guidelines have to be administered as far as procedure aspects for OIC to follow. So I would hope -- I think that the organization has shown overall that it is a good organization, has been good to the community, and I think they deserve that small consideration of just allowing that to be frozen, this money, for a 60 day period and then determination to be made at this City Council after the final outcome of the investigation.

MAYOR BRIARE:

Comments by the Council members?

COUNCILMAN LURIE:

How do we know the decision is going to be made within 60 days?

ATTY. ROY WOOFER:

That was the understanding from Mr. Chaney meeting with certain FBI agents that he has been discussing this situation with. I feel that the City would certainly be in a position to give their final opinion within 60 days from what our discussion was at our meeting day before yesterday.

COUNCILMAN LEVY:

Mr. Blue, how's our clock ticking on this whole situation regarding the money from the Federal Government as well as the 250? What is exactly our time?

RICHARD BLUE:

The City's application to HUD will be approved by July 1. The application can be amended, and by that, I mean any of the line items that have already previously been

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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RICHARD BLUE: approved can be amended at any time.

COUNCILMAN LEVY: I guess I'm more worried about the Million Six or Million whatever they're going to get.

RICHARD BLUE: If you're talking about the Million Six or the EDA commitment --

COUNCILMAN LEVY: Right, sir.

RICHARD BLUE: Withdrawal of the City's commitment would immediately negate the EDA's commitment to the program.

COUNCILMAN LURIE: Well, is that --

COUNCILMAN LEVY: For them, or for anybody?

RICHARD BLUE: For anyone.

COUNCILMAN LURIE: Are you sure? Is that just speculation on your part, or are you positive? You have something from them that says that they will withdraw those funds from Las Vegas if we withdraw these funds from OIC?

RICHARD BLUE: Well, it's based upon the application, Councilman. There's an application in the EDA that is from OIC, which requires a matching condition -- a local matching condition. The City's \$250,000 in Community Development Block Grant Funds satisfies that matching condition. In the absence of that matching condition, then that negates the EDA funding.

COUNCILMAN LEVY: I guess where I'm coming from, Richard, is I think the program and the idea what they're considering, or projected here, was very interesting. I thought -- I liked it. I'm not sure -- at the moment I would say OIC is not the people to handle it.

RICHARD BLUE: Then if that's your position, then it would be my suggestion that you consider recommending a hold on the \$250,000 without a reallocation commitment at this time, pending the outcome of the investigation. In other words, keep the Two Hundred and Fifty in tact so that it can match -- so that it could serve as a match for EDA. Now, we're not talking about using the same grantee. We're just talking about keeping it in place in order that it could be used as a matching condition.

COUNCILMAN CHRISTENSEN: Your Honor?

MAYOR BRIARE: Councilman Christensen.

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COUNCILMAN CHRISTENSEN: I can appreciate all the things Roy said and the discussion that's gone on here, but I think the overriding thing is that this money was approved at an open hearing based on the information we had, and I don't think we would have probably approved that grant had we had the audit information that we now have. I don't think it's a case of whether or not anybody's crooked or anybody has done something wrong. I think it's just simply a case of had we known this information beforehand, I don't think we would have approved this grant. I know I wouldn't have voted for it. THEREFORE, I WOULD LIKE TO MOVE THAT WE FOLLOW THE RECOMMENDATION OF THE CITY MANAGER AND WITHDRAW THE MONEY AND HOLD IT FOR REALLOCATION, and as I understand, you can't reallocate it today anyway. That requires other public hearings. So all we can do is withdraw the money, withdraw the support and hold it. And I would also like to direct our City Manager to make available our audit information to the appropriate County, Federal and State agencies who are investigating so that they can get this thing cleared up. And I would hope that it is cleared up in a timely manner and I hope that they are all found to be in good graces with the Federal Government. Now, as far as the matching grant from EDA, there's speculation -- it's a known fact that once you pull this program, you're not going to get that grant because we don't have the matching funds and that we don't have a program. However, if you don't pull the grant, I don't think you're going to get the EDA money anyway. I think you can kiss that goodbye. I think it's gone. Now, that's a supposition, but I don't picture the Federal Government with this much smoke raised over this item coming in here with an EDA Grant of that size on this piece. So that's my motion to withdraw it.

COUNCILMAN LEVY:

I'd just like to make a comment on that. I concur except for one thing. You didn't talk about the project itself. Let's just say OIC is guilty of all these things that's been mentioned. We all hold off and say that's the case. What is wrong with the idea of having somebody else do it? I mean, I can see a coalition of the University and maybe some local people here within the community and some staff from the City of Las Vegas going together and putting on this program. I think the basis of having this program -- I know I voted for the program as much if not more than for the OIC or whoever was conducting it. I thought it was a program that would be good for the community. Therefore, I'd like to see us be able to continue the idea and theme, maybe getting the money from the Federal Government with maybe different people in charge, and that's where I'm coming from.

COUNCILMAN CHRISTENSEN: Well, I think you've lost sight of the whole point of the Block Grant Programs and it's not up to the City Council

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COUNCILMAN CHRISTENSEN: to determine a program and submit it for a Block Grant proposal. Those have to come from certain directions and they come through public hearings and we have a Citizens Advisory Board that recommends which ones to be funded and which ones not, and that's why I made the statement that had I had this information going in in the first place, I doubt very seriously if I would have voted for this and I doubt very seriously if the Citizens Review Committee would have recommended it. To say that it's a good idea and we should come up with something to replace it is fine and dandy, but that doesn't fit the Block Grant Program.

COUNCILMAN LEVY: I think we can make it fit.

COUNCILMAN CHRISTENSEN: Well, I don't think that's the idea of the Block Grant Program for us to make things fit it.

MAYOR BRIARE: Councilman Lurie, or Councilman Nolen?

COUNCILMAN LURIE: The only comment I was going to make that, Number One, I was unhappy to find out about all of these allegations and read them in the newspaper, and in my opinion I don't think we have any choice but to withdraw the application, the grant application, from OIC, you know, based on these allegations, I've had a lot of contact with Federal dollars through Block Grant or through Revenue Sharing but also as Chairman of the CETA Program or the JPTA, as you call it, and I know what these investigations entail, and I know that the damage that's been done to OIC, it's going to take a long time before they can address all those allegations and come out with a clean bill, and I just think that we have no choice but to withdraw the money and set a time for a public hearing, which I understand we have to do in order to either reallocate it to other agencies or to decide from this Board whether or not we want to do what Councilman Levy has recommended, which is not a bad idea to go out and try to find another organization to develop a program that would entail what OIC was trying to do, and that's my opinion. It's unfortunate that this happened and I think that our information that we have that's been put together by our staff -- I think all that information has to be turned over to the proper agencies that are doing the investigation, and we've cooperated One Hundred Percent, and let whatever the chips fall, they have to fall.

MAYOR BRIARE: Other comments by the Council?

COUNCILMAN NOLEN: Yes, Your Honor.

MAYOR BRIARE: Councilman Nolen.

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COUNCILMAN NOLEN:

The big concern I have if we go along with the motion and withdraw this thing is it totally eliminates 1.6 Million Dollars of Federal money coming into this community. That money is dearly needed in the area. It will help out quite a bit in the area of creating jobs training and training for individuals who would otherwise not have the opportunity to get that training. I think that if we actually withdraw the grant, that kills it. It's over. That 1.6 Million will go into some other community, and it's tough enough to go out there and fight and bring dollars into this community as it is, let alone doing -- taking action like this that would eliminate that. I would prefer to see the freeze on the allocation pending the outcome of the Federal investigation. None of us at this time can foresee the future and see what that investigation is going to entail and what the results of it is going to be. These charges may be totally unfounded. We don't know, and to take this action today on speculation and on speculation that even if we leave the money there, we're not going to get the EDA money, to me, seems unreasonable. Therefore, I would ask you to oppose that motion.

ATTY. ROY WOOFER:

Mayor, may I add one more comment?

MAYOR BRIARE:

Sure. Just before you do, Mr. Woofter, if there's any comments by the Council at this moment because I expect that Mr. Woofter would like to --

COUNCILMAN LEVY:

I'd just like to make comment. I think that if we pass Councilman Christensen's motion, that's the end of the deal. Is that right? If we can hold -- put a hold on the situation and maybe explore the idea that I'm suggesting, wouldn't that be a little wiser? I mean, even if we held it for two weeks or a month?

COUNCILMAN CHRISTENSEN:

Well, I don't think you have --

COUNCILMAN LEVY:

Forget OIC.

COUNCILMAN CHRISTENSEN:

I don't think you have the forum to find another agency as long as this one's funded because if you put a hold on this money or don't withdraw it, then it's not available, and until it's available, you can't push it another direction. I would just like to clarify one thing. I keep hearing these allegations and so forth and I think you're talking about two things. There have been allegations made against OIC and some of the members and some of the Federal people and so forth that are just that -- allegations, and I have no fight with that. What I'm basing my motion on is the facts that were uncovered in an audit that would have been strong enough to keep me from voting for it in the first place, but since I made that mistake because I

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- COUNCILMAN CHRISTENSEN: didn't have that information, that's why I'm trying to correct it. I'm not casting reflections on anybody's personal integrity or anything else as far as the allegations are concerned. It's just simply a case of had we had this information, we would have never approved this grant, and so I think the grant should be disapproved, and that's why I want to go back and do just exactly that.
- COUNCILMAN LEVY: I want to disapprove OIC and not disapprove the program, and that's where I'm coming from.
- COUNCILMAN CHRISTENSEN: I don't think you can do that in this forum. That's not the way --
- COUNCILMAN LEVY: Well, they just told me how to do it.
- COUNCILMAN LURIE: You have to have another hearing, Al.
- COUNCILMAN LEVY: Well, if we have to have another hearing -- no one has just -- but I think it will give us an opportunity to put this coalition together.
- COUNCILMAN CHRISTENSEN: But you can't have a public hearing to spend the money unless you've got the money and if you freeze it, you haven't got it. It's still frozen.
- CITY MANAGER HALL: One comment of clarification, Mayor and Council. We did touch base with EDA and asked them the question -- if the money could not go to OIC, what then could we do to retain the money in the community. They could not answer us yesterday. They said they'd try and get back to us as quickly as they could to let us know what we could do possibly to retain that. Until such time as we can hear from them, I don't believe staff can inform the Council as what best you can do. My recommendation is basically a recommendation on OIC, not on the program.
- COUNCILMAN LEVY: But if we knock out OIC to follow the motion, then the program is through, and I don't feel I'd like to lose that program. I like the idea and concept behind the program.
- COUNCILMAN NOLEN: If we could buy some time by not withdrawing the funds to wait and see what EDA says. You know, if we withdraw it now, it's over. Forget it. If we freeze it, then we can get some feedback from EDA and find out just exactly what we can do and what we can't do.
- COUNCILMAN CHRISTENSEN: If you had had the information available in this audit report, would you have supported the program in the first place?

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- COUNCILMAN LEVY: The program or the --
- COUNCILMAN CHRISTENSEN: The request for the grant. However it came to us, would you have supported it in the first place?
- COUNCILMAN LEVY: I would not have supported certainly OIC, but I --
- COUNCILMAN CHRISTENSEN: There's your question.
- COUNCILMAN LEVY: No, sir. It is not the question. The question is would I support this type of project and I would say yes.
- COUNCILMAN CHRISTENSEN: But you see --
- COUNCILMAN LEVY: But not OIC.
- COUNCILMAN CHRISTENSEN: -- you cannot support a project without a founder and a sponsor. It does not come before you on Block Grant proposals. So had you had this information and not supported OIC, you would have not supported the project; you wouldn't even have had the project in front of you. That's what I'm getting at.
- COUNCILMAN LEVY: But now that we've had the project in front of us, there's no reason why we can't find the right source.
- COUNCILMAN CHRISTENSEN: Well, other than legal --
- COUNCILMAN NOLEN: In addition to that, we have a commitment from EDA and one other agency for a total of 1.6 Million Dollars into this community, and I'm just -- am willing to fight to keep that and I don't want to see it go down the drain.
- MAYOR BRIARE: I'd be a little surprised and perhaps Mr. Hall and Mr. Blue can respond to this. In generally discussing Federal grants, this could be different, but I'd be very surprised if we could not submit a proposal or if some representative body were to come forward that a proposal could be submitted of some sort and be eligible for EDA monies, Federal monies, or must it come at the time that we're working on Community Development Block Grants? That's like saying if we don't do it in April or May of the year or June of the year, that means we can't do it again until next year. I disagree with that. I don't think that's the case. You could make an application tomorrow. You can make an application next week, could you not?
- RICHARD BLUE: You're correct.
- MAYOR BRIARE: Yes. So it's not like the curtain's dropped.
- COUNCILMAN LEVY: That's what I'm trying to.

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MAYOR BRIARE: Well, you see what I'm trying to say, Al?

COUNCILMAN LEVY: That's the indication I --

MAYOR BRIARE: I'm trying to say that if this money is set aside, and I'm at this moment -- maybe Mr. Woofter will convince me otherwise -- at this moment I'm in favor of Councilman Christensen's motion because I think it's the idea to rescind this but final action on the reallocation or what's going to happen to that money will be determined in some kind of proper way at a later date.

RICHARD BLUE: In reference to later dates, keeping in mind that the EDA -- we're talking about the EDA side -- the EDA application.

MAYOR BRIARE: Right. The Fed.

COUNCILMAN LEVY: Yes.

RICHARD BLUE: The Fed was submitted long before the application came before us for Community Development Block Grant. Okay, the application is well within the EDA process or in the EDA pipeline. Therefore, it has been sitting there tentatively being approved. Okay, EDA as an agency is in the same position that this Council is in in that there are other applicants within the -- that Region 9, 10, that EDA is a part of that we deal with, that could equally and probably as well use the 1.3 Million Dollars. So --

MAYOR BRIARE: Well, are we looking at a State allocation or are we looking at a Region 9 allocation?

RICHARD BLUE: No, you're looking at a Region -- combination of Region 9 and 10. EDA does not have the luxury of having a Region 9. It works out of a Seattle office. So it's a very -- it's a larger than your normal western region. It stems from Guam all the way to the mid West.

COUNCILMAN LEVY: Mr. Blue.

COUNCILMAN LURIE: Can I ask a question, Mayor? Go ahead, Al.

COUNCILMAN LEVY: I'd just like to ask one. Richard, if we substituted some other name for OIC in this grant, is that possible? If we determine we have a good coalition --

RICHARD BLUE: If we determine that we have a -- that there is a coalition that we would like to substitute, okay, we would have to -- we could do it on our part. It would have to be approved by EDA. EDA takes -- will consider this a change of grantee and they would have to approve --

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COUNCILMAN LURIE: Well, then the motion would be to withdraw the funds from OIC and amend the application --

RICHARD BLUE: We can only amend -- we can amend ours -- our Two Hundred and Fifty, of course.

COUNCILMAN LURIE: Well, how about the 1.6?

RICHARD BLUE: Okay, that would to -- that's negotiable. EDA would have to again come back in and review that grantee in terms of its eligibility. Without being presumptuous, I would think that the only grantee that would be acceptable to EDA under the current conditions would be a public entity.

COUNCILMAN LEVY: Which I wouldn't mind putting together a coalition that would be active to the City of Las Vegas. I have no problem with that.

MAYOR BRIARE: Other comments? Mr. Woofter, do you want to make a comment?

ATTY. ROY WOOFTER: Yes, a final one, Mayor. Like Councilman Lurie mentioned, unfortunately a lot of this case -- this smoke is being created and the case has been actually tried or this application in the news media. However, I have to join Councilman Nolen in respect to hoping that one of you would change your mind as far as the freeze. In a sense, you have more or less found Mr. Chaney and OIC guilty of certain allegations without the full investigation of even the City staff in. Now, there's certain -- the recommendations Ashley has made is based on the report that was submitted to us two days ago, but at the conclusion of that meeting that I was present, there was an understanding that Mr. Chaney would supply a CPA to go through the books and get with City staff to finalize the concerns of the City. In other words, the City's putting themselves ahead of the Feds in determining the guilt and innocence of OIC. The Feds have not withdrawn the funds, like Mr. Blue says. It's still on the board. And until the Feds conclude their investigation, that's when a determination will be made by the Feds, and I just don't see the big rush, the need to take action today, rather than hold for 60 days, because I think all of us have lived in this community. Mr. Chaney's been under fire times before -- certain allegations and so forth, and it always has seemed to clear up, and I would certainly hope that he deserves at least that -- and his organization -- that much consideration as far as holding it for a period of 60 days until the investigation is concluded.

MAYOR BRIARE: Roy, I want you to know that what you say about finding anybody guilty of anything or quote as you indicated "fly by night" people -- I'm speaking personally -- am not to be included in there, because I'm not.

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COUNCILMAN CHRISTENSEN: And I likewise. I don't know why it's so difficult.

MAYOR BRIARE: Actually, it's quite simple for me because I voted against it in the first place but for different reasons. So I have many different reasons to vote the way I'm going to vote this morning unless something comes up to change my mind. So don't include me in there, Roy.

ATTY. ROY WOOFER: Okay, Mayor.

COUNCILMAN CHRISTENSEN: I don't understand why that's so difficult to understand because it's not a case of whether anybody's innocent or guilty of anything. It's a case of the facts that I have before me now, and I'm talking about facts would indicate to me that I wouldn't support it, and, therefore, I --

COUNCILMAN LEVY: You wouldn't support OIC or the project?

COUNCILMAN CHRISTENSEN: I think the OIC and the project were what were up before us, and you have to take the two together when that's the way the application came in on the Community Development Block Grant, and I would not have supported it had I had the audit information that I have now. That's correct. And that's not trying or convicting anybody. There were a lot of projects that were recommended that didn't get funded, and we had to make a policy determination of which ones we wanted to fund and which ones we didn't, and I would not have funded this had I had the information at that time that I have now. That's why I want to rescind that funding because I have that information now.

COUNCILMAN LEVY: I appreciate it, and I wouldn't have funded it either with the information we have. I wouldn't fund OIC, but I liked the project and I'd like us to make an effort to see if we can continue to get this project on. If that type of motion was on the floor, I'd certainly support it and direct staff to see if we can -- in the next couple weeks see if we can get something going and a coalition and find out from the Feds if we can put it together and continue along with this project. And I don't --

COUNCILMAN CHRISTENSEN: Well, that's not part of the motion. The motion is to withdraw the funds and that automatically makes them available for reallocation. Now, if you can find another way to reallocate them, so be it, if you can get the votes up to do it and get it past the Citizens Review Committee and everybody, fine. I have no problem with that. My motion is to withdraw the funds at this time because they wouldn't have been funded before.

COUNCILMAN LEVY: But if you withdraw the funds, no one else has a chance to put this together.

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COUNCILMAN CHRISTENSEN: Well, that's the problem you have.

MAYOR BRIARE:

Is there any question in the minds of any of the members of the Council as to what the motion is before us? Are you ready to vote? (No response.) Cast your votes. Post. The motion's approved. Councilman Christensen's motion passes.

(VOTE: Voting "YES": Councilman Lurie, Mayor Briare and Councilman Christensen. Voting "NO": Councilman Nolen and Councilman Levy.)

(END OF DISCUSSION ON THIS ITEM.)

/ch

AGENDA DOCUMENTATION

Date: June 18, 1984

TO:
The City CouncilFROM:
DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST OF CLARK COUNTY FOR AN EASEMENT ACROSS CITY PROPERTY IN CONNECTION
WITH THE LAS VEGAS WASH ADJACENT TO THE CITY'S WASTEWATER TREATMENT PLANT.PURPOSE/BACKGROUND

Clark County proposes to realign the Las Vegas Wash Channel in the vicinity of the Wastewater Treatment Plant. They are asking for a 100' wide easement for a distance of approximately 700'. The purpose for the easement is to allow the County to excavate a drainage channel. The channel will benefit the City of Las Vegas in two ways: 1) It will provide better flood control protection to our plant. 2) It will save the City approximately \$100,000 during the construction of the addition to the plant in that the effluent channel running to the flood control channel will be shortened substantially.

FISCAL IMPACT

Estimated value of the easement is approximately \$18,000. Estimated savings to the City is approximately \$100,000.

RECOMMENDATIONS

The City Manager recommends that the easement be dedicated to the County for flood control purposes subject to the design of the flood control channel being compatible with the hydraulic elements of the effluent channel from our Wastewater Treatment Plant and authorize the Mayor to exercise the necessary documents.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

IV(a) ADMINISTRATIVE AGENDA

F. REQUEST OF CLARK COUNTY IN CONNECTION WITH THE LAS VEGAS ADJACENT TO THE
CITY'S WASTEWATER TREATMENT PLANT.

PAGE 1

MAYOR BRIARE:

Next Item, Mr. Hall. I have to return.

CITY MANAGER HALL:

Next Item, Your Honor, request of Clark County for easement across City property in connection with the Las Vegas Wash adjacent to the City's Wastewater Treatment Plant. Mr. Saylor.

DEPUTY CITY MGR. SAYLOR:

This is our sewer plant property. This is the Las Vegas Wash. This area in red is already contained in an easement and this is where the water does flow. The County is in the process -- well, they received a loan of some equipment and they want to dig a ditch to channel the water and they want to bring it down this alignment and they're asking for an easement from the City from this point to this point which is 700 feet. It's 100 feet wide. There's two benefits to the City in doing this. Number one, it will channel the flood waters so that it'll provide better flood protection for our sewer plant. Number two, our effluent line runs to the Wash and we now, without the channelization, would have to carry it to a low point here. With the channelization, this would become the low point. It decreases the distance we would have to carry that channel and it would save approximately \$100,000. I received information this morning that the City, however, also needs an easement from the County in that we have to carry the effluent from our plant in here to this point and we don't have an easement along D.I. Road which we originally dedicated to the County. So in recommending approval of granting this easement, we would like to condition it upon the condition you have in the backup which is that this point would be low enough so this hydraulically -- the effluent can flow to it and number two, that the County give us an easement to accommodate our flow channel for the effluent.

COUNCILMAN LEVY:

I'LL MOVE THAT WE FOLLOW THAT RECOMMENDATION.

MAYOR PRO-TEM LURIE:

Subject to the last condition also?

COUNCILMAN LEVY:

Certainly.

MAYOR PRO-TEM LURIE:

Cast your votes on the motion.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984
IV(a) ADMINISTRATIVE AGENDA

0067

F. REQUEST OF CLARK COUNTY IN CONNECTION WITH THE LAS VEGAS ADJACENT TO THE
CITY'S WASTEWATER TREATMENT PLANT.

PAGE 2

COUNCILMAN CHRISTENSEN: I would just like to comment that I'm glad we found out something we could trade because I'm still smarting from the fact that the County Commission played games with us on zoning when we tried to expand that sewage plant and held us for ransom at that time. It doesn't seem to make a lot of difference sometimes what's good for who it's a case of what can I get in return, what ransom can I demand.

MAYOR PRO-TEM LURIE: Cast your votes on the motion and post. The motion's APPROVED. (Motion carried unanimously with Briare excused)

CITY MANAGER HALL: Your Honor, that's all of my agenda.

END OF EXCERPT

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June 20, 1984

AGENDA*City of Las Vegas*CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

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ITEM

Council Action

Department Action

IV(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.

1053

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

1. Service and Material Warrants
In the amount of \$4,603,207.66
2. Payroll Warrants
In the amount of \$1,409,772.85
3. Other Warrants and Investments
In the amount of \$15,387.15

Nolen -
APPROVED Items 1
thru 3.
Unanimous
(Briare excused)

Staff to proceed

APPROVED AGENDA ITEM

mp Coe

0069

William H. Brass Carl G. Hawley
MAYOR CITY CLERK

AGENDA*City of Las Vegas*

June 20, 1984

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

ITEM

Council Action

Department Action

IV. (c) DEPARTMENT OF PERSONNEL &
EMPLOYEE RELATIONS

JAN TAIT, DIRECTOR

A. AUTHORIZATION TO FILL
POSITIONS (CRITICAL HIRES)

I. BUDGETED VACANT POSITIONS TO BE FILLED:

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Internal Auditor	Financial Management	\$1,833- 2,292	General
Adaptive Recreation Leader	Recreation & Leisure Activities	\$1,411- 1,715	General
Management Analyst I	Municipal Court	\$1,542- 1,875	General
Engineering Designer	Engineering Services	\$1,519- 1,847	General
Financial/Budget Analyst II	Financial Management	\$1,833- 2,292	General

Nolen -
APPROVED
Unanimous
(Briare excused)

Staff to proceed

APPROVED AGENDA ITEM

mp *Coole*

AGENDA DOCUMENTATION

Date: June 12, 1984

TO:
The City CouncilFROM:
MICHAEL P. COOL
DEPUTY CITY MANAGER

0071

SUBJECT:
DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS - AUTHORIZATION TO FILL POSITIONSPURPOSE/BACKGROUND

Of the 1,572 positions in the City's 1983-84 Fiscal Budget, 14.3% (226 positions) are currently vacant.

The staff is recommending the filling of five (5) critical positions at this time.

The chart below gives you a summary of our current staffing, as well as showing the five (5) 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	152	140	12	3	0	3
Classified	1146	1087	59	2	0	2
Contract	18	15	3	0	0	0
Elective	9	9	0	0	0	0
Hourly	<u>247</u>	<u>95</u>	<u>152</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	1572	1346	226	5	0	5

FISCAL IMPACT

The five vacant and budgeted positions shown above are included in the City's current budget and in the approved fiscal year '84-'85 budget. There are no additional non-budgeted expenses associated with these positions.

The total dollar savings realized through vacancies thus far in fiscal year 1983-'84 is \$1,021,568. 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 \$1,104,828.

RECOMMENDATION

Staff recommends the filling of the five (5) positions indicated above.

RECOMMENDED

Jan Tait
Jan Tait, Director
Personnel & Employee Relations

Agenda Item

IV. (c)

AGENDA

ITEM Council Action Department Action

IV (g) DEPARTMENT OF GENERAL SERVICES

DAN R. PILKINGTON, DIRECTOR

*CONSENT AGENDA

All items listed under Item *A are considered to be routine by the City 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. PURCHASE ORDER APPROVAL

- 1. S.C.O.P.E. Services
Department of Detention & Correctional Services
- 2. Expendable Chemicals for Water Treatment
Department of Public Services
- 3. Reimbursement for Improvements
Department of Recreation & Leisure Activities

*B. AWARD OF BIDS

- 1. Metro Police Firing Range
Department of Engineering Services

Lurie -
APPROVED Items A & B
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

mp Carr

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: JUNE 8, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

0073

SUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 20, 1984
IV (g) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*A PURCHASE ORDER APPROVAL

1. <u>ITEM:</u>	DATA INFORMATION SERVICE	<u>PURCHASE REQUEST:</u>	2400-177
<u>DESCRIPTION:</u>	EQUIPMENT AND SERVICE	<u>FUNDING:</u>	GENERAL FUND
<u>DEPARTMENT:</u>	DETENTION AND CORRECTION SERVICES	<u>ESTIMATE:</u>	\$ 936.00/MONTH \$11,232.00/YEAR

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO CONTINUE THE ACCESS TO THE COMPUTER BASED CRIMINAL JUSTICE SYSTEM (S.C.O.P.E.) THROUGH THE CLARK COUNTY COMPUTER FACILITY FOR THE PURPOSE OF RESEARCHING PRISONER IDENTIFICATION AND HISTORY.

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

CLARK COUNTY DATA PROCESSING	LAS VEGAS	NV	ESTIMATED \$11,232.00/YEAR
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AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO EXTEND THE AGREEMENT ON A YEAR TO YEAR BASIS SO LONG AS THE AGREED TO PRICE EXTENSIONS ARE ACCEPTABLE TO THE DEPARTMENT OF DETENTION AND CORRECTIONAL SERVICES.

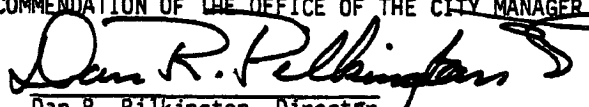
FISCAL IMPACT

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 1
IV (g)

AGENDA DOCUMENTATION

Date: JUNE 8, 1984TO: The City CouncilFROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

0074

SUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 20, 1984
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. PURCHASE ORDER APPROVAL

2. <u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>PURCHASE REQUEST:</u>	7110-1594
<u>DESCRIPTION:</u>	DRY IONIC POLYMER	<u>FUNDING:</u>	SANITAION
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>ESTIMATE:</u>	\$12,900.00

NEED FOR PURCHASE

THIS RATIFICATION OF THIS PURCHASE IS NECESSARY BECAUSE ADDITIONAL SUPPLIES WERE NECESSARY TO CONTINUE MAINTAINING WATER QUALITY STANDARDS AS IMPOSED BY THE FEDERAL GOVERNMENT AND THE STATE OF NEVADA FOR REMOVAL OF SUSPENDED SOLIDS FROM WASTEWATER.

STAFF RECOMMENDATIONFOR PURCHASE ORDER

AQUA BEN CORPORATION

ORANGE CA

\$12,900.00

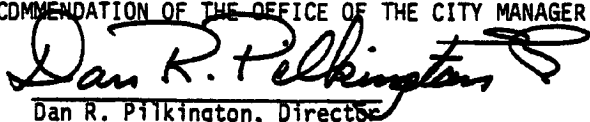
FISCAL IMPACT

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 2
IV (g)

AGENDA DOCUMENTATION

Date: JUNE 8, 1984TO:
The City CouncilFROM:
MICHAEL P. COOL
DEPUTY CITY MANAGER

0075

SUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 20, 1984
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. PURCHASE ORDER APPROVAL

3. <u>ITEM:</u>	SERVICES	<u>PURCHASE REQUEST:</u>	2662-188
<u>DESCRIPTION:</u>	PAYMENT FOR CAPITAL IMPROVEMENT	<u>FUNDING:</u>	GOLF COURSE ENTERPRISE
<u>DEPARTMENT:</u>	RECREATION AND LIESURE ACTIVITIES	<u>ESTIMATE:</u>	\$48,583.93

NEED FOR PURCHASE

THE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND COLBERT/FOGLER ENTERPRISES CONTAINS A PROVISION WHERE BY THE CITY REIMBURSES THAT FIRM FOR ALLOWABLE CAPITAL IMPROVEMENTS MADE AT THE CITY'S DIRECTION.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

COLBERT/FOGLER ENTERPRISES	LAS VEGAS	NV	\$48,583.93
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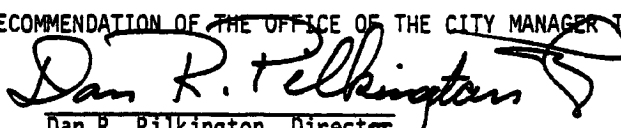
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 83-84. FUNDS ARE AVAILABLE IN THE GOLF COURSE ENTERPRISE 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: JUNE 13, 1984

TO:
The City CouncilFROM:
MICHAEL P. COOL
DEPUTY CITY MANAGER

0076

SUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 20, 1984
IV (g) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF BIDS

1. BID TITLE: METRO POLICE FIRING RANGE AND
TRAINING COMPLEX, ACCESS ROAD
AND SITE ROUGH GRADING BID NUMBER: 84.3550.11

ITEM: CAPITAL IMPROVEMENT ESTIMATE: \$535,000.00

DEPARTMENT: ENGINEERING SERVICES INVITATIONS MAILED: 52

FUNDING: SANITATION FUND RESPONSES RECEIVED: 4

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO RELOCATE THE METROPOLITAN POLICE PISTOL RANGE,
UNDER AN AGREEMENT WHICH WILL RETURN THE EXISTING LAND TO THE CONTROL OF THE
CITY FOR EXPANSION OF THE WASTEWATER TREATMENT PLANT.

BID ABSTRACT SUMMARY

			<u>ADDITIVE ITEMS</u>			
		<u>BID GROUP I</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>TOTAL</u>
CHICO CONST.	LAS VEGAS	\$206,338.52	\$5,370.00	\$1,200.00	\$6,570.00	\$219,478.52
EARL WILLIAMS	N.LAS VEGAS	\$232,190.50	\$7,110.00	\$ 900.00	\$7,110.00	\$247,310.50
K.J. STOVER	LAS VEGAS	\$294,339.60	\$9,000.00	\$6,750.00	\$18,000.00	\$328,089.60
DIAMOND CONST.	LAS VEGAS	\$389,463.18	\$5,940.00	\$4,080.00	\$15,000.00	\$414,483.18

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

THAT THE BID OF CHICO CONSTRUCITON BE REJECTED FOR FAILURE TO BE PROPERLY LICENSED
BY THE STATE CONTRACTORS BOARD UNDER N.R.S. 624 (AB134) AT TIME OF BID OPENING.

EARL WILLIAMS N.LAS VEGAS NV \$247,310.50 BID GROUP I AND ADDITIVE
ITEMS I, II, AND III.

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 B PAGE 1
IV (g)

AGENDA*City of Las Vegas*

June 20, 1984 0077

Page 18

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

ITEM

Council Action

Department Action

IV (i). DEPARTMENT OF ENGINEERING SERVICES

C. E. GILPIN, DIRECTOR***CONSENT AGENDA**

All matters listed under Items A, 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.

***A. APPROVAL OF SUBDIVISION MAPS**

It is recommended that the following final maps be approved subject to posting of bonds and signing of agreements and plans within thirty days. All engineering designs are being processed.

1. Lewis Homes - Sahara #12-B. (Lewis Homes of Nevada - property generally located west of Torrey Pines Drive, south of O'Bannon Drive, No. of acres: 7.08, No. of lots: 31, Zoned R-1 and R-D)

2. Charleston Heights Tract 54-A (Reversionary Map) (Becker and Sons - property generally located on the east side of Michael Way, south of Cheyenne Avenue, No. of acres: 8.3, No. of lots: 26, Zoned R-D)

***B. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS**

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

1. Woodcrest Unit 3. (Nevada Savings and Loan Association - property generally located west of Torrey Pines Drive, north of Gowan Road, No. of acres: 41.8, No. of lots: 256, Zoned R-CL)

Levy -
APPROVED Items A,
B, C & D as recom-
mended.
Unanimous

Staff to proceed

Levy -
APPROVED Items A,
B, C & D as recom-
mended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

AGENDA*City of Las Vegas*

0078

June 20, 1984

Page 19

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

ITEM

Council Action

Department Action

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

*C. RELEASE OF BOND

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

1. Location: 1601 Kenyon Place
Use: Street light and related conduit, sidewalk and driveway
Builder: Ike Kuiava
Surety Co.: None
Amount: \$2,000.00
Bond No.: CLV #52-83

Levy -
APPROVED Items A,
B, C, & D as recommended.
Unanimous

Staff to proceed

*D. RELEASE OF CONTRACT RETENTION

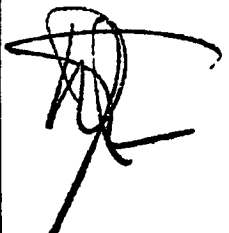
All work has been completed in accordance with contract plans and specifications and the work has been inspected.

1. Bid No.: 83.3550.17
Contractor: Wells Cargo, Inc.
For: Bonanza Road
Phase II - Pecos
Road to Las Vegas
Wash
Notice of
Completion: June 6, 1984
Release Date: July 11, 1984

Levy -
APPROVED Items A,
B, C, & D as recommended.
Unanimous

Clerk to notify &
Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

0079

June 20, 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)

E. APPROVAL OF TRAFFIC AND PARKING ITEMS

Traffic and Parking Commission recommends approval of the following items:

1. Request for a driveway variance for Westbridge Apartment Development

Resolution(s) to amend Title XI (Traffic) of the City of Las Vegas Municipal Code as follows:

2. Request by the Traffic Engineer to restrict parking on "A" Street from Washington Avenue to Wilson Avenue.

3. Request by the Traffic Engineer to restrict parking on "A" Street from 900 feet north of Washington Avenue to Owens Avenue.

4. Request by the Traffic Engineer to designate Alexander Road a through street from Rancho Drive to the Oran K. Gragson Highway.

5. Traffic studies at the intersection of Cimarron Road/Ducharme Ave. and at Marion Drive/Diamond Head Dr.

F. REPORTS/ACTION

1. Request from Mary and David Roe for an Encroachment Agreement at 106 Gass Avenue.

Christensen -
APPROVED Items 1,
2, 3, & 5 as recom-
mended and held in
ABEYANCE Item 4.
Unanimous

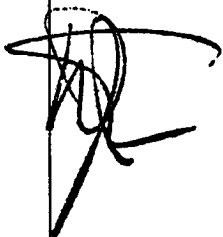
Staff to proceed

7/5/84 Agenda

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 11, 1984

0080

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR A DRIVEWAY VARIANCE FOR WESTBRIDGE APARTMENT DEVELOPMENT

PURPOSE/BACKGROUND

The current City of Las Vegas policy allows a maximum driveway width of 25 feet for apartments. Rene Blanchard of Blanchard Construction Incorporated has requested a variance to allow a 32 foot wide driveway, with 15 foot radius curb returns for the Westbridge Apartment Development.

The main access driveway will be at Garwood Avenue and will generate about 700 trips daily. The driveway will be forty feet wide on the development grounds. Thus, a transition to 32 feet at the entrance is less drastic than to 25 feet. The 15 foot radius curb returns would facilitate turning movements and allow smoother access into the site.

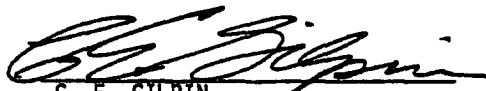
FISCAL IMPACT

None.

RECOMMENDATIONS

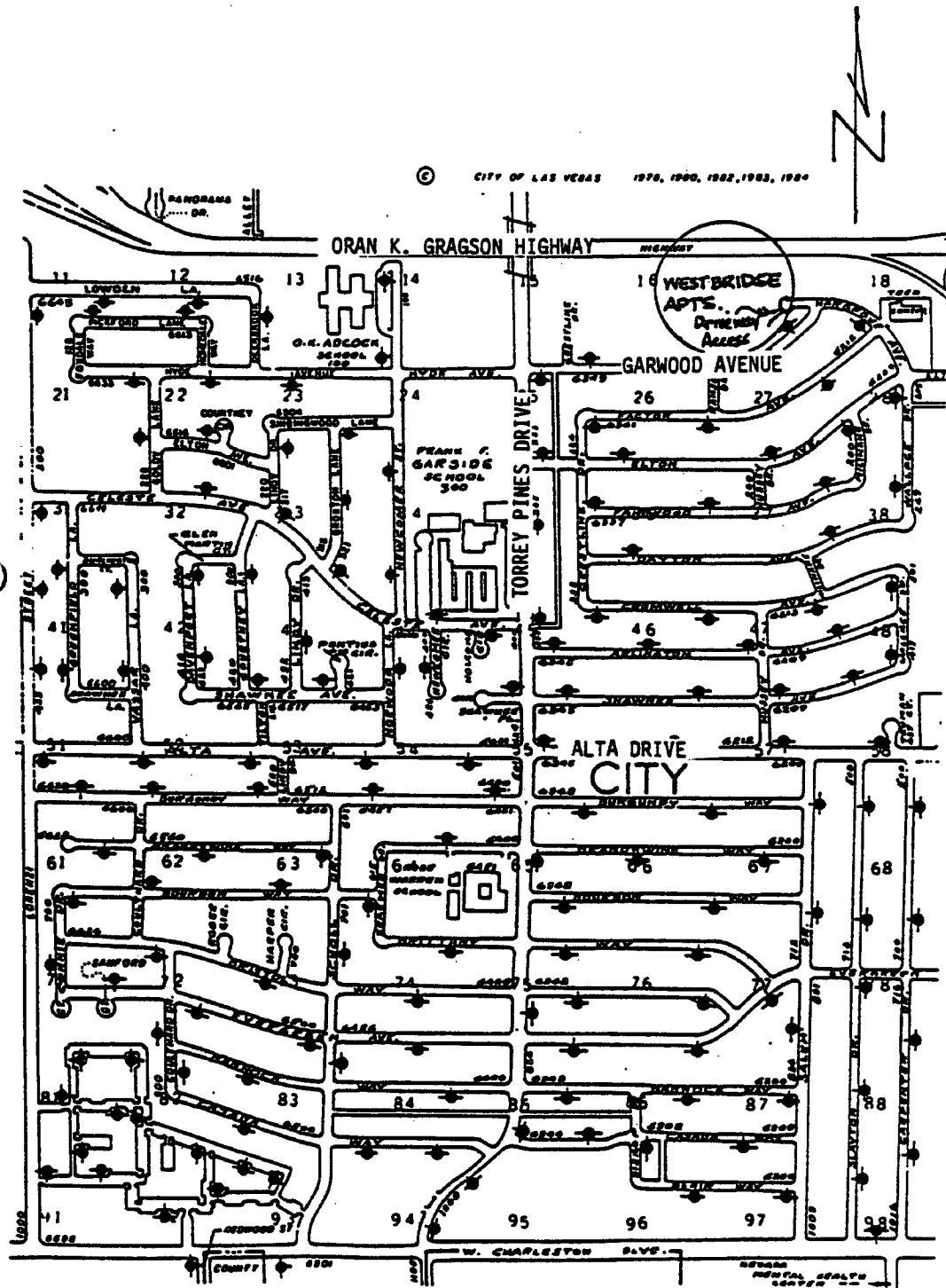
The Traffic and Parking Commission recommends approval of the driveway variance to allow a 32 foot driveway with 15 foot radii curb returns.

Staff concurs.


C. E. GILPIN
Director of Engineering Services

Agenda Item 6/20/84

IV (i) E. 1



REQUEST FOR DRIVEWAY VARIANCE
FOR
WESTBRIDGE APARTMENT DEVELOPMENT

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to TITLE XI of the City Code to be done by Resolution; and

0082

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada that the following schedules pertaining to TITLE XI of the City Code be amended as follows:

SCHEDULE 17-IV be amended to include the following as parking prohibited during certain hours on certain streets:

'A' Street - both sides - from Washington Avenue to Wilson Avenue (6:00 p.m. to 8:00 a.m. daily).

'A' Street - both sides - from 900 feet north of Washington Avenue to Owens Avenue (6:00 p.m. to 8:00 a.m. daily).

SCHEDULE 17-VI be amended to include the following as a two (2) hour parking zone:

<u>Location</u>	<u>Zone</u>	<u>From</u>	<u>To</u>	<u>Side</u>
'A' Street	2 hrs.	900 feet North of Washington Avenue	Owens Ave.	Both

SCHEDULE 14-II, be amended to include the following as stops required:

Cimarron Road at Ducharme Avenue

Diamond Head Drive at Marion Drive

PASSED, ADOPTED AND APPROVED THIS 20th day of June, 1984.


WILLIAM H. BRIARE


CAROL ANN HAWLEY, CITY CLERK

AGENDA DOCUMENTATION

Date: June 11, 1984

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

0083

SUBJECT: REQUEST BY THE TRAFFIC ENGINEER TO RESTRICT PARKING ON "A" STREET FROM WASHINGTON AVENUE TO WILSON AVENUE.

PURPOSE/BACKGROUND

On-street parking on "A" Street from Washington Ave. to Wilson Ave. is presently unrestricted.

There have been numerous complaints received concerning the use of this and other sections of "A" Street for parking and camping overnight. This section is parallel to the Union Pacific Railroad tracks and is frequently used by transients.

The Traffic and Parking Commission conducted a public hearing at its regular meeting of May 24, 1984 and unanimously recommended approval of the restrictions described below.

Twelve notices were mailed to the nearby property owners of record. There were four responses in favor and one against. The notices indicated that no response would be assumed to be affirmative.

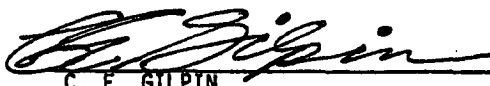
FISCAL IMPACT

The Traffic Engineering Division will install the restricted parking signs. Funds are available in the F.Y. 1983-84 Division budget.

RECOMMENDATIONS

The Traffic and Parking Commission recommends approval of the prohibition of parking from 6:00 P.M. to 8:00 A.M. on both sides of "A" Street from Washington Avenue to Wilson Avenue and that the City Council authorize the Mayor to sign the Resolution.

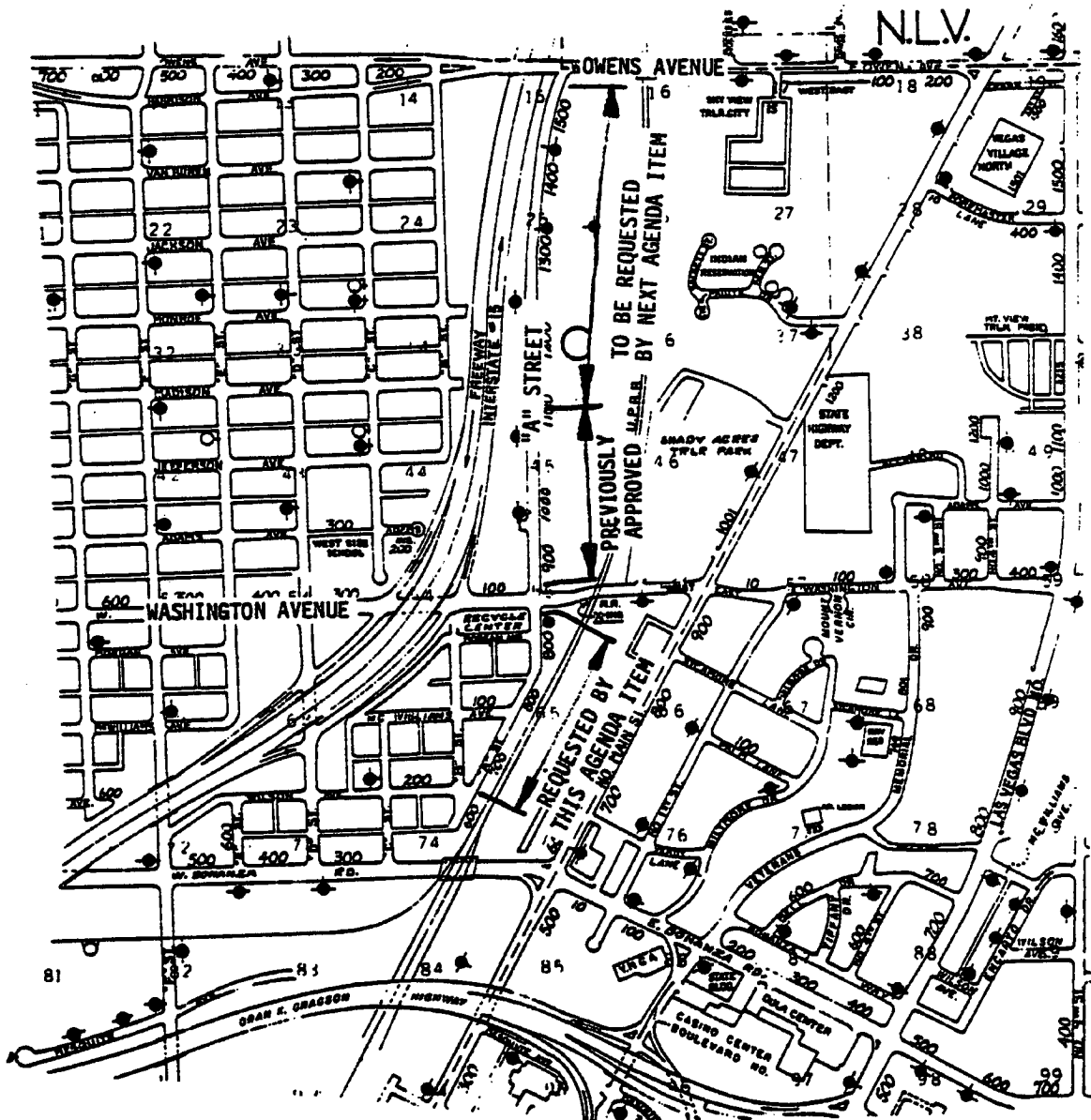
Staff concurs.


C. E. GILPIN

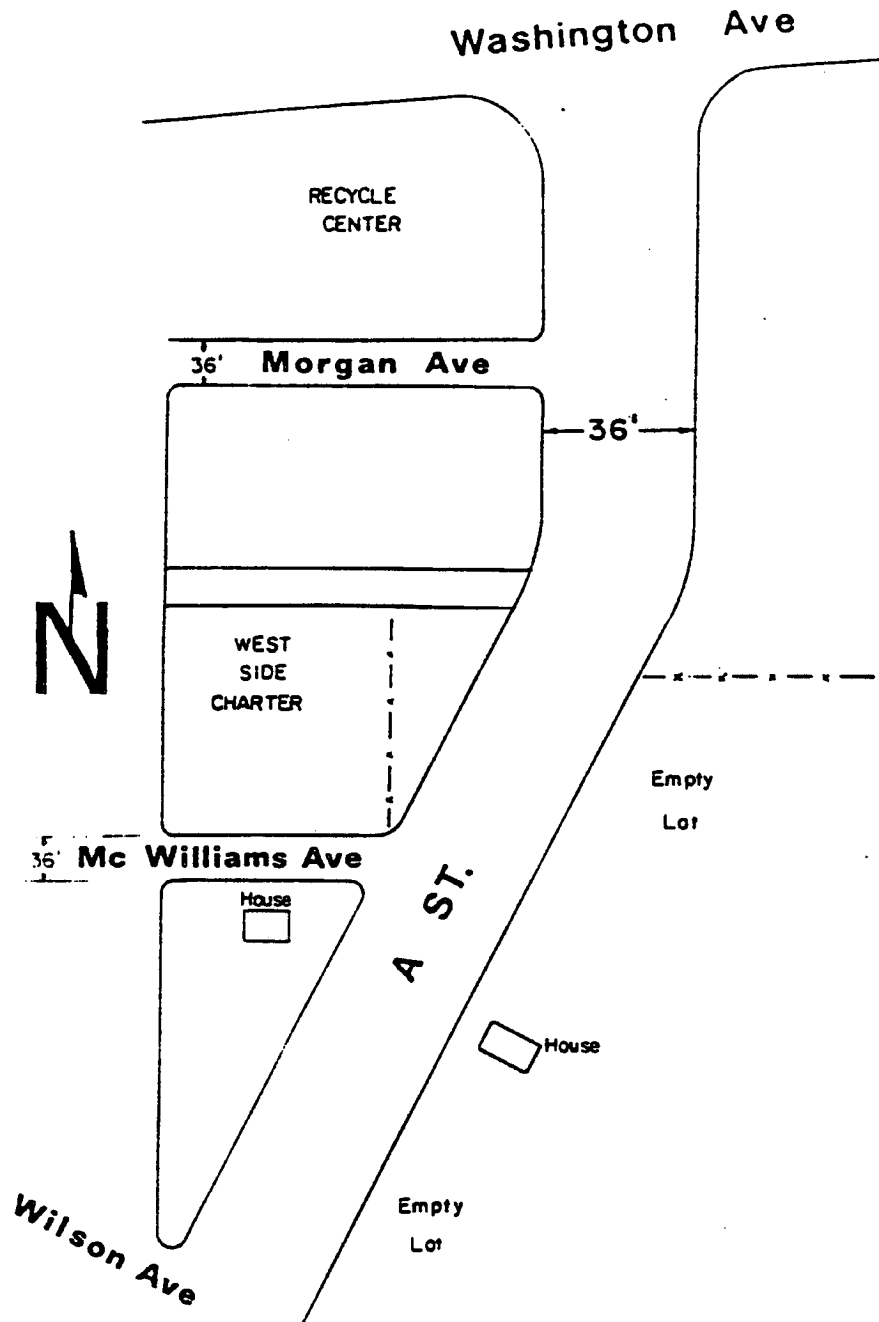
Director of Engineering Services

Agenda Item 6/20/84

IV (1). E. 2.



REQUEST BY TRAFFIC ENGINEER FOR THE PROHIBITION OF
PARKING ON BOTH SIDES OF "A" STREET FROM WASHINGTON
AVENUE TO WILSON AVENUE, 6:00 P.M. TO 8:00 A.M. DAILY



0085

PROPOSED PROHIBITION OF PARKING ON BOTH SIDES
OF A ST. FROM WASHINGTON AVE. TO WILSON AVE.
6:00 PM TO 8:00 AM DAILY

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 11, 1984

0086

TO:

The City Council

FROM:

DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST BY THE TRAFFIC ENGINEER TO RESTRICT PARKING ON "A" STREET FROM 900 FEET NORTH OF WASHINGTON AVE. TO OWENS AVE.

PURPOSE/BACKGROUND

"A" Street between Washington Avenue and Owens Avenue is frequently used for overnight camping by people waiting near the Employment Security offices. The Traffic Engineering office has received numerous complaints about this activity.

At its meeting of April 18, 1984, the City Council approved the prohibition of parking on both sides of "A" street from Washington Avenue to 900 feet north. However, vehicles are simply moving farther north and still creating problems.

The Traffic and Parking Commission conducted a public hearing at its regular May 24, 1984 meeting and unanimously recommended approval of the restrictions described below.

Nine notices were mailed to those affected by the proposed changes. There was one response in favor. The notices indicated that no response would be assumed to be affirmative.

FISCAL IMPACT

The Traffic Engineering Division will install the signs. Funds are available in the F.Y. 1983-84 Division budget.

RECOMMENDATIONS

The Traffic and Parking Commission recommends approval of the two hour time limited parking, Monday through Saturday, Sundays and holidays excepted, 8:00 a.m. to 6:00 p.m. and parking prohibited from 6:00 p.m. to 8:00 a.m. daily on both sides of "A" Street from 900 feet north of Washington Avenue to Owens Avenue and that the City Council authorize the Mayor to sign the Resolution.

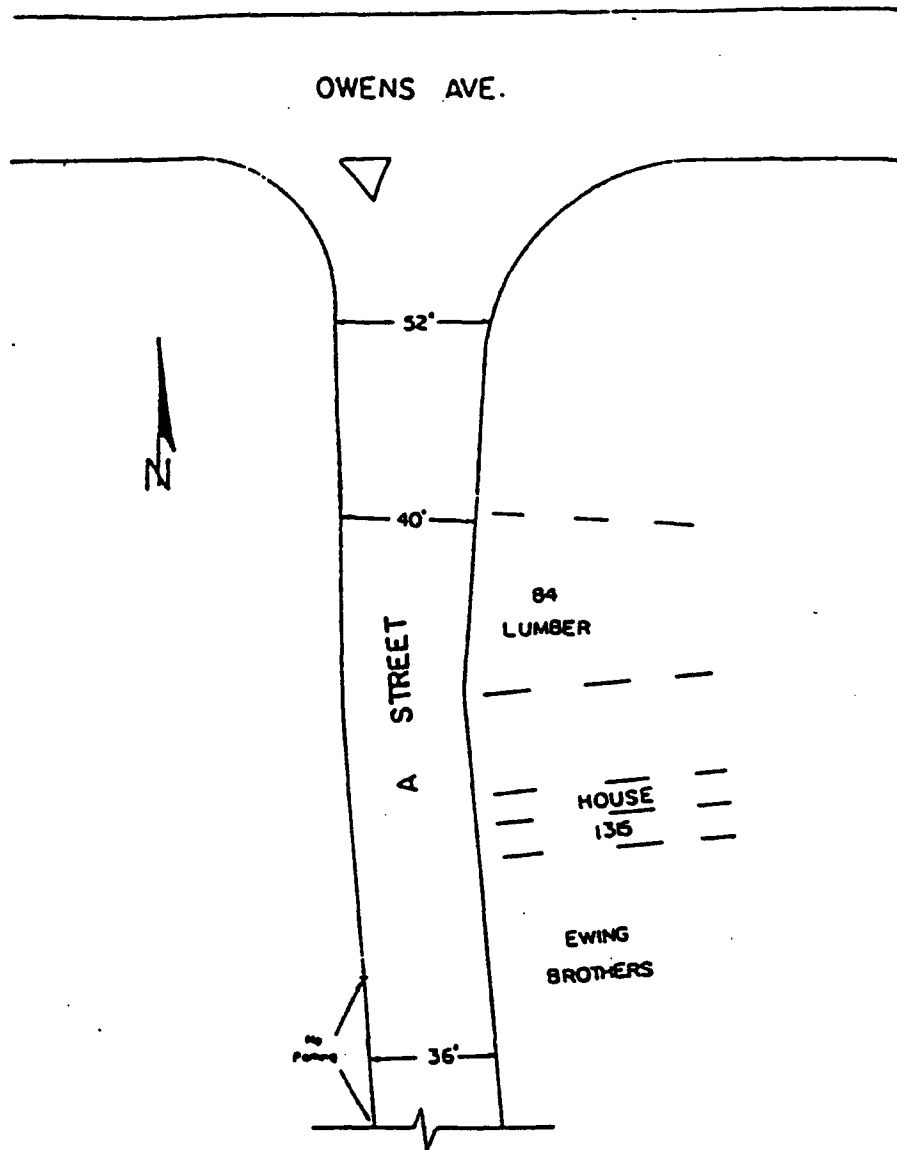
Staff concurs.


C. E. GILPIN
Director of Engineering Services

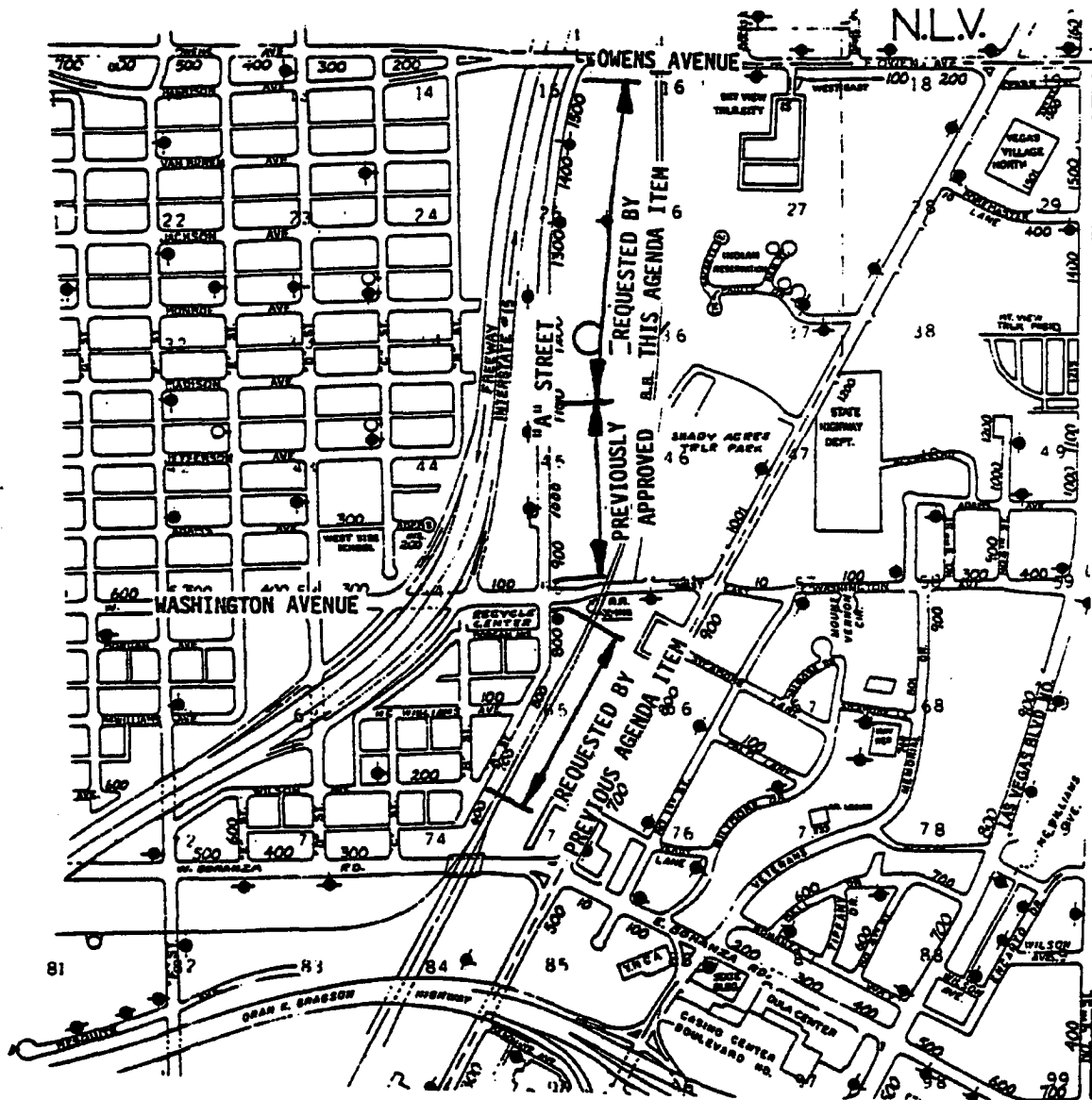
Agenda Item 6/20/84

IV (1) E. 3.

0087



PROPOSED 2 HOUR TIME LIMITED PARKING 8:00 AM TO 6:00 PM
& PROHIBITION OF PARKING FROM 6:00 PM TO 8:00 AM ON
BOTH SIDES OF A ST.



REQUEST BY TRAFFIC ENGINEER FOR TWO HOUR TIME LIMITED PARKING, MONDAY THROUGH SATURDAY, SUNDAYS AND HOLIDAYS EXCEPTED, 8:00 A.M. TO 6:00 P.M. AND PARKING PROHIBITED FROM 6:00 P.M. TO 8:00 A.M. DAILY ON BOTH SIDES OF "A" STREET FROM 900 FEET NORTH OF WASHINGTON AVENUE TO OWENS AVENUE.

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to TITLE XI of the City Code to be done by Resolution; and

0089

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada that the following schedules pertaining to TITLE XI of the City Code be amended as follows:

SCHEDULE 17-IV be amended to include the following as parking prohibited during certain hours on certain streets:

'A' Street - both sides - from Washington Avenue to Wilson Avenue (6:00 p.m. to 8:00 a.m. daily).

'A' Street - both sides - from 900 feet north of Washington Avenue to Owens Avenue (6:00 p.m. to 8:00 a.m. daily).

SCHEDULE 17-VI be amended to include the following as a two (2) hour parking zone:

<u>Location</u>	<u>Zone</u>	<u>From</u>	<u>To</u>	<u>Side</u>
'A' Street	2 hrs.	900 feet North of Washington Avenue	Owens Ave.	Both

SCHEDULE 14-II, be amended to include the following as stops required:

Cimarron Road at Ducharme Avenue

Diamond Head Drive at Marion Drive

PASSED, ADOPTED AND APPROVED THIS 20th day of

June, 1984.


WILLIAM H. BRIARE


CAROL ANN HAWLEY, CITY CLERK

AGENDA DOCUMENTATION

Date: June 1, 1984

0090

TO: The City Council

FROM: DON SAYLOR
DEPUTY CITY MANAGERSUBJECT: REQUEST BY TRAFFIC ENGINEER TO DESIGNATE ALEXANDER ROAD A THROUGH STREET FROM
RANCHO DRIVE TO THE ORAN K. GRAGSON HIGHWAYPURPOSE/BACKGROUND

Alexander Road is designated a primary arterial street. It provides a direct east-west link between the Oran K. Gragson Highway on the west and Rancho Drive on the east.

The traffic volume on Alexander Road east of the Oran K. Gragson Highway is about 2,300 v.p.d. There are over 1,100 residential units presently under development in the area, which will add several thousand more trips daily to Alexander Road. Just within the last month the traffic volumes have increased by 200 to 300 v.p.d. along most segments of Alexander Road. Radar spot speed studies indicate that the 85th percentile speed is about 40 m.p.h.

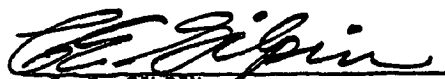
Due to the increasing traffic volumes, rapid growth, and higher speeds more control is needed. The Traffic Engineer has requested that Alexander Road be designated a through street so that stop signs can be installed to stop the traffic flow on the minor intersecting streets.

FISCAL IMPACT

The Traffic Engineering Division will install the stop signs. Funds are available in the F.Y. 1983-1984 Division budget.

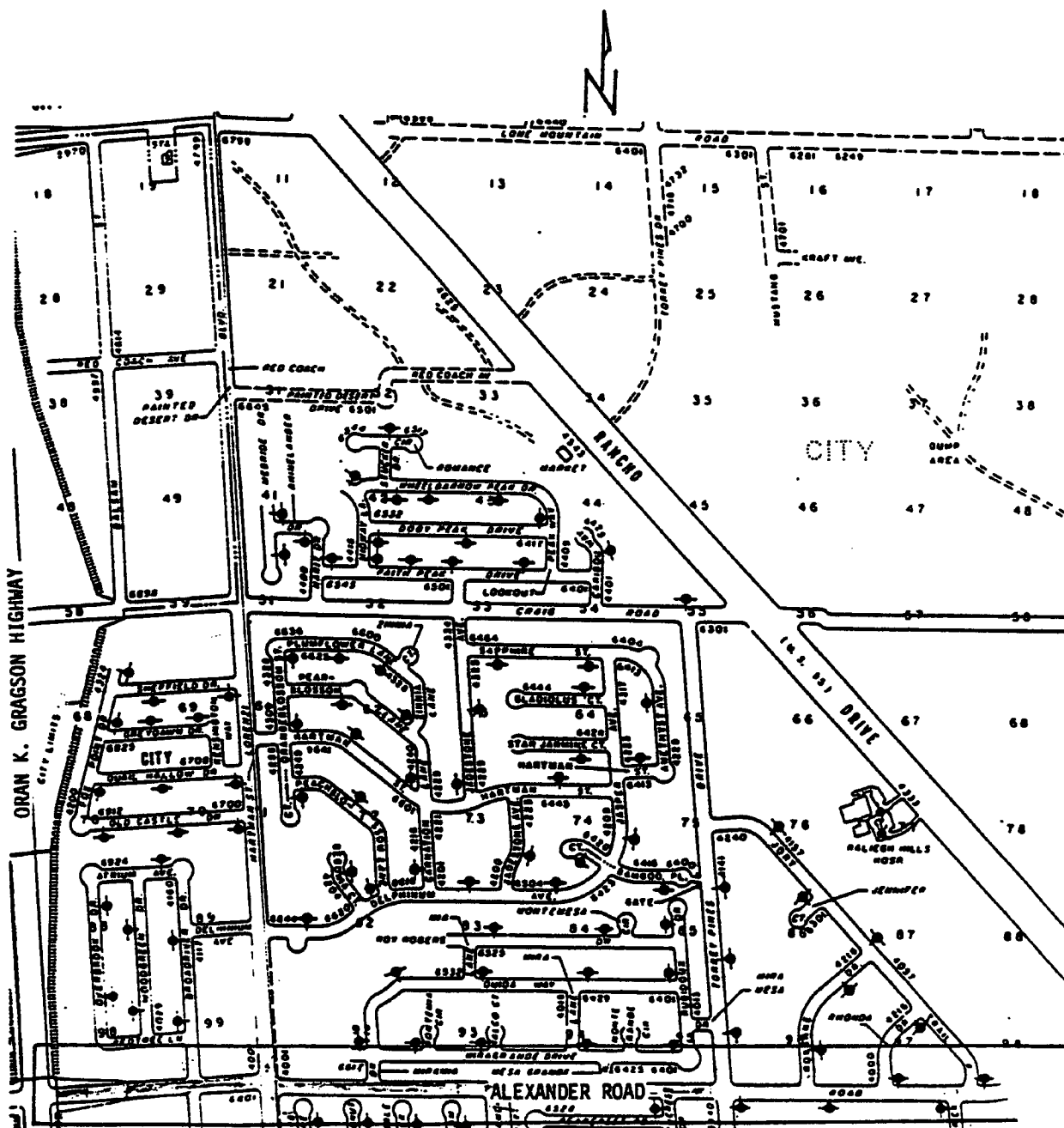
RECOMMENDATIONS

The Traffic and Parking Commission recommends approval of the designation of Alexander Road from Rancho Drive to the Oran K. Gragson Highway as a through street and that the City Council authorize the Mayor to sign the Resolution. Staff concurs.


C. E. GILPIN
Director of Engineering Services

Agenda Item 6/20/84

IV (i) E. 4



REQUEST BY TRAFFIC ENGINEER TO DESIGNATE ALEXANDER ROAD A THROUGH STREET FROM RANCHO DRIVE TO THE ORAN K. GRAGSON HIGHWAY.

R E S O L U T I O N

0092

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to TITLE XI of the City Code to be done by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada that the following schedules pertaining to TITLE XI of the City Code be amended as follows:

SCHEDULE 17-IV be amended to include the following as parking prohibited during certain hours on certain streets:

'A' Street - both sides - from Washington Avenue to Wilson Avenue
(6:00 p.m. to 8:00 a.m. daily).

'A' Street - both sides - from 900 feet north of Washington Avenue to Owens Avenue (6:00 p.m. to 8:00 a.m. daily)

SCHEDULE 17-VI be amended to include the following as a two (2) hour parking zone:

<u>Location</u>	<u>Zone</u>	<u>From</u>	<u>To</u>	<u>Side</u>
'A' Street	2 hrs	900 feet North of Washington Avenue	Owens Ave.	Both

SCHEDULE 14-I be amended to include the following as a Designated Through Street
Alexander Road - from Rancho Drive to Oran K. Gragson Highway

SCHEDULE 14 II, be amended to include the following as stops required:

Cimarron Road at Ducharme Avenue

Diamond Head Drive at Marion Drive

PASSED, ADOPTED AND APPROVED THIS _____ day of
_____, 1984.

WILLIAM H. BRIARE

CAROL ANN HAWLEY, CITY CLERK

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 12, 1984

0093

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: TRAFFIC STUDIES AT THE INTERSECTIONS OF CIMARRON ROAD/DUCHARME AVE. AND AT
MARION DRIVE/DIAMOND HEAD DR.

PURPOSE/BACKGROUND

These two intersections were studied by conducting traffic counts, a review of accident experience, and by analysis of sight distance. The data was then compared to warrants established in the Manual on Uniform Traffic Control Devices, which the City of Las Vegas must follow according to Nevada Revised Statute 484.781. Warrants for two-way stop signs were met at both locations.

The Traffic and Parking Commission, at their regular meeting of May 24, 1984 recommended approval of the installation of stop signs as described below.

FISCAL IMPACT

The Traffic Engineering Division will install the stop signs. Funds are available in the F.Y. 1983-1984 Division budget.

RECOMMENDATIONS

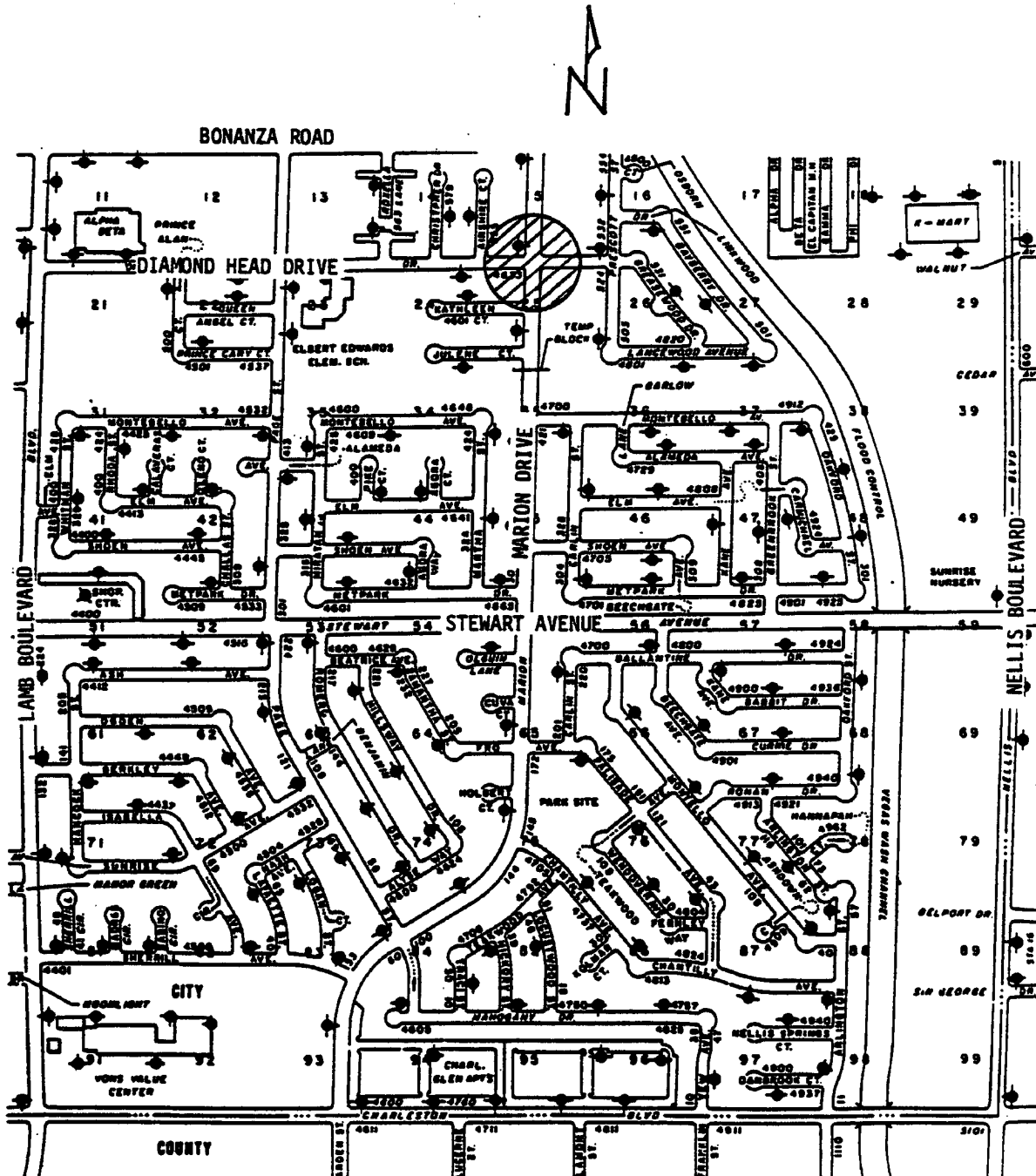
The Traffic and Parking Commission recommends approval of the installation of stop signs (A.) on Cimarron Road at Ducharme Avenue and (B.) on Diamond Head Drive at Marion Drive and that the City Council authorize the Mayor to sign the Resolution.

Staff concurs.

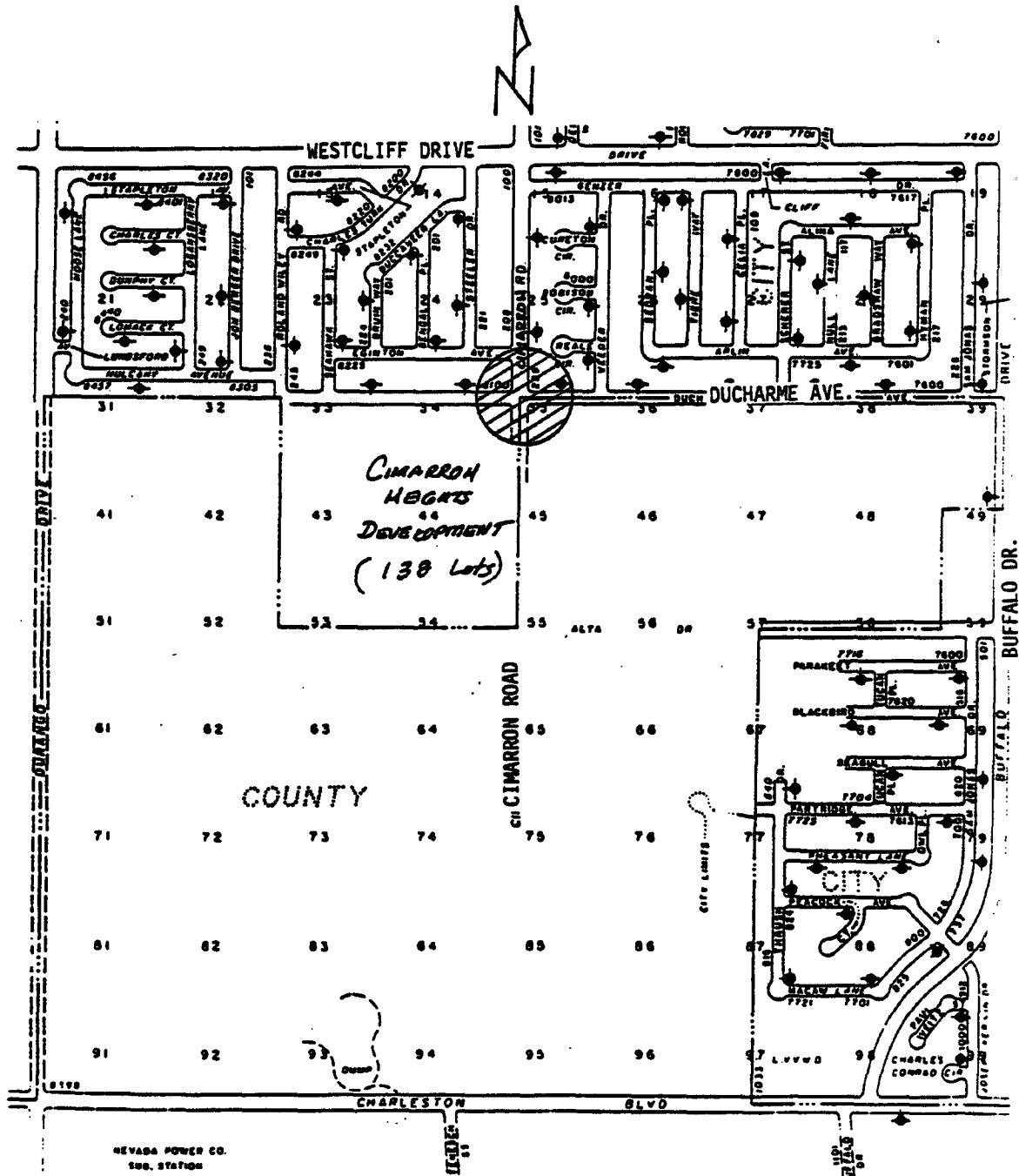

C. E. GILPIN
Director of Engineering Services

Agenda Item 6/20/84

IV (i) E. 5



TRAFFIC STUDY
AT
MARION DR./DIAMOND HEAD DR.



TRAFFIC STUDY
AT
CIMARRON RD./DUCCHARME AVE.

WHEREAS, Ordinance No. 1589 allows for the additions and corrections of schedules pertaining to TITLE XI of the City Code to be done by Resolution; and

WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada that the following schedules pertaining to TITLE XI of the City Code be amended as follows:

SCHEDULE 17-IV be amended to include the following as parking prohibited during certain hours on certain streets:

'A' Street - both sides - from Washington Avenue to Wilson Avenue (6:00 p.m. to 8:00 a.m. daily).

'A' Street - both sides - from 900 feet north of Washington Avenue to Owens Avenue (6:00 p.m. to 8:00 a.m. daily).

SCHEDULE 17-VI be amended to include the following as a two (2) hour parking zone:

<u>Location</u>	<u>Zone</u>	<u>From</u>	<u>To</u>	<u>Side</u>
'A' Street	2 hrs.	900 feet North of Washington Avenue	Owens Ave.	Both

SCHEDULE 14-II, be amended to include the following as stops required:

Cimarron Road at Ducharme Avenue

Diamond Head Drive at Marion Drive

PASSED, ADOPTED AND APPROVED THIS 20th day of June, 1984.


WILLIAM H. BRIARE


CAROL ANN HAWLEY, CITY CLERK

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 12, 1984

0097

TO:

The City Council

FROM:

DON J. SAYLOR
DEPUTY CITY MANAGER

SUBJECT: REQUEST FROM MARY AND DAVID ROE FOR AN ENCROACHMENT AGREEMENT
AT 106 GASS AVENUE

PURPOSE/BACKGROUND

There is a Realty and Tax Service office on the property at 106 Gass Avenue. There is 15 feet of right-of-way between the curb and the front property line. There is no sidewalk on this property nor on the adjacent properties, which are residences.

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

This request is to allow existing landscaping consisting of lawn, two Elm trees, and a hedge on the perimeter of the lawned area out to the curb.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Director of Engineering Services recommends that the City Council approve the encroachment subject to:

- (a) Removal of three-foot length of hedge at each side of the lot in line with the sidewalk across the alley to the East
- (b) Agreement to install a sidewalk at owner expense when and if the City deems appropriate

and authorize the Mayor to execute the agreement.

Agenda Item 6/20/84

IV (1) F. 1


C. E. GILPIN

GR# 48252

RIGHT-OF-WAY ENCROACHMENT AGREEMENT
(Subject to City Council Approval)

THIS AGREEMENT made at Las Vegas, Nevada, this 2 day of April, 1984, by and between the CITY OF LAS VEGAS, NEVADA (hereinafter referred to as "LAS VEGAS") and David G. and Mary E. Roe (hereinafter referred to as "OWNER(S)").

W I T N E S S E T H :

WHEREAS, LAS VEGAS is a municipal corporation within the State of Nevada and the owner of that real property designated in Exhibit "A", attached hereto and incorporated herein as a part of this Agreement; and

WHEREAS, OWNER(S) is the owner of certain real property also designated on Exhibit "A" which adjoins the property of LAS VEGAS; and

WHEREAS, OWNER(S) presently plans to develop and improve said property in a manner which encroaches into or onto the property of LAS VEGAS; and

WHEREAS, the parties hereto intend by this Agreement to authorize and permit said encroachment by OWNER(S) into or onto the property of LAS VEGAS adjacent to OWNER'S(S') property.

NOW, THEREFORE, in reference to OWNER'S(S') property located at 106 Cass Avenue and legally described as west 24 feet of the east 97 feet of Lot 15 and 16 in Block Six of South Addition to the City of Las Vegas OWNER(S) agrees to pay to LAS VEGAS the sum of Ten Dollars (\$10.00) in exchange for permission granted by LAS VEGAS to encroach into or onto LAS VEGAS property with shrubbery & lawn & sprinklers. Said encroachment into or onto and use of said right-of-way is shown on Exhibit "A". OWNER(S) further agrees to:

1. Remove at OWNER'S(S') sole expense, any and all improvements located in or upon the right-of-way described above within thirty (30) days after notice from LAS VEGAS is deposited with the United States Postal Service, addressed to the current property owner at the location stated above, that LAS VEGAS requires such removal; and
2. Indemnify, defend and hold harmless LAS VEGAS from any and all claims, losses, damages, suits, actions, decrees, judgments, attorney fees, court costs or any other resulting liability or claim of liability resulting from, arising out of, or related in any way to the improvements located in or upon the right-of-way.
3. Maintain said improvements located in the right-of-way owned by LAS VEGAS in a condition acceptable to the Department of Public Services, and repair or replace said improvements within 48 hours after notification by LAS VEGAS in writing to the OWNER(S). Said notification period commences upon actual receipt by the OWNER(S).

4. OWNER(S) also hereby understands and agrees that these covenants will be binding upon any and all other subsequent owners, assignees, transferees or heirs who shall obtain the aforementioned real property from the present OWNER(S).

5' wide

Construct at owner's expense a P.C.C. sidewalk as per City Specifications when the city

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the day first hereinabove written.

WILLIAM H. BRIARE, Mayor

OWNER

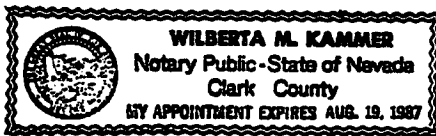
Carol Ann Hawley, City Clerk

OWNER

State of Nevada)
) ss.
County of Clark)

On April 4, 1984 before me the undersigned,
a Notary Public in and for said County and State, personally appeared
DAVID G. ROE and MARY E. ROE
known to me to be the persons described in and who executed the
foregoing and who acknowledged to me that they did so freely and
voluntarily and for the uses and purposes therein mentioned.

WITNESS MY HAND AND OFFICIAL SEAL.

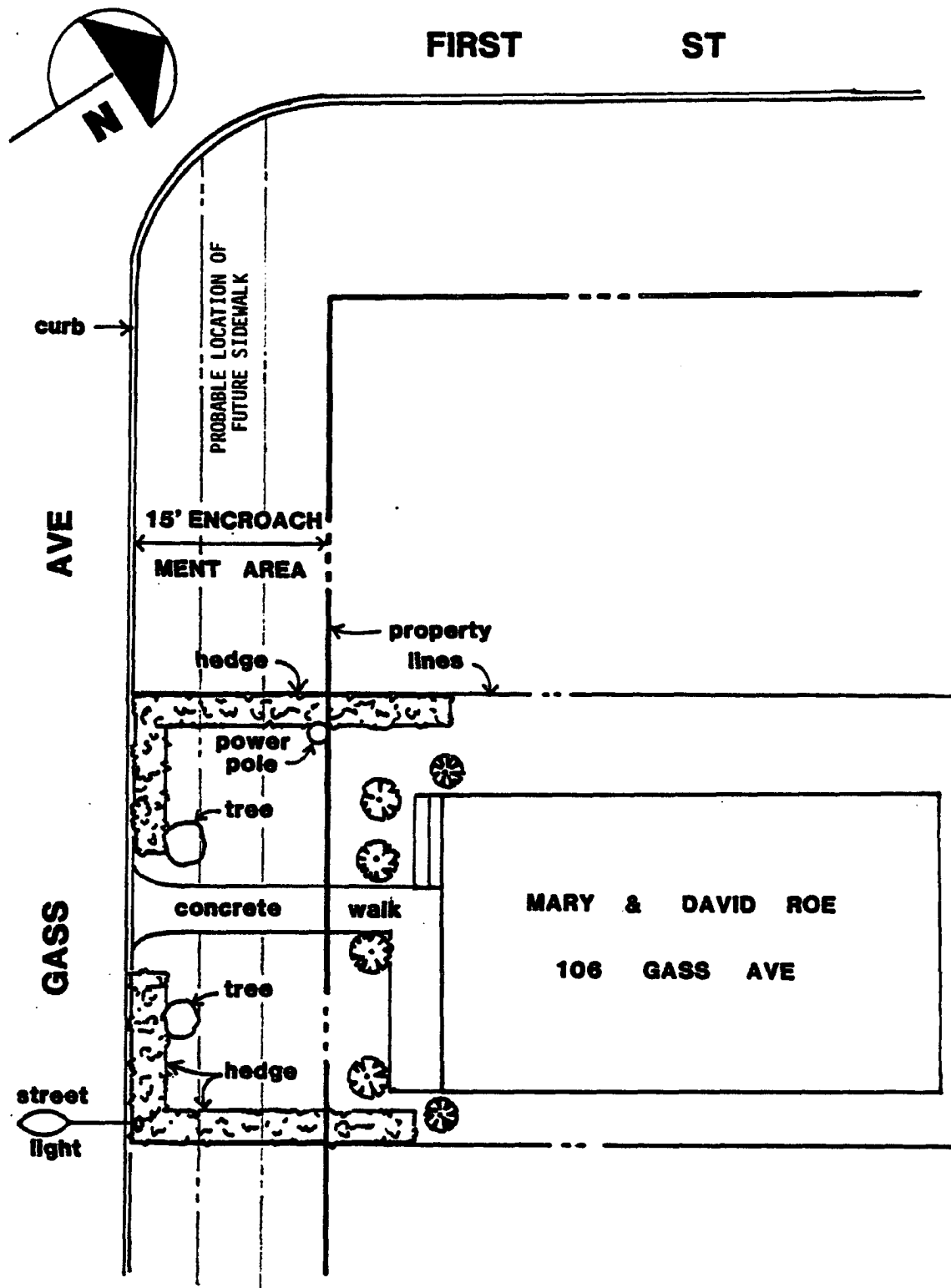


Wilberta M. Kammer
NOTARY PUBLIC in and for said
County and State

My Commission Expires: 8-19-87

Approved by City Council on: _____

When Recorded Mail to:
CITY HALL, 400 E. Stewart Ave.
Las Vegas, Nevada 89101
Attn: Permit Desk, 3rd Floor





ROE'S REALTY AND
INCOME TAX SERVICE
106 GASS AVENUE
LAS VEGAS, NEVADA 89101



0101

April 3, 1984

City Council
400 E. Stewart
Las Vegas, Nevada 89101

Gentlemen:

Re 106 Gass Avenue Encroachment into the Public
Right of Way

I would like to request that you allow an encroachment of shrubbery into the public right of way in front of my property at 106 Gass Avenue.

I have enclosed 3 pictures, a diagram of the front of 106 Gass, and a Nevada Power right of way that shows my property relative to the adjacent property.

As you can see from the pictures, I have tried to keep up my property for a long time. My hedges are quite mature and add very much to my property and the surrounding neighborhood. Also I have trimmed up the trees like 2 tall sticks and am allowing them to bush out up high. Other shrubbery only complement our property and I'm sure is very pleasing to the community. All this I have done at my own expense doing my part to beautify Las Vegas.

As I understand it, someone has complained that they had to walk into the street to get by my property. This has been the case for years now without complaint, and if I could keep the property and shrubbery as it is, this would be my first preference.

However recognizing the City's right of way for its citizens, my second preference would be to remove one bush on each side, east and west sides to allow foot traffic to pass. The bushes removed would be in line with the sidewalks as seen in pictures #1 just to the right of the mail box on the corner and #3. This is where eventually the sidewalk will go.

To remove any other shrubbery would severely detract from what has been done and is not a part of anyone's complaint.

Your "just attention" to this small matter will certainly be appreciated.

Respectfully,

David G. Roe

David G. Roe

DGR:ja

AGENDA*City of Las Vegas*

June 20, 1984 0102

Page 21

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

ITEM Council Action Department Action

V. GEORGE F. OGILVIE - CITY ATTORNEY

00 A. Resolution Designating Las Vegas Metropolitan Police Department as Agent of City of Las Vegas for Purpose of Giving "Trespass Warning" with Respect to Certain City Property

Lurie -
ADOPTED Resolution
Unanimous

Staff to proceed

1102 B. Approval of Cooperative Agreement with Clark County and North Las Vegas for Automatic and Mutual Aid for Fire Protection and Rescue Services

No formal action taken. Agreement was formally APPROVED by the Council on 4/18/84.
(Verbatim Transcript made part of Final Minutes.

Staff to proceed

Clell West, Dir. of CLV Fire Services

Robert G. Atkinson, Clark County Fire Department

Margaret Perdue, Clark County

34 C. Approval of Contract with Clark County Library District to Provide Library Services to City's Detention Facility

Christensen -
APPROVED
Unanimous

Staff to proceed

City of Las Vegas

COUNCIL MINUTES - JUNE 20, 1984

Date: June 14, 1984

AGENDA DOCUMENTATION

TO: The City Council

FROM: *George F. Gilini*
CITY ATTORNEY

0103

SUBJECT: Resolution Designating Las Vegas Metropolitan Police Department as Agent of City for Certain Purposes

PURPOSE/BACKGROUND

The resolution which is before you, if it is adopted, will designate the areas which are around City Hall, the old library building, the Senior Citizens' Center and the Reed Whipple Center as areas in which loitering by any person is prohibited and designates the Las Vegas Metropolitan Police Department as the agent for the City to warn persons who are found loitering in such areas that they are not permitted to do so, and, if they continue to do so, they will be regarded as trespassers and will be arrested as such.

Thereafter, if any person who is so warned ignores the warning or returns to the same area after being so warned, that person can be arrested for trespassing.

FISCAL IMPACT

None

RECOMMENDATIONS

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

Agenda Item

V-A

RESOLUTION

1
2
3 WHEREAS, the areas which surround the City of Las
4 Vegas' City Hall Complex, including that portion thereof which is
5 commonly known as the "Old Library Building" and presently houses
6 the Department of Funds Coordination and the Engineering Design
7 Division of the Department of Engineering Services, the City of
8 Las Vegas' Senior Citizens' Center and the City of Las Vegas'
9 Reed Whipple Center have become congested with persons who have
10 no lawful connection with the activities which are conducted
11 within said facilities; and

12 WHEREAS, such persons create an annoyance to the
13 pedestrian traffic on the public sidewalks around those facilities
14 by asking passersby to borrow money or other items of value from
15 them, create a hazard to themselves and the motoring public by
16 wandering aimlessly into the public streets which surround said
17 facilities, have been discovered wandering through the corridors
18 of said facilities at all hours of the day and night without any
19 lawful business therein and have been suspected of being respon-
20 sible for the recent rash of thefts of personal property from the
21 offices which are located in said facilities; and

22 WHEREAS, all previous efforts by the officials of said
23 City to control the aforesaid situation have failed; and

24 WHEREAS, the City Council of said City has determined,
25 and by this Resolution does so determine, that the only method
26 by which the problems which are created by such persons may be
27 eliminated is to prohibit loitering by any person in the areas
28 which surround said facilities;

29 NOW, THEREFORE, be it resolved by the City Council
30 of the City of Las Vegas, Nevada, at a regular meeting thereof
31 which is held on the 20th day of June, 1984, that the areas
32 which surround said City's City Hall Complex, including that portion

1 thereof which is commonly known as the "Old Library Building" and
2 presently houses the Department of Funds Coordination and the
3 Engineering Design Division of the Department of Engineering
4 Services, said City's Senior Citizens' Center and said City's
5 Reed Whipple Center be, and they hereby are, designated as "No
6 Loitering Areas," that loitering therein by any person be, and
7 the same hereby is, declared to be prohibited and that all persons
8 who are hereafter discovered to be loitering in said areas, after
9 having been warned as hereinafter provided, shall be regarded
10 as trespassers.

11 BE IT FURTHER RESOLVED that John Moran, Sheriff of the
12 Las Vegas Metropolitan Police Department, or his designees, be,
13 and he hereby is, designated as the agent of said City for the
14 sole purpose of warning persons who are hereafter discovered to
15 be loitering in said areas that loitering by any person in said
16 areas is prohibited, and that, if any such person who is so
17 warned continues to loiter in said area, or returns and loiters
18 in said area, without lawful business therein, he or she will
19 be regarded as a trespasser and will be arrested as such.

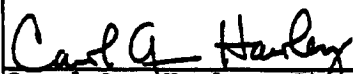
20 BE IT FURTHER RESOLVED that the City Clerk be, and she
21 hereby is, authorized, empowered and directed forthwith to for-
22 ward a certified copy of this Resolution to John Moran, Sheriff
23 of the Las Vegas Metropolitan Police Department.

24 PASSED, ADOPTED and APPROVED this 20th day of June,
25 1984.

26 APPROVED:

27
28 
29 BY WILLIAM H. BRIARE, MAYOR

30 ATTEST:

31
32 
Carol Ann Hawley, City Clerk

City of Las Vegas

COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 14, 1984

0106

TO: The City Council

FROM: *George F. Giline*
CITY ATTORNEY

SUBJECT: Approval of Cooperative Agreement with Clark County and North Las Vegas for Automatic and Mutual Aid for Fire Protection and Rescue Services

PURPOSE/BACKGROUND

This agreement is identical in form to the agreement which was approved on April 18, 1984, and is brought back before the City Council pursuant to the Council's directive at its meeting which was held on June 6, 1984.

The justification for the agreement which appeared on the agenda for the April 18, 1984, meeting is attached.

FISCAL IMPACT

RECOMMENDATIONS

Agenda Item

V-B

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

0107

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES PAGE 1

MAYOR BRIARE: Item B, John.

DEPUTY CITY ATTY. ROETHEL: Item B is an approval of a Cooperative Agreement with Clark County and North Las Vegas for Automatic and Mutual Aid for Fire Protection and Rescue Services.

MAYOR BRIARE: This is now the formality of approving the agreement, is that correct?

DEPUTY CITY ATTY. ROETHEL: Yes, Your Honor.

MAYOR BRIARE: Comments by the Council? What's the pleasure of the Board?

CITY MANAGER HALL: One comment, Your Honor, pardon me. The City of North Las Vegas and the County, in the Mutual Aid Agreement, have not concurred with the City of Las Vegas. They do not want to be charged the \$300.

COUNCILMAN LEVY: Why?

CITY MANAGER HALL: They simply indicate to me that they want to move manpower. They want to move stations. They want to do whatever they possibly can do to get away from exchanging the \$300 per run.

COUNCILMAN LEVY: Do they feel by moving manpower, moving stations, it'll all be even, is that what they're saying?

CITY MANAGER HALL: Well, the direction that I have given to our people is until action is taken by this Council to give me direction that the City of Las Vegas cannot formally make runs into any other areas except our own without specific direction and any action that is taken by our Fire Department, we need to have reciprocal action by the County or the North Las Vegas Fire Department.

COUNCILMAN LEVY: I don't understand the thinking behind this. Maybe you can talk -- speak for North Las Vegas, would you like to?

COUNCILMAN LURIE: Al, before we give North Las Vegas and maybe the County, I'd like to hear from our new Chief and I'd like to get his comments on this Mutual Aid Agreement. Mr. West, you haven't come up and formally been introduced to the full Board at this time, but, I think, maybe it's okay --

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES

PAGE 2

MAYOR BRIARE:

Sure, go right ahead.

COUNCILMAN LURIE:

The Chief can give his comment on this Mutual Aid Agreement because he'll have to administer it.

CHIEF WEST:

Mayor, Members of the Council, I think this is a very legitimate issue that you gentlemen are addressing. I congratulate you for taking it on and taking a very close look at it. When we start exchanging services that the citizens of Las Vegas are paying for, it's certainly a responsibility we have to insure that we're getting a good return on our exchange. There are two systems available to us to insure that. One, of course, is the dollar-for-dollar exchange that is currently on the agenda this morning. Another method that is used quite frequently is the barter system where you exchange services for services. There is a responsibility to insure, like I say, that if you use the barter system that you are certainly getting an even exchange. I personally can operate under either system. I feel a real responsibility to the citizens to insure that we do get an even exchange and there are certain systems in place to insure that on a call-for-call basis, a unit for unit basis, and monitoring that and auditing it and adjusting it as needed. I can, like I say, I can operate under either system. I think the dollar-for-dollar system is certainly legitimate and I can support either issue that the Council feels comfortable with and I think that's the big issue here. Which system do you gentlemen feel comfortable in using?

COUNCILMAN LEVY:

I don't think that's the question at all, Chief.

MAYOR BRIARE:

What is the question?

COUNCILMAN LEVY:

I think the question in hand is -- I mean, in other words, you're saying we don't care if it's barter or cash either, I think all I want is a fair shake at the end of the year for our citizens.

CHIEF WEST:

Exactly.

COUNCILMAN LEVY:

And I think that's what we agreed to, but I don't believe by moving people around and by moving stations around, which of course I'm not interested in spending more money and I'm sure North Las Vegas and the County

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES

PAGE 3

- COUNCILMAN LEVY: are not flushed at this time that they'd like to spend more money that it would be practical to even out at the end of the year and if they're so worried about evening out at the end of the year like I am, then if we kept score and at the end of the year that if we had made 5, 50 more calls which would be at \$300 apiece is 15,000, they'll pay us. If we've made -- they've come in the City at our request or whatever to cover more calls then we'll pay them and I think it should be evened out at the end of the year. Now, I can't see what the problem is.
- CHIEF WEST: I would agree completely with that, that that is a legitimate exchange.
- COUNCILMAN LEVY: I mean, I'll exchange for water. I'll exchange for many things. It doesn't have to be dollars, you know, we're talking in some areas of different things. I'll exchange for many things. I don't care what it is as long as at the end of the year --
- CHIEF WEST: We're even.
- COUNCILMAN LEVY: -- the budget is balanced.
- CHIEF WEST: I agree. I think that is a legitimate concern.
- COUNCILMAN LEVY: Now, is there a problem with that, Margy?
- COUNCILMAN LURIE: What is the -- Ashley, do you have any numbers from say previous -- say the last two years of what the number runs have been say both City and County, North Las Vegas?
- CITY MANAGER HALL: Only that the City has run significantly more runs into the County than they have into us.
- COUNCILMAN LEVY: And North Las Vegas?
- CITY MANAGER HALL: And North Las Vegas. The City of Las Vegas --
- COUNCILMAN LEVY: Well, then I can understand why they don't want any exchanges.
- COUNCILMAN CHRISTENSEN: Your Honor, I think the problem was really -- maybe this is the bottom of the problem, but in another way it's the surface too. You've got a political situation here that you have to take

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES

PAGE 4

- COUNCILMAN CHRISTENSEN: care of and I think too, until you put a price on things, we often get beat by delay. Now, I think I originally requested this item -- how many months ago has it been, Ashley?
- CITY MANAGER HALL: Several.
- COUNCILMAN LEVY: How many?
- COUNCILMAN CHRISTENSEN: Five, six months, something like that?
- CITY MANAGER HALL: I think December, January.
- COUNCILMAN CHRISTENSEN: And the County changed managers since then. The City changed managers since then. There's a lot of water gone under the bridge and unfortunately nothing ever gets done because we're on the short end of the stick. Until we get on the long end of the stick, we never get anybody jogged into action in the other entities as long as they're getting more than they're giving and I have no fight with what Chief West is saying and I don't care if they do it with manpower or how they do it, but until they come to some agreement, I think we've got to have the cash and then that'll force them to come to some other agreement; and I'd be glad to modify it at that time, but in the meantime, I'd go for the cash in order to force the agreement because nobody ever wants to agree to anything as long as it doesn't cost them anything and that puts us on the short end of the stick and I'm tired of being there. We've been there for years and years and years and I think it's time we got that changed around; and part of the agreement may be to cover what we've been shorted the last ten years. We've certainly carried more than our share.
- COUNCILMAN LEVY: We have areas in the City, within the City -- the City surrounding that is in the County -- these people do not want to be annexed in the City because they don't want to pay the fee and the City is paying their fire services and I resent that for those people to live within our boundaries and using our parks and not paying their fair share, that's not fair, sir; and I don't think it's fair and I think the County has to go after these people and tell them that they're not being fair instead of sitting there and agreeing with them. I don't mean to be picking on you, Chief.
- COUNCILMAN LURIE: Yes he does.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES

PAGE 5

- COUNCILMAN LEVY: No, I don't. No, I don't. You agree with me I know you do.
- ROBERT G. ATKINSON: We agree with the idea that at the end of the year it should all balance out. We agree with that and we think it can be worked out.
- COUNCILMAN LEVY: How?
- COUNCILMAN LURIE: We're going to have to try it for at least a year to find out if it works out because we really don't have any documentation to really go on.
- COUNCILMAN LEVY: What happens at the end of the year, we find that we gave you 50 more runs.
- ROBERT G. ATKINSON: Okay. We can sit here all day, Councilman, and argue back and forth. We don't -- the County doesn't agree with the City's figures to begin with, but just like Councilman Lurie says, at the end of the year, that's the proof and do you want to go for a year and see how it balances out, we have no problem with that?
- COUNCILMAN LEVY: What happens if it doesn't? What if we're right, are you going to pay us then?
- ROBERT G. ATKINSON: Well, I can't answer that. That's not my --
- COUNCILMAN LEVY: That's all I'm saying. That's all I'm saying. I want an agreement. I don't mean you have to do it monthly -- at the end of the year. We trust you.
- ROBERT G. ATKINSON: Are we -- every piece of equipment -- are we talking emergency response? We have equipment the City doesn't have. They have equipment we don't have. We loan it back and forth frequently.
- COUNCILMAN LEVY: Fine.
- ROBERT G. ATKINSON: Every week there's requests for this and that.
- COUNCILMAN LEVY: Fine, then we'll pay you every time we call you. We'll pay you.
- ROBERT G. ATKINSON: Where does the \$300 figure arrive at is another concern we don't understand.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

V. CITY ATTORNEY AGENDA

B. APPROVAL OF COOPERATIVE AGREEMENT WITH CLARK COUNTY AND NORTH LAS VEGAS FOR
AUTOMATIC AND MUTUAL AID FOR FIRE PROTECTION AND RESCUE SERVICES

PAGE 6

COUNCILMAN LEVY: You don't understand a run?

ROBERT G. ATKINSON: I understand runs, but --

COUNCILMAN CHRISTENSEN: It's a figure -- it's a figure we had to arrive at a figure because you don't have the cost. It's a balancing figure.

ROBERT G. ATKINSON: Because we operate an engine company on much less money than that.

COUNCILMAN LEVY: Wouldn't it be strange at the end of the year, we owed you which could happen, couldn't it?

ROBERT G. ATKINSON: Sure could.

COUNCILMAN LEVY: And I'd be happy to pay you or decided, too costly, we'll go get our own, one of those two, but I just don't think it's fair to our citizens, sir.

MAYOR BRAIRE: Let's -- this is on the agenda. We have a recommendation --

CITY MANAGER HALL: Yes, one other comment right quickly before we get into recommendations, that is that the instant report on the dispatch does not lie. The figures are very clear. The figures have been very clear for many years. The City has made significantly more runs into the County or other other entities than they have into us.

COUNCILMAN LEVY: Mr. Hall, maybe you're wrong. Maybe we owe them some money and let's not cheat them.

CITY MANAGER HALL: Fine. The recommendation is from me, as the City Manager, would be that we would sit down with the Chiefs and the Managers from each of the other entities and work out an accommodation so that at the end of the year, if we have made more runs into the other entities than they have into us, that they will owe us a dollar-for-dollar basis, \$300 per run.

COUNCILMAN LEVY: Or vice versa.

CITY MANAGER HALL: Or vice versa.

COUNCILMAN CHRISTENSEN: You have to have the money up front.

EXCERPT - CITY COUNCIL MEETING - JUNE 20, 1984

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CITY MANAGER HALL: And if we can work out with them other accommodations on the water or other issues that barter that off, then we will do that, but we'll come back to you with a report.

COUNCILMAN CHRISTENSEN: What kind of accommodations are you talking about on water?

CITY MANAGER HALL: Well, North Las Vegas for example has water lines that we might be able to tap into for utilization under the northwest sector. We can't get water out there at the present.

COUNCILMAN LEVY: We'll trade off.

CITY MANAGER HALL: Sewer, other areas --

COUNCILMAN LURIE: What happens -- you know, we're talking about this trading off and bartering -- we approve this and North Las Vegas, they disapprove this? Now what do we do, send them a bill at the end of the year and say you owe us this much money for services that we provided, is that right?

CITY MANAGER HALL: We could, yes.

COUNCILMAN LURIE: Or we don't provide any services?

CITY MANAGER HALL: Well if we cannot work out an arrangement with the Managers of the County and the City of North Las Vegas, then I will not give any -- issue an order for any of our people to make runs into those entities.

COUNCILMAN LURIE: No, I'm opposed to that.

COUNCILMAN CHRISTENSEN: You can't do that.

COUNCILMAN LURIE: Because now you're dealing with the safety of the public and I'm not in favor of that. Probably the best way to resolve this whole thing is to go to the Legislature and get these two departments together. We'll merge them together then you won't have the problem and that's probably what we should do. That would end all these problems. We were close to doing it one time. Maybe we ought to bring it up again and resolve this once and for all so we won't have this problem about charging \$300 or whether our emergency vehicle should go here or engine company should go across Sahara. That's getting to be ridiculous. North Las Vegas wouldn't commit anyway.

- CITY MANAGER HALL: Well listen, how can a City Manager, in good conscience, continue to allow our fire department to make runs in the County and North Las Vegas areas without proper reimbursement?
- COUNCILMAN CHRISTENSEN: We can't.
- CITY MANAGER HALL: That's all we've asked for.
- COUNCILMAN CHRISTENSEN: That's why we have to approve this and put the dollar amount on it so that they know they're going to get a bill and they're expected to pay it otherwise you'll never get any negotiations out of them.
- COUNCILMAN LEVY: They brought in the first team this time huh, Margy?
- COUNCILMAN CHRISTENSEN: We've been fighting this for months and months and months and you're stonewalling it.
- MAYOR BRIARE: Mrs. Perdue, did you wish to add a little sanity to this confusion?
- MARGARET PERDUE: I hope so, Mayor. Thank you very much, Councilmen. It is my understanding that when the City Fire Department, North Las Vegas Fire Department, and the County Fire Department met and don't kill the messenger because I wasn't at the meeting, that they did say administratively they could work this out if you want a barter arrangement or -- it would not be on a month-by-month basis, but let's say at the end of three months, if someone is uneven, then you create a call so that North Las Vegas takes care of their share, the County takes care of their share.
- COUNCILMAN LEVY: How can they, Margy, it's not practical.
- MARGARET PERDUE: It's on a business of monitoring the calls and how they go out. You wouldn't --
- COUNCILMAN LEVY: But now wait a minute, let's take the northwest areas it's all City, basically these people live in the County out there. Now, how are you going to monitor those calls? How are you going to handle them?

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- MARGARET PERDUE: They monitor them by the way the calls come in and then at the end of, let's say three months, Commissioner Levy, you look at the rates and if there are -- let's say you have done 50 more calls -- the City has done more than 50 calls than the County, then we owe you owe 50 calls and we're going to have to cover those 50 calls.
- COUNCILMAN LEVY: You're going to come over and handle those -- our calls over --
- MARGARET PERDUE: It's supposed to be worked out administratively and I think the Chief would probably do a better --
- COUNCILMAN LEVY: Our firemen are stil sitting there while you're running into the West Charleston and covering your home where you live? Would that be smart?
- MARGARET PERDUE: Councilman, would you allow your own Chief to say what the discussions were? As I say, I was not in on the meetings and don't kill the messenger.
- COUNCILMAN LEVY: I've already asked for his comments.
- MARGARET PERDUE: My understanding from my briefing is that this could be worked out over the year's period of time so that it will even out and that that was the discussion with the three entities and that there was an agreement that was come to by all three entities that this could be done administratively just as your chief said this morning. He said that he could support either system and if he can support either system, then it would assume to me that he feels that that system could work, correct.
- COUNCILMAN LURIE: Margy, what I think is going to have to happen is I'm going to vote to approve the cooperative agreement today and I'd like to add something to the approval is that it be reviewed in one year after we determine the amounts of runs and the amount of money that would be owed to each entity so that if need be, we can make change at that time. Right now we don't have those figures.
- CITY MANAGER HALL: We have the figures, Councilman Lurie, I haven't got them with me, but I can have them to you in a matter of minutes.

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COUNCILMAN NOLEN:

I have a very particular concern on what Margy just said that bothers me. You're saying and maybe I was reading something else in there, but you said that it could be worked out administratively and I took that to mean that the County or the City of North Las Vegas could send units into our area whether we needed them or not to cover for us, you know --

MARGARET PERDUE:

Councilman, would you ask your own City Fire Chief to speak on this. The reason I ask this is that our chief also was not at the meeting and it's in my briefing that your City Chief, North Las Vegas and our Chief, Chief Parrish, said that this could be worked out administratively. I would wish that he would elaborate on that.

COUNCILMAN LEVY:

I'd like to know how? Chief, why don't you tell us.

COUNCILMAN NOLEN:

The concern I have in addressing that, Chief, is I don't want a situation where to work out administratively that if the County owes us two runs and a fire's called and we have men available at our station, but the County is dispatched to pay us back. That's not satisfactory to me.

CHIEF WEST:

I agree with that, Councilman Nolen.

MAYOR BRIARE:

We're all going to be a little guilty here of nit picking. To me this sounds like it's something that Mr. Hall should be doing. I don't know whether we can sit up here and resolve how much it's going to cost. I think there's no question in anybody's mind, the County, the City, North Las Vegas, staff, Manager or anybody -- I don't think there's any question in anybody's mind how we all feel about responding to calls that are costing the City of Las Vegas residents money, but it's being given to people who live outside of the City. I think there's no question about that. First of all, Mr. Hall, it would seem to me, go out and put out the fire.

CITY MANAGER HALL:

That's correct.

MAYOR BRIARE:

Now, for heavens sakes, put out the fire, protect your flanks and protect your places where your vacating in order to go fight that fire, which is the professional's job and then let's get into the discussions about the payment later.

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COUNCILMAN LEVY: No, no, no, Mayor, we're here discussing this financing. We can determine how much money is owed us. That's what we're trying to say --

MAYOR BRIARE: Then once it's determined, pay it.

COUNCILMAN LEVY: They won't pay it. They're saying, no.

MAYOR BRIARE: Well, then when the first billing's turned down, let the administrators resolve it and see what the problem is and if it turns out that we have to come back to this Council and say, they won't pay the bills that are fair and equitable, so don't call us, we'll call you.

COUNCILMAN LEVY: I'd like to ask one question.

MAYOR BRIARE: It can't be resolved here, Al. I don't think we -- there might be a fire out there right now that we can't figure out.

COUNCILMAN LEVY: This is the proposition presented to us today on the table is what our staff has worked out and we're not going to go for it. I'm not. So, I'd like to hear a little more of this mutual aid, so-called mutual aid, Chief, that you said you could live with.

CHIEF WEST: Well, first of all I'm very concerned with the fires like all of you are. We need to address that and certainly as a community. I think it's good business to share. One community cannot stand alone. If we stand together, we have more strength. I certainly support that issue. Another issue that I strongly support is the one that you're addressing here today that if you're providing a service for someone outside the City, you insure that you're getting your money's worth for that. There are -- the system that we discussed in the meeting, for you gentlemen's information, is if we started a system where we would evaluate service for service, how would that work? That was the discussion that we had. Basically, it deals with adjusting response zones, not sending our people. We certainly send the closest engine company to a call. We would not change that in any way. That would be very foolish. What we would do is expand response zones so that if we would add to, in addition to, in certain zones to insure that we're getting the service in return

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CHIEF WEST: which is a very simple system in our -- since we do the dispatching, we can simply adjust response zones and balance out the calls throughout the year. There is other methods, as the City Manager addressed, that perhaps we needed to adjust for some charges in North Las Vegas for water, whatever. They owe us \$300, they owe us 1500 --

COUNCILMAN LEVY: That's our buisness.

CHIEF WEST: Yes, right. There's some systems to address, dollar for dollar.

CITY MANAGER HALL: Al, I might say one thing to you. In talking with the other managers, they were emphatic that they would not pay and I simply said to them, in that case, we have to work out some accommodation of where our people will be satisfied and you'll be satisfied, but they were very adamant that they would not pay the \$300 per run period.

COUNCILMAN CHRISTENSEN: Could I ask a simple question? If -- the City doesn't have the Road Department. We don't have asphalt laying machines or anything like that. Now, if we made a deal with the County that we were going to pave the street and would the County do the work for us, we would be billed for that. We would be billed for the use of their equipment, their personnel and everything, their Road Department would do that.

MAYOR BRIARE: It happens all the time.

COUNCILMAN CHRISTENSEN: So what's the difference? What is the difference?

COUNCILMAN LEVY: You just heard what they said, go to hell.

COUNCILMAN CHRISTENSEN: The problem I see with this is that this is a freebie that's been going on for a long time and nobody wants to give up the freebie and I don't think we're in a position to accept that anymore. Now, they want to negotiate some kind of a barter system which will take another six months, then they've got by with another year free. We just can't afford to carry everybody anymore. The City used to be the big agency here and we covered fire protection for the whole valley and we did all of these things and they're still taking it, although they're taking it out of our other pockets behind our backs in other areas. We are no longer the

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COUNCILMAN CHRISTENSEN:

large City in this valley. We are no longer the protector of the world. We can no longer afford to do that. So it's very simple -- you know, if this is an agreement and we agree to it and they don't, the agreement's no good that's fine. Then we better substitute a notification that as of this date, it will cost this much money, so that then we have something that we can go into court and collect the money. Because to have somebody stand up and say, I dare you to not run into my community and put out a fire if I need you because I'm going to eat you alive in the public, but I'm not going to pay you for it. That puts us in a bad position because we cannot deny the fire protection where it's needed, but I don't think we can continue to negotiate for the rest of lives. and never come to a conclusion and thereby negotiate status quo from now on which is what's happened in the past.

MAYOR BRIARE:

Mr. Hall, what is your recommendation?

COUNCILMAN CHRISTENSEN:

It's got to stop.

MAYOR BRIARE:

What is your recommendation on Item B?

CITY MANAGER HALL:

My recommendation, Your Honor, is to allow us to work with the Managers of both the City of North Las Vegas and the County to reach a mutually acceptable means of trading services, if possible, in other areas, if not that we compile the statistics at the end of the year and those adjustments that have been made internally if they reflect that the City of Las Vegas has made more runs into the County or North Las Vegas and they have not accommodated us in some way to pay for that, that then we bill those entities.

COUNCILMAN CHRISTENSEN:

How do we make that retroactive?

CITY MANAGER HALL:

Well, Paul, I don't know how we could make that retroactive.

COUNCILMAN CHRISTENSEN:

Well, then if it can't be retroactive, I flat refuse to do that because that just means negotiated away for another year and we've waited long enough. They've stonewalled us for too many months now.

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COUNCILMAN LEVY: And you've had that direction already.

CITY MANAGER HALL: I will --

COUNCILMAN CHRISTENSEN: You had that direction for six months and its gone nowhere.

CITY MANAGER HALL: I will have a written agreement signed by each of the managers of the entities indicating the determination that we can come to to make sure that those costs are evened out.

COUNCILMAN NOLEN: I'd like to put on there that we will not even out cost by them dispatching their units into our area when we don't need them. I think that that's the direction they're trying to take in this thing with their adjusting zones.

COUNCILMAN LURIE: Who does the dispatching?

ROBERT G. ATKINSON: That couldn't happen. The City dispatches.

COUNCILMAN NOLEN: Don't tell me it couldn't happen. I know it could happen.

COUNCILMAN LEVY: I'm also worried about the City of Las Vegas individual homes insurance policies and I don't want it going up.

COUNCILMAN CHRISTENSEN: Why can't we handle it the same way we do the bomb squad, just notify everybody that whenever we run, it's going to cost \$300 in excess of their runs in here.

MAYOR BRIARE: All in favor say, aye.

COUNCILMAN CHRISTENSEN: I think that's the motion, isn't it?

MAYOR BRIARE: I think -- come on let's let our manager manage it.

COUNCILMAN LEVY: I'll refer this back to our City Manager and I think he's got direction.

COUNCILMAN CHRISTENSEN: Are you going to put a retroactive clause on it?

COUNCILMAN LEVY: Fine.

COUNCILMAN LURIE: What is it?

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COUNCILMAN CHRISTENSEN: Retroactive to what date?

COUNCILMAN LEVY: 1/1/84. He's had direction two years ago.

MAYOR BRIARE: We have an agreement.

COUNCILMAN LURIE: This agreement was supposed to go into effect July 1st, is that correct?

CITY MANAGER HALL: We have a mutual aid agreement that's been in existence between all the entities, but it's simply been a mutual aid. There hasn't been any charge associated with that.

COUNCILMAN LURIE: The \$300 charge was to go into effect, if approved, July 1st of 1984.

CITY MANAGER HALL: That's correct.

COUNCILMAN NOLEN: When does that mutual aid agreement expire?

CITY MANAGER HALL: That's been discussed since October.

COUNCILMAN LURIE: I think what Al is trying to say, he wants to hold this and give you time to negotiate with the other managers and if you can't come to some agreement, then it would be retroactive back to the date it was supposed to go into effect which would be July 1st of '84. If he takes it to September and there's no agreement, we retroactively bill back to July 1st of '84. Is that what you wanted, Al?

COUNCILMAN LEVY: I don't care what date it is. I just want --

COUNCILMAN CHRISTENSEN: I didn't follow that. I think we've got to go back to January 1 of the '84 because that's the date we started the negotiations and we've been stonewalled on. We could not get anybody to meet and I think we've got to get paid for that time.

MAYOR BRIARE: And there's another thing too --

COUNCILMAN CHRISTENSEN: We should be paid for the last ten years. We're lucky letting them off 9½ years.

MAYOR BRIARE: Let's do it like private entriprise does it. Our Chief and I know that statistics are kept -- you know every time you run how much hose you pull out and you know much uniforms are pulled out, how many

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MAYOR BRIARE:

men were assigned. You know all that stuff. So come to a price and say, anybody that wants to call on the City of Las Vegas Fire Department to respond out of its jurisdiction, we'll help you if we can. You get a call, send them a bill. I think we can't sit here for twenty more minutes trying to figure out how to do what you managers and administrators and chiefs are doing. Whatever it costs, charge them and if they don't pay, then do two things. Sue them and secondly, don't respond next time they call because you're not going to get somebody to mutually agree to charges like this.

COUNCILMAN LEVY:

That's just as bad as getting somebody to raise their taxes. Come vote to raise your taxes.

CITY MANAGER HALL:

I'm prepared to --

COUNCILMAN CHRISTENSEN:

Well, to carry this on any further, that in effect is exactly what you're doing is you're raising the taxes of the residents of the City of Las Vegas to subsidize those people that don't want to be residents of the City of Las Vegas. You're effectively doing just exactly that every day you delay this. That's why I've been hollering about it for so long.

COUNCILMAN LEVY:

You're not the only one.

MAYOR BRIARE:

Why doesn't someone put a motion on the floor of some sort?

COUNCILMAN LEVY:

I'll move that we send this back to -- I didn't make a motion -- to go back to Ashley Hall with the direction that we've given him here this morning.

MAYOR BRIARE:

Well maybe what you should do is to make a motion to rescind the agreement that we approved --

COUNCILMAN LEVY:

No, we never approved any agreement regarding this item.

MAYOR BRIARE:

-- in April.

CITY MANAGER HALL:

Yes, we approved this Mutual Aid agreement that you currently have before today in April and with the orders that we have something done by, I think, this meeting in June and we haven't --

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COUNCILMAN LEVY: Oh, this is the agreement that we --

CITY MANAGER HALL: The other agreements have also been agreed to. Animal Control and the rest of those.

COUNCILMAN LEVY: In other words this is back in August. This is the agreement we approved, but they haven't?

CITY MANAGER HALL: That's correct.

COUNCILMAN LEVY: Oh, I thought it was a change around.

COUNCILMAN NOLEN: So, we've already approved this?

CITY MANAGER HALL: That's correct.

COUNCILMAN LEVY: So, there's nothing to talk about.

COUNCILMAN LURIE: So what are we talking about today?

CITY MANAGER HALL: Number one, some direction from City Council as to what you want me to do.

COUNCILMAN LEVY: You got direction.

CITY MANAGER HALL: Now, I'm prepared to sit down and work out an agreement with North Las Vegas and the County to mutually help each other and to take the dollars that we utilize and get that in return from them for other services.

COUNCILMAN LEVY: I could care less as long as we get a break.

COUNCILMAN CHRISTENSEN: We notified everybody that it costs \$300 every time we send our bomb squad.

MAYOR BRIARE: So what's the difference?

COUNCILMAN CHRISTENSEN: Don't tell me no, that's what we did.

COUNCILMAN LURIE: So we did approve then.

COUNCILMAN LEVY: So what's the difference?

CITY MANAGER HALL: The only thing I'm telling you gentlemen is that they did not accept it. They disapproved.

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MAYOR BRIARE: What I just said, have the Chief give you a figure. Every time a call is made, in a few days or so you can figure out what it cost you.

COUNCILMAN LURIE: Okay if they haven't approved it and this is already been approved by us --

MARGARET PERDUE: The County and North Las said that they will not pay the \$300.

COUNCILMAN LURIE: Okay, but --

MAYOR BRIARE: Pay whatever it costs.

COUNCILMAN LURIE: That's fine.

COUNCILMAN CHRISTENSEN: You mean you don't pay for the bomb squad either? You refused to pay for the bomb squad too, is that what you tell us?

MARGARET PERDUE: Councilman Christensen, on this agreement, the County and North Las Vegas were both polled and their Commissioners refused to pay on this agreement.

COUNCILMAN CHRISTENSEN: I'm not talking about this one. I'm talking about the bomb squad agreement.

MARGARET PERDUE: That's what we're discussing this morning.

COUNCILMAN CHRISTENSEN: No, I'm asking about the bomb squad.

MARGARET PERDUE: I don't know what they have done on the bomb squad.

COUNCILMAN NOLEN: Have we been paid for the use of our bomb squad?

DEPUTY CITY MGR. SAYLOR: They have used it and we have billed them. Now, whether or not we've received payment I don't know, Councilman Nolen. I know it's been used and they have been billed.

MAYOR BRIARE: What's the pleasure of the Council?

COUNCILMAN CHRISTENSEN: Well there's another way we can handle that. We can call the County Road Department and have them do all of our road repairs and refuse to pay. It's as broad as it is long.

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- COUNCILMAN LEVY: And what do you think they'd do? They'd quit doing it wouldn't they?
- COUNCILMAN CHRISTENSEN: Uh huh, so guess what that tells you.
- COUNCILMAN NOLEN: I think you've got a big difference in road repair and fire safety though.
- COUNCILMAN CHRISTENSEN: Yes, but are we obligated to provide fire safety for everybody. Maybe we should rescind the mutual aid agreement and maybe that would force them to come to the table and work something out.
- COUNCILMAN NOLEN: I think what we should do is have legal staff notify them properly, give them proper notice that this is our intention that effective immediately we're going to bill you for this and if you accept our service that's adamant to your accepting the bill.
- MAYOR BRIARE: Right, Councilman, whatever it costs. I don't understand why we are constantly continuing to make such a problem of this. Very simple, send them a bill. If they don't pay the bill, then don't come back. Take your business elsewhere.
- COUNCILMAN CHRISTENSEN: Give them legal notification and then send them a bill. If they don't like it --
- COUNCILMAN LURIE: You won't know until after a year. You're not billing them monthly are you?
- COUNCILMAN LEVY: We won't pick up their dogs, accept their dogs. Right, we got ideas.
- COUNCILMAN LURIE: The City's already approved this and we're not going to change our feelings on the billing, in fact, I didn't vote for it the last time because I wanted time so that everybody could sit down, negotiate and come up with a recommendation that everybody could agree with. I remember the last time nobody wanted to give anymore time so I voted against it basically to give you two months to try to work it out. It seems like it hasn't been worked out. So it's been approved already and I don't think the Board is going to change their feelings so I would think this would go into effect July 1st and you keep the records and at the end of the year, we bill for the services or they bill us and that's the end of it.

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CITY MANAGER HALL: If that's the case, we'll direct legal counsel to notify County of that action and effective July 1, 1984 --

COUNCILMAN LEVY: Also North Las Vegas.

CITY MANAGER HALL: -- and North Las Vegas that will go into effect.

COUNCILMAN LEVY: Fine. I'll withdraw my motion and move that as our recommendation.

COUNCILMAN CHRISTENSEN: Maybe we don't need a motion.

MAYOR BRIARE: Do you know what you're suppose to do, Mr. Hall?

CITY MANAGER HALL: Yes.

END OF EXCERPT

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: March 28, 1984

TO: The City Council

FROM: Val Steed
Deputy City Attorney

0127

SUBJECT:

Approval of Agreement with Clark County and North Las Vegas Re:
Automatic and Mutual Aid for Fire Protection and Rescue Services

PURPOSE/BACKGROUND

Over the past several years, the City of Las Vegas, the City of North Las Vegas and Clark County have participated in an automatic aid agreement, under which fire protection and rescue services have been provided within the three jurisdictions as needed, without regard to jurisdictional boundaries. It has been proposed that a new cooperative agreement be developed and entered into by the three entities to provide for mutual reimbursement for fire responses across jurisdictional boundaries.

This agreement would continue to provide for automatic and mutual aid between the three entities, but each entity would be entitled to reimbursement (or setoff) in the amount of \$300.00 for each of its emergency units which was dispatched to an incident within the jurisdictional boundaries of another entity.

This agreement has been submitted to the City of North Las Vegas and Clark County for review.

FISCAL IMPACT

Will depend on dispatching.

RECOMMENDATIONS

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

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

AUTOMATIC AND MUTUAL AID AGREEMENT
FOR
FIRE PROTECTION AND RESCUE SERVICES

0128

THIS AGREEMENT, made and entered into on this ____ day of _____, 1984, by and between the COUNTY OF CLARK, a political subdivision of the State of Nevada, THE CITY OF LAS VEGAS, a municipal corporation of the State of Nevada and THE CITY OF NORTH LAS VEGAS, a municipal corporation of the State of Nevada.

W I T N E S S E T H:

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

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

WHEREAS, NRS 277 authorizes cooperative agreements for the performance of governmental functions.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN EACH AND ALL OF THE PARTIES HERETO, AS FOLLOWS:

1. There is hereby created an automatic aid between the parties' Fire Departments that will allow the nearest fire suppression and rescue units and manpower to be utilized at the scene of an emergency occurring within the established running areas of those units. For any particular emergency, the closest available emergency unit or units (whether City or County) shall automatically be dispatched thereto.

2. City and County units shall also be provided and dispatched simultaneously into areas of mutual interest and protection in City and County areas on a first alarm basis.

3. In addition, the Fire Department of any party may request the aid of the Fire Department of one or both of the

other parties to assist in responding to an emergency within the jurisdiction of the requesting party.

Upon such request, appropriate emergency units of such other parties shall be dispatched, as available, to render the aid requested.

4. Each of the respective Departments shall designate one or more officers-in-charge, who shall have the authority and responsibility to request such additional assistance. Each of the parties shall notify the others of the designation.

Details as to methods of requesting assistance, and such other planning as may be necessary to effectuate the purpose of this Agreement, may be covered by supplementary agreements between the Chiefs of the respective Fire Departments.

5. Insofar as possible, emergency personnel and equipment dispatched pursuant hereto shall operate under the control and at the direction of the Department which provides such personnel and equipment. The overall command of personnel and equipment engaged in responding to a particular emergency shall be retained by the appropriate officers of the Fire Department which received or requested the assistance.

6. With respect to each emergency in which, pursuant to this Agreement, aid is provided automatically or as requested, the party within whose jurisdictional boundaries the emergency occurs shall reimburse each of the other parties whose Fire Department responds the amount of \$300.00 per unit run; i.e., \$300.00 for each emergency unit which is actually dispatched to the emergency.

The Alarm Office of the Fire Department of the City of Las Vegas, on a quarterly basis, will provide to each party a statement which details all dispatches that require reimbursement to or from that party. As between each pair of the parties, there shall be an appropriate setoff. Thereafter, in each case, the party to whom reimbursement is still owing shall invoice the other for that amount. Payment shall be made within 15 days after receipt of invoice.

7. The reimbursement provisions herein are independent of any cost-sharing arrangements separately agreed to by the parties with regard to the facilities and operation of the communication system operated by the City of Las Vegas.

8. It is mutually understood and agreed that this Agreement does not relieve any party hereto from the necessity and obligation of furnishing adequate fire and rescue protection within its own jurisdictional boundaries.

9. It is mutually understood and agreed that any party which requests or receives assistance in accordance with this Agreement:

A) is not required to indemnify any party furnishing assistance as to any liability or damage imposed by law upon the assisting party by reason of an act or omission of its employee occurring in the performance of the service, and

B) shall be responsible for acts of the employees of an assisting party only to the extent such acts were performed at the scene of the emergency and at the specific direction of an employee of the party requesting or receiving assistance.

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

11. Any services performed or expenditures made in connection with the furnishing of assistance shall conclusively be presumed to be for the direct protection of the inhabitants and property of the party furnishing the assistance and for the direct benefit of all the inhabitants and citizens of the County and the municipalities.

12. This Agreement shall become effective upon execution by the parties and shall remain in effect until two or more of the parties elect to withdraw from participation herein. Any party may withdraw at any time by giving written notice to the

0131

other parties at least one hundred and eighty (180) days prior to the end of the fiscal year.

13. Withdrawal by any one party shall not void this Agreement between the remaining parties.

14. A map shall be created and agreed upon by the parties designating areas of responsibility covered by this Agreement.

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

COUNTY OF CLARK AND ALL UNINCORPORATED
TOWNS AND FIRE PROTECTION DISTRICTS OF
CLARK COUNTY

By _____
THALIA DONDERO, Chairman
Board of Clark County Commissioners

ATTEST:

LORETTA BOWMAN, County Clerk

CITY OF LAS VEGAS, NEVADA

By _____
WILLIAM H. BRIARE, Mayor

ATTEST:

CAROL ANN HAWLEY, City Clerk

CITY OF NORTH LAS VEGAS, NEVADA

By _____
JAMES SEASTRAND, Mayor

ATTEST:

ESTHER V. BORDEN, City Clerk

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 12, 1984

TO:
The City Council

FROM: *George A. Gilmer*
CITY ATTORNEY

0132

SUBJECT: Approval of contract with Clark County Library District to provide library services to City's detention facility

PURPOSE/BACKGROUND

The attached contract provides for library services at the City's detention facility. These services will be provided by the Clark County Library District, which also provides library services at the Clark County Jail.

The Library District will be responsible for providing books, both legal and general, periodicals, library shelving and some other equipment. The Library District will also provide a librarian at the detention facility twenty (20) hours per week.

This contract, except for the amount of compensation to be paid to the Library District, is identical to the contract which is presently in effect with respect to these services.

FISCAL IMPACT

\$11,406.00 during FY 84-85

RECOMMENDATIONS

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

Agenda Item

V-C

CONTRACTUAL AGREEMENT FOR LIBRARY SERVICES

1 THIS AGREEMENT, made and entered into this 20th day of
2 June 1984, by and between the City of Las Vegas (hereinafter
3 referred to as "City") and the Clark County Library District of
4 Clark County, Nevada (hereinafter referred to as "District").

W I T N E S S E T H

5
6 WHEREAS, District is currently serving the Las Vegas,
7 Nevada metropolitan area with library services; and

8 WHEREAS, City has implemented library services and
9 facilities in the Las Vegas Misdemeanant Detention Facility
10 (hereinafter referred to as "Detention Facility") which is operated
11 by the City's Department of Detention and Correctional Services; and

12 WHEREAS, both District and City recognize the need for
13 joint cooperation and effort in providing library services to the
14 inmates of the Detention Facility.

15 NOW, THEREFORE, it is agreed as follows:

16 1. That the City and the District will provide library
17 services and facilities to the inmates of the Detention Facility on
18 the premises of said facility in the manner contained herein.

19 2. That this Agreement shall become effective on the 1st
20 day of July, 1984, or upon its adoption thereafter.

21 3. That said Agreement shall terminate June 30, 1985, or
22 sooner should either party seek to terminate said Agreement and
23 provide written notice of same six (6) months prior to such termina-
24 tion.

25 4. District will order and provide circulating items,
26 reference collection items and periodicals that conform with the
27 applicable Standards of the American Correctional Association/
28 American Library Association Joint Committee on Institutional
29 Libraries.

30 5. District will order and provide a law collection as
31 directed by City, subject to the budgetary restrictions of this
32 Agreement, a copy of said list, comprising the law collection, is

1 marked Exhibit "A", attached hereto and incorporated herein by
2 reference. District does not warrant that said list conforms with
3 all applicable Standards of the American Correctional Association/
4 American Library Association Joint Committee on Institutional
5 Libraries, nor do they warrant that it is a full "Law Library".

6 6. District will order and provide capital outlay items
7 to properly equip the library, that conform with applicable
8 Standards of the American Correctional Association/American
9 Library Association Joint Committee on Institutional Libraries, on
10 the premises of the Detention Facility. All capital outlay items
11 purchased by District for use in the Detention Facility become
12 property of the City.

13 7. District will provide qualified employees of the
14 District to perform the necessary services that fully conform with
15 all applicable Standards of the American Correctional Association/
16 American Library Association Joint Committee on Institutional
17 Libraries. Such personnel shall not be employees of the City.
18 City reserves the right to consult with District with regard to
19 the selection of personnel hired by the District to perform the
20 necessary service under this Agreement.

21 8. District will pay, when due, all Social Security,
22 Federal Income Tax, Unemployment Compensation and other taxes
23 and payroll deductions required by law or contract for or on
24 behalf of their employees.

25 9. District shall provide adequate library services that
26 shall be made available to all inmates. Library sources may be
27 supplemented by the entire collection of local, regional and
28 state libraries, law libraries and inter-library loan. Where it
29 is appropriate, the resources of the Sub-regional Library for the
30 Blind and Physically Handicapped shall be utilized. Library
31 services provided shall at a minimum include:

32 a. Materials responsive to the interest and educational

1 needs of users;

2 b. Information service to locate facts needed;

3 c. A distinct library setting.

4 10. District shall ensure to the best of its ability in
5 conjunction with City, that the library facilities shall conform
6 with all applicable Standards of the American Correctional
7 Association/American Library Association Joint Committee on
8 Institutional Libraries.

9 11. It is specifically understood and agreed to by and
10 between City and District that the library facilities provided
11 for in the herein Agreement are subject to the Library Bill of
12 Rights adopted June 18, 1948, amended February 1, 1961, June 27,
13 1967, and January 23, 1980, by the American Library Association
14 Council, a copy of such Bill of Rights is attached hereto,
15 incorporated herein by reference and marked Exhibit "B". Said
16 Agreement is further subject to the Nevada Library Association,
17 Intellectual Freedom in Libraries, A Statement of Policy, adopted
18 1976, a copy of which is attached hereto, incorporated herein by
19 reference and marked Exhibit "C". Both of these documents, how-
20 ever, shall in no way impair the duty and obligation of the City
21 to maintain normal standards of prison security in connection with
22 the operation of the library on the premises of the Detention
23 Facility.

24 12. District shall to the best of its ability provide
25 written policy and defined procedure that allow inmates access to
26 library services and facilities.

27 13. City will provide funding for library materials,
28 capital outlay, personnel and administrative costs in the Detention
29 Facility as follows:

30 a. For the fiscal year beginning July 1, 1984, to June 30,
31 1985, library services will be provided by District
32 with funds allocated by City not to exceed \$11,406.00.

1 Payment of these funds will be made by City to District
2 in twelve (12) equal monthly installments. Payment
3 shall be made not later than the 15th day of each
4 month by City to District.

5 c. In the event funds are not budgeted for the payment of
6 services provided herein, this Agreement shall expire
7 when available funds expire.

8 14. City shall provide space in the Detention Facility
9 for a library facility. City will provide power, water, sewer,
10 garbage collection, maintenance, and repair and custodial services.
11 Security, policy and procedures on the library facility will be
12 formulated and agreed upon by mutual consent of both parties;
13 however, it is specifically agreed and understood by and between
14 the parties that City shall provide a duly trained Correctional
15 Officer within the premises of the library facility.

16 15. City shall provide the necessary insurance for the
17 library facilities, including, but not limited to, public liability,
18 fire, property damage and other necessary insurance as mutually
19 agreed by the parties.

20 16. It is agreed between the parties hereto that this
21 is an agreement for personnel and specialized services and shall
22 not be assigned by either party in any manner. All materials
23 purchased under this Agreement by and with funds provided by
24 City shall become the property of City and shall be identified
25 accordingly. Any change in library services, operation or
26 function will be decided by mutual consent of both parties. How-
27 ever, it is specifically agreed and understood by and between the
28 parties that selection of materials for the library facility shall
29 be done by District; however, District shall consult with City
30 in regard to suggested materials. The specific hours of operation
31 of the Detention Facility Library will be mutually agreed to by
32 City and District. The District will provide personnel to operate

1 the library a maximum of five (5) days a week, fifty-two (52) weeks
2 a year, including all holidays except Thanksgiving, Christmas, and
3 New Year's Day.

4 17. Any notice required or permitted to be given here-
5 under shall be deemed to have been given when received by the party
6 to whom it is directed by personal service, hand delivery or United
7 States mail, as follows:

8 TO CITY: ASHLEY HALL, City Manager
9 400 East Stewart Avenue
Las Vegas, Nevada 89101

10 TO DISTRICT: CHARLES HUNSBERGER, Director
11 1401 East Flamingo Road
Las Vegas, Nevada 89109

12 18. City does hereby covenant and agree to idemnify and
13 hold harmless the District from all fines, suits, claims, demands,
14 damages and actions of any kind and nature, by reason of any and
15 all of District's conduct, actions and performances hereunder,
16 including, but not limited to, any fines suits, claims, demands,
17 damages and actions arising from injury to any person or damage
18 to property arising out of the selection and provivion of library
19 materials and services to inmates during the period of this
20 Agreement. City does further agree to assume all risk incident to
21 the performance of the services required hereunder and shall be
22 solely responsible and answerable for damages and for any and all
23 actions and injuries to persons or damage to property; provided,
24 however, that City shall not be responsible for the conduct, errors
25 or omissions of employees of District or other agencies except for
26 instances in which District employee actions are properly carried
27 out at the express direction and under the supervision of City.

28 19. It is agreed and understood by and between the
29 parties hereto that District is not the agent, servant, or employee
30 of the City, nor does the District occupy any status or position
31 with relation to the City other than that of an independent
32 contractor in performing the services provided for in this Agreement.

1 20. A breach by City of any one of the conditions and/
2 or promises contained in this contract, at the option of the
3 District shall be considered a breach of the whole Agreement, and,
4 if so considered by the District, shall terminate this Agreement,
5 and shall render the City liable for any and all damages suffered
6 by District because of such breach.

7 21. A breach by District of any one of the conditions
8 and/or promises contained in this Agreement, at the option of the
9 City shall be considered a breach of the whole Agreement, and, if
10 so considered by the City, shall terminate this Agreement, and
11 shall render the District liable for any and all damages suffered
12 by City because of such breach.

13 22. Employees of District that enter the Detention
14 Facility must conform to all applicable City policies and procedures
15 conducive to good security practices; City shall have final say in
16 any case of dispute regarding security practices.

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

19 CITY OF LAS VEGAS

20
21 William H. Briare
22 WILLIAM H. BRIARE, MAYOR

23 ATTEST:

24 Carl A. Harley
25 CLERK

26 CLARK COUNTY LIBRARY DISTRICT
27 BOARD OF TRUSTEES

28 Gary Livingston
29 GARY LIVINGSTON, PRESIDENT

30 APPROVED AS TO FORM:

31 George F. Gilman
32

LAS VEGAS MISDEMEANANT DETENTION FACILITY LAW COLLECTION

0139

Nevada Revised Statutes
Annotations to the Nevada Revised Statutes
Nevada Digest
Nevada Reports
Las Vegas City Code
Clark County Code
Black's Law Dictionary
Nevada Shepard's Citations
Legal Thesaurus
Handling Misdemeanor Cases

0140

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.

Amended February 2, 1961, June 27, 1967, and January 23,
1980,
by the ALA Council.

NEVADA LIBRARY ASSOCIATION

INTELLECTUAL FREEDOM IN LIBRARIES

0141

A Statement of Policy

Nevada Library Association

The Nevada Library Association is directly concerned with the freedom and right to privacy of all members of a democratic society to use what materials they will in the course of making the social, educational, and political judgments on which society is based. We are further agreed that the right to privacy of library patrons is of utmost importance. Without such freedom, the very fabric of democracy is in danger. It is a professional obligation of librarians to give highest priority to the freedom of inquiry and observe the charges in the Library Bill of Rights and the American Library Association Freedom to Read statement with the utmost integrity.

The Association, as a matter of principle, opposes any legislation at the state, local, and school district levels which might place library collections in jeopardy, restrict, prejudice, or interfere with free and unbiased collection and acquisition of library materials, or which might otherwise restrict the basic concept of the freedom of use or inquiry.

The Association, as a matter of principle and policy, opposes any proposed or actual restrictions imposed on whatever parties or individuals upon the selection, acquisition, maintenance, administration and dissamination of library materials, and with similar restrictions on cultural activities or educational programs in libraries and other institutions.

The Association is concerned with affecting liaison between itself and other organizations which support the Freedom to Read.

The Association is concerned with educating librarians and the general public to the philosophy inherent in the Library Bill of Rights and the American Association Freedom to Read statement.

The Association supports the concept of the library user's right to privacy, and maintains, as a vital principle, that official or unofficial surveillance, without due process, of library circulation records represents a violation of intellectual freedom and the traditional right of free inquiry.

Adopted, 1976

June 20, 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
V. GEORGE F. OGILVIE - CITY ATTORNEY (cont.)		
34 D. Approval of Contracts with the Southern Nevada Employment and Training Program for Administrative and Legal Services	Lurie - APPROVED Unanimous	Staff to proceed
35 E. Approval of Amendment to Cooperative Agreement to Establish the Southern Nevada Employment and Training Program for Purposes of Administering Job Training Programs Under the Job Training Partnership Act of 1982	Lurie - APPROVED Unanimous	Staff to proceed
1135 F. Approval of Assignment Agreement Between the Las Vegas/Clark County Consortium and the Southern Nevada Employment and Training Program re: Operation of Job Training Programs in Southern Nevada	Lurie - APPROVED Unanimous	Staff to proceed

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 12, 1984

TO:
The City Council

FROM:
Val Steed
Deputy City Attorney

0143

SUBJECT:

Approval of Contracts with the Southern Nevada Employment and Training Program for Administrative and Legal Services

PURPOSE/BACKGROUND

Since March 6, 1980, the City of Las Vegas has provided the Las Vegas/Clark County Consortium, now known as the Southern Nevada Employment and Training Program (SNETP), with general administrative services and legal services on a fee basis, under contracts authorized by the Interlocal Agreement which established the Consortium. Contracts have been prepared on a yearly basis.

The City Attorney's Office, in conjunction with the City Manager's Office and SNETP staff, has prepared two contracts which specify the exact nature of services to be provided, the procedures for their acquisition and the method of payment therefor. One contract is for general administrative services (purchasing, financial management, data processing, personnel, etc.). The other contract is for legal services, to be provided by the City Attorney and his staff.

In order to avoid some of the yearly paperwork, these contracts will go into effect on July 1, 1984, and will remain in effect until terminated by mutual agreement or at the option of one of the parties. The parties will have the opportunity to review the terms and request changes each year.

Both contracts are contingent upon continued funding by SNETP's grantor, the State of Nevada Job Training Office.

FISCAL IMPACT

For the first year, SNETP will pay the City, at a minimum, the following amounts:

	<u>MONTHLY</u>	<u>YEARLY</u>
Administrative Services	\$3,044.00	\$36,528.00
Legal Services	<u>1,834.00</u>	<u>22,008.00</u>
TOTAL:	<u>\$4,878.00</u>	<u>\$58,536.00</u>

Payment for subsequent years will depend on any modifications agreed to. Also, in accordance with these contracts, SNETP will pay the City additional amounts in reimbursement for special services performed and costs incurred.

RECOMMENDATIONS

It is recommended that the City Council approve these contracts for execution.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item _____

1 AGREEMENT BETWEEN
2 SOUTHERN NEVADA EMPLOYMENT AND TRAINING PROGRAM
3 and
4 CITY OF LAS VEGAS
5 for
6 GENERAL ADMINISTRATIVE SERVICES

7 THIS AGREEMENT is made and entered into this 12th day of
8 July, 1984, between the Southern Nevada Employment and
9 Training Program, hereinafter referred to as SNETP, and the CITY
10 OF LAS VEGAS, a municipal corporation of the State of Nevada,
11 hereinafter referred to as CITY.

12 RECITALS

13 WHEREAS the Las Vegas/Clark County Consortium,
14 hereinafter referred to as CONSORTIUM, was created by an
15 Interlocal Agreement between the County of Clark and the City of
16 Las Vegas to administer federally-funded job training programs
17 under the Comprehensive Employment and Training Act (CETA) and
18 the Job Training Partnership Act (JTPA), and

19 WHEREAS SNETP has been designated to succeed the
20 CONSORTIUM as the Administrative Entity for purposes of adminis-
21 tering JTPA programs in the Southern Nevada Area, and

22 WHEREAS SNETP is the Grant Recipient of JTPA funds which
23 are received from the State of Nevada Job Training Office, and

24 WHEREAS this grant includes funds whereby the Adminis-
25 trative Entity administers the grant and performs certain
26 administrative functions in compliance therewith, and

27 WHEREAS SNETP has been and continues to be in need of
28 competent administrative services which have heretofore been pro-
29 vided by the City of Las Vegas, and

30 WHEREAS the administrative services which will be pro-
31 vided to SNETP are oftentimes of a highly specialized nature and
32 are otherwise time-consuming and costly for the City of Las Vegas
33 to provide, and

1 WHEREAS SNETP is authorized to enter into contracts to
2 obtain general administrative services, and

3 WHEREAS the City of Las Vegas has provided these admin-
4 istrative services to SNETP and the CONSORTIUM in previous years
5 pursuant to agreements similar to the Agreement herein, and

6 WHEREAS, the respective parties shall indicate their
7 intent to enter into this Agreement by formal resolution of the
8 governing body of each of the respective parties.

9 NOW, THEREFORE, in consideration of the provisions,
10 covenants and conditions contained hereinafter set forth, the
11 parties do agree as follows:

12 SECTION ONE

13 PURPOSE OF CONTRACT

14 The CITY, by and through its various departments, agrees
15 hereby to provide certain administrative services to SNETP. The
16 exact nature of those services are more fully detailed in
17 Exhibits A-D, attached hereto, and incorporated by reference as
18 if fully set forth herein.

19 SECTION TWO

20 DURATION OF CONTRACT

21 This Agreement shall take effect on July 1, 1984, and
22 shall remain in force and effect until terminated as hereinafter
23 provided. Said Agreement shall, at all times, be contingent on
24 administrative funding by SNETP's Grantor, the State of Nevada
25 Job Training Office.

26 SECTION THREE

27 APPLICABLE LAW

28 This Agreement and the performance rendered by the par-
29 ties pursuant to this Agreement shall be governed by all appli-
30 cable Federal statutes and regulations, the statutes of the State
31 of Nevada, Ordinances of the City of Las Vegas, and all proce-
32 dures and regulations of the City of Las Vegas currently in

1 effect. It shall be the responsibility of the Executive Director
2 of SNETP or his/her designee to notify the CITY, in a timely
3 fashion, of any changes in applicable Federal or State statutes
4 and regulations which may affect the nature of the contracted
5 services or the procedures or reporting requirements therefor.
6 It shall be the responsibility of the CITY to notify SNETP in
7 writing, in a timely fashion, of any changes in applicable state
8 or local law, or any changes in internal City procedure which
9 affect the contracted services or procedures to be followed or
10 reporting requirements therefor.

11 SECTION FOUR

12 MODIFICATION

13 The CITY and SNETP mutually agree that this Agreement
14 may be modified at any time upon the mutual written consent of
15 both parties. Services provided by the CITY pursuant to this
16 Agreement may be deleted or added as needed and requested by
17 SNETP consonant with the CITY's ability to provide those ser-
18 vices. It is contemplated that the CITY, through its departments
19 which provide services hereunder, will review the applicable per-
20 formance and payment provisions on an annual basis. The CITY
21 will notify the Executive Director of SNETP in writing, by
22 April 1st of each year, of any proposed modifications in services
23 or charges therefor.

24 SECTION FIVE

25 PAYMENT

26 Monthly invoices for all services rendered pursuant to
27 this Agreement will be prepared by the Accounts Receivable Sec-
28 tion of the Department of Financial Management of the CITY based
29 on the billing memoranda submitted by each individual department
30 of the City as more fully detailed in Exhibits A-D. The CITY
31 shall maintain an audit trail satisfactory to SNETP's auditors
32 and in compliance with generally accepted accounting standards.

1 The itemized invoice shall be compiled and sent to SNETP by the
2 City on or about the 15th of the month following the month in
3 which invoiced services were rendered. The invoiced sum for all
4 general administrative services shall be due and payable upon
5 SNETP's receipt of said invoice. The charges contained in that
6 invoice are those specific charges for all services as detailed
7 more fully in Exhibits A-D.

8 The minimum cost of services rendered pursuant to this
9 Agreement shall total Three Thousand Forty-four Dollars
10 (\$3,044.00) per month, which amount represents the sum of the
11 fixed charges set herein for the basic financial accounting,
12 management information and personnel services contracted for
13 herein. However, by this Agreement, both parties indicate their
14 understanding that the invoiced amount for the actual cost of the
15 services provided for any given month may change in light of and
16 will depend upon the expense incurred by the CITY in providing
17 additional services in accordance with this Agreement, and the
18 CITY agrees to give SNETP reasonable notice of any increases in
19 the specific charges for any such additional services to be pro-
20 vided.

21 In the event of a question concerning any of the charges
22 listed in the monthly invoice, SNETP shall notify the CITY of its
23 intent to dispute said charges. Said notification shall be in
24 writing and shall specify the actual charge(s) which SNETP
25 believes is (are) in error. SNETP remains obligated to pay all
26 parts of the invoice which are not in dispute in the usual timely
27 manner.

28 Upon receipt of the notification of a dispute in the
29 billing, the CITY shall provide to SNETP a copy of the supporting
30 documentation for that charge which had been provided to the
31 Accounts Receivable Section of the CITY by the department in-
32 volved. The parties involved may then meet to discuss the

1 dispute if SNETP indicates that such documentation is in error.
2 The parties to this Agreement hereby agree to make their best
3 efforts to reach a reasonable and satisfactory solution to the
4 dispute.

5 SECTION SIX

6 BREACH AND TERMINATION

7 SNETP hereby agrees that all requests for services to be
8 provided must be effectuated through the procedures established
9 by this Agreement, its Exhibits, and all applicable CITY proce-
10 dures. Any request for services not in conformance with the
11 above standards shall be voidable and the CITY may decline, at
12 its own option, to provide those requested services. It shall be
13 a breach of this Agreement for SNETP to persist in a course of
14 conduct whereby the accepted procedures for requests for services
15 are not complied with, and the CITY may choose to utilize the
16 termination procedures as outlined below.

17 Either party may terminate this Agreement, or any por-
18 tion thereof, upon thirty (30) days' written notice to the other
19 party for any reason whatsoever. In the event of a termination
20 of this Agreement as herein outlined, SNETP shall be liable for
21 the cost of services already rendered as provided for in this
22 Agreement, and the CITY agrees to make best efforts to ensure a
23 smooth transition of information and documentation to the suc-
24 ceeding contractor of SNETP who undertakes to provide those ser-
25 vices.

26 SECTION SEVEN

27 AUDITS

28 Upon request of SNETP, the CITY agrees to provide to
29 SNETP a copy of the portions of the last regularly performed
30 independent City audit report dealing with the services provided
31 to SNETP by the CITY. The CITY hereby agrees to make its records
32 available to any authorized State of Nevada and/or Department of

Labor auditors when and if such is required by applicable regulations promulgated by the State of Nevada or the United States Department of Labor.

SECTION EIGHT

NOTICES

Notices required or permitted under this Agreement shall be sent or delivered as follows:

TO SNETP:

Executive Director
Southern Nevada Employment
and Training Program
401 South Third #503
Las Vegas, Nevada 89101

TO CITY

City Manager
400 East Stewart Avenue
10th Floor
Las Vegas, Nevada 89101

SECTION NINE

NON-ASSIGNABILITY

Both the CITY and SNETP hereby agree that neither one shall assign, sublet, transfer or delegate its interest or required performance in this Agreement.

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

CITY OF LAS VEGAS

William H. Briare
WILLIAM H. BRIARE
Mayor

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

SOUTHERN NEVADA EMPLOYMENT AND
TRAINING PROGRAM

APPROVED AS TO FORM:

George F. Ogilvie
GEORGE F. OGILVIE
City Attorney

Ron Lurie
RON LURIE
Chairman, Job Training Board

Fred P. Ramirez
FRED P. RAMIREZ
Executive Director

EXHIBIT A

GENERAL SERVICES

PART ONE: Purchasing And Contracts

I. The parties to this Agreement hereby agree that the City shall furnish purchasing and advertisement services to SNETP as requested by SNETP, as specified below.

II. All services rendered pursuant to this Part shall be in accordance with all applicable Federal and State regulations, Nevada Revised Statutes, City of Las Vegas Ordinances, the Interlocal Agreement, and all procedures thereunder, and in the case of discrepancy between the above-named laws, the more restrictive requirement(s) shall apply and be adhered to.

III. Scope of Services.

- A. Upon the request of SNETP, the City's Purchasing and Contracts Division shall provide services for the acquisition of supplies and services, including but not limited to:
1. Preparation of bid specifications;
 2. Conducting conferences in letting bids;
 3. Bid advertisement;
 4. Formal notification of bid award to successful bidder;
 5. Acquisition of goods and services not required to be subject to the bid process.
- B. All requests by SNETP shall be accomplished by the submission of purchasing documents of a nature and form approved by the Director of the Department of General Services of the

1 City.

2 C. All procedures, as specified by the Director
3 of the Department of General Services of the
4 City of Las Vegas, shall be adhered to by
5 SNETP. The City shall promptly notify SNETP
6 of any changes in procedures and/or forms
7 which may affect these contracted services,
8 and it shall be the responsibility of SNETP to
9 adjust its procedures appropriately and within
10 a reasonable amount of time.

11 D. The City hereby agrees that the City is not
12 the exclusive purchasing entity for SNETP and
13 that, on occasion, SNETP may act on its own to
14 purchase goods and services. However, it is
15 hereby understood by the parties to this
16 Agreement, that nothing in this Agreement
17 shall make the City responsible for the
18 accuracy and/or validity of any and all bids,
19 requests, specifications, purchases, etc.
20 which are not made through the request proce-
21 dure as contemplated by this Agreement, nor
22 any requests which do not comply with
23 currently effective City procedures.

24 E. SNETP shall be responsible for the accuracy
25 and validity of all requests made of the City
26 and shall be financially responsible for all
27 modifications subsequent to the original
28 request.

29 IV.

Payment for Performance

30 A. Upon the completion of a transaction with
31 SNETP, the City's Purchasing and Contracts
32 Officer will prepare a billing memorandum

1 requesting reimbursement on an hourly basis at
2 a rate equal to the compensation of those
3 Purchasing and Contracts personnel utilized.
4 Copies of billing memorandum will be forwarded
5 to the City's Finance Department, Accounts
6 Receivable Section.

7 B. The City's Accounts Receivable Section will
8 prepare monthly invoices billing SNETP for
9 purchasing and contract services.

V.

Reports

11 SNETP shall prepare and submit a monthly report
12 detailing all administrative purchasing activities
13 by date, item, purchase price and number of bids,
14 including those not accomplished through the City.
15 This report shall be submitted to the Purchasing
16 and Contracts Officer of the City by the tenth of
17 the month following.

PART TWO:

Graphic Arts

19 I. Upon request of SNETP, the City shall provide
20 Graphic Arts services to SNETP.

II.

Scope of Services

22 A. These services shall include, but are not
23 limited to all those services capable of being
24 rendered by the Graphic Arts Department of the
25 City of Las Vegas, such as:

- 26 1. Photocopier production;
- 27 2. Miscellaneous printing;
- 28 3. Photographic services.

B. Requests

- 29 1. Requests for Graphic Arts services shall
30 be made on approved City of Las Vegas
31 requisition forms or in any method
32

1 acceptable to the Director of General
2 Services.

- 3 2. Requests for service shall be made with
4 appropriate advance notice allowing for
5 production scheduling.

6 III. Payment for Performance

7 A billing memorandum for all Graphic Arts services
8 will be prepared by the Division of Graphic Arts
9 and submitted to the Accounts Receivable Section,
10 which shall include these charges in the monthly
11 invoice forwarded to SNETP.

12 PART THREE: Miscellaneous Services

13 I. Scope of Services

14 The requirement for miscellaneous services such as
15 emergency custodial care, mail runs, postage and
16 warehouse deliveries may occur. The City shall
17 make these services available on an "as needed"
18 basis provided SNETP provides sufficient advance
19 notice for employee scheduling.

20 II. Payment for Performance

21 The Department of General Services shall prepare
22 and forward copies of billing memorandum for the
23 employee time and equipment/supplies usage to the
24 City's Accounts Receivable Section. SNETP shall be
25 invoiced monthly by the Accounts Receivable Section
26 for miscellaneous services at current equipment and
27 employee rates as contained in the City Budget
28 preparation manual.
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EXHIBIT B

FINANCIAL MANAGEMENT

PART ONE:

General Accounting

I.

Scope of Services

- A. The City shall review SNETP requests for disbursement of monies to vendors to ensure proper coding, approvals and supporting documentation. The City shall directly input vendor invoices through the Accounts Payable System to Management Information Services for computerized checkwriting. Accounts Payable shall balance vendor checks to the supporting documentation and disburse them to vendors. All original supporting documentation will be maintained in the City's Finance Department and made available to appropriate auditors as provided for in Section Seven of the main body of this Agreement.
- B. The City shall ensure that the local depository for SNETP funds maintains necessary monies in the appropriate account so that no deficit cash position exists when State drawdowns are delayed. The City and SNETP shall coordinate the reconciliation of SNETP's accounts in a timely and accurate manner in keeping with Federal and State regulations and generally accepted accounting practices.
- C. The City's Payroll Section shall review SNETP's administrative employee payroll time reports to ensure that hours charged balance with hours paid. The City shall serve as the agency which corrects SNETP's administrative

1 employee payroll errors, after notification
2 thereof by SNETP.

3 D. The City shall review and appropriately
4 correct all data for SNETP financial transac-
5 tions prior to and upon completion of electro-
6 nic data processing reports. The City's
7 Financial Management Information System Data
8 Control Section shall process and disburse the
9 monthly financial reports to SNETP.

10 E. The City will maintain SNETP's ledgers and
11 account books, and any questions as to entries
12 in such books will be coordinated through the
13 City's Deputy Director for Financial Manage-
14 ment. The City shall make all SNETP docu-
15 ments, ledgers, and books available, upon
16 request, to only those individuals authorized
17 to use such information by either SNETP's
18 Executive Director or the City's Deputy
19 Director for Financial Management.

20 F. The Accounts Receivable Section shall be
21 responsible for the issuance of monthly
22 invoices to SNETP for all general administra-
23 tive services performed by the City for SNETP.

24 II.

Payment for Performance

25 A. SNETP shall pay the City the sum of Eight
26 Hundred Fifty Dollars (\$850.00) per month for
27 general accounting services.

28 B. The Deputy Director for Financial Management
29 shall ensure the timely and accurate billing
30 of the above amount and all other SNETP
31 accounts with the City as provided for
32 elsewhere in this Agreement.

PART TWO:

Audit Services

I.

Scope of Services

- A. Because SNETP's documents, accounts, ledgers and books containing all of the financial transactions of SNETP constitute a part of the City's central financial system, in connection with the audit of all City funds, such records shall be audited by an independent auditor contracted by the City.
- B. The City's Deputy Director for Financial Management shall be responsible for coordinating the resolution of any independent auditor's findings or recommendations with SNETP's Fiscal Officer.
- C. The Internal Audit section of the Department of Financial Management shall include in its annual City work plan an assessment of SNETP's fiscal management program. The City's Internal Audit staff shall be made available to advise SNETP's Executive Director and/or his designee to establish sound procedures for accounting systems, to evaluate subgrantee accounting practices, and to ensure adequate retention of documentation for audit purposes.

II.

Payment for Performance

The City's internal auditing section will prepare a monthly billing memorandum detailing the number of hours expended by specific personnel in performing internal audit services for SNETP. The rate at which SNETP will be billed for internal audit services shall be a sum equal to the hourly compensation of the internal audit personnel utilized.

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Copies of the billing memorandum will be forwarded
to the City's Accounts Receivable Section.

EXHIBIT C

MANAGEMENT INFORMATION SERVICES

I. General Scope of Services

The City's Management Information Services Department shall provide SNETP with data processing resources for the monthly generation of SNETP's accounts payable, administrative payroll, and monthly financial reports, as more fully described below.

II. Accounts Payable, Administrative Payroll, and Financial ReportsA. Scope of Services

1. The Management Information Services Department will provide computerized checkwriting for all SNETP vendor invoices submitted for processing through the City's Accounts Payable system.
2. The Management Information Services Department will keypunch, verify data, and process the administrative payroll for SNETP.
3. The Management Information Services Department will provide SNETP with monthly financial reports including:
 - a. General Ledger Trial Balance
 - b. Expenditure Detail
 - c. Expenditure Status
 - d. Outstanding Encumbrances
 - e. Revenue Status
 - f. General Ledger Activity

B. Payment for Performance

1. A billing memorandum shall be prepared

1 monthly by the Management Information
2 Services Department and submitted to the
3 City's Accounts Receivable Section for
4 the services outlined in Section II A
5 above, and will contain the following
6 standard billings for processing:

7	1. Data Entry	\$ 54.00
8	2. Data Control	26.00
9	3. Computer Operations	330.00
	TOTAL MONTHLY COSTS	<u>\$410.00</u>

- 10 2. The total amount to be billed, as indi-
11 cated above, may be reduced by a mutually
12 agreed upon amount where SNETP permits
13 the City to make use of certain surplus
14 SNETP equipment, such as a computer ter-
15 minal.

16 III.

Computer Programming and Systems Design

17 Upon written request by SNETP specifying desired
18 services, the City's programming and systems design
19 staff shall provide an analysis of design costs and
20 delivery time for the requested work. If SNETP
21 elects to utilize City programming and systems
22 design staff, monthly billings will reflect staff
23 costs at the appropriate hourly rate for each
24 classification of employee utilized.
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EXHIBIT D

PERSONNEL AND EMPLOYEE RELATIONS

I. General Scope of Services

- A. The City of Las Vegas shall provide general personnel services to SNETP for purposes of employee recruitment, selection, salary administration, classification, training, promotion, transfer/reassignment, benefits administration, disciplinary proceedings, administration of civil service rules, personnel policies and procedures, safety, and other related matters.
- B. The administration and procedure for all personnel services provided to SNETP by the City shall be conducted in accordance with Federal and State regulations; Nevada Revised Statutes; City Ordinances, regulations, and policies; applicable City Civil Service Rules; and any appropriate negotiated agreements between the City and its employee bargaining units as may affect SNETP employees in similar classifications.
- C. For purposes of definition with respect to City personnel regulations, policies, and procedures, the Executive Director of SNETP shall be denominated and serve as "department head" for purposes of the management of all personnel transactions.
- D. In accordance with City of Las Vegas regulations, policies, and procedures, the Office of the City Manager shall monitor and approve all proposed SNETP personnel transactions relative

1 to the transaction's compliance with City per-
2 sonnel regulations, policies, and procedures.

3 II. Specific Scope

4 A. Recruitment, Selection, and Appointment:

5 1. Unless otherwise specified or agreed
6 upon, all conditions of appointment and
7 employment set forth in the City of Las
8 Vegas Civil Service Rules, City
9 Compensation Ordinance (Personnel
10 Policies and Procedures Manual) and
11 general City personnel regulations, poli-
12 cies, and procedures shall apply in their
13 entirety to SNETP employees.

14 2. The appointment and continued employment
15 of all SNETP employees shall be con-
16 ditional upon the availability of
17 necessary federal funds. Reduction in
18 funds may necessitate a reduction in
19 force to be accomplished in accordance
20 with procedures specified in the Civil
21 Service Rules or appropriate labor
22 contract.

23 B. Salary Administration and Classification:

24 SNETP shall comply with all City regulations,
25 policies, and procedures in the administration
26 of salary and employee classification, includ-
27 ing:

- 28 1. Compliance with the City's classification
29 system and the procedures therefor;
30 2. Subject to the availability of necessary
31 federal funds, the determination of which
32 shall be within the discretion of SNETP's

1 Job Training Board:

- 2 a. Award of any general employee salary
3 changes authorized by the City for
4 designated employee groups; and
5 b. Adherence to all City regulations,
6 policies and procedures regarding
7 designated salary ranges for classi-
8 fication and salary changes
9 resulting from promotion, demotion,
10 reclassification, merit increases
11 or related matters.

12 C. Promotion, Transfer and Reassignment:

- 13 1. SNETP employees who held regular full-
14 time status in the City's classified ser-
15 vice on or before the effective date of
16 the Interlocal Agreement executed on
17 February 20, 1980, shall, if so requested
18 in writing, retain the right to return to
19 their former City position as specified
20 by the City of Las Vegas Civil Service
21 Rules.
22 2. City employees, who, after the effective
23 date of said Agreement, accept a position
24 as administrative staff with the
25 Consortium or SNETP, shall, in accepting
26 the appointment, automatically waive any
27 rights of returning to his/her formerly
28 held City position regardless of former
29 employment status or seniority with the
30 City of Las Vegas.

31 D. Benefits Administration:

32 Except where otherwise mandated by the

1 insuring agent, Nevada Public Employees
2 Retirement System, or other providers of
3 employee benefits programs, or by Department
4 of Labor and/or State regulations, SNETP
5 employees shall enjoy the same benefits as
6 City employees including:

- 7 1. Annual leave,
8 2. Sick leave,
9 3. Special leave (military or maternity),
10 4. Paid holidays,
11 5. Retirement, and
12 6. Life and health insurance.

13 E. Appeals and Grievances:

- 14 1. SNETP employees in a position heretofore
15 categorized as being in the classified
16 service of the City shall have, by virtue
17 of this Agreement, the same recourse to
18 the City of Las Vegas Civil Service Board
19 as that provided to City employees in the
20 classified service of the City provided
21 that all requirements are met.

22 F. Training:

23 Upon request, the City shall provide periodic
24 training sessions for designated employees of
25 SNETP.

26 III.

Payment for Performance

- 27 1. SNETP and the City agree that SNETP shall pay
28 the sum of One Thousand Seven Hundred Eighty-
29 four Dollars (\$1,784.00) per month to the City
30 for general personnel services.
31 2. SNETP will also pay for staff services ren-
32 dered in either in-house training or personnel

1 related hearings before any entity other than
2 the City of Las Vegas Civil Service Board.

3 Said payment shall be made at the rate of
4 Twenty-one and Fifty/100ths Dollars (\$21.50)
5 per work hour, or the amount of actual staff
6 costs, whichever is higher.

- 7 3. The City's Department of Personnel and
8 Employee Relations shall prepare and forward a
9 monthly billing memorandum to the City's
10 Accounts Receivable Section for any additional
11 personnel services as mentioned in Item 2
12 above and the charges shall be included in the
13 monthly invoice sent to SNETP by the Accounts
14 Receivable Section.

- 15 4. SNETP shall bear all costs of the employment
16 of all persons on its administrative staff.
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1 AGREEMENT BETWEEN
2 SOUTHERN NEVADA EMPLOYMENT AND TRAINING PROGRAM
3 and
4 CITY OF LAS VEGAS
5 for
6 LEGAL SERVICES

7 THIS AGREEMENT is made and entered into this 12th day of
8 July, 1984, between the Southern Nevada Employment
9 and Training Program, hereinafter referred to as SNETP, and the
10 CITY OF LAS VEGAS, a municipal corporation of the State of
11 Nevada, hereinafter referred to as CITY.

12 RECITALS

13 WHEREAS the Las Vegas/Clark County Consortium,
14 hereinafter referred to as CONSORTIUM, was created by an
15 Interlocal Agreement between the County of Clark and the City of
16 Las Vegas to administer federally-funded job training programs
17 under the Comprehensive Employment and Training Act (CETA) and
18 the Job Training Partnership Act (JTPA), and

19 WHEREAS SNETP has been designated to succeed the
20 CONSORTIUM as the Administrative Entity for purposes of adminis-
21 tering JTPA programs in the Southern Nevada Area, and

22 WHEREAS SNETP is the Grant Recipient of JTPA funds which
23 are received from the State of Nevada Job Training Office, and

24 WHEREAS these funds include allotments for administra-
25 tive expenses for services, such as legal services, to be pro-
26 vided to SNETP as the Administrative Entity, and

27 WHEREAS SNETP has been and continues to be in need of
28 competent legal services which have heretofore been provided by
29 the attorneys in the Office of the City Attorney, City of Las
30 Vegas, and

31 WHEREAS the legal services which will be provided to
32 SNETP are oftentimes of a highly specialized nature and are
33 otherwise time-consuming and costly for the Office of City
34 Attorney to provide, and

1 WHEREAS the Office of City Attorney, by and through its
2 staff attorneys, has provided legal services to the CONSORTIUM
3 and SNETP, and the CITY has been paid for these services since
4 January 1, 1976, and

5 WHEREAS SNETP is authorized to enter into contracts to
6 obtain administrative services, and

7 WHEREAS this Agreement has been approved by the respec-
8 tive governing bodies of the parties herein.

9 In consideration of their mutual covenants contained
10 herein, the parties agree as follows:

11 SECTION ONE

12 PURPOSE OF CONTRACT

13 The CITY, by and through its legal department known as
14 the Office of the City Attorney, hereby agrees to represent and
15 advise SNETP on legal matters.

16 The purpose of this written Agreement is to create an
17 attorney-client relationship between the Office of the City
18 Attorney and SNETP.

19 SECTION TWO

20 DURATION OF CONTRACT

21 It is hereby mutually agreed that this Agreement shall
22 take effect on July 1, 1984, and shall continue in force and
23 effect until terminated as hereinafter provided. Said Agreement
24 shall, at all times, be contingent on administrative funding by
25 SNETP's Grantor, the State of Nevada Job Training Office.

26 SECTION THREE

27 NATURE OF EMPLOYMENT

28 The parties mutually agree that the City Attorney of the
29 City of Las Vegas, or his designee shall act as attorney for
30 SNETP and shall render to SNETP and its duly authorized officers
31 and employees all legal advice relevant to SNETP matters. The
32 City Attorney or his designee shall represent SNETP in all mat-

1 ters which have been or may be instituted by or against SNETP in
2 any of the courts of the State of Nevada, the courts of the
3 United States before which the City Attorney or his designee is
4 authorized to practice, and before all administrative agencies
5 and departments of the government, during and throughout the con-
6 tinuance of this Agreement, with the exception noted below in
7 Section Four. The City Attorney or his designee shall render
8 legal opinions and advice and all other legal services as SNETP
9 or any of its duly authorized officers or employees may request.

10 SECTION FOUR

11 CONFLICT OF INTEREST

12 It is hereby understood by both parties to this
13 Agreement that legal matters may arise or legal advice may be
14 sought in matters in which the parties to this Agreement have
15 actual or potential adversary positions. Whenever the City
16 Attorney or his designee determines, in his/her professional
17 judgment, that such a conflict does exist or will exist, the City
18 Attorney or his designee shall so inform SNETP by written notice
19 to the Executive Director and the Job Training Board. By said
20 notice, it is agreed by the parties to this Agreement that the
21 City Attorney's Office has withdrawn its representation of SNETP
22 and is relieved from any continuing obligation to provide legal
23 services with respect to that particular matter or other matters
24 intimately related thereto. After such notice, SNETP shall not
25 request nor require any legal advice or opinions with respect to
26 that particular matter.

27 It is hereby agreed that should such a situation occur,
28 SNETP may select and secure independent legal counsel at its own
29 expense, and the City Attorney or his designee shall cooperate
30 with said independent counsel by furnishing necessary records.

31 . . .

32 . . .

1 SECTION FIVE

2 ASSOCIATE COUNSEL

3 The City Attorney, at his discretion, and at various
4 times, may designate a member or members of his staff to repre-
5 sent SNETP on a continuing basis.

6 SECTION SIX

7 DISCLAIMER OF WARRANTY

8 The CITY, by and through its counsel, the City Attorney,
9 makes no express or implied warranties as to the successful ter-
10 mination of any matter or cause of action. All advice and
11 expressions made by the City Attorney or his staff attorneys
12 relative to any case are matters of attorney's opinion only.

13 SECTION SEVEN

14 ATTORNEYS' FEES

15 SNETP agrees to pay the CITY as follows for all legal
16 services rendered under this Agreement with the exception of
17 costs as hereinafter provided for in Section Nine:

- 18 1. The sum of One Thousand Eight Hundred Thirty-Four
19 Dollars (\$1,834.00) per month in the month commencing
20 July 1, 1984, and for every month thereafter until ter-
21 mination of this Agreement.

22 Said sum shall become due and payable upon the receipt by
23 SNETP of the invoice issued by the Department of Finance of the
24 City of Las Vegas on the twenty-fifth day of the month in which
25 the services are being rendered.

26 SECTION EIGHT

27 SUMMARIES

28 Separate and apart from the above-mentioned invoice, the
29 City Attorney shall provide to SNETP a summary of legal services
30 rendered to SNETP pursuant to this Agreement on a quarterly
31 basis. However, it is hereby agreed by both parties that the
32 payments contemplated by the Agreement are on a set contract

1 basis and that the hours of service provided may vary greatly
2 from month to month.

3 SECTION NINE

4 COSTS, TRAVEL and SUBSISTENCE EXPENSES

5 SNETP agrees to pay the costs, exclusive of attorney's
6 fees which are provided for in this Agreement, of any litigation
7 in any court in which SNETP is a party or in any administrative
8 matter to which SNETP is a party. SNETP further agrees to pay
9 the reasonable travel and subsistence expenses of the City
10 Attorney or his designee should it be necessary or advisable that
11 SNETP be represented by counsel in any matter which takes place
12 outside the geographical limits of the County of Clark, State of
13 Nevada.

14 SECTION TEN

15 MODIFICATION

16 The CITY and SNETP mutually agree that this Agreement
17 may be modified at any time upon the mutual written consent of
18 both parties and the contemporaneous approval of the City
19 Attorney or his designee, which approval shall also be in
20 writing. It is contemplated that the parties will review the
21 performance and payment provisions herein on an annual basis.
22 The CITY shall notify the Executive Director of SNETP in writing,
23 by April 1st of each year, of any proposed modifications in ser-
24 vices or charges therefor.

25 SECTION ELEVEN

26 TERMINATION

27 Either party may terminate this Agreement upon seven (7)
28 days' written notice should the other party substantially fail to
29 perform in accordance with the terms of this Agreement through no
30 fault of the other. Either party may terminate this Agreement
31 upon fifteen (15) days' written notice to the other party for any
32 reason whatsoever. In the event that this Agreement is ter-

minated under the terms of this Section, SNETP shall be liable for the payment of a prorata share of the monthly amount payable under the terms of the Agreement. In the event that this Agreement or the attorney-client relationship is terminated and the City Attorney or his designee ceases to render legal services to SNETP, the CITY, by and through the City Attorney, shall make best efforts to ensure a smooth transition of SNETP's legal matters to the succeeding counsel selected by SNETP to provide those services.

SECTION TWELVE

NOTICES

Except as otherwise herein provided, notices required or permitted under this Agreement shall be sent or delivered as follows:

TO SNETP:

Executive Director
Southern Nevada Employment
and Training Program
401 South Third #503
Las Vegas, Nevada 89101

TO CITY

City Manager
400 East Stewart Avenue
10th Floor
Las Vegas, Nevada 89101

and

City Attorney
400 East Stewart Avenue
9th Floor
Las Vegas, Nevada 89101

SECTION THIRTEEN

NON-ASSIGNABILITY

Both the CITY and SNETP hereby agree that neither one shall assign, sublet, transfer or delegate its interest or required performance in this Agreement for professional legal services.

SECTION FOURTEEN

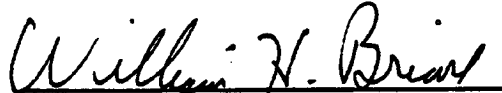
COMPLIANCE WITH STATUTES, ORDINANCES, AND REGULATIONS

The CITY and SNETP mutually agree that all of the terms and conditions of this Agreement shall be in complete accord with all CITY Ordinances, State Statutes, and Federal regulations and

1 statutes now in effect or hereafter adopted governing the legal-
2 ity of such Agreements.

3 IN WITNESS WHEREOF, the parties have executed this
4 Agreement on the day and year first above written.

5 CITY OF LAS VEGAS

6 
7 WILLIAM H. BRIARE
8 Mayor

8 ATTEST:

9 
10 CAROL ANN HAWLEY
11 City Clerk

11 APPROVED AS TO FORM:

12 
13 GEORGE F. OGILVIE
14 City Attorney

15 SOUTHERN NEVADA EMPLOYMENT AND
16 JOB TRAINING PROGRAM

17 
18 RON LURIE
19 Chairman, Job Training Board

20 
21 FRED P. RAMIREZ
22 Executive Director

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: June 13, 1984

0172

TO: The City Council

FROM: Val Steed
Deputy City Attorney

SUBJECT:

Approval of Amendment to Cooperative Agreement to establish the Southern Nevada Employment and Training Program for purposes of administering Job Training Programs under the Job Training Partnership Act of 1982

PURPOSE/BACKGROUND

On April 20, 1983, the City Council approved a Cooperative Agreement with the counties of Clark, Lincoln and Nye and the cities of North Las Vegas, Henderson and Boulder City for the purpose of operating job training programs under the Job Training Partnership Act of 1982 ("JTPA"). Pursuant to that agreement, the Las Vegas/Clark County Consortium (now the Southern Nevada Employment and Training Program) is functioning as the grant recipient and administrative entity for JTPA programs in Southern Nevada.

It is now proposed to amend that agreement to establish SNETP formally as the grant recipient and administrative entity and to set forth its powers and responsibilities. The proposed Amendment to Cooperative Agreement will add the county of Esmeralda as a participating entity.

The proposed Amendment to Cooperative Agreement, the original Cooperative Agreement and the Assignment Agreement (see Agenda Item V-F) are intended to take the place of the Interlocal Agreement between the City of Las Vegas and Clark County (dated February 20, 1980) which established the Las Vegas/Clark County Consortium.

The Amendment to Cooperative Agreement sets forth the manner in which the parties will share any liability for disallowed costs. With respect to disallowed costs arising out of activities conducted before October 1, 1983, the City of Las Vegas and Clark County will share the liability equally, as was the case under the 1980 Interlocal Agreement. For disallowed costs arising thereafter, each of the outlying counties (Lincoln, Nye, Esmeralda) will be liable for costs arising out of activities within that county. Other liability will be shared according to the following formula:

<u>ENTITY</u>	<u>SHARE</u>
Clark County	42%
City of Las Vegas	42%
North Las Vegas	9%
Henderson	5%
Boulder City	2%

FISCAL IMPACT

None, unless costs are disallowed, which must be shared in the manner set forth above.

RECOMMENDATIONS

It is recommended that the City Council approve the Amendment to Cooperative Agreement and authorize the Mayor to execute the same on behalf of the City.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

AMENDMENT TO COOPERATIVE AGREEMENT BETWEEN
THE COUNTIES OF CLARK, LINCOLN AND NYE, AND THE
CITIES OF BOULDER CITY, HENDERSON, LAS VEGAS AND
NORTH LAS VEGAS FOR THE IMPLEMENTATION OF
JOB TRAINING PROGRAMS IN SOUTHERN NEVADA

THIS AMENDMENT TO COOPERATIVE AGREEMENT, made and entered into this 17th day of July, 1984, by and among the counties of CLARK, LINCOLN, NYE and ESMERALDA and the cities of BOULDER CITY, HENDERSON, LAS VEGAS and NORTH LAS VEGAS.

WHEREAS, pursuant to NRS 277, the counties of CLARK, LINCOLN and NYE, and the cities of BOULDER CITY, HENDERSON, LAS VEGAS and NORTH LAS VEGAS have entered into a Cooperative Agreement, dated June 7, 1983, (hereinafter "Cooperative Agreement"), for purposes of administering job training programs authorized and funded by the Job Training Partnership Act of 1982, P.L. 97-300 (hereinafter "JTPA" or the "Act"); and

WHEREAS, in accordance with the Act and the Cooperative Agreement, the Governor of the State of Nevada has designated the incorporated and unincorporated areas within the counties of CLARK, LINCOLN, NYE and ESMERALDA as the "service delivery area" (hereinafter "SDA") for the southern part of the State; and

WHEREAS, the Job Training Board (hereinafter the "Board") established by the Cooperative Agreement has represented the local elected officials within the SDA in implementing the Act; and

WHEREAS, in accordance with the Cooperative Agreement and the Act, the Board has established a Private Industry Council (hereinafter the "PIC") and has entered into a Memorandum of Understanding (hereinafter "Memorandum") with the PIC concerning the operation of JTPA programs within the SDA; and

WHEREAS, pursuant to the Act, the Cooperative Agreement and the Memorandum, the Board and the PIC have agreed upon and submitted a job training plan for Program Years '84 and '85; and

WHEREAS, the Board and the PIC have selected, as the grant recipient and administrative entity empowered to administer

1 JTPA programs, the Las Vegas/Clark County Consortium (hereinafter
2 the "Consortium"), which was created by an interlocal agreement
3 between the COUNTY OF CLARK and the CITY OF LAS VEGAS, dated
4 February 20, 1980, to administer programs funded under the
5 Comprehensive Employment and Training Act (hereinafter "CETA");
6 and

7 WHEREAS, in accordance with the selection process set
8 forth in the Memorandum and conducted pursuant thereto, the par-
9 ties desire that the Consortium be reestablished under a new name
10 as the entity to administer job training programs within the SDA;
11 and

12 WHEREAS, in accordance with Section 13 of the Coopera-
13 tive Agreement, it is the parties' desire to set forth their
14 agreement in greater detail;

15 WHEREAS, the COUNTY OF ESMERALDA was not a party to the
16 Cooperative Agreement and has not been represented on the Board,
17 but, as a part of the SDA, has been eligible to receive JTPA ser-
18 vices within the SDA; and

19 WHEREAS, the COUNTY OF ESMERALDA now desires to join the
20 parties to the Cooperative Agreement and to be represented on the
21 Board; and

22 WHEREAS, the parties to the Cooperative Agreement desire
23 that the COUNTY OF ESMERALDA join with them in the implementation
24 of JTPA within the SDA and that the county of Esmeralda be repre-
25 sented on the Board.

26 NOW, THEREFORE, in consideration of the covenants and
27 conditions set forth herein, the parties agree to amend the
28 Cooperative Agreement dated June 7, 1983, by adding thereto the
29 provisions which are set forth as Sections 1 to 18, inclusive,
30 hereof.

31 1. The COUNTY OF ESMERALDA shall join the other par-
32 ties in implementing JTPA within the SDA as follows:

CITY COUNCIL MINUTES - JUNE 20, 1984

0175

1 A. The Chairman of the Board of County Commissioners of the
2 COUNTY OF ESMERALDA, or the Chairman's designee, shall become a
3 member of the Job Training Board. Any such designee must be an
4 elected official of the COUNTY OF ESMERALDA.

5 B. The member who represents the COUNTY OF ESMERALDA on the
6 Board shall enjoy and be subject to the same rights and obliga-
7 tions which are made applicable to the other members by the
8 Cooperative Agreement and this Amendment thereto.

9 C. The COUNTY OF ESMERALDA hereby accepts and agrees to be
10 bound by all of the terms and conditions of the Cooperative
11 Agreement, as amended hereby, insofar as they apply to future
12 activities of the Board.

13 2. There is hereby established the Southern Nevada
14 Employment and Training Program (hereinafter "SNETP"), which, for
15 purposes of JTPA and successor legislation, shall continue the
16 functions of the Consortium in serving as the grant recipient of
17 job training funds for the SDA and the administrative entity
18 designated to administer those funds.

19 3. Except as otherwise hereinafter provided, this
20 Amendment, together with the Cooperative Agreement which it
21 amends, shall completely replace and supersede the Interlocal
22 Agreement between the COUNTY OF CLARK and the CITY OF LAS VEGAS,
23 dated February 20, 1980.

24 4. Subject to any rights which, pursuant to JTPA or
25 implementing regulations, are retained by the State of Nevada or
26 the Secretary of Labor, and in accordance with the Assignment
27 Agreement attached hereto and incorporated by reference herein,
28 SNETP shall obtain such title to, property rights in, and the
29 right to control any and all property of any nature as has here-
30 tofore been enjoyed by the Consortium.

31 5. Subject to the provisions of Section 16 hereof, and
32 in accordance with the Assignment Agreement attached hereto and
incorporated by reference herein, SNETP shall:

1 (a) be entitled to enforce any and all rights, claims and
2 benefits accruing to the Consortium, and

3 (b) assume any and all obligations and liabilities of the
4 Consortium,

5 which have arisen or may hereafter arise out of the Consortium's
6 operation and administration of CETA and JTPA programs.

7 6. The Board shall serve as the governing body of
8 SNETP and:

9 A. Shall perform those functions which the Act and accom-
10 panying regulations require of the local elected officials within
11 the SDA; and

12 B. May perform such functions as are authorized under the
13 Act and accompanying regulations.

14 7. The Board shall continue to cooperate with the PIC
15 in approving and submitting job training plans and modifications
16 for the SDA.

17 8. SNETP shall have the authority to seek and receive
18 non-JTPA funds from public and private sources, and to spend such
19 funds in accordance with applicable law.

20 9. The Board shall be responsible for selecting and
21 hiring an Executive Director for SNETP, who shall serve at the
22 pleasure of and answer solely to the Board.

23 10. The Executive Director shall, upon request, provide
24 the Board with any and all information and documentation relative
25 to the operations of SNETP.

26 11. SNETP is authorized to enter into contracts with
27 qualified agencies or entities to obtain such general administra-
28 tive services as SNETP may require in order to perform its func-
29 tions under the Act, the implementing regulations and the
30 Cooperative Agreement, as amended hereby. Such services may
31 include the recruitment and hiring of staff and personnel for
32 SNETP and the performance of other personnel services. SNETP and

1 personnel shall be subject to the direction and control of the
2 Board. However, in accordance with the terms of such contracts
3 as may be entered into pursuant to this Section, the employment
4 rights and benefits of the staff and personnel may be made sub-
5 ject to personnel rules, policies and guidelines procedures
6 generally applicable to employees of the agency or entity
7 contracted with. Any contract so entered into, and any personnel
8 rules, policies and procedures made applicable thereunder to
9 SNETP staff and personnel, shall be in accordance with any appli-
10 cable regulations duly promulgated by the Governor under the Act
11 and accompanying regulations.

12 12. SNETP shall have the authority to perform any and
13 all functions which, under the Act and accompanying regulations,
14 the administrative entity of the SDA is required or authorized to
15 perform.

16 13. The Executive Director shall have the power of
17 final decision regarding the day-to-day operations of SNETP,
18 except as otherwise provided herein.

19 14. With respect to the following, no decision or
20 action proposed by the Executive Director shall become final or
21 take effect until such decision or action has been reviewed and
22 concurred in by the Board:

23 A. Any expenditure of SNETP-administered grant funds in an
24 amount exceeding \$1,000.00.

25 B. Any award of programmatic funds to an agency or indivi-
26 dual by means of subcontract or subgrant.

27 C. Any application to be submitted by SNETP for grant
28 funds, including applications to the Governor for JTPA funds to
29 be made available to SNETP by means of subcontract.

30 D. Approval and submission of training, administrative and
31 budget plans to be submitted to the Governor by SNETP.

32 15. The Executive Director is authorized to sign any
and all documents on behalf of SNETP; provided, however, that any

document to be executed in connection with the items specified in Section 14 above must be signed by the Chairman of the Board, or, in his absence, the Vicechairman.

16. Upon a determination, pursuant to law, that SNETP is liable for any disallowed costs and that such liability must be satisfied out of non-JTPA funds, the liability shall be shared by the parties in the following manner:

A. With respect to any such liability arising out of programs or activities occurring prior to October 1, 1983, the liability shall be shared equally by the COUNTY OF CLARK and the CITY OF LAS VEGAS.

B. With respect to liability arising out of programs or activities occurring subsequent to October 1, 1983, the liability shall be shared as follows:

1) LIABILITY ARISING OUT OF PROGRAMS AND ACTIVITIES OCCURRING IN THE COUNTIES OF NYE, LINCOLN AND ESMERALDA

Each of the counties of NYE, LINCOLN and ESMERALDA shall be liable for, and the liability of each shall be limited to, any and all disallowed costs which arise out of programs and activities within that county.

2) OTHER LIABILITY

Liability arising out of disallowed costs other than those referred to in Subsection (B)(1) of this Section shall be shared as follows:

<u>ENTITY</u>	<u>PERCENTAGE OF OTHER LIABILITY</u>
COUNTY OF CLARK	42%
CITY OF LAS VEGAS	42%
CITY OF NORTH LAS VEGAS	9%
CITY OF HENDERSON	5%
CITY OF BOULDER CITY	2%

17. In the event one or more of the parties elect to terminate participation in the Cooperative Agreement, as herein

1 amended, without termination as to all the parties, disposition
2 of assets and sharing of liabilities shall be determined in
3 accordance with applicable federal and state laws and regulations
4 and the formula set forth in Section 16 above.

5 18. In the event of termination by mutual agreement of
6 all the parties, or by election of all but one of the parties,
7 the Executive Director shall prepare a plan for the dissolution
8 of SNETP, which shall be submitted to the Board for approval.
9 Disposition of property, sharing of liabilities and resolution of
10 other issues relating to dissolution shall be determined in
11 accordance with:

- 12 A. Applicable federal and state laws and regulations;
13 B. The formula set forth in Section 16 above, to the extent
14 it does not conflict with Subsection (A) of this
15 Section; and
16 C. Any dissolution plan which has been approved by the
17 Board, to the extent it does not conflict with Sub-
18 sections (A) and (B) of this Section.

19 IN WITNESS WHEREOF, the parties hereto have caused this
20 Amendment to the Cooperative Agreement to be executed by their
21
22
23
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32

1 duly authorized representatives the day and year first above
2 written.

3 ATTEST:

COUNTY OF CLARK

4 Loretta Bowman
5 LORETTA BOWMAN
6 County Clerk

By Thalia M. Dondero
7 THALIA DONDERO, Chairman
8 Board of County Commissioners

9 ATTEST:

COUNTY OF LINCOLN

10 Esther Cole
11 ESTHER COLE
12 County Clerk

By Ted Olson
13 TED OLSON, Chairman
14 Board of County Commissioners

15 ATTEST:

COUNTY OF NYE

16 Karen Quilter
17 KAREN QUILTER
18 County Clerk

By Jane E. Ruud
19 JACQUELINE H. RUUD, Chairman
20 Board of County Commissioners

21 ATTEST:

COUNTY OF ESMERALDA

22 Celia M. Ranson
23 CELIA M. RANSON
24 County Clerk

By William S. Wright
25 WILLIAM S. WRIGHT
26 Board of County Commissioners

27 ATTEST:

CITY OF BOULDER CITY

28 Delia H. Estes
29 DELIA H. ESTES, City Clerk

By John C. Porter
30 JOHN C. PORTER, Assistant Mayor

31 ATTEST:

CITY OF HENDERSON

32 Dorothy A. Vondenbrink
DOROTHY A. VONDENBRINK
City Clerk

By Leroy Zike
LEROY ZIKE, Mayor

ATTEST:

CITY OF LAS VEGAS

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

By William H. Briare
WILLIAM H. BRIARE, Mayor

ATTEST:

CITY OF NORTH LAS VEGAS

Esther V. Borden
ESTHER V. BORDEN
City Clerk

By James K. Seastrand
JAMES K. SEASTRAND, Mayor

Approved as to form only:

9-9

0181

RETURN TO: City of Las Vegas
Attn: Val Steed, Deputy City Attorney
400 E. Stewart #906
Las Vegas, Nevada 89101

RECEIVED

DEC 31 9 02 AM '84

CITY CLERK

CLERK OF DISTRICT COURT
JOAN L. SAFF, RECORDER
RECORDED AT REQUEST OF
CITY OF LAS VEGAS

DEC 14 4 16 PM '84

[Handwritten initials]

AGENDA DOCUMENTATION

Date: June 12, 1984

0182

TO:
The City Council

FROM: Val Steed
Deputy City Attorney

SUBJECT: Approval of Assignment Agreement between the Las Vegas/Clark County Consortium and the Southern Nevada Employment and Training Program
re: Operation of Job Training Programs in Southern Nevada

PURPOSE/BACKGROUND

The Amendment to Cooperative Agreement (Item V-E) establishes the Southern Nevada Employment and Training Program ("SNETP") as the grant recipient and administrative entity for purposes of conducting job training programs in Southern Nevada under the Job Training Partnership Act of 1982. This companion agreement formalizes the transfer and assignment of all rights, duties, liabilities, etc. from the Las Vegas/Clark County Consortium to SNETP.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council approve the Assignment Agreement between the Las Vegas/Clark County Consortium and the Southern Nevada Employment and Training Program and authorize the Mayor to execute the same on behalf of the City.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

ASSIGNMENT AGREEMENT

THIS AGREEMENT, entered into this 17th day of July, 1984, by and between the Assignors, namely, the CITY OF LAS VEGAS and the COUNTY OF CLARK (representing the Las Vegas/Clark County Consortium), and the Assignees, namely, the counties of CLARK, LINCOLN, NYE and ESMERALDA and the cities of BOULDER CITY, HENDERSON, LAS VEGAS and NORTH LAS VEGAS (representing the Southern Nevada Employment and Training Program).

WHEREAS, pursuant to an Interlocal Agreement dated February 20, 1980, the COUNTY OF CLARK and the CITY OF LAS VEGAS established the Las Vegas/Clark County Consortium ("Consortium") to administer federally-funded job training programs in the Southern Nevada area under the Comprehensive Employment and Training Act ("CETA"); and

WHEREAS, CETA has been replaced with the Job Training Partnership Act ("JTPA"); and

WHEREAS, pursuant to JTPA, the counties of NYE and LINCOLN, and the cities of BOULDER CITY, HENDERSON and NORTH LAS VEGAS have joined with the COUNTY OF CLARK and the CITY OF LAS VEGAS in a Cooperative Agreement, dated June 7, 1983 ("Cooperative Agreement"), in order to implement JTPA programs within the Southern Nevada area; and

WHEREAS, the elected officials of the aforesaid participating local entities, in conjunction with the Private Industry Council ("PIC") established under JTPA, have chosen the Consortium to administer JTPA programs, with the understanding that the Consortium be renamed and that all the participating local entities be represented on the governing body of the renamed agency; and

WHEREAS, the local elected officials have chosen to rename the Consortium the "Southern Nevada Employment and

1 Training Program" ("SNETP"), and have agreed that their respec-
2 tive entities will join, together with the COUNTY OF ESMERALDA,
3 in an Amendment to the Cooperative Agreement ("Amendment") in
4 order to set forth their understandings and agreements with
5 respect to SNETP in greater detail; and

6 WHEREAS, it is intended by this Assignment Agreement to
7 formalize the transfer of property, the assignment of rights,
8 interests and liabilities and the delegation of duties, functions
9 and obligations, from the Consortium to SNETP.

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

12 1. The Consortium hereby assigns to SNETP all its
13 title to, property rights and interests in, and rights to control
14 any and all property of any nature heretofore owned by the
15 Consortium.

16 2. The Consortium hereby assigns to SNETP all rights,
17 claims, causes of action and benefits which have accrued or may
18 hereafter accrue to the Consortium.

19 3. The Consortium hereby assigns and delegates to
20 SNETP any and all obligations and liabilities of the Consortium,
21 and SNETP hereby accepts and agrees to assume such obligations
22 and liabilities in the manner provided in Section 16 of the
23 Amendment.

24 4. The Cooperative Agreement and the Amendment, a copy
25 of each of which is attached hereto, are made a part of this
26 Agreement and incorporated herein by reference.
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5. SNETP accepts and consents to the assignments and delegations made herein.

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

LAS VEGAS/CLARK COUNTY
CONSORTIUM

ATTEST:

CITY OF LAS VEGAS

Carol A. Hawley
CAROL ANN HAWLEY
City Clerk

By William H. Briare
WILLIAM H. BRIARE, Mayor
VS 7/3/84

ATTEST:

COUNTY OF CLARK

Loretta Bowman
LORETTA BOWMAN
County Clerk

By Thalia Dondero
THALIA DONDERO, Chairman
Board of County Commissioners

ATTEST:

COUNTY OF CLARK

Loretta Bowman
LORETTA BOWMAN
County Clerk

By Thalia Dondero
THALIA DONDERO, Chairman
Board of County Commissioners

ATTEST:

COUNTY OF LINCOLN

Esther Cole
ESTHER COLE
County Clerk

By Ted Olson
TED OLSON, Chairman
Board of County Commissioners

ATTEST:

COUNTY OF NYE

Karen Quilter
KAREN QUILTER
County Clerk

By Jacqueline H. Ruud
JACQUELINE H. RUUD, Chairman
Board of County Commissioners

ATTEST:

COUNTY OF ESMERALDA

Celia M. Ranson
CELIA M. RANSON
County Clerk

By William S. Wright
WILLIAM S. WRIGHT
Board of County Commissioners

ATTEST:

Delia H. Estes
DELIA H. ESTES, City Clerk

CITY OF BOULDER CITY

By Jon C. Porter
JON C. PORTER, Assistant Mayor

ATTEST:

Dorothy A. Vondenbrink
DOROTHY A. VONDENBRINK
City Clerk

CITY OF HENDERSON

By Leroy Zike
LEROY ZIKE, Mayor

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

CITY OF LAS VEGAS

By William H. Briare
WILLIAM H. BRIARE, Mayor
VS 7/3/84

ATTEST:

Esther V. Borden
ESTHER V. BORDEN
City Clerk

CITY OF NORTH LAS VEGAS

By James K. Seastrand
JAMES K. SEASTRAND, Mayor

Approved as to form only:

Deborah Scott Hallgren
Deputy Attorney General

RETURN TO: City of Las Vegas
Attn: Val Steed
Deputy City Atty
400 E. Stewart #906
Las Vegas, Nevada
89101

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

CITY OF LAS VEGAS

DEC 14 4 16 PM '84

COOPERATIVE AGREEMENT

THIS AGREEMENT, entered into this 7th day of June, 1983, by and among the counties of CLARK, LINCOLN and NYE, and the cities of BOULDER CITY, HENDERSON, LAS VEGAS and NORTH LAS VEGAS.

RECITALS

WHEREAS, the counties of CLARK, LINCOLN and NYE are political subdivisions of the State of Nevada; and

WHEREAS, the cities of BOULDER CITY, HENDERSON, LAS VEGAS and NORTH LAS VEGAS are municipal corporations organized and existing under Nevada law and located within the geographical boundaries of Clark County; and

WHEREAS, Congress, through the Job Training Partnership Act of 1982, P.L. 97-300 (hereinafter "JTPA" or the "Act"), has made available federal funds for job training programs; and

WHEREAS, under JTPA, a consortium of contiguous units of general local government with an aggregate population of 200,000 or more which serves a substantial part of a labor market area may be designated as a "service delivery area" (SDA) to operate JTPA programs; and

WHEREAS, the parties wish to notify the Governor of the State of Nevada that they are eligible for designation as an SDA and that they are prepared to function as such by entering into a multijurisdictional agreement to provide centralized administration of JTPA programs; and

WHEREAS, each of the parties is empowered to enter into cooperative agreements for the performance of any governmental function pursuant to NRS Chapter 277; and

WHEREAS, each of the parties shall indicate its desire to enter into this agreement by formal action of its governing body; and

WHEREAS, the establishment and furtherance of employment and training programs in Southern Nevada is determined to be a proper governmental function.

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

1. There is hereby established a Job Training Board (Board), which shall represent the parties in implementing the Job Training Partnership Act (JTPA) within their respective jurisdictions, in accordance with this Agreement, JTPA, and JTPA regulations.

2. The Board shall consist of the following members:

A) The Chairman of the Board of County Commissioners of Clark County or the Chairman's designee;

B) The Chairman of the Board of County Commissioners of Lincoln County or the Chairman's designee;

C) The Chairman of the Board of County Commissioners of Nye County or the Chairman's designee;

D) The Mayor of the City of Boulder City or the Mayor's designee;

E) The Mayor of the City of Henderson or the Mayor's designee;

F) The Mayor of the City of Las Vegas or the Mayor's designee;

G) The Mayor of the City of North Las Vegas or the Mayor's designee.

Any such designee shall be an elected official of the entity represented.

3. The Board shall meet not fewer than 10 times a year, at such intervals and times as may be necessary to fulfill the parties' obligations under the Act.

4. In accordance with the Act, the Board shall elect from among its members a chairperson and a vice-chairperson, to serve such terms as the Board may designate.

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5. The Board shall establish such by-laws, rules and regulations as may be necessary for Board meetings and other matters of internal governance. Any such by-laws, rules or regulations shall not conflict with any applicable laws, federal regulations or this Agreement.

6. A majority of the then existing members of the Board shall constitute a quorum for transacting any Board business. A majority vote of the quorum present is sufficient for action to be taken.

7. In general, the Board shall represent the parties for all purposes in implementing job training programs under the Act. The Board shall function as the "chief elected officials," as that term is used in the Act, for the SDA which serves the jurisdictions of the parties.

8. Specifically, and in full accordance with JTPA and JTPA regulations, the Board shall:

A) Determine the initial number of members to sit on the Private Industry Council (PIC) mandated by the Act and regulations.

B) Appoint members of the PIC from individuals nominated or recommended in accordance with the Act and regulations.

C) Establish for the appointees such fixed and staggered terms as may be appropriate.

D) Fill vacancies in the membership of the PIC by appointing appropriate successors in accordance with the Act and regulations.

9. The Board shall monitor and evaluate all programs and activities conducted in connection with the implementation of JTPA programs and activities within the SDA.

10. The Board shall endeavor in good faith to enter into an appropriate agreement or agreements with the PIC which will satisfy the requirements of

Section 103 of the Act (29 U.S.C. §1513). . Such agreement or agreements shall provide for the following:

- A) The manner in which the PIC will determine procedures for the development of the job training plan for the SDA.
 - B) The manner in which the PIC will select a grant recipient and an administrative entity to implement programs and activities under the Act.
 - C) The manner in which the Board and the PIC will cooperate in developing, approving and submitting the job training plan.
11. In conjunction with the PIC, the Board shall develop, approve and submit a job training plan for the SDA in accordance with the Act and regulations.
12. This Agreement shall continue in effect until terminated by the parties hereto. Any party may terminate its participation in this Agreement at the end of any program year by giving written notice of its intent to do so at least 60 days before the expiration of said program year.
13. It is understood by the parties that action taken by the PIC in accordance with Section 10 is likely to require amendment of this Agreement or execution of an additional agreement to establish in greater detail the operational framework for implementing JTPA programs within the SDA. The parties therefore agree to enter into such additional agreements as may

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be necessary to implement such programs and to comply with all statutory requirements.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement by their respective officers, duly authorized, to be effective as provided herein.

ATTEST:

COUNTY OF CLARK

Loretta Bowman
LORETTA BOWMAN
County Clerk

By Thalia W. Dondero
THALIA DONDERO, Chairman
Board of County Commissioners

COUNTY OF LINCOLN

Esther Cole
ESTHER COLE
County Clerk

By Ted Olson
TED OLSON, Chairman
Board of County Commissioners

COUNTY OF NYE

Karen Quilter
KAREN QUILTER
County Clerk

By Robert H. Ruud
ROBERT H. RUUD, Chairman
Board of County Commissioners

ATTEST:

CITY OF BOULDER CITY

Delia H. Estes
DELIA H. ESTES
City Clerk

By Robert H. Boston
ROBERT H. BOSTON, Mayor

CITY OF HENDERSON

Dorothy A. Vondenbrink
DOROTHY A. VONDENBRINK
City Clerk

By Leroy Zike
LEROY ZIKE, Mayor

CITY OF LAS VEGAS

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

By William H. Briare
WILLIAM H. BRIARE, Mayor

CITY OF NORTH LAS VEGAS

Esther V. Borden
ESTHER V. BORDEN
City Clerk

By James K. Seastrand
JAMES K. SEASTRAND, Mayor

RETURN TO: City of Las Vegas
Attn: Val Steed, Deputy City Atty
400 E. Stewart #906
Las Vegas, Nevada 89101

RECEIVED

DEC 31 9 02 AM '84

CITY CLERK

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

CITY OF LAS VEGAS

DEC 14 4 17 PM '84

[Signature]
CITY CLERK

1995308

0193

June 20, 1984

Page 23

AGENDA*City of Las Vegas*

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

- 1136 A. BILL NO. 84-22 - REQUIRES ADDRESS NUMBERS OR LETTERS TO BE A MINIMUM OF 12 INCHES HIGH ON BUILDINGS LOCATED MORE THAN 50 FEET FROM THE STREET IN CERTAIN BUILDING COMPLEXES.

Committee: Councilmen Christensen and Nolen

First Publication: Review-Journal - 5/23/84

Committee Recommendation:

Adoption.

NOTE: No action was taken at the 6/6/84 meeting at the request of Councilman Christensen in order that further study can be made by LVMPD.

No action taken
BILL DIED

- 1654 B. BILL NO. 84-25 - REQUIRES A HIATUS IN MEMBERSHIP ON THE BOARD OF AT LEAST ONE YEAR AFTER AN APPOINTEE MEMBER'S SERVICE OF TWO CONSECUTIVE TERMS; CHANGES THE ELIGIBILITY REQUIREMENTS FOR HONORARY MEMBERSHIP STATUS; ESTABLISHES AN EMERITUS MEMBERSHIP STATUS; AND REQUIRES THAT THE BOARD MAKE RECOMMENDATIONS FOR APPOINTMENTS TO THE BOARD BY THE CITY COUNCIL. (1st Amend)

Committee: Councilmen Lurie and Levy

First Publication: Review-Journal - 5/23/84

Committee Recommendation:

Adoption.

NOTE: No action taken at the 6/6/84 meeting at the request of Councilman Nolen.

Lurie -
Second Reading and
Bill ADOPTED as per
Second Amendment.
Unanimous

Clerk to proceed
with second
publication.

Note: Bill was amended after the morning session and represented as per Second Amendment at the end of the afternoon session.

APPROVED AGENDA ITEM

mp Cool

City of Las Vegas

COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: May 8, 1984

0194

TO:
The City Council

FROM:
Val Steed
Deputy City Attorney

SUBJECT:
Bill No. 84-22: Requires address numbers or letters be a minimum of 12 inches high on buildings located more than 50 feet from the street in certain building complexes

PURPOSE/BACKGROUND

This bill, if adopted, will require address numbers and letters on certain buildings to be a minimum of twelve inches high. The requirement will apply to any building which is located more than 50 feet from the street, contains four or more units and is part of a building complex which consists of four or more buildings.

This requirement will assist law enforcement and fire personnel in the performance of their duties.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

City of Las Vegas

CITY COUNCIL MINUTES - JUNE 20, 1984

AGENDA DOCUMENTATION

Date: May 11, 1984 0195

TO: The City Council

FROM: *James A. Quinn*
CITY ATTORNEY

SUBJECT: Bill No. 84-25 -- Amendments to Chapter 46 of Title 2 of the Las Vegas Municipal Code, Relating to the Senior Citizens' Advisory Board

PURPOSE/BACKGROUND

At its regular meeting held April 5, 1984, the Las Vegas Senior Citizens' Advisory Board approved recommending amendment of the existing chapter relating to the Senior Citizens' Advisory Board. The recommended amendments, it is believed, will enable the Board to function more efficiently and effectively. The proposed ordinance includes the recommended amendments and corrects some grammatical and spelling errors which are in the existing chapter. One of the recommended amendments will allow the Senior Citizens' Center Director to vote on the Board. The Board is advisory only, it does not set policy, and the Board believes that the Director's vote will be helpful and should be allowed. Other recommended amendments limit the terms on the Board by requiring a hiatus in membership of at least one year after an appointive member's service of two consecutive terms, change the eligibility requirements for honorary membership status and establish an emeritus membership status. The Board wants changes in its membership more often than in the past so that new ideas will be available through the new members.

FISCAL IMPACT

None

RECOMMENDATIONS

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

Agenda Item

INTER-OFFICE MEMORANDUM

0196
June 19, 1984

TO:	FROM: <i>CAH</i> CAROL ANN HAWLEY CITY CLERK
FILE	
SUBJECT:	COPIES TO: 6/20/84 & 7/5/84 City Council Book City Attorney Business Activity Director Community Planning & Development Director Public Services Director Engineering Services Director Building & Safety Director Metro Fire Services Chief
RECOMMENDING COMMITTEE MEETING JUNE 18, 1984	

MEETING HELD: Monday, June 18, 1984, at 4:00 P.M. in the City Manager's Conference Room, 10th Floor, 400 East Stewart Avenue, Las Vegas, Nevada. Meeting adjourned at 4:35 P.M.

PRESENT: Councilman Ron Lurie
Councilman Paul J. Christensen
Councilman Bob Nolen
City Manager Ashley Hall
Deputy City Manager Don Saylor
Deputy City Manager Michael Cool
City Attorney George Ogilvie
Harold Foster, Dir., Community Planning & Development
Gene Donovan, Dir., Public Services
Marge Hether, Business Activity
Richard McGough, Business Activity
Lt. Messinger, LVMPD
Robert Van Nostrand, Donrey Outdoor Advertising
Jack Doyle, Las Vegas Restaurant & Tavern Association
Danny Winder, Colony Club
Joseph Whalin
Jamie Hurly, Las Vegas Sun
City Clerk Carol Ann Hawley
Deputy City Clerk Sandra R. LeBoeuf

- A. BILL NO. 84-26 - PROVIDES FOR THE REGULATION OF ADVERTISING SIGNS WHICH ARE RESTED AGAINST OR ATTACHED TO MOTOR VEHICLES AND EXEMPT FROM THE DEFINITION OF "OFF-PREMISE SIGN" SIGNS WHICH ARE LOCATED IN THE PUBLIC RIGHT-OF-WAY AND CONTAIN LESS THAN 24 SQUARE FEET PER SIDE.

Committee: Councilman Nolen and Lurie

Committee recommended Bill be held in abeyance until the next Recommending Committee meeting on July 2, 1984. See Verbatim Transcript attached for details.

RECOMMENDING COMMITTEE MEETING

JUNE 18, 1984

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- B. BILL NO. 84-27 - IMPOSES AN OPTION INCREASE IN THE MOTOR FUEL TAX AUTHORIZED BY ASSEMBLY BILL NO. 662 PASSED BY THE 1983 NEVADA LEGISLATURE IF SO APPROVED BY THE CITY VOTERS.

Committee: Councilmen Lurie and Nolen

No one spoke in opposition. Councilman Lurie advised that RTC had approved a resolution requesting all the Cities and County adopt this ordinance and put it on the ballot in November to request the voters to approve. This money would be used in the maintenance of the roads within each entity's jurisdiction and administered by the local entities. The money would be divided up based on a ratio of the population within those areas. The Committee recommended the Bill be adopted at the July 5, 1984 City Council meeting and that the County be notified the Council would be acting on this so that they could act accordingly.

- C. BILL NO. 84-28 - CLARIFIES OFF-STREET PARKING REQUIREMENTS WITH RESPECT TO OFF-SITE AND SHARED-USE PARKING LOTS.

Committee: Councilmen Lurie and Nolen

No one spoke in opposition. Councilman Lurie advised this ordinance was just to correct the language to reflect the original intent of the ordinance. Committee recommended adoption at the July 5, 1984 City Council meeting.

- D. BILL NO. 84-29 - ALLOWS COMMERCIAL STORAGE UNITS IN THE C-1 ZONING DISTRICT BY WAY OF A SPECIAL USE PERMIT.

Committee: Councilmen Lurie and Nolen

No one spoke in opposition. Committee recommended adoption at the July 5, 1984 City Council meeting.

- E. BILL NO. 84-30 - ADDS DEFINITIONS OF "CONVENTION" AND "TRADE SHOWS" TO CHAPTER ON CONVENTION AND TRADE SHOW BUSINESS LICENSES.

Committee: Councilmen Christensen and Nolen

No one spoke in opposition. City Attorney Ogilvie advised that at the present time there was a problem with the wording of the convention sales ordinance which allows only the sale of goods by exhibitors in relation to bona fide convention and trade shows. The proposed amendment will broaden that definition to allow the sales of goods in a variety of situations which are beneficial. These sales or services must reasonably relate to the primary interests of the convention. The Bill could be amended to have a period on line 22 after the word convention to insure that this be accomplished. The Committee recommended the Bill be adopted as per first amendment at the July 5, 1984 City Council meeting.

RECOMMENDING COMMITTEE MEETING

JUNE 18, 1984

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- F. BILL NO. 84-31 - ADDS A DISTRICT CONSISTING OF CERTAIN BLOCKS ON HIGHLAND DRIVE AND MILLER AVENUE IN WHICH NON-RESTRICTED GAMING MAY BE CONDUCTED.

Committee: Councilmen Nolen and Christensen

No one spoke in opposition. Danny Winder, representing the Colony Club, stated that they would like to put in a poker table and at a later time "21" tables. Committee set the date for a public hearing for July 5, 1984 at 2:00 P.M.

- G. BILL NO. 84-32 - ANNEXATION NO. A-11-84(A), PROPERTY LOCATED ON THE SOUTH SIDE OF DEL REY AVENUE, WEST OF REDWOOD STREET; PETITIONED BY: BONANZA HOLDINGS, LTD.; ACREAGE: APPROXIMATELY 5.16 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Councilmen Lurie and Christensen

No one spoke in opposition. Committee recommended adoption of the Bill at July 5, 1984 City Council meeting.

Attachment

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

0199

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 11th day of June, 1984, at the hour of 9:30 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of a NOTICE of a INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances to be held on the 18th day of June, 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)

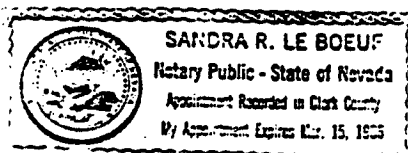
Joanne Perry
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

11th day of June, 1984

Sandra R. Le Boeuf
NOTARY PUBLIC in and for said County
and State. My Commission expires:



NOTICE

0200

The following Bills proposed for adoption by the City Council of the City of Las Vegas, Nevada, will be the subject of PUBLIC COMMENT before the respective Recommending Committees at the hour of 4:00 P.M., Monday, June 18, 1984, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. 84-26 - PROVIDES FOR THE REGULATION OF ADVERTISING SIGNS WHICH ARE RESTED AGAINST OR ATTACHED TO MOTOR VEHICLES AND EXEMPT FROM THE DEFINITION OF "OFF-PREMISE SIGN" SIGNS WHICH ARE LOCATED IN THE PUBLIC RIGHT-OF-WAY AND CONTAIN LESS THAN 24 SQUARE FEET PER SIDE.
Committee: Councilmen Nolen and Lurie
- B. BILL NO. 84-27 - IMPOSES AN OPTIONAL INCREASE IN THE MOTOR FUEL TAX AUTHORIZED BY ASSEMBLY BILL NO. 662 PASSED BY THE 1983 NEVADA LEGISLATURE IF SO APPROVED BY THE CITY VOTERS.
Committee: Councilmen Lurie and Nolen
- C. BILL NO. 84-28 - CLARIFIES OFF-STREET PARKING REQUIREMENTS WITH RESPECT TO OFF-SITE AND SHARED-USE PARKING LOTS.
Committee: Councilmen Lurie and Nolen
- D. BILL NO. 84-29 - ALLOWS COMMERCIAL STORAGE UNITS IN THE C-1 ZONING DISTRICT BY WAY OF A SPECIAL USE PERMIT.
Committee: Councilmen Lurie and Nolen
- E. BILL NO. 84-30 - ADDS DEFINITIONS OF "CONVENTION" AND "TRADE SHOW" TO CHAPTER ON CONVENTION AND TRADE SHOW BUSINESS LICENSES.
Committee: Councilmen Christensen and Nolen
- F. BILL NO. 84-31 - ADDS A DISTRICT CONSISTING OF CERTAIN BLOCKS ON HIGHLAND DRIVE AND MILLER AVENUE IN WHICH NON-RESTRICTED GAMING MAY BE CONDUCTED.
Committee: Councilmen Nolen and Christensen
- G. BILL NO. 84-32 - ANNEXATION NO. A-11-84(A), PROPERTY LOCATED ON THE SOUTH SIDE OF DEL REY AVENUE, WEST OF REDWOOD STREET; PETITIONED BY: BONANZA HOLDINGS, LTD.; ACREAGE: APPROXIMATELY 5.16 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).
Committee: Councilmen Lurie and Christensen

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

(Mailing required under the provisions of NRS CHAPTER 241)

0201

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 11th day of June, 1984, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4:00 PM, on Monday June 18, 1984, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, of which the attached is a true and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears in the Agenda Register maintained in the Office of the City Clerk as having requested, in writing, a copy of said AGENDA (NOTICE).

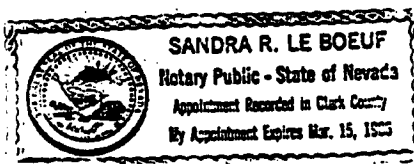
Joanne Perry
SIGNATURE (an employee in the Office of
the CITY CLERK)

Subscribed and sworn to before me this

11th day of June 1984

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County
and State.

My Commission expires: 3-15-86



EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984
A. BILL NO. 84-26

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- COUNCILMAN LURIE: Okay, we'll go back up to Item A since Councilman Nolen is here now on Bill 84-26. Councilman Nolen.
- COUNCILMAN NOLEN: This is a bill that was sponsored by myself. It provides for the regulation of advertising signs which are rested against or attached to motor vehicles and exempt from the definition of "off-premise sign" signs which are located in the public right-of-way and contain less than 24 square feet per side. This is a public hearing and it has been properly noticed. Is there anybody here to speak on this bill?
- JACK DOYLE: I didn't see the Bill, Commissioner. Jack Doyle, Las Vegas Restaurant & Tavern Association. I didn't see the Bill. I was interested in the signs for special events for cocktail lounges. These are signs we're talking about that they put out for two days.
- CITY ATTY. OGILVIE: I don't think, Jack, that it hasn't anything to do with what you're talking about. Some commercial businesses have developed a practice of leaning signs against automobiles parked in public right-of-way which have a tendency of blowing into the driveway portion. This will prohibit that unless there's a permit gotten; and it also, with respect to signs that are affixed to automobiles, it limits the size to four square feet.
- JACK DOYLE: In other words if you have a pickup truck and you park it -- and you have the signs on the back of your pickup truck and you set it on in your --
- COUNCILMAN NOLEN: On your property?
- JACK DOYLE: Yes, on the property?
- CITY ATTY. OGILVIE: If it's within the setback distance on your property, then it comes under this, yes.
- JACK DOYLE: Special events and, of course, you have political signs the same way. They're on pickup trucks that are sitting out on the right-of-way.
- COUNCILMAN NOLEN: I do have a question on political signs because political signs are covered under a separate ordinance, aren't they?
- CITY ATTY. OGILVIE: Political signs are exempted from the sign ordinance.

EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984
A. BILL NO. 84-26

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- COUNCILMAN NOLEN: Yes, it doesn't have any bearing on this at all.
- ROBERT VAN NORSTRAND: Are we, in fact, also -- is this addressing also the trailer signs or the A-frame on the trailers that you see out in the right-of-ways or areas like this? Is this then going to allow that?
- COUNCILMAN NOLEN: This has nothing to do with those political signs.
- ROBERT VAN NORSTRAND: The trailers.
- COUNCILMAN CHRISTENSEN: He's talking about trailer signs that aren't political signs.
- COUNCILMAN LURIE: If it's non-political, yes. The answer to your question is yes.
- CITY ATTY. OGILVIE: Actually, I didn't realize that there were A-frames in this.
- COUNCILMAN LURIE: It wouldn't be the first time, George.
- CITY ATTY. OGILVIE: This uses the phrase, "motor vehicles."
- COUNCILMAN NOLEN: Yes. My big concern is -- and I can right off the top of my head, I know two locations where this happens. One of them is right down Maryland Parkway, it's a beauty shop. Every morning the lady parks her car there, gets out, opens the truck and takes a sign and sticks it on the street right behind the car just like that and it just looks bad. The wind knocks it over. Blows it out into traffic all the time. It's a problem and that's basically one of the problems I have with -- one of the reasons I'm supporting this ordinance, but as far as political signs or the A-frame -- because it does specifically say motor vehicle, I don't think it covers A-frames.
- JACK DOYLE: Doesn't trailers have to be licensed? The trailers have to be licensed by Motor Vehicles?
- CITY ATTY. OGILVIE: They may have to --
- COUNCILMAN NOLEN: They are not motorized vehicles though because a trailer that requires a license doesn't give it a designation of motor vehicle. It's still a trailer.

EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984
A. BILL NO. 84-26

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JACK DOYLE: What I'm getting at is, if I have a pickup truck and I have a sign, 4x8 sign on my pickup truck, and I back my pickup truck into a parking space instead of pulling it in or backing it in where it's facing out like out in the street, it would be on the right-of-way -- highway right-of-way more or less for special occasions, for music and stuff like that, that's what I'm interested in -- as taverns. They're having a special event at a tavern and this whatever --

COUNCILMAN NOLEN: It would require a permit.

JACK DOYLE: That's right.

CITY ATTY. OGILVIE: If it's in a public right-of-way or within the setback.

COUNCILMAN NOLEN: Only if it's in within the public right-of-way, you're talking about backing into one of your parking stalls. How could that be on public right-of-way?

CITY ATTY. OGILVIE: It could be in the --

COUNCILMAN LURIE: How are you going to police this?

DEPUTY CITY MGR. SAYLOR: More than likely in connection with the taverns there's no setback requirements. As long as your on private property, there's no setback.

CITY ATTY. OGILVIE: Okay, there wouldn't be setbacks?

DEPUTY CITY MGR. SAYLOR: No.

COUNCILMAN CHRISTENSEN: It says right here, George, on page two, "provided, however, that no such permit shall be required to affix an advertisement, bill, notice, sign, picture, card or poster to a motor vehicle if such advertisement, bill, notice, sign, picture, card or poster does not exceed 4 square feet in area and does not project more than 2 inches from either side of the vehicle or beyond the front or rear bumper." So, if a person puts a side board on the side of his truck that doesn't protrude beyond the truck.

CITY ATTY. OGILVIE: Yes, but that --

JACK DOYLE: But you're not allowed to park out in the street.

EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984
A. BILL NO. 84-26

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DEPUTY CITY MGR. SAYLOR: That's right. You could not park the truck in the street with the sign on.

JACK DOYLE: That's going to stop Shetakis and all these other people from parking then. You're going to open up a can of worms there. I've got signs on the back of my truck. They've got signs, Lucky's Supermarket, things like that. They have signs on advertising their place of business.

COUNCILMAN LURIE: The reason for this ordinance was for what Councilman Nolen mentioned was one incident down here where they parked the truck out advertising the beauty shop. There's another one that bothers me up on Charleston. The shopping center next to McDonald's and you can check that out, there's a truck up there with two flat tires and advertises hamburgers for 39 cents that should be towed away. It's a public nuisance.

COUNCILMAN NOLEN: But it's on private property.

COUNCILMAN LURIE: It's on private property. Now, see that bothers me. This one bothers you. I think that's what this ordinance should address.

COUNCILMAN CHRISTENSEN: I know. I agree with that, but I'm not sure we're making this ordinance -- maybe this ordinance goes too far and you could conceivably cite a person that had the name of his firm painted on the side of his truck while he's making a delivery.

CITY ATTY. OGILVIE: This does not include painting. This includes things that are affixed, not painting.

COUNCILMAN CHRISTENSEN: Okay. Glazer Brothers has brackets on the side of their truck and they slide placards in there that are provided by the tobacco companies that fit in just like a movie show card used to when you and I were kids, George. They slide right in, now that's not painted on the truck. That means while he's delivering cigars, you could fine him.

CITY ATTY. OGILVIE: If he does not have a permit.

COUNCILMAN CHRISTENSEN: He'd have to have a permit to have his name on the side of his truck?

CITY ATTY. OGILVIE: If it exceeds the four square feet.

EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984
A. BILL NO. 84-26

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- COUNCILMAN CHRISTENSEN: I have a problem with that.
- COUNCILMAN NOLEN: I don't think that's what we're looking to get into.
- COUNCILMAN CHRISTENSEN: It's not what you're looking to get into, but that's what you do by accident.
- COUNCILMAN LURIE: Why can't we possibly send this ordinance back and have it rewritten to address the concerns that we have. Maybe get a committee together, come up with something that might be acceptable to the Board that doesn't open up this can of worms.
- CITY ATTY. OGILVIE: What is primarily to do is what you and Councilman Nolen suggested.
- COUNCILMAN NOLEN: Yes.
- COUNCILMAN LURIE: Can this be reworked and then brought back to us?
- CITY ATTY. OGILVIE: We do have somewhat of a problem because Harold, I think, has a problem on the other half of the Bill for the exemption -- the definition of off-premise signs, the bus shelter signs.
- HAROLD FOSTER: We can go another meeting or so. We just want to get going as soon as we can.
- COUNCILMAN LURIE: We won't kill this then, we'll just refer it to the next meeting.
- ROBERT VAN NORSTRAND: The only thing you really need is something in the ordinance that would clarify anything that would alter the shape of that vehicle from its original form. An A-frame in the back of the truck that would alter it from its original condition. These little slide panels on the back of the truck would not alter it from its original condition.
- COUNCILMAN NOLEN: Well, I'm not sure that we're looking to -- you know, like in the case of Mr. Doyle here brought up where there's an special event at a local tavern and he has some signs made up and puts them on the back of his pickup truck a week or two weeks ahead. Are we looking to -- that truck is fixed. I'm more concerned with the disabled vehicle that's being used. I can -- since he mentioned, I can think of a couple more that I can think of too and the signs, the sandwich signs they just take out of their cars and set them out on the

EXCERPT - RECOMMENDING COMMITTEE MEETING - JUNE 18, 1984

A. BILL NO. 84-26

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COUNCILMAN NOLEN:

sidewalk or set them out on the street when they go to work that morning, and that's really what we're looking -- I think we're lookin for, not necessarily that concern you outlined. So why don't we refer it back to staff.

COUNCILMAN CHRISTENSEN:

Could we do the same thing, George, if we took out on page two -- if you took out on line ten, does not exceed four square feet in area and made to read that such advertisement bill notice signs such as card and poster does not project more than two each inches from either side of the vehicle or beyond the front and rear bumper?

CITY ATTY. OGILVIE:

I think that probably would get it.

COUNCILMAN NOLEN:

Why don't we refer back and let you look into that and see if that'd clean it up and then we can set it at the next -- when's our next committee meeting?

CITY CLERK HAWLEY:

Two weeks from today.

COUNCILMAN CHRISTENSEN:

Well, then you see you couldn't lean them up against it. You couldn't make them stick out beyond the sides. You couldn't make them stick out beyond the front or the back.

COUNCILMAN LURIE:

July 2nd we'll put this back on. This Bill then will be back on for the second, July 2nd and we'll have the amendment to it.

END OF EXCERPT

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

- 1139 C. BILL NO. 84-26 - PROVIDES FOR THE REGULATION OF ADVERTISING SIGNS WHICH ARE RESTED AGAINST OR ATTACHED TO MOTOR VEHICLES AND EXEMPT FROM THE DEFINITION OF "OFF-PREMISE SIGN" SIGNS WHICH ARE LOCATED IN THE PUBLIC RIGHT-OF-WAY AND CONTAIN LESS THAN 24 SQUARE FEET PER SIDE.
Committee: Councilmen Nolen and Lurie

First Publication: Not Published

Committee Recommendation:

To be sent back to Recommending Committee meeting July 2, 1984.

Recommendation Noted

7/2/84 Agenda
Recommending
Committee meeting

- 39 D. BILL NO. 84-27 - IMPOSES AN OPTIONAL INCREASE IN THE MOTOR FUEL TAX AUTHORIZED BY ASSEMBLY BILL NO. 662 PASSED BY THE 1983 NEVADA LEGISLATURE IF SO APPROVED BY THE CITY VOTERS.
Committee: Councilmen Lurie and Nolen

First Publication: Review-Journal - 6/23/84

Committee Recommendation:

Adoption at the City Council meeting 7/5/84.

Recommendation Noted

7/5/84 Agenda

APPROVED AGENDA ITEM

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AGENDA*City of Las Vegas*

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

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VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

1139

E. BILL NO. 84-28 - CLARIFIES OFF-STREET PARKING REQUIREMENTS WITH RESPECT TO OFF-SITE AND SHARED-USE PARKING LOTS. Recommendation Noted 7/5/84 Agenda

Committee: Councilmen Lurie and Nolen

First Publication: Review-Journal - 6/23/84

Committee Recommendation:

Adoption at City Council meeting 7/5/84.

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F. BILL NO. 84-29 - ALLOWS COMMERCIAL STORAGE UNITS IN THE C-1 ZONING DISTRICT BY WAY OF A SPECIAL USE PERMIT. Recommendation Noted 7/5/84 Agenda

Committee: Councilmen Lurie and Nolen

First Publication: Review-Journal - 6/23/84

Committee Recommendation:

Adoption at City Council meeting 7/5/84.

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ITEM

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VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

1139

- G. BILL NO. 84-30 - ADDS DEFINITIONS OF "CON-
-
- VENTION" AND "TRADE SHOW" TO CHAPTER ON CON-
-
- VENTION AND TRADE SHOW BUSINESS LICENSES.

Committee: Councilmen Christensen and Nolen

First Publication: Review-Journal - 6/23/84

Committee Recommendation:Adoption at City Council meeting 7/5/84 as
per First Amendment.

Recommendation Noted 7/5/84 Agenda

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- H. BILL NO. 84-31 - ADDS A DISTRICT CONSISTING
-
- OF CERTAIN BLOCKS ON HIGHLAND DRIVE AND
-
- MILLER AVENUE IN WHICH NON-RESTRICTED GAMING
-
- MAY BE CONDUCTED.

Committee: Councilmen Nolen and Christensen

First Publication: Review-Journal - 6/23/84

Committee Recommendation:Public Hearing date set for City Council
meeting 7/5/84 at 2:00 P.M.

Recommendation Noted 7/5/84 Agenda

APPROVED AGENDA

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AGENDA*City of Las Vegas*

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

ITEM

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Department Action

VI. REPORTS FORM RECOMMENDING COMMITTEES (Cont'd)

1139

- I. BILL NO. 84-32 - ANNEXATION NO. A-11-84(A), PROPERTY LOCATED ON THE SOUTH SIDE OF DEL REY AVENUE, WEST OF REDWOOD STREET; PETITIONED BY: BONANZA HOLDINGS, LTD.; ACREAGE: APPROXIMATELY 5.16 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).
Committee: Councilmen Lurie and Christensen
 First Publication: Review-Journal - 6/23/84
Committee Recommendation:
 Adoption at City Council meeting 7/5/84.

Recommendation Noted 7/5/84 Agenda

APPROVED AGENDA ITEM

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

City of Las Vegas

AGENDA

ITEM	Council Action	Department Action
VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
1142 & 100 A. Bill No. 84-33 -- Special Improvement District No. 451 Step No.: 11B - Ordinance Creating District 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 Blvd. from Cartier Avenue to Rancho Drive Sponsored by: (Step Requirement)	First Reading and referred to - Levy and Nolen	7/2/84 Agenda Recommending Committee meeting
11 100 B. Bill No. 84-34 -- Special Improvement District No. 456 Step No.: 11B - Ordinance Creating District 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 Sponsored by: (Step Requirement)	First Reading and referred to Levy & Nolen	7/2/84 Agenda Recommending Committee meeting.
	MORNING SESSION RECESSED AT 11:45 A.M.	

0213

AGENDA*City of Las Vegas*

June 20, 1984

Page 29

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

ITEM**Council Action****Department Action****IX. 2:00 P.M. - PUBLIC HEARINGS**

- 401 A. VAC-11-84 - Petition of Vacation submitted by CHEYENNE PARTNERSHIP to vacate the south half of Atwood Avenue, between Jones Boulevard and Bronco Street.

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

1. If the Order of Vacation is not recorded 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

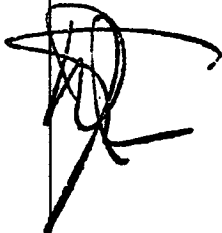
PROTESTS: 0

Lurie -
APPROVED, subject
to conditions.
Unanimous

Clerk to notify &
Planning to proceed

No one appeared in
opposition.

APPROVED AGENDA ITEM



To: The City Council
Re: Public Hearing Agenda Item
June 20, 1984 City Council Agenda

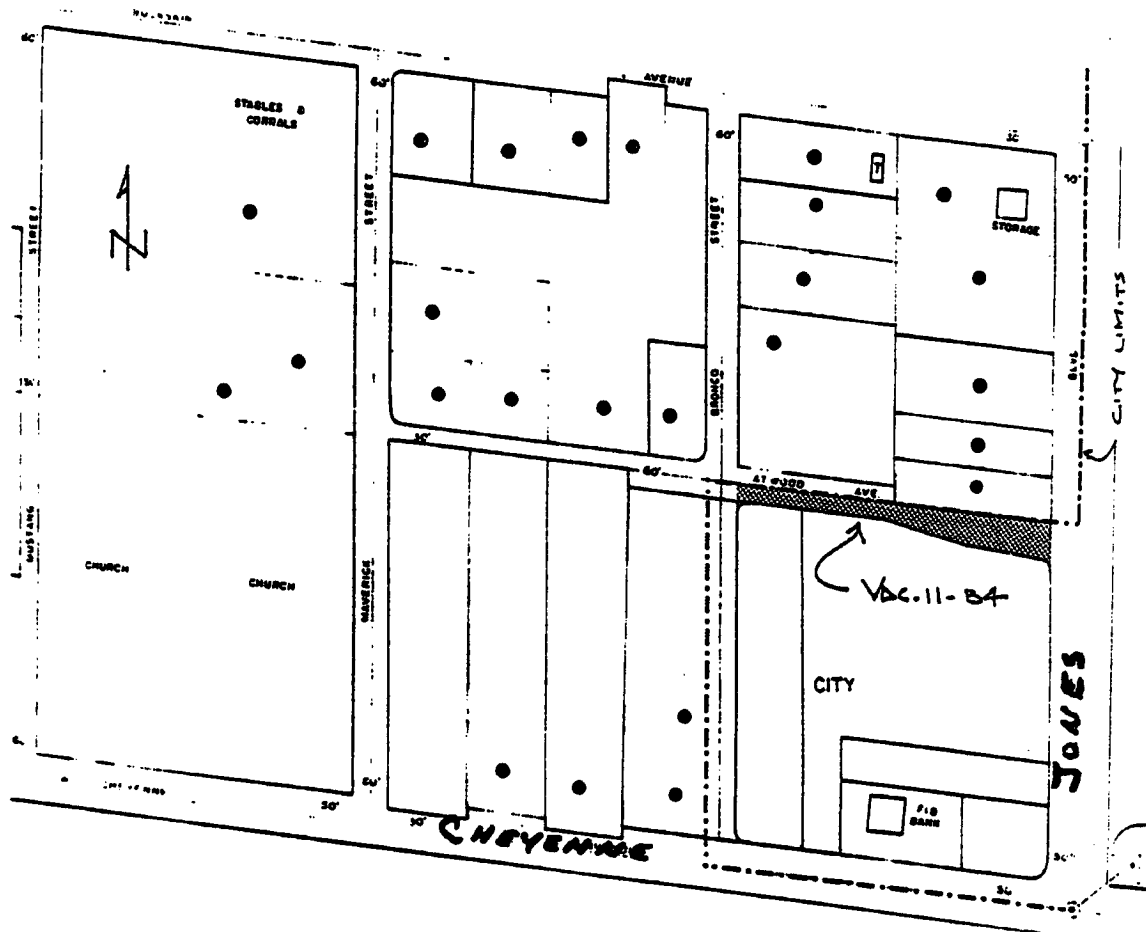
A. VACATION - VAC-11-84 - CHEYENNE PARTNERSHIP

The request is to vacate the south half of Atwood Avenue between Jones Boulevard and Bronco. This portion of Atwood is unimproved and a street at this location is not needed for traffic circulation. There is some dedication existing on the north half of this street.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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 South Half of Atwood Avenue generally
located between Jones Boulevard and Bronco
Street

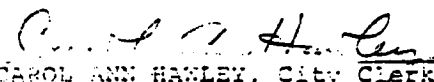
SUBJECT TO

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 20th day of June, 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 6th day of June, 1984.


CAROL ANN HAWLEY, City Clerk

AGENDA*City of Las Vegas*

June 20, 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 (Cont'd)

1402

- B. V-59-84 - APPEAL filed by VIRDA F. HUBAR to the action of the Board of Zoning Adjustment in DENYING the application of BORIS V. AND VIRDA F. HUBAR for a variance to allow two dwelling units where only one is allowed on property located at 5204 Churchill in Zoning District R-1 (Single-Family Residence).

Board of Zoning Adjustment recommends DENIAL (3-1 vote).

Staff Recommendation: DENIAL

PROTESTS: 6

Levy -
DENIED
Unanimous

Clerk to notify

Virda Hubar appeared

Protestants:

Pat Whittle
120 South Minnesota

Mrs. Cottrill

Mary Doerr

APPROVED AGENDA ITEM

To: The City Council
 Re: Public Hearing Agenda Item
 June 20, 1984 City Council Agenda

IX.

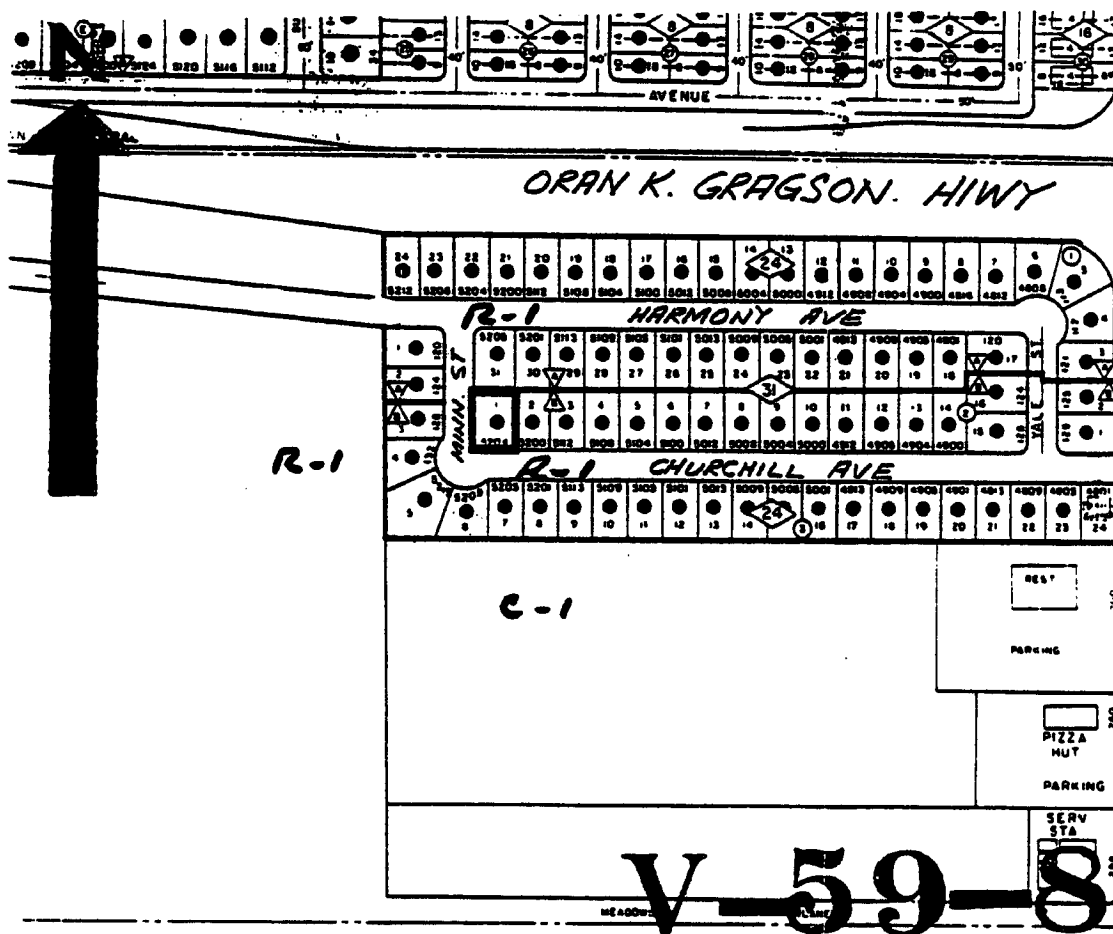
B. V-59-84 - APPEAL FILED BY VIRDA F. HUBAR TO THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN DENYING THE APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED

This is an appeal by the applicant to the action of the Board of Zoning Adjustment in denying two dwelling units at 5204 Churchill Avenue where only one dwelling unit is allowed in an R-1 zone. The applicant lives across the street and has this property as a rental. He indicated that seven years ago he purchased the property as it presently exists with a second story addition that is now proposed for the second unit. The applicant indicates there will be no kitchen in the additional unit and that it will be a sleeping room with a bathroom. The protestants indicated when the second story addition was constructed they became concerned about the use and the permit, as well as the owner, indicated it would only be used for storage purposes. The applicant now wishes to rent it as a sleeping room which constitutes a separate dwelling use because there is no interior access to the main dwelling. The protestants were concerned that allowing two units on this property would set a precedent for more rentals to be allowed in their R-1 neighborhood.

BOARD OF ZONING ADJUSTMENT DECISION: DENIAL - Insufficient justification to deviate from the provisions of the R-1 zone.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 6 - 3 Letters
 3 Persons spoke at BZA meeting



5101 West Churchill Ave.
Las Vegas, Nevada.
June 8th, 1984.

RECEIVED

JUL 11 11 22 AM '84

CITY CLERK

N-59-84
NOTICE OF PUBLIC HEARING.
APPLICATION OF —
VIRDA + BORIS N. HUBAR.

Dear Sirs: --

We are in receipt of your letter regarding the above appeal by said Virda + Boris N. Hubar to action of the Board of Zoning Adjustment's denial of variance to allow two dwelling units where only one is permitted at 5204 W. Churchill + zoning district R-1 (single-family residence).

My husband and I strongly object to any charge whatsoever and approve wholeheartedly of the Board's denial of same.

Yours truly,
Mr. & Mrs. Roger Jane

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984 PAGE 1
ITEM 12 - V-59-84 - APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO
ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED ON PROPERTY LOCATED
AT 5204 CHURCHILL IN ZONING DISTRICT R-1 (SINGLE-FAMILY RESIDENCE).

CHAIRMAN BUGBEE: Item 12, V-59-84, the application of Boris and Virda Hubar for a variance to allow two dwelling units where only one is allowed on property located at 5204 Churchill in Zoning District R-1.

ROBERT CLEMMER: This proposal is to allow a, I guess, a guest house which is over the two-story garage at the present time to install a kitchen. This guest facility has no interior access to the main building. It would actually constitute two units in an R-1 area. Staff would recommend DENIAL. There are two protests of record.

CHAIRMAN BUGBEE: Yes, sir.

BORIS HUBAR: My name is Boris Hubar and we purchased that property --

CHAIRMAN BUGBEE: Your address please.

BORIS HUBAR: Pardon me.

CHAIRMAN BUGBEE: Your address for the record.

BORIS HUBAR: 5213 Churchill. We're across the street. We purchased this place some two years ago with the speculation of rental property and it was misrepresented to us at that time because the previous owner said that it had been rented. I would suggest that that probably has been there some seven years and will probably continue to be there for some time longer unless it's burned down or something like that. The way it is designed and so forth, I don't think anybody would every know that anybody lived there. It has its own private parking, probably enough for four cars. There's a -- quite a sizeable fence there. It has its own yard completely separated from the house in front -- has access from a side street. Again, lighting -- there's a fire hydrant out front, that sort of thing.

COMMISSIONER JUNIEL: Is the kitchen there now?

BORIS HUBAR: Pardon me.

COMMISSIONER JUNIEL: Is the kitchen there now, or do you want to put one in?

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984 PAGE 2
ITEM 12 - V-59-84 - APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO
ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED ON PROPERTY LOCATED
AT 5204 CHURCHILL IN ZONING DISTRICT R-1 (SINGLE-FAMILY RESIDENCE).

BORIS HUBAR: No, there is no kitchen. I don't want to put a kitchen -- it's not that kind of a place. It was not designed for cooking.

COMMISSIONER MYERS: Well, is it just a room with a bath?

BORIS HUBAR: It's a bachelor, I guess, you could call it a sleeping room.

ROBERT CLEMMER: You indicate on the application that the applicant wants to put a stove and kitchen in. No room divider -- there's just a bathroom now and living area.

CHAIRMAN BUGBEE: Well, the applicant just told us, he doesn't want a kitchen.

BORIS HUBAR: Right. My mother had suggested that at one time, but I think if it's going to cause any problem, I'd just rather forget about that and that could be adjusted sometime later.

CHAIRMAN BUGBEE: As a sleeping room, Mr. Foster, it's against the --

ROBERT CLEMMER: In the R-1 District, you're not permitted to have guest houses or guest quarters unless it's connected to the main dwelling and has interior access. This doesn't have that.

CHAIRMAN BUGBEE: It is connected to the main dwelling, isn't it?

ROBERT CLEMMER: This is the patio. There's no interior access to the main body of the house.

COMMISSIONER JUNIEL: Sir, is it separated from the main part of the house?

ROBERT CLEMMER: Yes, there's no interior access, just exterior access.

CHAIRMAN BUGBEE: Okay, sir. This is a public hearing, let's hear from some of the other folks and then we'll get back to you.

TED BOYER: My name is Ted Boyer, my wife Ali. We live at the property at 5205 Harmony, the lot just directly north of this property in question. The idea of having two dwellings on one lot in our neighborhood is just, I don't believe, compatible. The lots aren't that big for -- to set a precedent in this area and I'm opposed to it. On a second reason, the landing for the entryway for this dwelling looks directly into our bedroom window and I feel it invades our privacy.

CHAIRMAN BUGBEE: Well, he indicated that building had been there for some five or six years.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984
ITEM 12 - V-59-84 - APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO
ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED ON PROPERTY LOCATED
AT 5204 CHURCHILL IN ZONING DISTRICT R-1 (SINGLE-FAMILY RESIDENCE).

PAGE 3

TED BOYER: Yes, the neighbor that built that promised at the time it was built that it would never be used for rental. It'd be a storage area.

CHAIRMAN BUGBEE: He put a bathroom in there.

TED BOYER: No, the bathroom wasn't put in there originally.

CHAIRMAN BUGBEE: Did you buy it with a bathroom, sir?

BORIS HUBAR: Every bit of that structure was there. The only thing that I have done is put some trim around the doors and did some painting that needed to be touched up. Everything that's there was there when I bought the property. It had a full bathroom, everything.

TED BOYER: That's all I have to say.

CHAIRMAN BUGBEE: Thank you. Yes, ma'am. Does anyone else wish to speak here?

MARY DOERR: My name is Mary Doerr. I live at 124 South Minnesota Street, strictly straight across from this building. At the time that this garage and this overhead thing was put in, the owner, which his last name was West, was instructed that that could never be used for anything except a workshop or storage. It could never be used as any type of dwelling and I was the one that called and reported someone living there.

CHAIRMAN BUGBEE: That's why he's here this evening.

MARY DOERR: That's probably true.

CHAIRMAN BUGBEE: He's the first -- nobody else ever lived there before?

MARY DOERR: Never. The bathroom that's in there was bootlegged in by the person that he bought it from.

CHAIRMAN BUGBEE: Okay, thank you. Yes, ma'am.

PAT WHITTLE: Pat Whittle, 120 South Minnesota. I, too, am here to speak against changing a single-dwelling area to a double-dwelling. The neighbors who built it -- we were, at the time, against having the two-story structure put up, but at the time they were good neighbors and we came down to protest and we were assured then that it would be stipulated that it would be used as -- he built model airplanes and he stored them upstairs -- that it would be used for storage and the bottom part as a garage and we are just nervous about having this

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984 PAGE 4
ITEM 12 - V-59-84 - APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO
ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED ON PROPERTY LOCATED
AT 5204 CHURCHILL IN ZONING DISTRICT R-1 (SINGLE-FAMILY RESIDENCE).

PAT WHITTLE: happen in our neighborhood. We already have a lot of rentals there that are homes, but not double rentals on one property and we would like to keep it a single-family dwelling if at all possible. Thank you.

CHAIRMAN BUGBEE: Thank you. Yes, sir, would like a moment in rebuttal before we close the hearing?

BORIS HUBAR: I don't think so. I think that area will change in a very short time. I don't know whether the Board has noticed that that area in back of us there is completely open and I suspect -- whatever may happen there at one time. I don't know who who owns that area. I do think this is kind of a different kind of a lot in that it is a huge corner lot and the way it is completely divided you can hardly tell that it isn't two completely different residences the way it is. Again, the place is completely separated and when the car were pulled inside the person's parking lot there, you'd never know they were there other than -- probably if they turned their light on. They don't even have trash cans there.

CHAIRMAN BUGBEE: Okay, thank you.

MARY DOERR: I also brought another letter of protest. May I turn -- it's from a neighbor.

CHAIRMAN BUGBEE: Yes, sure.

MARY DOERR: Thank you.

CHAIRMAN BUGBEE: I'll let you talk if you want to. I thought your husband spoke for both of you, but now that you're here --

ALI BOYER: Well, I'm Ali Boyer, 5205 Harmony, and I'd just like to bring it down to a personal level. The window that my husband said, is really french doors and we built french doors so that we could have them open in the evening and the gentleman that's in the room, he comes and goes at strange hours. That's not his fault. He's got that kind of a job, but I've been laying in bed with the french doors open and he's gone up the stairs and he can look directly into our bedroom from his stairs and when he leaves his light on, and he does, it shines in our eyes.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

PAGE 5

ITEM 12 - V-59-84 - APPLICATION OF BORIS V. AND VIRDA F. HUBAR FOR A VARIANCE TO ALLOW TWO DWELLING UNITS WHERE ONLY ONE IS ALLOWED ON PROPERTY LOCATED AT 5204 CHURCHILL IN ZONING DISTRICT R-1 (SINGLE-FAMILY RESIDENCE).

COMMISSIONER GILES: Don't you ever pull the blinds in your bedroom?

ALI BOYER: What's that?

COMMISSIONER GILES: Don't you pull the blinds in your bedroom?

ALI BOYER: Yes, we do have blinds and we do -- I personally like the blinds up. I like to see the play of the shadows. This is why we put french doors in. As to it looking like two structures, it does not. It looks like a garage with a room built above it. Thank you.

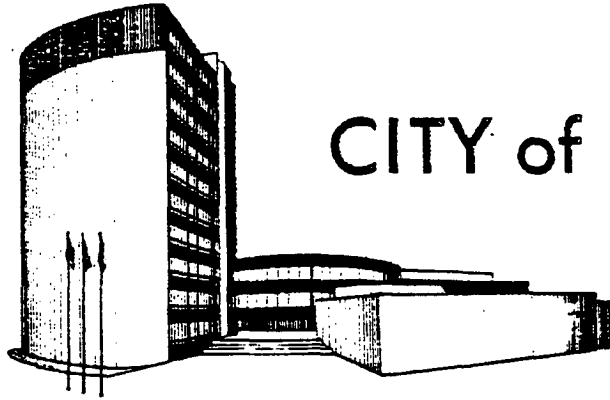
CHAIRMAN BUGBEE: Thank you. I'm going to close the public hearing. What's your will?

HELEN MYERS: I'M GOING TO MOVE TO DENY.

CHAIRMAN BUGBEE: That has been DENIED, sir. You have the right of appealing within eleven days of the -- to the County Commission -- City Council. (laughter)
(The motion carried with Juniel voting "NO" and Emmett 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

JUNE 20, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday June 20, 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-59-84 APPEAL filed by VIRDA F. HUBAR to the action of the Board of Zoning Adjustment in DENYING the application of BORIS V. & VIRDA F. HUBAR for a variance to allow two dwelling units where only one is allowed on property located at 5204 Churchill in Zoning District R-1 (Single-Family Residence).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT ONE (1) IN BLOCK TWO (2), STELMAR TRACT NO. 1.

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



V-59-84

0225

City of Los Angeles Planning Board.

To Whom it may concern

We strongly object to the appeal # V-59-84 filed by Huber & Huber for variance to allow 2 dwellings when only one is allowed at 5204 Churchill Ave.

Rental properties are of tremendous concern, not only do they bring a transient element, but are seldom cared for by renter or owner. The numerous occupants of rental past & present have been & continue to be a very ugly & unpleasant problem. A current rental property has 6-7 deep continual parking & stuck a filthy gutter, old cars parked on every one else's parking area, street fighting involving the police. Other rental properties have had late night parties, drug activities and child abuse. One rental has 7 cars parked in front of 3 different houses

0226

As a home owner who cares about the neighborhood I have lived in for 20 years, I do not want this element in my area especially in view of the real estate managers who line their pockets with rent & Do Not care about the neighborhood they plague or the problems the rentals cause.

It is very unfortunate we cannot have regulation in this area regarding rental properties, recreational vehicles, disturbing animals, etc.

Sincerely

Bonnie Jean Hatcher

5012 Churchill

870-0350

V-59-84 0227

JUNE 14, 1984

TO WHOM IT MAY CONCERN:

AS A PROPERTY OWNER FOR THE PAST
20 YEARS AT 5012 HARMONY AVE.,
WE STRONGLY OPPOSE THE ZONING
REQUEST AND SUBSEQUENT APPEAL
OF V-59-84 TO ALLOW TWO DWELLING
UNITS IN THIS SINGLE-FAMILY ZONED
AREA.



DANIEL C. THORNE
5012 HARMONY AVE
L.X, N.Y. 89107

From the desk of: JEFF GRESSER

Re: appeal # V-59-84
filed by Verda F. Huber
for a variance to allow
2 dwellings where only 1
is allowed at 5204 Churchill

REV. 11 11 84
CITY CLERK
Please be advised
that I am totally against
such a variance in
any form. I don't under-
stand why this case is
lingering. This is my
second letter against
this variance.

Such a variance

From the desk of: JEFF GRESSER

if allowed would be
a breach of my privacy
as the forementioned
property is 1 door away
from mine; and, has
a clear view into my
rear yard.

This is totally ridiculous
to me that such an
appeal is allowed. Where
in Nevada law is this
right allowed in a case
such as this?

Jeff Gresser

0229

June 12, 1984

Zoning Board
Las Vegas, Nevada

Gentlemen:

As home owners of almost 20 years in this tract, we ~~would~~ object to the appeal (#V-59-84) filed by Linda J. Huber, for variance to allow 2 dwellings where only one is allowed, at 5204 Churchill Avenue.

This is a residential area of single family homes & we wish it to remain so. We have lived at 5201 Harmony since 1963 & have always taken pride in our quiet, residential area. Our home is one of a 2-block tract & we feel very strongly there is no room here for multiple dwellings.

We therefore request you deny Mrs. Huber's appeal & reaffirm your previous decision to leave this area zoned for single dwellings only.

CITY CLEER

Respectfully

JUN 18 11 40 AM '84

Edward F. Florian

RECEIVED

Cecilia M. Florian

5201 Harmony St.
Las Vegas, Nevada 89107

RECEIVED

JUN 18 11 40 AM '84

CITY CLERK

Thank you
Mr. Marshall

June 13, 1984
I object to appoint 7.5-84
which say that 7.5-84
insurance to allow two additional units
which is allowed at 5204 Church
I am a member in the tract
for the next 15 years.

Dear City Councilmen,

We are very much against the appeal V-59-84 filed by Viado F. Hubar. We have lived here for 20 years and do not feel this variance would benefit the area in any way. It could create many problems.

Very truly yours,
Pat and Bill Whittle
1205. Minnesota
Las Vegas, Nev. 89107

RECEIVED

JUN 18 11 40 AM '84

CITY CLERK

0232

June 15, 1984

Attention: City Clerk, Carol Ann Hawley
City Of Las Vegas

Re: Appeal # V-59-84

It is our understanding that Mrs. Verda F. Hubar is appealing the denial decision of her original request to change the zoning of the property at 5204 Churchill,

Lot One in Block 2
Stelmar Tract No. 1

from the R-1 standing to allow for a two family dwelling.

We, Mr. and Mrs. Ted. S. Boyer, own the property at 5205 Harmony, Las Vegas, Nevada. We share a common block wall with the Churchill property. This block wall divides our backyards.

We strongly object to a zoning change. The two story garage is all ready a violation of the building code for our neighborhood. If the room above the garage is occupied it violates all privacy for us as the sliding glass door (which is the only window or exit in the room above the garage) and the stairway leading to it, look directly into our backyard and bedroom french doors. When the room in question was occupied we felt a total lack of privacy.

If the zoning was changed, what would prevent other neighbors from renting out parts of their homes and property creating an impossible parking problem on streets that are already crowded?

We have always been unhappy with this two-story structure overlooking our backyard. We have never previously objected since it has never been occupied until recently.

We petition you to sustain the denial.

Sincerely,

Theodore S. Boyer & Ali T. Boyer

Theodore S. Boyer
Ali T. Boyer

CITY CLERK

JUN 18 11 40 AM '84

RECEIVED

0233

June 13, 1984

To Whom It May Concern;

In regard to V-59-84, request for variance change by Virda F. Hubar.

We appose this change. We desire to keep this area a single family neighborhood. If everyone changed their garage to a rental we would be way over crowded.

We thank you for your consideration.

Mr + Mrs Blair E Wilcox

Mr. and Mrs. Blair E. Wilcox
5212 Harmony

RECEIVED

JUN 13 11:40 AM '84

CITY CLERK

RECEIVED

0234

4908 Churchill Avenue
Las Vegas, Nevada 89107
14 June, 1984

CITY CLERK

Las Vegas City Council
400 East Stewart Avenue
Las Vegas, Nevada

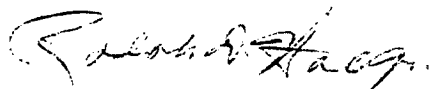
Gentlemen:

As owners and residents of a home on Churchill Avenue, we strongly urge that you uphold the original action of the Board of Zoning Adjustment in denying the application of Boris V. and Virda F. Hubar for a variance to allow a two-family dwelling at 5204 Churchill Avenue.

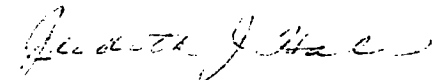
We purchased our house twelve years ago because we liked the quietness of this single-family neighborhood, and we do not want to see the nature of this neighborhood changed into one of multiple dwelling units. We want neither the added population nor the increased traffic and congestion.

Thank you for your support in this matter.

Sincerely,



Ralph D. Hale, Jr.



Judith J. Hale

RECEIVED

CITY COUNCIL MINUTES - JUNE 20, 1984

0235

June 13th 1984

CITY CLERK

To the City of Las Vegas -

Regarding the matter of appeal
V-59-84 filed by Verda F. Huber,
for a Variance to allow 2 dwelling
units at 5304 Churchill Ave. (Lot 1
in Block 2 of Stelmar tract #1)

I do declare my objections.

Mary L. Dike
5105 W Churchill Ave
Las Vegas, NV 89117

RECEIVED
REC'D

0236

4905 Churchill Avenue
Las Vegas, Nevada 89107

June 13, 1984

CITY CLERK

Las Vegas City Hall
400 East Stewart Avenue
Las Vegas, Nevada 80101

Attn: Carol Ann Hawley
(10th Floor)

Dear Ms. Hawley:

We strongly disagree to the Appeal of the below described action to allow two dwelling units where only one is allowed.

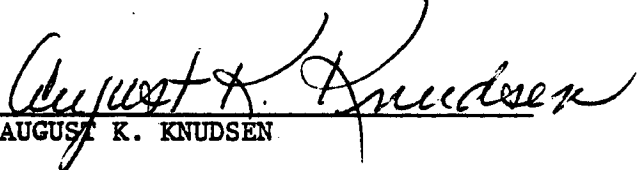
V-59-84

Appeal filed by Virda F. Hubar to the Action of the Board of Zoning Adjustment in denying the application of Boris V. and Virda F. Hubar for a variance to allow two dwelling units where only one is allowed on property located at 5204 Churchill Avenue (single family residence).

Not only are the lots too small to accommodate two dwellings, there is a great shortage of parking spaces as can be seen by all the vehicles parked in the street with the residences as they are at this time.

It should also be noted that all residents in the area were not notified of the above pending action.

Very truly yours,


AUGUST K. KNUDSEN

AKK:pm

RECEIVED

JUN 18 11 41 AM '84

0237

CITY CLERK

4913 Churchill
Las Vegas, NV 89107

13 June 1984

City of Las Vegas
Zoning Board

Re: Appeal #V-59-84
Hubar, Virda F.

For variance to allow two dwellings where only
one is allowed at 5204 Churchill Avenue, Las Vegas.

We strenuously object to this proposal by the Hubar's and ask
that it be denied.

Thank you,


R. S. Lee


Joyce Lee

RECEIVED

0238

JUN 18 11 41 AM '84

June 14, 1984

CITY CLERK

TO WHOM IT MAY CONCERN:

We object to the Appeal #V-59-84 filed by Virda F. Hubar for a variance to allow two dwellings where only one is allowed at 5204 Churchill Avenue.



Lou Alyce Edner
5201 Churchill Avenue
Las Vegas, Nev. 89107

June 14th 1984

0239

To whom it may concern,

Being an interested person, but not being to attend the case involving Boris & Vicki Huber. I'm writing this in objection to the appeal of U-59-84.

I believe that if this is allowed, more two dwelling units will appear, thus lowering the standard of living -

William E. Kling
5000 Churchill
L.V. - 89107

RECEIVED

JUN 18 11 41 AM '84

CITY CLERK

6-14-84

RECEIVED

Zoning Board:

Attn: Carol Ann Hawley

0240

Ref: V-59-84

CITY CLERK

Appeal filed by Linda J. Huber for
variance to allow 2 dwelling where
only one is allowed at 5204 Churchville.

We are original homeowners in this tract for
22 years. We strongly object to the above
variance being granted.

Reasons:

Lot was originally designated for single
dwelling unit

Rentals bring bad elements into the
area.

Parking facilities limited

Bring more traffic into the area

Loss of privacy of all back yards to the
North, South & East of this structure.

We do not want any zoning variances
in this area

Mr. Willard L. Kelley
Mrs. W. L. Kelley

RECEIVED

JUN 21 1984

CITY CLERK

0241

Thomas & Kathleen Bishop
5104 Churchill Ave
Las Vegas, NV 89107

June 15, 1984

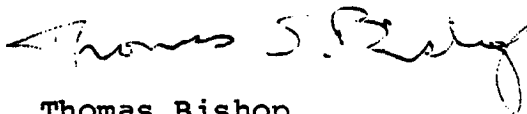
Re: Appeal #V 59 84
Filed by Virda F. Hubar

To Whom It May Concern:

This is to inform you that we object to the
variance to allow two dwellings at 5204 Churchill Ave.

This residence currently is intended for one
family, as are all the homes in our neighborhood, and
our desire is that you vote against this variance.

Sincerely,



Thomas Bishop



Kathleen Bishop

RECEIVED

0242

This is to inform you that
we are opposed to the variance
V-59-84 filed by Huber located at
5204 Churchill.

Deborah Abraham-Mudd
Kenneth & Al
owners of 5005 Churchill

RECEIVED

June 14, 1984

JUN 18 11 41 AM '84

0243

To Whom it may Concern, CITY CLERK

I object to a variance to allow two dwelling units where only one is allowed at 55204 Churchill Ave.

Sincerely,
David & Diane Hoffman
5709 Harmony Ave
Las Vegas, Nevada.

We have a swimming pool, and it would infringe on our privacy!

RECEIVED

JUN 18 11 41 AM '84

CITY CLERK

Judith Ripley or 0244
Judith Swanson - tax roll
5001 Churchill Ave.
So. No. 89107
V-59-84

To the City Clerk,

As a twenty year resident
and home-owner I do firmly object
to the following:

V-59-84 Appeal filed by Virda F Hubar
to the action of the Board of
Zoning adjustment in denying
the application of Boris &
Virda F. Hubar for a variance
to allow two dwelling units
where only one is allowed on
property located at 5204
Churchill in Zoning District R-1
(single-family residence)

The above property is legally
described as lot one, 1st in
block (2), Belmar tract no 1.

Thank-you,

Judith Ripley
(Swanson)

RECEIVED

0245

JUN 18 11 41 AM '84

CITY CLERK

Jimmy and Diana Gibson
4904 Chuckill Ave
Las Vegas, Nev 89107

To the City Clerk,

As a thirty seven year resident
and a eleven year homeowner in
this neighborhood we do firmly
object to the following:

appeal filed by Linda S. Huber
to the action of the Board of zoning
adjustment in denying the
application of Bruce & Linda Huber
for a variance to allow two dwelling
units where only one is allowed on
property located at 5204 Chuckill in
zoning District R-1 (single-family
residence)

The above property is legally
described as lot one (1) in block
(2), Belmar tract no 1.

Thank you,
Jimmy & Diana Gibson

AGENDA*City of Las Vegas*

June 20, 1984

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. PUBLIC HEARINGS (Cont'd)

- 10 C. U-35-84 - APPEAL filed by JERRY FULLERTON, C.P.O. to the action of the Board of Zoning Adjustment in APPROVING the application of ROBERT T. BIGELOW for a use permit to allow a 3 story, 80 unit apartment complex on property generally located 270' north of Fremont Street and 300' east of 15th Street in Zoning District C-2 (General Commercial).

Board of Zoning Adjustment unanimously recommends APPROVAL.

Staff Recommendation: APPROVAL

PROTESTS: 61

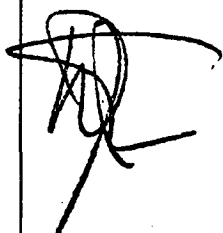
Levy -
APPEAL DENIED,
APPROVING APPLICATION
with condition that
access to Fremont
Street be incorpor-
ated in plot plan.
Unanimous

Clerk to notify &
Planning to proceed

Jerry Fullerton &
Paul Pond appeared
on behalf of the
appeal.

Robert Bigelow
appeared on behalf
of the application.

APPROVED AGENDA ITEM



To: The City Council
 Re: Public Hearing Agenda Item
 June 20, 1984 City Council Agenda

IX.

0247

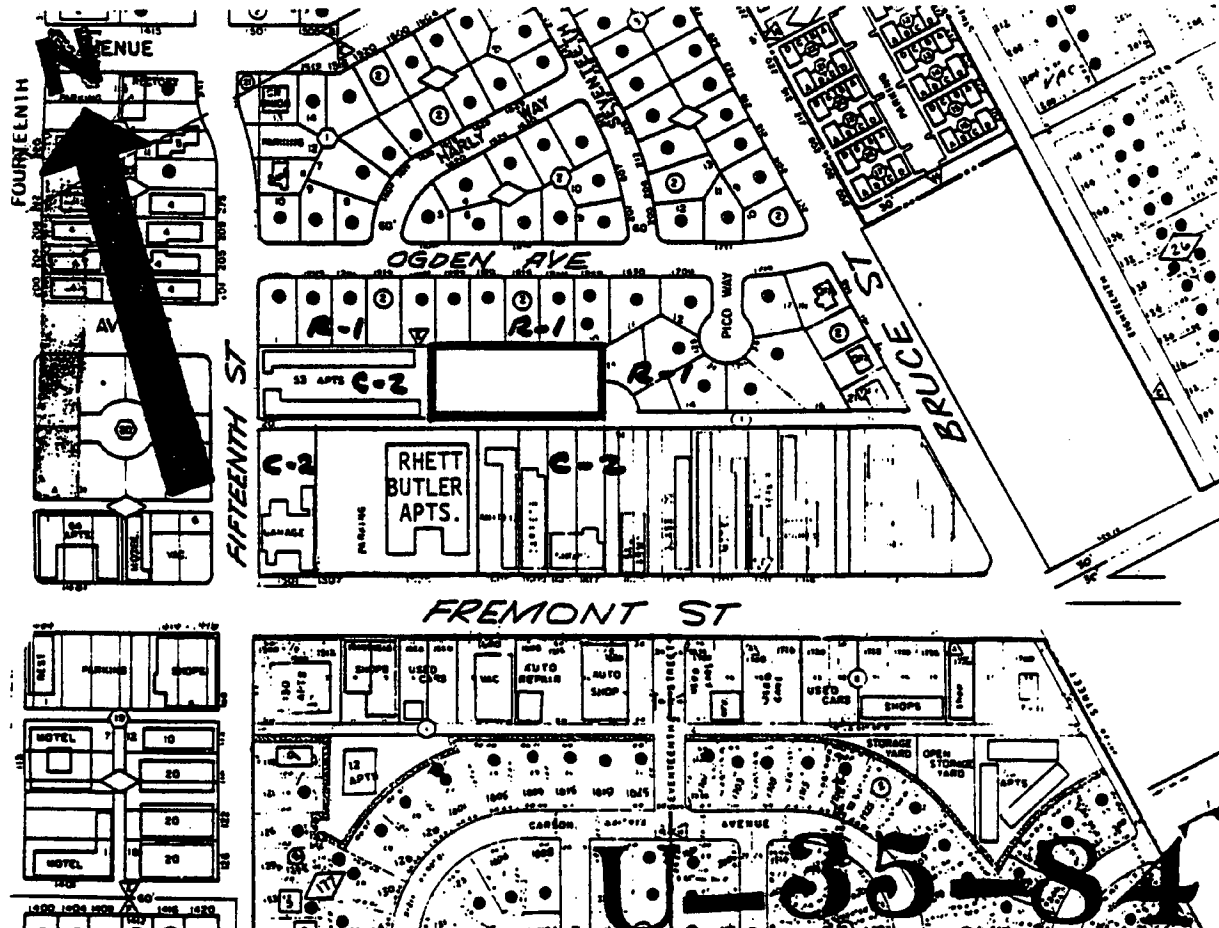
C. U-35-84 - APPEAL FILED BY JERRY FULLERTON, C.P.O., TO THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN APPROVING THE APPLICATION OF ROBERT T. BIGELOW FOR A USE PERMIT TO ALLOW A THREE-STORY, 80 UNIT APARTMENT COMPLEX

This is an appeal filed by a protestant to the Board of Zoning Adjustment approving a use permit for an 80 unit apartment complex to the north of the alley at 1525 E. Fremont Street in a C-2 zone. The 80 unit complex will be an annex to the existing Rhett Butler Apartments which front on Fremont Street. The proposed 27' high buildings will be U-shaped and will be 14' from the north property line. There are developed R-1 properties to the north and to the east is R-1 zoned property that was used by the Salvation Army as a storage yard in connection with their operation on Fremont Street. Further east is R-1 development and to the west is C-2 zoning developed with a 53 unit apartment complex. To the south is developed C-2 that fronts on Fremont Street. The applicant will have 70 parking spaces on this proposed site north of the alley and 10 spaces will be across the alley to the southwest in a new lot adjacent to the existing Rhett Butler Apartments. The satellite parking on the 10 spaces was approved by the Council at your last meeting. The Rhett Butler Apartments consists of 145 units and has 49 parking spaces as allowed by Code on the basis of 1 space for every 3 units. Now the Code requires 1 space per unit which the new construction will provide. The total project will have 225 units and 126 parking spaces. The protestants objected to this application on the basis there were too many apartments already in this area and too much traffic in the alley.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 61 - Petition with 38 property owners
 17 Letters
 6 Persons spoke at BZA meeting



SUPERIOR LIMB & BRACE CO.

JERRY FULLERTON, C.P.O.

1621 E. FREMONT, LAS VEGAS, NEVADA 89101

PHONE (702) 382-8287

0248

May 25, 1984

Las Vegas, City Council
400 East Stewart
Las Vegas, Nevada 89101

Re: U-35-84

Dear Council Members;

This letter is to request the opportunity to appeal the decision of the Board of Zoning Adjustment regarding the use permit number U-35-84. The businessmen and residents in this area feel that the proposed 80 unit apartment building is poor planning and inviting problems that are not needed.

Sincerely,

Jerry Fullerton CPO
Jerry Fullerton, C.P.O.

RECEIVED

MAY 25 4 11 PM '84

DF/tl

CITY CLERK

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

ITEM 23. U-35-84 - APPLICATION OF ROBERT T. BIGELOW FOR A USE PERMIT TO ALLOW A 3 STORY, 80 UNIT APARTMENT COMPLEX ON PROPERTY GENERALLY LOCATED 270' NORTH OF FREMONT STREET AND 300' EAST OF 15TH STREET IN ZONING DISTRICT C-2 (GENERAL COMMERCIAL).

0249

PAGE 1

CHAIRMAN BUGBEE:

Item 23, U-35-84, the application of Robert T. Bigelow for a use permit to allow a 3 story, 80 unit apartment complex on property generally located 270' north of Fremont Street and 300' east of 15th Street in Zoning District C-2.

ROBERT CLEMMER: .

Again, this is the same type of case as in the last instance. In this case, the ordinance allows that if it were in the downtown area, it would be exempt from having to apply for a use permit and it so happens that the downtown area, is from this alley south to Fremont. So he just missed an exemption from having to apply for a use permit. This proposal is for a three-story, 80-unit high-density apartment project. It'll have 70 parking spaces on the site. They're proposing to utilize a piece of property here on Fremont Street for 10 satellite parking spaces and this property had been approved once before for 17 parking spaces for the Rhett Butler apartment group that contained 135 units. So he's going to also transfer those 17 spaces to this Fremont Street property. Staff feels that it is an appropriate use in the C-2 District -- would recommend APPROVAL, subject to: Conformance to standard conditions 1 thru 8. We have 15 protests of record. This would have to go to City Commission to approve the satellite parking.

CHAIRMAN BUGBEE:

Yes, sir.

ROBERT BIGELOW:

I'm Robert Bigelow the applicant. My address is 4640 South Eastern. The subject property at the present time is a paved parking lot, lit parking lot and I'm proposing 80 apartments as Mr. Clemmer just said on that site. I will be positioning the back wall of the apartment building approximately 14' from the existing fences of the neighbors and the height of the building will be 27'. The architect tells me today we had a 2' reduction because of -- we were positioning the building further away due to power company regulations. Between the rear of the building and the existing fences, rear yard fences, there is a large power line easement running along the back of the property. The building is designed in a U-Shaped fashion. There will be no exterior windows on the outside walls facing other property owners. All windows and doorway entries occur into the courtyard of the building itself. The administration and management of the building will be taken care of from the Rhett Butler front desk. It's on Fremont Street and I await any questions you might have.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

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CHAIRMAN BUGBEE:

No, thank you, Mr. Bigelow. This is a public hearing. I'm sure there's some opposition. Would you please write your name down and your address and then give us your name and address.

DIANE CATTRELL:

I am Diane Cattrell at 110 North 15th Street. We're managers of the Mediterranean Villa Apartments. Our owner could not be present due to illness. He has sent a letter addressed to the Commissioners and I also have a petition signed by our tenants at Mediterranean Villa. There are 49 signatures on here. I did not have a chance at this late notice from my owner to get everyone to sign. We're protesting the congestion of the 20' alleyway. Mediterranean Villa and Rhett Butler now use that as an access road. The trash disposal area would be greatly increased with the suggestion of 80 units. The noise and confusion it would create with the additional traffic -- and that is what our petition is about. We, at Mediterranean Villa, have a lot of senior citizens and housing authority. They have been placed there hoping that it would be a quiet area. With this right adjacent to us with just that small alleyway, there is going to be so much confusion with these trucks trying to get in here to build the apartment complex and I feel it would just distress our tenants. Thank you.

CHAIRMAN BUGBEE:

Thank you.

COMMISSIONER JUNIEL:

On the 20' alleyway, there's not to be traffic back there is there?

ROBERT BIGELOW:

There are three ways that cars can egress into the property -- from both ends of the alleyway and directly to Fremont Street via a 17' driveway through Rhett Butler. I might point out that -- well, I'll save that comment for later.

CHAIRMAN BUGBEE:

Yes, sir.

MR. CATTRELL:

(sic)

My name is Mr. Cattrell. I'm the manager of the Mediterranean Villa. I reside at 110 North 15th. As Mr. Bigelow stated, there are three accesses to that alley, but every vehicle going has to go through that alley. It's only 20'. Rhett Butler at this time is using that alley. All of the occupants, plus ourselves, are using that alley; and another thing I'd like to bring up is the crime factor. Okay, I've know, I've been in the area for three years. I know about Rhett Butler's crime activity and we just feel

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

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MR. CATTRELL:

that we have enough crime now. With an added 80 units, we're talking more crime. As it is, I work 15 hours a day and patrol my grounds, which is adjacent to Rhett Butler and also to that parking lot. I cannot work 24 hours to protect my people. There has been several crimes there and I can prove that if I have to and if you'll check on your records, police records, you'll find that there's been many many times that the police have been there and we are opposed. We have senior citizens. They are sacred to death and they're sacred to death of another 80 unit apartment building. Thank you.

CHAIRMAN BUGBEE:

Thank you.

RUTH ZUKOWSKI:

I'm Ruth Zukowski, 124 Pico Way, and I am opposed to this because of the alley, because of the access traffic that we already have. It's difficult to get out of my backyard now and to have 80 more units there, I don't know where the cars would go. They park there now when there are no parking signs. It's congested now. I oppose it. Thank you.

PAUL POND:

My name is Paul Pond and I live at 50 -- 6812 El Cordobes. My property is 1609 thru 1619, directly in front of the so-called vacant parking lot -- I'll submit these pictures -- that is constantly up to one-third full with cars in various stages of disrepair. From the little map I got in the mail, I've counted 566 units in the area already between 15th and 17th Street for rent. I've talked to some of my friends at the County Planning Commission, they told me that you require one parking space per unit. The Rhett Butler has 49 parking spaces now. They're going to add 80 units which will make a total of 215 units with a total of 126 parking spaces, which means the overflow is going to fall onto my property.

CHAIRMAN BUGBEE:

I think if you'll listen to Mr. Clemmer's explanation, there was another spot there for satellite parking for the lot, I believe.

PAUL POND:

That doesn't make another 126 spaces, sir.

ROBERT CLEMMER:

It would be 126 spaces. Rhett Butler was allowed at the time that parking was required on the rate one per three, one space per three units. It exists in that state. This new development will provide one-to-one. One parking space per each unit.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

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PAUL POND: But the old one can't supply enough parking spaces for the old one.

CHAIRMAN BUGBEE: The old one is under the Grandfather's Act. There's nothing we can do about it. That's there.

PAUL POND: Okay. Well, my friends up there said that by the way that Clark County Transportation Board figures traffic on the street, is six trips per day per dwelling. That'll make about 500 trips a day through that alley. That's not counting people that have to work in the area. My customers haven't any parking there in that case. So I'm opposed to it.

CHAIRMAN BUGBEE: Thank you. Yes, sir, do you want to come forward? I want to suggest now. We've had several people speaking. If you're going to tell me more about crime or more about parking -- if you have something additional to add, we're very happy to listen to you, but, you know, these things get a little bit long after a bit.

MELVIN POOLE: Okay. My name is Melvin Poole. I live right directly in back of where he's going to build. Now, I don't like a 30' wall right in my back yard.

CHAIRMAN BUGBEE: Okay, thank you, sir.

MELVIN POOLE: And I've had my fence broken down twice already and I have to repair it. I don't like that either.

COMMISSIONER GILES: Sir, could I discuss that with you a minute?

MELVIN POOLE: Sure.

COMMISSIONER GILES: I thought he said he was moving the 30' wall down to 27' and it would be on the south side of the public utility easement, which would be away from your yard and kind of a protection to your fence that's been torn down.

MELVIN POOLE: I don't want to look at a big block wall.

COMMISSIONER GILES: Well, I understand looking at the block wall, but then you threw in tearing the fence. I don't see how anybody can get in there, that's what I'm talking about, unless they come over the top of a 27' building, am I right or wrong?

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

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A 3 STORY, 80 UNIT APARTMENT COMPLEX ON PROPERTY GENERALLY LOCATED
270' NORTH OF FREMONT STREET AND 300' EAST OF 15TH STREET IN ZONING
DISTRICT C-2 (GENERAL COMMERCIAL).

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MELVIN POOLE: How about the ends?

COMMISSIONER GILES: Well, I suggest that might be closed up, I don't know.

MELVIN POOLE: It can't be closed up.

COMMISSIONER GILES: You see, they can come over my wall. My neighbor has a six foot fence, not 27'. So, I was just wondering if I was right or wrong. I'm not trying to argue with you. I want to know where we're at on it.

MELVIN POOLE: Well, if they build a big wall, both ends open, because you have to have an easement through there for the power and telephone companies, what happens there?

COMMISSIONER GILES: Well, I guess you can gate them off. You close them up so it wouldn't be an access way or you could probably bring your backyard on out to that couldn't you?

MELVIN POOLE: Well, I don't want to set my backyard on pavement. It's all asphalt.

COMMISSIONER GILES: It's not pavement under there. Under the power lines, is it paved?

MELVIN POOLE: Yes, it's paved.

COMMISSIONER GILES: Okay. I wasn't aware of that. Thank you.

WILLIAM DUVALL: Duvall's the name. William Duvall. I own a property over there on 17th, 200.

CHAIRMAN BUGBEE: Your address.

WILLIAM DUVALL: I beg your pardon.

CHAIRMAN BUGBEE: Your address. Your address.

WILLIAM DUVALL: Oh, residential?

CHAIRMAN BUGBEE: Yes.

WILLIAM DUVALL: 2630 Sherwood. In this application that was submitted prior to this one for 22 on a major boulevard, these people applied for a two-story building. This man, on a back locked in lot, they -- God, I can't even think of the name -- where they -- anyways, it is locked in -- is applying for a three-story. You have every indication

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WILLIAM DUVALL: from the front from that whole general area that this is a transient type of dwelling that will, in all probability, be rented by the day or week rather than by the month and how it affects the general residential community surrounding that is entirely in your hands and that's about all I have to say.

CHAIRMAN BUGBEE: Thank you.

MARY WEISENMILLER: Mary Weisenmiller, 1620 East Ogden. Our property is on the back line where the wall would be. I oppose because of the type of clientele that is rented out at the Rhett Butler already. They rent by the day. They rent by the week and like people said, there's a high crime rate over there and also like what everybody else said, the 30' wall in your backyard shading your gardens; and basically, because there's going to be another 80 to 160 people back there in an alley where, you know, you've heard from the other people the situation in the alley now -- how much traffic's in there. Now some of the parking for the Rhett Butler now, they're parking where he's planning to build. They're parking there already. Now he's going to build there and there's just going to, you know, just less room.

CHAIRMAN BUGBEE: Thank you. I'll take the last three here and then turn it back to you, Mr. Bigelow.

ED MERSNER: My name's Ed Mersner. I live at 1615 Ogden. I'm wondering about the fire hazard. Those fire engines, in case of fire, getting to this area with a 20' alley there. He's building this in an alley.

CHAIRMAN BUGBEE: Sir, this application has been approved by the Fire Department.

ED MERSNER: That's strange.

CHAIRMAN BUGBEE: These various agencies, the fire and the police, education, public works, what other agencies look at this, Mr. Foster?

ROBERT CLEMMER: Engineering Services, Building.

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CHAIRMAN BUGBEE: Engineering Services. They've all approved it. So we're not tying -- we do not have the authority to override the Fire Department or the Police Department or Engineering Services. They've all stamped their approval on it before it comes up.

ED MERSNER: Well, that's what I wondered about because it looks like to me that if they had a fire in there -- you get cars going out of there, engines couldn't get in there.

CHAIRMAN BUGBEE: I've been listening to this conversation about the alley. I don't see how Mr. Bigelow can get his -- or whoever is there, can get back to the alley except those two little side vents there that are landscaped. Maybe I'm confused.

ROBERT CLEMMER: No, Rhett Butler is here. Fremont Street is down here.

CHAIRMAN BUGBEE: Right.

ROBERT CLEMMER: There's no side vent in this proposal. There is an opening on either end of the alleyway and also some would access through the Rhett Butler.

CHAIRMAN BUGBEE: So they could come through the Rhett Butler alley?

ROBERT CLEMMER: Yes, there's three different vents.

ED MERSNER: Either way you're going through a 20' space. If you come off of 15th Street, it's only 20' wide. To get a fire truck down there or to go through his own access, I think it's 17' something like that and the only other access would be from the south end or east end, but it looks to me like it would be a fire trap.

CHAIRMAN BUGBEE: Well, if it were, I think the Fire Department would advise us of it. Thank you. Yes, sir.

ED MERSNER: Well, the Fire Department ought to look into it further, I think, before it's built.

JERRY FULLERTON: I'm Jerry Fullerton. I live at 9009 South Procyon. My business address is 1621 East Fremont. I have been at this location for nine years. When the Rhett Butler was built approximately four years ago --

ROBERT BIGELOW: Around five.

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JERRY FULLERTON:

-- around four or five years ago, the parking lot was paved in the alley and it was my understanding that this was a tentative proposal to build those apartments then. If I would have known that, I would not just have spent \$100,000 on the building to increase the size in upgrading my building. Everyone of the businessmen in that area from 15th to Bruce, on Fremont Street, is violently opposed. You have to go down and look at the alleyway to see what we're talking about. At each end of the alleyway, two cars, because of telephone poles that are out in the middle, two cars cannot pass. You have to pull over and wait for one to go by. The 17' easement through the Rhett Butler is offset. To get to the proposed property from Fremont Street, you have to go into the alley, come down the alley about 40', then go into the property. It's just not real good planning. Thank you.

CHAIRMAN BUGBEE:

Thank you. Well, I've heard the protestors so you have a chance now for rebuttal, Mr. Bigelow.

ROBERT BIGELOW:

Alright. I'd like to address some of the comments made-- try to take them in somewhat of an order. The first protestor had a long list, a lady I believe was manager of the Mediterranean Apartments which is immediately catty-corner from Rhett Butler. I suppose I could gather 135 of my tenants to sign a list in favor of better housing because that's what I'm trying to build. So, I don't look at my competition as having a valid dissent really. The other people's comments, I think, are more valid and more important. I think that the project has more to offer the neighborhood than a deterrent. Right now we are hard pressed to police that parking lot. Mr. Poole, the man that came up and said that he didn't like the height of the building, has had his rear fence run into by cars. He has been vandalized by people who have jumped the fence. These things happen all over neighborhoods all over the valley, but in this case, this building can be constructed and is designed to prevent that. We intend to put a gate up at the far entrance preventing easy access to these rear yards. It'll be very difficult for anybody to gain access to these rear yards with this 27' foot building in the way. We are setting back away from their fences some 14' so the actual direct line of sight from a wall 27' high, if you do a perspective of it, is quite moderate. The police thing I anticipated being an issue. I checked with Commissioner Paul Christensen today and yesterday and he checked with

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ROBERT BIGELOW:

the Police Department to find out what their records have been recently over the last six months concerning Rhett Butler. He tells me that they have no statistics, not because they haven't been keeping track, but because we have been doing an effective job and if that isn't true, then I'll withdraw my application here tonight. That's how sincere I am in repeating what he has told me. So we have done everything we can with good results in eliminating police activity in Rhett Butler. As far as the traffic situation is concerned, we are supplying one parking space per apartment because that's the law. That's what I'm required to do. It does not coincide with the numerical proportion of tenants who have cars. A great number of people do not own cars. That would also presume that the traffic is going to be impacted by everybody being there 100% of the time. When you put these kind of statistics together, the traffic inflow and egress through that alleyway is going to be moderate. We have three different ways that we can conduct access into that property. Maybe there was another issue that I've forgotten to address.

CHAIRMAN BUGBEE:

I have one question, Mr. Bigelow. Do you have any future developments in plan for that area down there?

ROBERT BIGELOW:

Yes, I do. I also own the corner of 15th and Fremont which on that corner is presently a transmission shop in a bright yellow building that has an enormous junk yard to the rear of that building. My intent is to proceed with a plan to build on that corner and eliminate that entire activity from that corner, the thing that's unsightly there now. I would like to see other people put capital into the neighborhood and into East Fremont Street. There have not been very many developers in the last five or six years that I've been building in that end of town. I'm trying to upgrade what's there. The structure that I'm proposing tonight is far more expensive than anything I've built there before. We are offering a lot more to the customer and we expect the customer to be a more permanent occupant and not as transient. By the way, the comment was made about daily occupancy. As of the 31st of this month, Rhett Butler will not be taking anymore daily occupants. We have already notified the City of Las Vegas of that and that applies for phase 2 of this 80 units as well.

COMMISSIONER GILES:

What will you be charging for the units in the -- should it be approved and you get it on?

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

ITEM 23. U-35-84 - APPLICATION OF ROBERT T. BIGELOW FOR A USE PERMIT TO ALLOW
A 3 STORY, 80 UNIT APARTMENT COMPLEX ON PROPERTY GENERALLY LOCATED
270' NORTH OF FREMONT STREET AND 300' EAST OF 15TH STREET IN ZONING
DISTRICT C-2 (GENERAL COMMERCIAL).

PAGE 10

ROBERT BIGELOW:

The units would be rented by the week or by the month. If the tenant rents by the week, it'll be \$110 per week. If he rents by the month, it'll be four times that, \$440.

COMMISSIONER GILES:

You said, you done a little research into the crime as I have. What have you done to minimize crime in Rhett Butler say in the last six months? You alluded that crime had been suppressed. How did you go about that and what successes did you have?

ROBERT BIGELOW:

We had many many meetings with our desk clerks, with -- we have a security guard on the property of Rhett Butler as well. We have gone to the greatest lengths to try to police our own acceptance of people that if they go ahead and occupy and then cause a problem, we're quick to get rid of the problem and remove people. Before that happens though, we try to prevent renting to types of people that bring crime with them and that's not an easy thing to do, but we've done it and that can be verified by Paul Christensen and by the Police Department themselves.

COMMISSIONER GILES:

Have you -- what successes have you had? How many times have you called Metro out as such indicating you're unable to handle it yourself in the last six months, we're talking about?

ROBERT BIGELOW:

According to Paul's comments to me earlier this evening, Metro has no records of having had to make service calls to that property in the last so many months.

COMMISSIONER GILES:

Prior to that though --

ROBERT BIGELOW:

Prior to that we had numerous calls, yes.

COMMISSIONER GILES:

I have no further questions.

CHAIRMAN BUGBEE:

Any other questions? I'm going to close this public hearing and entertain a motion, please.

COMMISSIONER GILES:

I feel this is good land use. I personally would like to see the area cleaned up even more so I'M GOING TO MOVE FOR APPROVAL WITH STAFF'S RECOMMENDATION.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - MAY 24, 1984

ITEM 23. U-35-84 - APPLICATION OF ROBERT T. BIGELOW FOR A USE PERMIT TO ALLOW
A 3 STORY, 80 UNIT APARTMENT COMPLEX ON PROPERTY GENERALLY LOCATED
270' NORTH OF FREMONT STREET AND 300' EAST OF 15TH STREET IN ZONING
DISTRICT C-2 (GENERAL COMMERCIAL).

0259

PAGE 11

CHAIRMAN BUGBEE: That has been approved, Mr. Bigelow. (Motion
carried with a 3 to 1 vote with Emmett and Myers
excused)

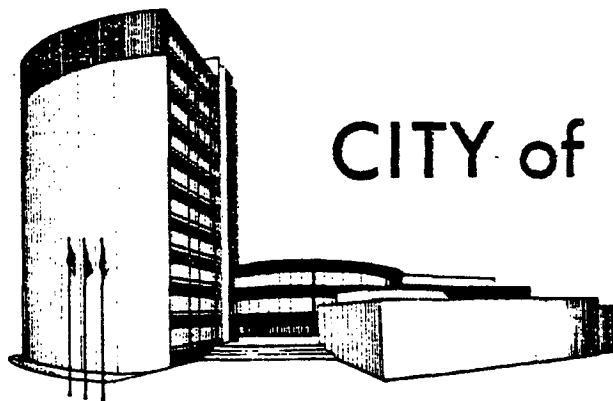
ROBERT BIGELOW: Thank you.

CHAIRMAN BUGBEE: This will -- you said, this will go to the City
Council.

ROBERT CLEMMER: It has to go to the City Council for the satellite
parking aspect only. It'll be June the 6th.

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

JUNE 20, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, June 20, 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:

U-35-84 APPEAL filed by JERRY FULLERTON, C.P.O. to the action of the Board of Zoning Adjustment in APPROVING the application of ROBERT T. BIGELOW for a use permit to allow a 3 story, 80 unit apartment complex on property generally located 270' north of Fremont Street and 300' east of 15th Street in Zoning District C-2 (General Commercial).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B.&M.

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



0-35-84

0261

Jun. 20, 1984

Cheng Gold Horn & Cheng-Hwa Lee
c/o Desert Moon Motel
1701 E. Fremont
Las Vegas, Nevada 89101

Dear Madam:

Robert
We disapprove the Mr. T. Bigelow for
to build 80 unit apartment located
270 North of Fremont street and 300 east
of 15th street in zoning District C-2
(General Commercial)

Sincerely Yours

Gold Horn Cheng

Cheng Gold horn & Cheng-Hwa Lee

CITY CLERK

JUN 20 9 37 AM '84

RECEIVED

0262

AGENDA*City of Las Vegas*

June 20, 1984

Page 32

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)

- 26 D. V-52-84 - APPEAL filed by BILL AND HILDA STODARD to the action of the Board of Zoning Adjustment in APPROVING the application of ANTHONY CERIO, JR., for a variance to allow a 10 foot high chain link fence along the rear and west side property line where 6 feet is the maximum height permitted on property located at 5328 Del Monte Avenue in Zoning District R-1 (Single-Family Residence).

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

1. Conformance to the plot plan and elevations amended to a maximum height of 8'.

Staff Recommendation: APPROVAL for a maximum height of 8'.

PROTESTS: 83

Christensen -
APPEAL DENIED
thereby APPROVING
the Variance.
Motion carried with
Lurie & Levy voting
"No."

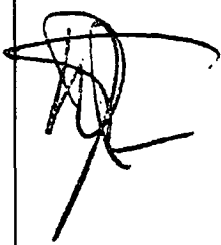
Note: An earlier
motion by Lurie
to approve the
appeal failed with
Nolen, Briare and
Christensen voting
"No."

Clerk to notify &
Planning to proceed

Bill Stodard and
Lynnette Jensen
appeared on behalf
of the appeal.

Jay Downey and
Anthony Cerio, Jr.
appeared on behalf
of the application.

APPROVED AGENDA ITEM



To: The City Council
 Re: Public Hearing Agenda Item
 June 20, 1984 City Council Agenda

IX.

0263

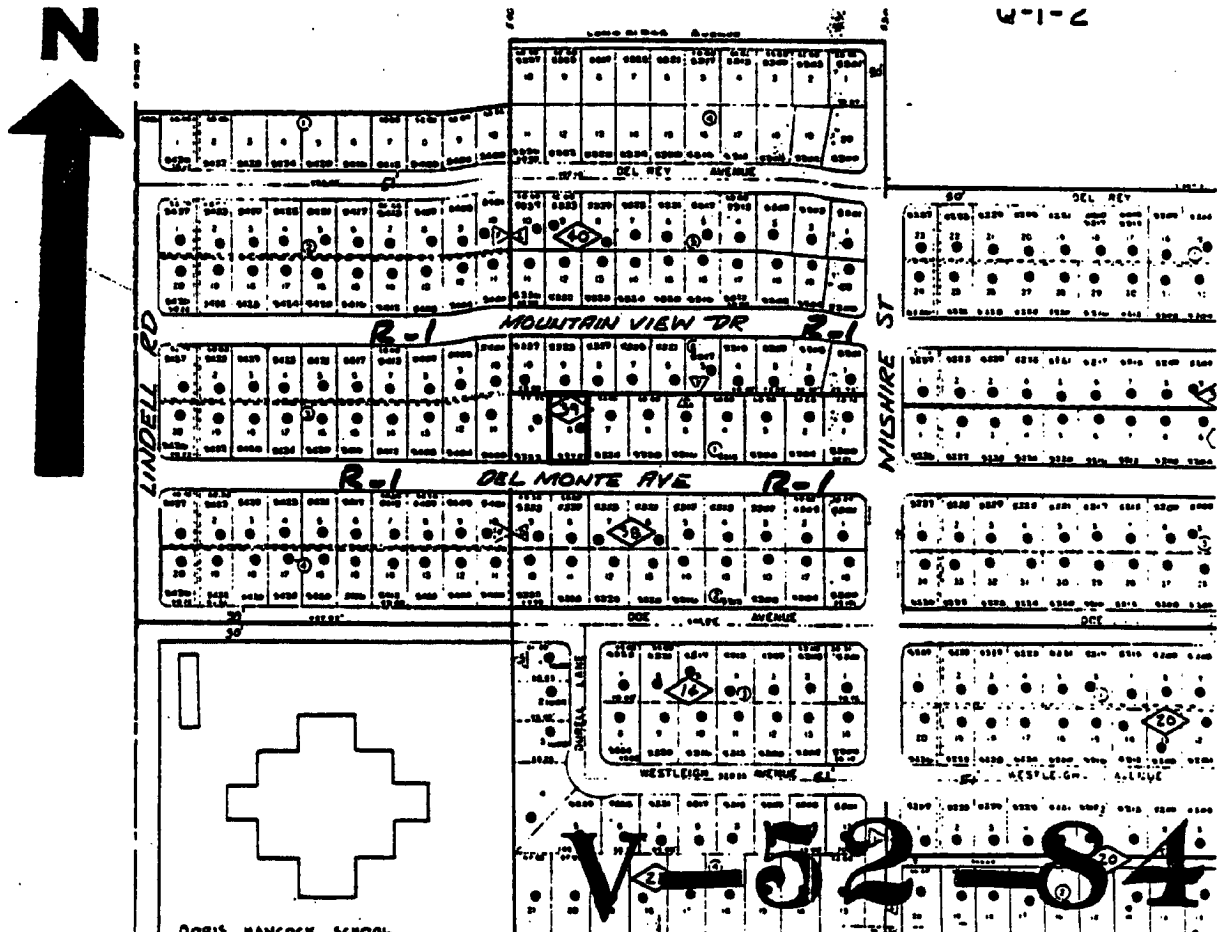
- D. V-52-84 - APPEAL FILED BY BILL AND HILDA STODARD TO THE ACTION OF THE BOARD OF ZONING ADJUSTMENT IN APPROVING THE APPLICATION OF ANTHONY CERIO, JR., FOR A VARIANCE TO ALLOW A 10' HIGH CHAIN LINK FENCE ALONG THE REAR AND WEST SIDE PROPERTY LINES WHERE 6' IS THE MAXIMUM HEIGHT PERMITTED

This is an appeal filed by a protestant to the action of the Board of Zoning Adjustment in approving an 8' high fence along the rear and west side property lines in an R-1 district at 5328 Del Monte Avenue. The variance was for a 10' chain link fence, however, staff recommended it be lowered to 8' at the BZA meeting and the applicant was in agreement. There is a 2' difference in elevation from this property to the adjoining property which in the opinion of staff justified the increased height. The applicant is proposing the higher fence because he has a large dog. The appellant on this action is the property owner to the west who feels the increased height is not necessary.

BOARD OF ZONING ADJUSTMENT DECISION: APPROVAL - Subject to a maximum height of 8' on the fence.

STAFF RECOMMENDATION: APPROVAL - With a maximum fence height of 8'.

PROTESTS: 83 - Petition with 80 property owners
 3 Letters



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0264

<u>Eudora A. Mon</u> Homeowner	<u>5320 Del Monte</u> Address	<u>Nancy L. Mon</u> Homeowner	<u>5320 Del Monte</u> Address
<u>Bess</u> Homeowner	<u>5304 Del Monte</u> Address	<u>Debra M. Hites</u> Homeowner	<u>5301 Del Monte</u> Address
<u>John Carmichael</u> Homeowner	<u>5300 Del Monte</u> Address	<u>Charles E. Hites</u> Homeowner	<u>5301 Del Monte Ave</u> Address
<u>Shirley S. Allen</u> Homeowner	<u>5303 Del Monte</u> Address	<u>Clara Allen</u> Homeowner	<u>5305 Del Monte Ave</u> Address
<u>Robert C. Cronk</u> Homeowner	<u>5309 Del Monte</u> Address	<u>Rose Anne Cronk</u> Homeowner	<u>5309 Del Monte</u> Address
<u>Prince P. Presilio</u> Homeowner	<u>5372 Del Monte</u> Address	<u>Alfred P. Presilio</u> Homeowner	<u>5412 Del Monte</u> Address
<u>John Johnson</u> Homeowner	<u>5408 Del Monte</u> Address	<u>Frank Johnson</u> Homeowner	<u>5412 Del Monte</u> Address
<u>Charles W. D. W. W.</u> Homeowner	<u>5421 Del Monte</u> Address	<u>Lynette Jensen</u> Homeowner	<u>5436 Del Monte</u> Address
<u>Shirley A. King</u> Homeowner	<u>5409 Del Monte</u> Address	<u>Shirley A. King</u> Homeowner	<u>5436 Del Monte</u> Address
<u>Norman L. Ryan</u> Homeowner	<u>5401 Del Monte</u> Address	<u>Catherine Ryan</u> Homeowner	<u>5401 Del Monte Ave</u> Address
<u>Ray P. Ryan</u> Homeowner	<u>5400 Del Monte</u> Address	<u>Virginia P. Ryan</u> Homeowner	<u>5400 Del Monte</u> Address
<u>Kris M. Madaugh</u> Homeowner	<u>5413 Del Monte</u> Address	<u>Kris M. Madaugh</u> Homeowner	<u>5413 Del Monte</u> Address
<u>Tom M. Madaugh</u> Homeowner	<u>5413 Del Monte</u> Address	<u>Tom M. Madaugh</u> Homeowner	<u>5413 Del Monte</u> Address
<u>Donald D. Stiles</u> Homeowner	<u>5417 Del Monte</u> Address	<u>Donald D. Stiles</u> Homeowner	<u>5433 Del Monte</u> Address
<u>Mary C. Goffine</u> Homeowner	<u>5418 Del Monte Ave</u> Address	<u>Cady C. Goffine</u> Homeowner	<u>5312 Del Monte</u> Address

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JUN 23 1984

0265

C. J. Brull
Homeowner

5429 Del Monte
Address

Sharon Egan
Homeowner

5429 Del Monte
Address

Keith Whangly
Homeowner

5417 Del Monte
Address

Sharon Egan
Homeowner

5429 Del Monte
Address

C. W. James
Homeowner

5317 Del Monte
Address

Marlene Cooper
Homeowner

5437 Del Monte
Address

M. J. H.
Homeowner

5428 Del Monte
Address

Sharon Egan
Homeowner

5425 Del Monte
Address

John L. Frank
Homeowner

5424 Del Monte
Address

Homeowner

Address

Mary E. L. Smith
Homeowner

5325 Del Monte
Address

Indelia P. Smith
Homeowner

5325 Del Monte
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Donna L. Smith
Homeowner

5416 Del Monte
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Donna L. Smith
Homeowner

5416 Del Monte
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RECEIVED

5332 Del Monte Avenue
Las Vegas, Nevada 89102
June 4, 1984

0266

JUN 4 1 5- PM '84

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

CITY CLERK

RE: V-52-84

Is our city a democracy? Do all the people share equally in the privileges?

Homeowners on Del Monte Avenue are opposed to the variance requested by Mr. Cerio, located at 5328 Del Monte Avenue. In fact, one hundred and four homeowners signed a petition stating this. Several of them also wrote letters to the Department of Community Planning and Development. We presented this at the Public Hearing on May 24, 1984.

We understand that this request was changed from a ten-foot fence to an eight-foot fence. We are still opposed.

We understood Mr. Cerio to say at the meeting that his reasons for his request are for "privacy, landscaping, and animal control." Privacy is no problem because there is already an existing six-foot block wall fence surrounding the property--even though the walls are owned by the neighbors on Cerio west side and east side. As far as landscaping is concerned, a block wall fence will increase the value of a home much more than a chain link fence with slats inserted. And the animal control should not be a problem because if an animal is not able to be controlled within a six-foot fence, then it is perhaps too dangerous to be located within the city limits.

We purchased our home on Del Monte Avenue in an R-1 zoning, expecting to be protected by said zoning regulations. We certainly did not anticipate a variance to such an extent that would downgrade, or deface, the appearance of our home. The closeness of the two houses (allowed by a variance V-42-83) with such a fence would completely block out our 4'x8' dining room window. It could block the sunlight out making it impossible to even camouflage this eyesore with shrubs, vines, etc.

We therefore ask that you please grant us an appeal and deny the request made by Mr. Cerio.

Sincerely,

Bill Stodard

Hilda Stodard

Bill and Hilda Stodard

cc: Commissioner Ron Lurie

5. V-52-84

APPROVED

Application of ANTHONY CERIO, JR., for a variance to allow a 10 foot high chain link fence along the rear and west side property line where 6 feet is the maximum height permitted on property located at 5328 Del Monte Avenue in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that staff would be in favor of an additional 2 feet in height, and, therefore, recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations amended to a maximum of height of 8 feet.

There are two protests on record.

Anthony Cerio, Jr. appeared on behalf of the application. He stated that he wanted the extra height because of his dog. His neighbor had claimed the dog bit him while the dog was leaning on the fence.

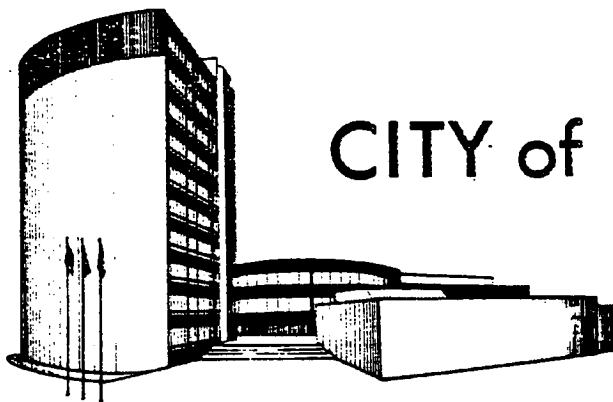
Hilda Stoddard, 5332 Del Monte, appeared in opposition. She presented the Board with a petition with 105 signatures and three letters of protest. She objected to the way it would look.

Mrs. Juniel made a motion for APPROVAL with the extension of the two additional feet and staff's condition. Motion carried unanimously. (Emmett excused)

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

JUNE 20, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, June 20, 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-52-84 APPEAL filed by BILL AND HILDA STODARD to the action of the Board of Zoning Adjustment in APPROVING the application of ANTHONY CERIO, JR., for a variance to allow a 10 foot high chain link fence along the rear and west side property line where 6 feet is the maximum height permitted on property located at 5328 Del Monte Avenue in Zoning District R-1 (Single-Family Residence).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT EIGHT
(8) IN BLOCK ONE (1) OF CHARLESTON HILLS UNIT NO. 4.

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
CITY CLERK



June 18, 1984

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CITY CLERK
CITY CLERK

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

Attn: Carol Ann Hawley - City Clerk

Opposition to Variance
#V-52-84 by Anthony Cerio

Dear Ms. Hawley,

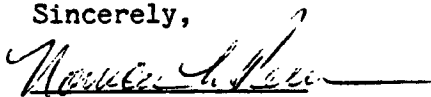
We regret that we will not be able to appear in person on Wednesday, June 20, 1984, at 2:00 P.M. to register our objection against the application of Anthony Cerio, Jr., for approval of a variance to allow a 10 foot chain link fence along the rear and west side of his property line. This is in a Single Family Residence-Zoning District R-1, which permits a maximum height of only 6 feet.

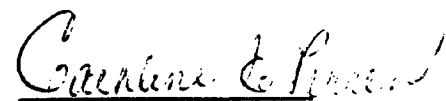
We have both signed the petition opposing his request along with homeowners in the 5300 and 5400 block of Del Monte Avenue, Las Vegas, and do not see any purpose for Mr. Cerio to be an exception to the existing zoning regulation. The purpose of these zoning regulations is to protect us as homeowners and our investment in property zoned as a Single Family Residence. Once a variance is granted to Mr. Cerio, what protection do we have there won't be others. What happens to the resale value of our property once a variance of this type is granted?

We have had no problem in maintaining our privacy, doing whatever landscaping is necessary or desired, and been able to control our animals in accordance with the R-1 Zoning regulations without obtaining any type of variance. Perhaps Mr. Cerio should have checked into these regulations before applying for approval on variances which do not belong in a Single Family Residence-Zoning District R-1.

We are certain you must agree with the majority, and deny Mr. Cerio this variance, because the majority represent over 100 homeowners who have signed a petition stating their opposition. We would hope we as taxpayers and homeowners have this right.

Sincerely,


Norman L. Perren
5401 Del Monte Avenue
Las Vegas, Nevada 89102


Cathlene E. Perren
5401 Del Monte Avenue
Las Vegas, Nevada 89102

We object to the proposed construction of a chain link fence on the property located at 5328 Del Monte Avenue, which is owned by Mr. Anthony Cerio, Jr. The reasons for our objections are based on revenge, landscaping, privacy, and animal control.

1. Revenge- Mr. Cerio has repeatedly asked us for permission to add on to the existing block wall fence--which is build entirely on our property located at 5332 Del Monte Avenue. He has even offered to pay for the additional feet above the zoning regulations. We have refused. We built our fence according to the zoning regulations and want it to stay that way.
2. Landscaping- The construction of a chain link fence will NOT be an improvement in landscaping from either side of the proposed fence. The landscaping that exists now is more than sufficient, and is very pretty as well. The construction of a chain link fence will also not improve the value of our property because it will ruin the view from our dining room window. (Pictures are available)
3. Privacy - The amount of privacy now being provided should be sufficient for anyone living in R-1 zoning regulations. There isn't even a window from the house facing the west side, only a small one from the storage shed. Also, the shrubs in the back provide plenty of privacy for anyone living in R-1 zoning. (pictures are available)
4. Animal Control - Any animal that cannot be controlled by a six-foot fence--which is the regulations in the R-1 zoning--should not be living in this zoning area. Others in the neighborhood have dogs for protection and pets and have no problem keeping them under control. So why should we, as neighbors, have to look at such an eyesore of a fence just because a dog-owner is negligent?

For these reasons we feel that Mr. Anthony Cerio, Jr. should not be given any exception to the R-1 zoning regulations under which we all must live and abide. We bought our home in an area zoned for R-1 wishing to be protected by those regulations, as well as having to abide by them. We expect others in the area to do the same.

We honestly believe this entire issue is a waste of your valuable time and the taxpayers money. This all began when we would not allow Mr. Cerio to put stucco on our fence in March of 1983. Prior to that time, we had no problems with landscaping, privacy, or even animal control.

Bill Stodard
5332 Del Monte Ave.
Las Vegas, Nev. 89102

Hilda Stodard
5332 Del Monte Avenue
Las Vegas, Nevada. 89102

RECEIVED

0271

OPPOSITION TO VARIANCE #V-52-84 by MR. ANTHONY CERIO

JUN 19 2 00 PM '84

We, the undersigned, being homeowners in the 5300 and 5400 block of Del Monte Avenue, Las Vegas, Nevada, do hereby make known our opposition to Anthony Cerio's eight-foot high chain link fence on the west side property line where six feet is the maximum highest permitted. We base our objections on the following:

1. This neighborhood is zoned R-1 and all homeowners should be protected by said code.
2. This fence is not agreeable by the two other property owners directly involved.
3. The west side property line involved is very congested already with a storage shed Mr. Cerio apparently build without a permit and, as we have recently found out, applied for a variance (V-42-83) for an EXISTING storage shed. Homeowners in the 5300 and 5400 block of Del Monte Avenue were not mailed notices of the public hearing and were unable to make known their feelings. (Copies of this variance notice are available.)
4. The other homeowners in this nice, friendly, well-kept neighborhood have managed to have their privacy, do their landscaping, and control their animals in accordance with the R-1 zoning regulations.
5. This fence is not compatible with the surrounding homes and would definitely constitute an eyesore.

We, therefore, would like you to deny the request of Mr. Anthony Cerio for this variance. We see no purpose for Mr. Cerio to be an exception to the existing zoning regulations.

Signed:

<u>Donald A. Cook</u>	<u>5324 Del Monte</u>	<u>Bill Stodard</u>	<u>5332 Del Monte</u>
Homeowner	Address	Homeowner	Address
<u>Donald Cook</u>	<u>5324 Del Monte</u>	<u>Hilda Stodard</u>	<u>5332 Del Monte</u>
Homeowner	Address	Homeowner	Address
<u>William R. Quinn</u>	<u>5321 Del Monte</u>	<u>Connie J. Quinn</u>	<u>5321 Del Monte</u>
Homeowner	Address	Homeowner	Address

RECEIVED

0272

OPPOSITION TO VARIANCE #V-52-84 by MR. ANTHONY CERIO

JUN 18 2 03 PM '84

We, the undersigned, being homeowners in the 5300 and 5400 block of Del Monte Avenue, Las Vegas, Nevada, do hereby make known our opposition to Anthony Cerio's eight-foot high chain link fence on the west side property line where six feet is the maximum highest permitted. We base our objections on the following:

1. This neighborhood is zoned R-1 and all homeowners should be protected by said code.
2. This fence is not agreeable by the two other property owners directly involved.
3. The west side property line involved is very congested already with a storage shed Mr. Cerio apparently build without a permit and, as we have recently found out, applied for a variance (V-42-83) for an EXISTING storage shed. Homeowners in the 5300 and 5400 block of Del Monte Avenue were not mailed notices of the public hearing and were unable to make known their feelings. (Copies of this variance notice are available.)
4. The other homeowners in this nice, friendly, well-kept neighborhood have managed to have their privacy, do their landscaping, and control their animals in accordance with the R-1 zoning regulations.
5. This fence is not compatible with the surrounding homes and would definitely constitute an eyesore.

We, therefore, would like you to deny the request of Mr. Anthony Cerio for this variance. We see no purpose for Mr. Cerio to be an exception to the existing zoning regulations.

Signed:

Homeowner

Address

Homeowner

Address

Homeowner

Address

Homeowner

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Homeowner

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Homeowner

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0273

RECEIVED
RECEIVED

5321 Del Monte Avenue
Las Vegas, Nevada 89102

June 15, 1984

JUN 18 11 25 AM '84

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

RE: V-52-84

Dear Ms. Hawley:

We received our notice of public hearing for June 20, 1984, for the eight- or ten-foot high chain link fence for Mr. Anthony Cerio, Jr, located at 5328 Del Monte Avenue, Las Vegas, Nevada.

We object to the requested variance.

Our objections are simple. We can find no reason for granting an exception to the existing zoning regulations. There is no need for a fence of that height in our neighborhood. We did sign a petition with over a hundred other people in our neighborhood saying that we objected to the proposed fence, but apparently the zoning commission did not consider over a hundred signatures proof that people in the neighborhood objected to the fence. I cannot understand how this could happen.

We have now signed another petition with the residents of the 5300 and 5400 block of Del Monte Avenue, since we will be the ones most affected by the fence. We still object. We will have to look at such a fence every day, and do not feel that it will help improve our neighborhood any way. If anything, it will decrease the appearance of the homes near it.

We understand that one of the reasons for the desired fence is for animal control. This makes us question what kind of dogs are being kept at the residence, and how vicious are the dogs. We happen to have two small boys that play in our yard and in the front of the houses near us. Will these dogs attack one of our boys? If the dogs are that vicious, then perhaps the questions should not be to add a fence, but instead, to get rid of such vicious dogs in an R-1 zoned area.

We also understand that no incidents or problems occurred prior to Mr. Cerio's adding stucco to a fence that did not belong to him. (We were home at the time, and did observe the removal of such stucco.) However, since that time, several incidents have occurred that make us question the viciousness of the dogs. Also, if such dogs have not been trained to obey, then perhaps they should be.

The neighborhood should not have to pay the price for a homeowner who cannot control his animals.

Sincerely,

Connie J. Quinn
Connie J. Quinn

Trinity United Methodist Church

6151 ~~8843~~ W. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89102
TELEPHONE 870-4747

0274

June 13, 1984

Office of City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

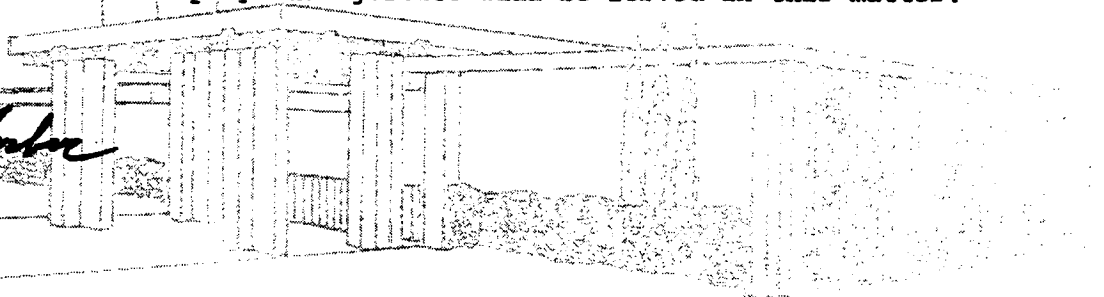
To Whom It May Concern:

I am aware of some of the circumstances surrounding the upcoming hearing involving Bill and Hilda Stodard (hearing will be on June 20). I am writing on their behalf to assure you that Bill and Hilda are upright and outstanding neighbors, as well as being active members in this church. Both Bill and Hilda would do anything to help a fellow being in need. I am troubled over this incident that appears to be an invasion of personal property and respect for ones neighbor. I will not be able to attend the hearing, but wish to convey my personal feelings, as well as some perspective as their minister. I pray that justice will be served in this matter.

Sincerely,

Larry M. Gerber
Larry M. Gerber

LMG/new



RECEIVED
JUN 14 10 33 AM '84
CITY CLERK

LARRY M. GERBER
Minister

LINDA PETTY
Assistant in Christian Ed

RAYMOND BARNES
Director of Music

ANNE VAN WINKLE
Child Care Director

5337 Mt. View Dr.
Las Vegas, NV. 89102
June 11, 1984

0275

Office of the City Clerk
City Hall
400 East Stewart
Las Vegas, Nevada, 89101

Dear City Clerk:

We have received NOTICE OF PUBLIC HEARING, June 20, 1984. In regards to the appeal filed by Hilda and Bill Stodard (V-52-84) we wish to submit our objection to the action of the Board of Zoning Adjustment in approving the application of ANTHONY CERIO, JR., for a variance to allow a 10 foot high chain link fence on his property.

We cannot understand why it was approved over the objections of a signed petition of over 104 neighbors. We would appreciate your reconsideration of this matter and to respect the wishes of our community.

Sincerely,

Lawrence F. Sasso
Alice M. Sasso

RECEIVED
JUN 12 10 02 AM '84
CITY CLERK
CITY CLERK

RECEIVED

JUN 16 1984

CITY CLERK

5400 Mtn Vw Dr
Las Vegas, Nv 89102
June 14, 1984.

0276

Carol Hawley
Las Vegas City Clerk
400 Stewart Av
Las Vegas, Nv 89101

Dear Ms. Hawley:

In answer to your notice of June 7, 1984, reference No. V-52-84, pertaining to the consideration of appeal filed by Bill and Hilda Stodard;

I wish to express my disapproval of a variance for Anthony Cerio, Jr. allowing a chain link fence, either 10' or 8', on the grounds of having the adjacent homes becoming prison-like in appearance and feeling.
I am in sympathy with his neighbors.

In my opinion, there is no reason to further crowd the area in question with any more fencing.

I also think it would lower the property values of the surrounding homes with the aforementioned prison appearance.

I know I wouldn't like to live near such a house.

Thankin you for considering my opinions, I remain,

Lawrence L. Lucas

0277

Council Chambers of City Hall
400 E. Stewart Ave.
Las Vegas, Nevada

June 19, 1984

Attn: Carol Ann Hawley

Dear Carol,

We will be unable to appear before the council regarding the variance as filed by Anthony Cerio Jr. (#v-52-84) to have a 10 foot chain link fence installed on his residence on Del Monte avenue. We are to understand that the R-1 Zoning allows for a maximum height of six feet. It is our opinion that this would produce an undesirable appearance and do nothing but devalue the surrounding properties and homes. We see no reason for such a high fence in our neighborhood. I have signed a petition along with over a 100 other homeowners in the neighborhood representing our feelings not to have such a fence built. It becomes very apparent in my eyes that there is an overwhelming majoring of homeowners in Del Monte Ave area who have done everything we could to demonstrate our feeling concerning this fence. As voters and with the upcoming elections we will be very intrested how the voting of this variance turns out. We will be watching.



Ray Henriksen-Virginia Henriksen
5400 Del Monte
Las Vegas, Nevada

RECEIVED

OPPOSITION TO VARIANCE #V-52-84 by MR. ANTHONY CERIO

We, the undersigned, being homeowners in the 5300 and 5400 block of Del Monte Avenue, Las Vegas, Nevada, do hereby make known our opposition to Anthony Cerio's eight-foot high chain link fence on the west side property line where six feet is the maximum highest permitted. We base our objections on the following:

1. This neighborhood is zoned R-1 and all homeowners should be protected by said code.
2. This fence is not agreeable by the two other property owners directly involved.
3. The west side property line involved is very congested already with a storage shed Mr. Cerio apparently build without a permit and, as we have recently found out, applied for a variance (V-42-83) for an EXISTING storage shed. Homeowners in the 5300 and 5400 block of Del Monte Avenue were not mailed notices of the public hearing and were unable to make known their feelings. (Copies of this variance notice are available.)
4. The other homeowners in this nice, friendly, well-kept neighborhood have managed to have their privacy, do their landscaping, and control their animals in accordance with the R-1 zoning regulations.
5. This fence is not compatible with the surrounding homes and would definitely constitute an eyesore.

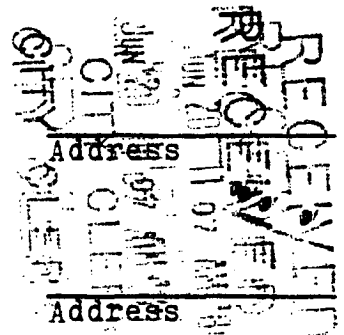
We, therefore, would like you to deny the request of Mr. Anthony Cerio for this variance. We see no purpose for Mr. Cerio to be an exception to the existing zoning regulations.

Signed:

Rayna Sher 5344 Del Monte
Homeowner Address Homeowner

Homeowner Address Homeowner

Homeowner Address Homeowner



Address

RECEIVED

RECEIVED

Las Vegas, Nev
June 19-1984

JUN 20 11 07 AM '84

0279

CITY CLERK

City of Las Vegas
Department of Community Planning, Development
City Hall
400 East Stewart
Las Vegas, Nevada

Dear Sir

We have received Notice of Public Hearing
on June 20-1984

This regards to the appeal filed by Hilda and
Bill Stodard (V-52-84) We wish to submit
our objections to the actions taken by the Board
of zoning adjustments in approving the application
of Anthony Cerio Jr. for a Variance to allow a
10 foot high chain link fence on his Property
Located at 5328 Del Monte Ave

I strongly object to this structure as this
is a nice middle class neighborhood with
many children and anything that is hazardous
enough to merit putting up a 10 foot fence
should not be allowed within the city limits

We cannot understand why it was approved
over the objections of a signed Petition of 104 of
our neighbors Please reconsider the wishes of our
neighbors and Community Thank you

Mildred Bungarner 5328 Doe
Donald Bungarner Las Vegas

CITY COUNCIL MINUTES- JUNE 20, 1984

RICHARD H. BRYAN
Governor

STATE OF NEVADA

F. Y. MacDONALD
Labor Commissioner

RECEIVED
RECEIVED



0280

JUL 21 1984
JUL 23 3 55 PM '84

CITY CLERK

OFFICE OF LABOR COMMISSIONER

505 E. King Street, Room 602

Carson City, Nevada 89710

(702) 885-4850

1-800-992-0900 Ext. 4850

July 17, 1984

Michael B. Wilhelm
Public Works Inspector
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada 89101

RE: #84.3550.13 Renovate Building #300 Las Vegas Boulevard, North
S-84-36

Dear Mr. Wilhelm:

We have accepted the information received from Stoddard Building
for an audit performed on the above project as satisfactory.

Should you have any questions or concerns, please feel free to
contact our office.

Very truly yours,

Laura Roser

LAURA ROSER
SENIOR INVESTIGATOR

LR:gg

AGENDA*City of Las Vegas*

June 20, 1984

Page 33

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS (Cont'd)

1440 E. RW-1-84 - APPEALS filed by OLGA K. SCHEEL AND AGNES D. ROTHSCHILD to the action of the Planning Commission in APPROVING the installation of razor wire on the perimeter fence of the SPANISH OAKS SUBDIVISION, except along the north portion; and APPEAL filed by RICHARD C. LEX to the action of the Planning Commission in DENYING the installation of razor wire on the perimeter fence along the north portion of the SPANISH OAKS SUBDIVISION on property generally located north of West Sahara Avenue between Valley View Boulevard and Richfield Boulevard, R-PD6 Zone.

May 10, 1984 Planning Commission Meeting:

Planning Commission recommends APPROVAL (4-1 vote) except for the north portion where single-family lots abut the Spanish Oaks Development.

Staff Recommendation: ABEYANCE on entire application to notify the property owners to the north.

PROTESTS: 2

May 22, 1984 Planning Commission Meeting:

Planning Commission recommends DENIAL (4-2 vote) of the north portion of the subdivision.

Staff Recommendation: TABLE for one year to determine if razor wire is needed on north portion of subdivision.

PROTESTS: 88

The following motions were in conjunction with this application:

1. Levy -
APPEAL DENIED on north portion.
Unanimous

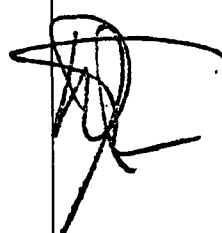
2. Lurie -
Motion APPROVED that no razor wire be allowed around the Springhurst Subdivision
Unanimous

3. Lurie -
Motion APPROVED to allow razor wire around remainder of Spanish Oaks Subdivision perimeter.
Motion carried with Briare voting "No."

Clerk to notify & Planning to proceed

SEE VERBATIM TRANSCRIPT FOR DETAILS

APPROVED AGENDA ITEM



- E. RW-1-84 - APPEALS FILED BY OLGA K. SCHEEL AND AGNES D. ROTHSCHILD TO THE ACTION OF THE PLANNING COMMISSION IN APPROVING THE INSTALLATION OF RAZOR WIRE ON THE PERIMETER FENCE OF THE SPANISH OAKS SUBDIVISION, EXCEPT ALONG THE NORTH PORTION; AND APPEAL FILED BY RICHARD C. LEX TO THE ACTION OF THE PLANNING COMMISSION IN DENYING THE INSTALLATION OF RAZOR WIRE ON THE PERIMETER FENCE ALONG THE NORTH PORTION OF THE SPANISH OAKS SUBDIVISION ON PROPERTY GENERALLY LOCATED NORTH OF WEST SAHARA AVENUE BETWEEN VALLEY VIEW BOULEVARD AND RICHFIELD BOULEVARD, R-PD6 ZONE.

This involves two separate appeals on the request by the Spanish Oaks Homeowners Association to install razor wire on the perimeter fence of its subdivision. The request was in the form of one application, however, when it was considered by the Planning Commission staff recommended it be held in abeyance to notify the homeowners that abutted the Spanish Oaks development to the north. The Planning Commission held the north portion of the request in abeyance for notification and then acted on the remainder of the request. The Planning Commission approved razor wire along the east, west and south sides of the development and that action was then appealed to you by two residents in the Springhurst condominium development to the east. At the next Planning Commission meeting when the public hearing was held on the north portion, the Planning Commission denied the razor wire installation adjacent to the homes and that action was appealed by the applicant (Spanish Oaks Homeowners Association). In essence, you have the entire request before you for final decision.

The request is for razor wire around the entire perimeter except for a short segment on the south side near the main entrance. The applicant proposes to install a 1' high coil whereas the ordinance allows a maximum of 2'. Spanish Oaks abuts the Springhurst development to the east and abuts commercial that fronts on Sahara Avenue to the south. To the west it abuts apartments and is adjacent to Valley View Boulevard. The north portion of Spanish Oaks abuts single family residences and the razor wire would be in view of the residents from their rear yards. The Planning Commission felt the request of Spanish Oaks was needed for security purposes on the east, south and west sides of the development and that it would be compatible with the adjoining commercial, apartment and condominium uses. However, the Planning Commission denied razor wire along the north portion because it was not felt to be needed for security purposes. The Spanish Oaks Homeowners Association wanted the razor wire, especially on the northwest portion, because some access by burglars was through this portion where two fences exist. The fence is on the property line of the R-1 properties and due to the higher grade elevation on the Spanish Oaks side, a retaining wall and fence was constructed inside their property leaving a distance ranging from 18" to approximately 3' between the fences for several hundred feet east of Valley View Boulevard. The residents were opposed to any razor wire being installed on the Spanish Oaks fence because it would be unsightly and would affect the resale value of their homes, as well as possibly constituting a hazard to their children.

MAY 10, 1984 PLANNING COMMISSION MEETING:

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Except for the north portion where single family lots abut the Spanish Oaks Development.

STAFF RECOMMENDATION: ABEYANCE - On entire application to notify the property owners to the north.

PROTESTS: 2 - Spoke at Planning Commission meeting

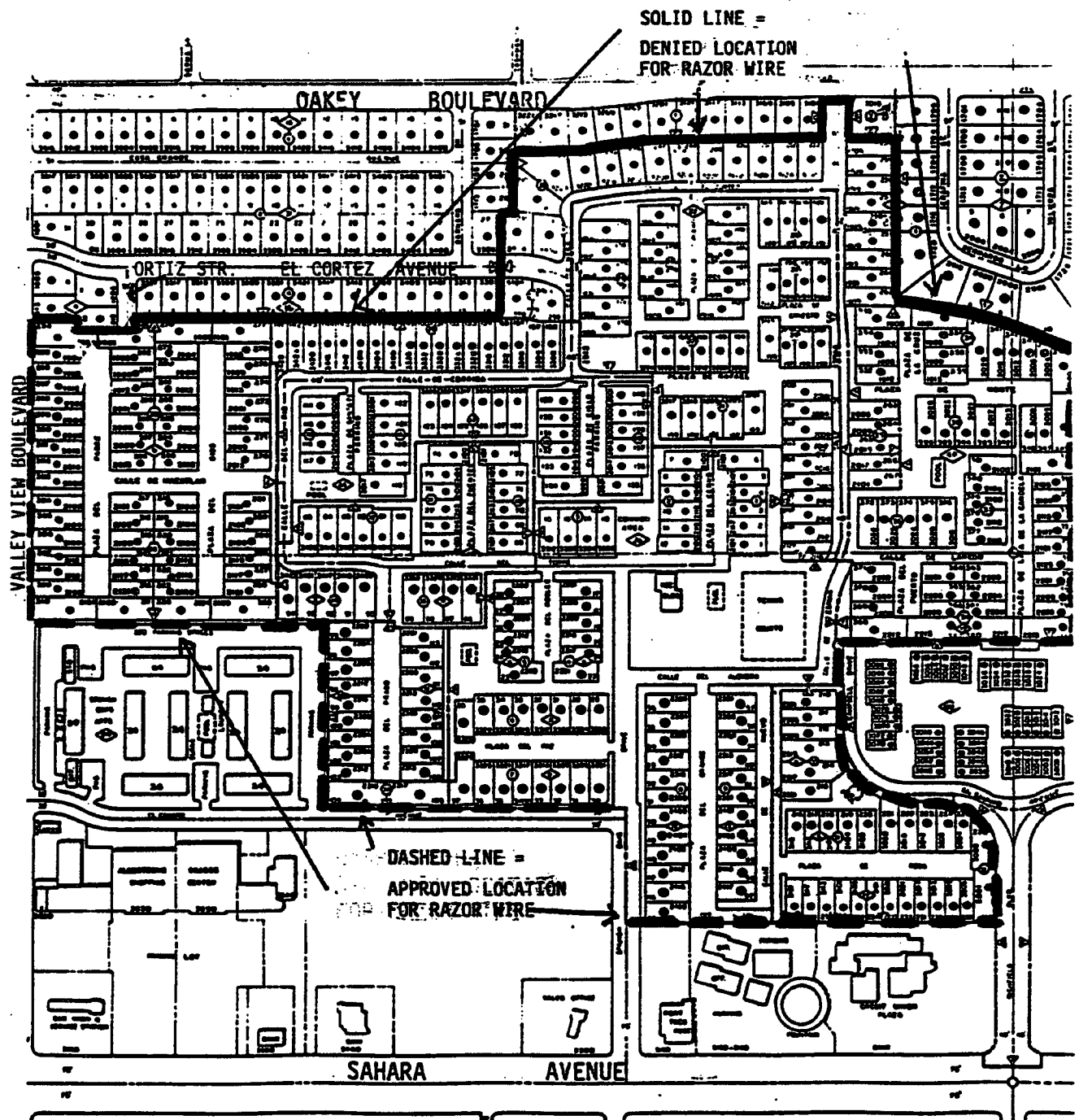
MAY 22, 1984 PLANNING COMMISSION MEETING:

PLANNING COMMISSION RECOMMENDATION: DENIAL - Along the north portion of the subdivision.

STAFF RECOMMENDATION: TABLE - For one year to determine if razor wire is needed on the north portion of the subdivision.

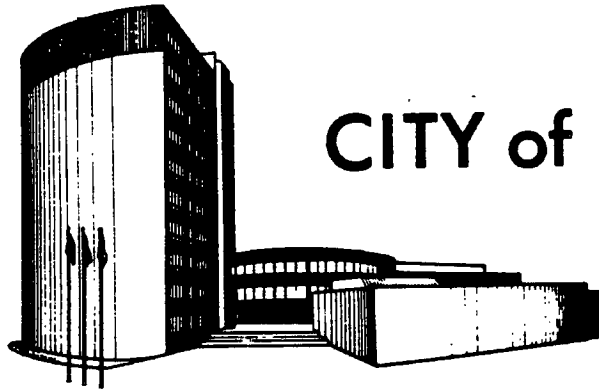
PROTESTS: 88 - Petition with 44 property owners
30 Persons in the audience at the Planning Commission meeting
9 Persons spoke at the Planning Commission meeting
5 Letters

SEE ATTACHED LOCATION MAP



0284

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

JUNE 20, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, June 20, 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:

RW-1-84 APPEALS filed by OLGA K. SCHEEL AND AGNES D. ROTHSCHILD to the action of the Planning Commission in APPROVING the installation of razor wire on the perimeter fence of the SPANISH OAKS SUBDIVISION, except along the north portion; and APPEAL filed by RICHARD C. LEX to the action of the Planning Commission in DENYING the installation of razor wire on the perimeter fence along the north portion of the SPANISH OAKS SUBDIVISION on property generally located north of West Sahara Avenue between Valley View Boulevard and Richfield Boulevard, R-PD6 Zone.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

A handwritten signature in cursive script that reads "Carol Ann Hawley".

CAROL ANN HAWLEY
CITY CLERK

(SEE LOCATION MAP ON REVERSE SIDE)



EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 1
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

CHAIRMAN MACK:

Item No. 6, RW-1-84, Razor Wire Request. Request of Spanish Oaks Homeowners Association to install razor wire around the perimeter of the subdivision on property generally located north of Sahara Avenue between Richfield Boulevard and Valley View Boulevard, R-PD6 Zone.

HAROLD FOSTER:

The City recently adopted an ordinance amendment which provides for razor wire to be allowed in any residential zone provided it's approved by the Planning Commission and there's a right of appeal to the City Council. It doesn't set up any mechanism for a public hearing process. It's just at the discretion of the Planning Commission if they feel that the surrounding property owners or ones that may be affected by that should be notified, then you would do so accordingly. This is the plan that was submitted. Essentially what they are asking for is razor wire just about around the entire site, except for the entrance street, this small segment, at least it wasn't shown on the plan that razor wire was being requested. This is the Springhurst development in this particular area. There are single-family homes backing up to this portion, the northwest portion of the development, as well as along the north portion, this being Oakley Boulevard. Staff generally has no objection to it for the most part. However, we are concerned about the appearance of the razor wire from the rear yards of these residential properties, the owners on these two segments that abut this development. We think just in terms of good faith and awareness and maybe resolving any future problems regarding this request, we would suggest it be held and that we notify these abutting property owners so we can get their input on it before it is acted upon by the Planning Commission, so that's our recommendation. We could hear it on your next meeting. which would be the 22nd.

COMMISSIONER COLEMAN:

What about the rest of it? You mean consider the rest of it tonight and have that portion a special hearing on it?

HAROLD FOSTER:

It's conceivable you could break it up that way, too.

COMMISSIONER BUGBEE:

Let's do it that way.

CHAIRMAN MACK:

Okay. Are you the applicant?

RICHARD L EX:

Yes. My name is Richard Lex. I'm representing Spanish Oaks Homeowners Association. I don't think the association would have a problem with approaching it in that manner. The homes specified pretty much supply the association with some kind of determinant from intrusion. Our main concern is the opened up areas that are easily accessible.

CHAIRMAN MACK:

Do you have something you want to say?

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. -
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

OLGA SCHEEL: Yes. My name is Olga Scheel. I live at 3014 El Camino Avenue. I have three points to make. I wish to go on record as being opposed to installation of razor wire in townhouses and condominium developments. I represent other citizens of Las Vegas who consider razor wire ugly, demeaning and that it destroys the beauty of our city. Mayor Briare, the only Councilman who opposed razor wire in condominiums and townhouses, called razor wire "the most hideous type of fixture you can find in a community which is striving for beautification." Those are direct quotes. I wish to publicly thank Mayor Briare for opposing razor wire installation in condominiums and townhouses. That's my first point. The second point I'd like to make is: I had a great deal of difficulty understanding the amended ordinance and I want to make sure that my understanding is correct. Am I correct? Is it your understanding that the coils of the razor wire will now be facing the interior; that is, the coils will now be on Spanish Oaks' side and not on the exterior?

HAROLD FOSTER: That's correct and they cannot extend above the extension of the interior plane of the fence. Like on a block wall, it would have to be from the interior side of the block wall onto, like the Spanish Oaks' side, is where the coil has to be. It cannot project on top of the fence or over the fence.

COMMISSIONER GUTHRIE: You could stand on top of the fence then.

HAROLD FOSTER: It could not. It has to be from the interior plane inward.

COMMISSIONER GUTHRIE: A person could stand on top of it.

COMMISSIONER BUGBEE: No. There would be razor wire there.

HAROLD FOSTER: That's correct.

OLGA SCHEEL: Perhaps they might be able to.

HAROLD FOSTER: You can jump in, but you can't get out.

OLGA SCHEEL: I have prepared a diagram which is my understanding. I'd like for you to look at it and verify that it is indeed so. Am I correct that razor wire coils will now be on the opposite side, which is completely opposite of the way razor wire is today installed.

RICHARD LEX: It was my understanding at the City Council meeting that the specifications were that the razor wire barbs cannot extend the vertical plane of the exterior of the wall. In other words,

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 3
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

RICHARD LEX: they would have to sit no higher than 2 feet above the wall, but on the wall and over to the interior of the wall and the barbs could not extend the vertical plane of the outside of the wall.

COMMISSIONER BUGBEE: In other words, they would not be encroaching on the property on the other side of the wall.

OLGA SCHEEL: Exactly.

CHAIRMAN MACK: I think that's the way it should be.

COMMISSIONER BUGBEE: I was at that Council meeting when that ordinance was passed.

COMMISSIONER COLEMAN: Well, that would tend to disguise it a little more than --

RICHARD LEX: It would still be visible for the intruder. It wouldn't be hidden on the inside of the wall below the plane of the wall. It's just that the barbs cannot extend more than 2 feet on top of the wall and cannot extend past the vertical plane of the exterior of the wall. In other words, the wire would be on top of the wall for the width of the wall and then over into the homeowners side.

HAROLD FOSTER: That's incorrect where the razor wire can be extended. I have a copy of the ordinance. Let me read it. "Which shall not exceed more than 2 feet above the solid portion of the fence and that there is no extension toward the exterior side of the fence beyond the plane of the fence on the interior side thereof."

CHAIRMAN MACK: Okay. So it can't go past the interior side of the wall.

COMMISSIONER GUTHRIE: You can stand on the wall.

CHAIRMAN MACK: That's correct. You can stand on the wall.

COMMISSIONER COLEMAN: But you wouldn't want to jump over.

RICHARD LEX: It was our opinion that the language at the Council was that the barbs cannot extend the exterior vertical point.

CHAIRMAN MACK: Yes, ma'am, your drawing is correct.

OLGA SCHEEL: It is correct. This means that the people who are on the perimeter of Spanish Oaks would probably lose approximately 2 feet of their backyard.

CHAIRMAN MACK: No. Just the opposite.

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 4
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

OLGA SCHEEL: Unless they want to sit under the fence, under the wire.

CHAIRMAN MACK: No, ma'am. It's just the opposite side.

COMMISSIONER BUGBEE: No, she's talking about the residents of Spanish Oaks.

CHAIRMAN MACK: Oh, you're talking about the Spanish Oaks people.

OLGA SCHEEL: Yes, I'm sorry. I didn't make myself clear. I meant the residents of Spanish Oaks who live on the perimeter of Spanish Oaks would now lose approximately 2 feet of their backyard.

CHAIRMAN MACK: Correct.

RICHARD LEX: What are the requirements for the height of the wire above the wall from the top of the wall?

HAROLD FOSTER: A maximum of 2 feet above.

RICHARD LEX: Two feet, so we're talking about placing the razor wire on some kind of support leaning into Spanish Oaks, but no higher than 2 feet above the wall.

CHAIRMAN MACK: Out of curiosity, have you notified the Spanish Oaks' homeowners of how you're going to do this yet?

RICHARD LEX: There has been numerous occasions for discussion, but as far as specifications are concerned, we have --

CHAIRMAN MACK: You just want to get the permission to do it and you'll go back and tell everybody.

RICHARD LEX: According to specs and, of course, the specs have been gray up until now.

COMMISSIONER COLEMAN: Is there that much activity in that area that it is necessary to put this up?

RICHARD LEX: Currently, Spanish Oaks has razor wire installed in about a quarter of the property and in over a sixteen month period prior to that installation there were eight breakins and some incurring in some bodily harm. Since that date in those areas there have been no breakins.

CHAIRMAN MACK: I guess it works. Okay, any comments by Commissioners?

COMMISSIONER BUGBEE: She's still talking.

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 5
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

CHAIRMAN MACK: Oh, I'm sorry.

OLGA SCHEEL: My third point is: In the areas where razor wire is currently installed in industrial and commercial areas and also Spanish Oaks, will this razor wire remain as it is now installed or will it have to follow the new rules?

COMMISSIONER BUGBEE: I would assume that the razor wire that is up right now is illegal, so if this motion is passed, it would have to go to the new ordinance. That's what the new ordinance was written for. I can't tell you what's going to happen because this does not affect commercial areas or City compounds or whatever where it happens to be in. This is just for residential use.

HAROLD FOSTER: What's in Spanish Oaks now will have to conform to the new ordinance standards.

RICHARD LEX: The coils that are currently in place are 18 inch coils and it is the intention of the association to go to a 12 inch coil, a tighter coil which should help any aesthetic problems and also meet our demands at the same time.

OLGA SCHEEL: Right now they are 24 inches, the coil is 24 inches in diameter. I measured it.

COMMISSIONER BUGBEE: Well, they're going to 12.

OLGA SCHEEL: Thank you very much.

CHAIRMAN MACK: Thank you.

RICHARD LEX: You are considering approval just for the opened areas now and then going to consider the areas bounded by homes at a later date?

CHAIRMAN MACK: Someone will probably make a motion to that effect, but I think they're talking about the private area boundaries.

COMMISSIONER COLEMAN: The open areas.

CHAIRMAN MACK: He said something along Oakey Boulevard and then down along the north line from Valley View, is that right?

HAROLD FOSTER: Yes. Where the single-family homes abut along Oakey and then along the northwest portion.

CHAIRMAN MACK: Yes, sir.

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 8
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

GENE ROBERT MAHOOD: My name is Gene Robert Mahood. I live at 3058 El Camino Avenue, Las Vegas, Nevada, 89102. I strongly oppose this request. My home is in Springhurst. As far as I'm concerned, this is not a high-crime area. What are we going to do to Las Vegas, make a prison farm and around the perimeter of Spanish Oaks it will look like a Nazi German concentration camp? By their own admission they want it around the perimeter. They don't want this barbed wire in the entrance of Spanish Oaks where people coming into Spanish Oaks see this barbed wire -- "what have we got here?"

RICHARD LEX: The reason we're not requesting it in that area is that because that's the position of our guard station that's manned twenty-four hours a day by an armed security guard.

GENE ROBERT MAHOOD: That was my point. They have security there. What more do they want? And another question I would like to ask. If this is approved, do you people realize what you're liable to get yourself into? Number one: a guest uninvited or invited that would go over this wall, they could be very seriously hurt. Spanish Oaks will be in for a liable suit and also if you people approve this, you're going to be in for a liable suit also. You will be setting a precedent if you okay this where other developments, condominiums, or any planned residential communities, you're going to have to okay it for them, if you set a precedent. This to me is wrong and I just want to go on record as saying I am greatly opposed to this. Another thing, they have the wall around Spanish Oaks so many feet high. They have since added to that wall since Spanish Oaks was built. Whether they've got a variance for this, I don't know, it's none of my business, but that wall is plenty high now, and with razor wire on top of that, it's going to be very unsightly. We have to look at this. Thank you very much. Any questions?

RICHARD LEX: In response to his indication that the area is not a crime area, Spanish Oaks security records and Metro records will show you that we have 385 homes there valued from \$150,000 to \$500,000, so it's pretty much of an affluent target for burglars and it is a very serious problem for the homeowners of Spanish Oaks.

COMMISSIONER GUTHRIE: Where is your razor wire now?

COMMISSIONER COLEMAN: Back in the commercial area, isn't it?

COMMISSIONER GUTHRIE: And since that little bit of razor wire has been put up you haven't had any breakins?

RICHARD LEX: No. In this area here, sir. That area is hidden by the Spanish Oaks Mall. It's a prime area for somebody to pull

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 0291
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

RICHARD LEX: into behind the mall and the parking area there and get up onto the hood of their car and go over the wall.

CHAIRMAN MACK: Okay, I'm going to close the public hearing. It's not really a public hearing, but what I'm going to do is ask for a motion on this item.

COMMISSIONER BUGBEE: I'm going to move we APPROVE THE APPLICATION OF SPANISH OAKS ON THE PERIMETER, WITH THE EXCEPTION OF THE NORTH LINE, WHICH WILL BE NOTIFIED AND COME UP ON THE MEETING OF THE 22ND, is that alright? So my motion is to APPROVE VALLEY VIEW, EL CAMINO AVENUE ALL THE WAY AROUND, WITH THE EXCEPTION OF where it's -- yes, right there, THE NORTH LINE.

COMMISSIONER COLEMAN: This is in accordance with the new ordinance.

COMMISSIONER BUGBEE: In accordance with the new ordinance, yes.

COMMISSIONER COLEMAN: I think it's a shame that this has to be done, but I know of a lot of widows and single women that live up there and when they are subjected to these kind of breakins, it's pretty scary and I hate to see it in the city, but I think that they are entitled to some protection. As long as it's on their side of the fence, I don't see what --

GENE ROBERT MAHOOD: It's not on their side of the fence.

COMMISSIONER BUGBEE: It is now.

COMMISSIONER COLEMAN: It is now.

RICHARD LEX: It will be viewable from both sides.

GENE ROBERT MAHOOD: Viewable from both sides?

COMMISSIONER BUGBEE: Well, we have to look at it too.

GENE ROBERT MAHOOD: No they don't. Most of theirs is concealed by shrubbery, sir.

SPRINGHURST HOMEOWNER: I'm sorry. Sitting back here I can't really see what you are describing and where you will put it and where it won't be. Are you talking now about the wall, the common wall behind the Springhurst area?

CHAIRMAN MACK: Yes. We're taking that into consideration, where it is now. We have the wire now, I think, I don't know if that's Springhurst or not, but there's wire --

HAROLD FOSTER: Here.

CHAIRMAN MACK: Okay, so it will come down along that wall. The difference is it will go to the other side in a 12-inch coil instead of what-

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 10, 1984 - 7:30 P.M. - PAGE 8
SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

CHAIRMAN MACK: ever it is now.

SPRINGHURST HOMEOWNER: Are you considering this wall?

HAROLD FOSTER: Yes. That black line. All the way around, except they held
in abeyance --

SPRINGHURST HOMEOWNER: This is a private driveway behind Springhurst. It's not a
public street or anything, so the wall that is here is the
backyard to these Spanish Oaks' homes and backyards to these
Springhurst' homes.

COMMISSIONER BUGBEE: Is that the backyard or is that garages?

SPRINGHURST HOMEOWNER: Pardon?

COMMISSIONER BUGBEE: That's garages back there, isn't it?

SPRINGHURST HOMEOWNER: Yes, of course, it's garages.

COMMISSIONER BUGBEE: It's not backyards.

SPRINGHURST HOMEOWNER: Well, all the rear windows of all these two-story homes, and
there are twelve Springhurst residences that look out directly
down on top of that wall.

CHAIRMAN MACK: You say there is a lot of landscaping there?

GENE ROBERT MAHOOD: The landscaping is on Spanish Oaks' side, so the people in
Spanish Oaks are not going to see this razor wire. We're
going to see it.

CHAIRMAN MACK: Okay, there's a motion on the floor.

GENE ROBERT MAHOOD: Before you make a motion, sir.

CHAIRMAN MACK: No. There's a motion on the floor.

GENE ROBERT MAHOOD: There is?

CHAIRMAN MACK: Yes.

HAROLD FOSTER: You can appeal it by writing a letter within ten days to the
City Clerk.

GENE ROBERT MAHOOD: My other questions was, how many of you people live in Spanish
Oaks?

CHAIRMAN MACK: I do.

COMMISSIONER BUGBEE: I do.

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SUPPLEMENTAL AGENDA. ITEM 6, RW-1-84. Request of SPANISH OAKS HOMEOWNERS ASSOCIATION
to install razor wire around the perimeter of the subdivision on property generally
located north of Sahara Avenue between Richfield Boulevard and Valley View Blvd.-RPD6 Zone.

GENE ROBERT MAHOOD: Two?

COMMISSIONER BUGBEE: Two.

GENE ROBERT MAHOOD: Are you going to abstain from voting?

CHAIRMAN MACK: No.

COMMISSIONER BUGBEE: No.

CHAIRMAN MACK: No, I'm not.

COMMISSIONER BUGBEE: We checked with the City Attorney on it.

GENE ROBERT MAHOOD: You're going to vote?

CHAIRMAN MACK: Uh ha. Absolutely. Okay, that item has been APPROVED and
let the record show the vote was four to one.

END OF EXCERPT

Voting was as follows:

"AYES" Chairman Mack, Mrs. Tracy, Mr. Bugbee, Mrs. Coleman

"NOES" Mr. Guthrie

"EXCUSED" Mr. Johnston, Mr. Kennedy

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 22, 1984 - PAGE 1
OLD BUSINESS: ITEM NO. 1, RW-1-84, RAZOR WIRE REQUEST. REQUEST OF SPANISH OAKS HOMEOWNERS ASSOCIATION TO INSTALL RAZOR WIRE AROUND THE NORTH PORTION OF THE SUBDIVISION WHERE THE SINGLE-FAMILY HOMES ABUT THIS NORTH PORTION ON PROPERTY GENERALLY LOCATED NORTH OF SAHARA AVENUE BETWEEN RICHFIELD AND VALLEY VIEW BOULEVARDS, R-PD6 ZONE.

CHAIRMAN MACK:

Under Old Business, Item No. 1, RW-1-84, Razor Wire Request. Request of Spanish Oaks Homeowners Association to install razor wire around the north portion of the subdivision where the single-family homes abut this north portion on property generally located north of Sahara Avenue between Richfield Boulevard and Valley View Boulevard, R-PD6 Zone. This is an abeyance item from May 10, 1984.

HAROLD FOSTER:

This item is an abeyance in part. You'll remember you acted on the south portion of the request for razor wire on the Spanish Oaks development and held in abeyance the north portion where the request abutted single-family properties. It is essentially from Valley View east to the apartments that exist on the east portion--you can see on the right. There is also a layout in front of you on this map. The request is essentially for razor wire that will be placed on the fence in accordance with the newly-adopted ordinance. They propose a one-foot high coil. From what I understand, it will be placed entirely on the Spanish Oaks' side of the properties. Staff, in evaluating the request, recommended at your last meeting that we had no particular objections to the portion that was recommended for approval along the west and east sides and south; basically, those areas were adjacent to the street, apartments, commercial, and so forth. This particular request involving what is essentially amounting to the back yards of the single-family residences along the north side of the development. We question at this point if there is a need for the razor wire at that location. We think that possibly the crime situation, the burglaries and so forth, is a result of access being obtained into the Spanish Oaks development other than from the rear of these single-family properties. We essentially have no basis for this assumption; it is purely an assumption on our part. We are concerned about it and respect when it does affect the property owners that abut it when they go out into their back yards and it's exposed to them. We think, in this particular case, we would recommend tabling this portion of the request for possibly a year to see what the situation is in terms of crime and if this essentially solves the problem and there isn't really a need for this along the north side, then we don't feel that it should be installed, but as I pointed out, we have no objection to the remainder of the area. I might point out to the Planning Commission that the portion that you did recommend was appealed to the City Council. They are holding up action on that until there is an action on the north portion. The hearing on this will probably be set for the June 20 City Council meeting at 2 P.M. We do have 40 protests on record.

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CHAIRMAN MACK: Thank you. How many people are here for the razor wire issue? Can we get a count? Hold your hands up a minute, please (39 persons raised their hands).

HAROLD FOSTER: Also, I have a brochure here that shows various types of razor wire. Possibly the applicant on that can describe which one it will be. It is probably the one that's on the slumpstone wall.

COMMISSIONER KENNEDY: Harold, you made mention that the homeowners would have it on their side of the property?

HAROLD FOSTER: No, it would be on the Spanish Oaks' side.

COMMISSIONER KENNEDY: That's what I mean. How is it going to be on the Spanish Oaks' side of the property if it's on top of the fence?

HAROLD FOSTER: It will be visible to obviously both sides. It would be probably from the top of the fence upwards the foot, so it would be exposed. However, the location of the razor wire cannot extend into the plane of the projected interior side, which will be the Spanish Oaks' side of the wall, so it has to be affixed in some manner so it can't go on top of the wall.

CHAIRMAN MACK: He has to be on which side of the wall?

HAROLD FOSTER: The Spanish Oaks' side, the requesters' side.

CHAIRMAN MACK: It has to be on the Spanish Oaks' side.

COMMISSIONER KENNEDY: I'd like to see them be able to put it all on one side of whoever wants it and put it on their side of the property down below the top of the fence myself. (Clapping and shouting)

CHAIRMAN MACK: This is going to be a public hearing and you'll have a chance to speak, if we so decide to have a public hearing on this. We may table it, but right now I'd rather you didn't speak from your seats. First of all, I'd like to have the people from Spanish Oaks, are they here? Since so many people came out tonight, I'd like to think it's only fair that we hear what you have to say about the razor wire, so first, I'd like to have the Spanish Oaks' people to speak and then we'll allow the people that are here who want to speak against this item.

RICHARD LEX: My name is Richard Lex. I represent Spanish Oaks Homeowners Association, 2201 Spanish Oaks Drive. Since the beginning of the year, 1984, the homeowners have been the victim of three very serious burglaries in the areas where the discussion is being held on tonight. The area that is of the most important concern to the Association is at the north end of Padre and

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RICHARD LEX: Dios where a wall borders Spanish Oaks' property and there is a wall built along private homes on the other side with about a three to four foot walkway between the two walls. Metro and our own security forces found this is an excellent place for burglars to enter the property and to exit the property, and that's really the biggest concern of the Association.

COMMISSIONER BUGBEE: Would you point that area out on the map, please?

RICHARD LEX: Right along in this area here. You have the Spanish Oaks' wall and then you have a wall of these homeowners and a three foot walkway between these two walls.

COMMISSIONER JOHNSTON: Is that an easement or what? The three foot walkway, is that an easement? Do you know, Harold?

HAROLD FOSTER: It might be a utility easement, but it's probably one or the other's property. They probably set their fence in.

RICHARD LEX: The breakins that we are discussing have occurred in these homes in here where perpetrators can walk on Valley View right along this walkway below the Spanish Oaks' wall, come over the wall. Two of the homes are located here that have been burglarized.

COMMISSIONER GUTHRIE: Why don't you eliminate that walkway?

COMMISSIONER BUGBEE: How do you do that when you don't own it?

COMMISSIONER GUTHRIE: How do you know it's not your property?

JOHN ALLEN: We don't know. Collins built the retaining wall there two, three feet out from the original wall leaving an easement.

COMMISSIONER GUTHRIE: I would think that would be as great a hazard to the people living north of that wall as the people living south.
(Clapping)

RICHARD LEX: The question is, if they haven't been burglarized, why have we been burglarized? It's like we discussed at the last meeting, it's the high concentration of likely targets.

COMMISSIONER JOHNSTON: There is no gate there?

RICHARD LEX: No, sir.

CHAIRMAN MACK: Do you have a picture of it?

RICHARD LEX: No, sir.

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COMMISSIONER TRACY: Does the three-foot walkway just go up to the end there or all the way? Show me where it goes?

JOHN ALLEN: It starts at Valley View and it extends roughly to Ortiz, to this point here.

RICHARD LEX: Our wall is a ten-foot wall. The homeowners wall is a six-foot wall. They are able to walk right along here and be covered by our wall, come over the wall.

JOHN ALLEN: This is where we've had quite a bit of trouble with burglaries. Unfortunately, this easement is also helped by the fact that when they poured the walls they left the metal ties in that the people use as a ladder.

CHAIRMAN MACK: Harold, I noticed you were pointing to something up there on the map.

HAROLD FOSTER: They indicated from Valley View east to Ortiz, which is a short street in here about two hundred feet to the east. It's in that segment apparently they are getting in between the walls and going over the fence.

CHAIRMAN MACK: Then that's the part that you need.

RICHARD LEX: That's our biggest concern, yes, sir.

CHAIRMAN MACK: Then basically you could live without it on a one-year plan to give it a try from that point up all the way to the west edge of Spanish Oaks and up to Oakey, down the east side to where you were approved at the last hearing.

RICHARD LEX: I think the Association could live with a situation like that as long as we are able to protect ourselves in that very vulnerable area.

CHAIRMAN MACK: Give it a try.

COMMISSIONER JOHNSTON: I don't understand why there isn't a gate there, a crash gate or something to keep people out of there.

RICHARD LEX: At the end of the property?

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- COMMISSIONER JOHNSTON: If it's an easement and it's there for a purpose for utilities and a crash gate would keep everybody out of there -- a ten-foot gate with maybe wire on top of the gate.
- RICHARD LEX: That's a reasonable suggestion.
- COMMISSIONER BUGBEE: Does it just dead end at the east end?
- RICHARD LEX: Yes, it just dead ends.
- CHAIRMAN MACK: Okay, thank you. How many people are preparing to speak on this item? How many people? Would you raise your hands. Are any of you representing any groups in particular or just speaking individually?
- ATTY. DAVID JOHNSON: Commissioner, I'm a property owner and I'm also an attorney and I'm appearing for some of the people who couldn't be here this evening so I guess I could be considered a representative.
- CHAIRMAN MACK: As you come up to speak, please state your name, your address, and sign the form in front of the microphone, please.
- ATTY. DAVID JOHNSON: Good evening. My name is David Johnson. My home address is 1720 Serafina Avenue. I'm also an attorney and the address of my office is 1009 Valley Bank Plaza in Las Vegas. I have a few things I'd like to make a part of the record, if I may. One thing I'd like to present to Miss Clerk for distribution to the Commission are several additional letters and petitions. This brings, I believe, the total number of people who have voiced objection to this in the neighborhood of eighty to ninety homeowners. Many of these people have written individual letters, many people have signed petitions, but all have voiced their strenuous objection to this. Also, I'd like to make a part of the record and submit to the Commission for its review, if I may, photographs which have been taken showing some of the backyard areas of existing residences and also depicting the very unsightly nature of the razor wire as it has been presently installed. I think, if I may present these to the Clerk for distribution to the Commission, these photos really bear, I think, taking a moment or two to review (Letters, petitions and photographs reviewed by Commission).
- COMMISSIONER BUGBEE: What's the street directly to the north and the street directly to the east, Mr. Foster?
- HAROLD FOSTER: El Cortez is this alignment.

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ATTY. DAVID JOHNSON:

Commissioners, I think as you have an opportunity to review these photos you'll see that razor wire installation is indeed unsightly. It's an eyesore. It's just plain ugly to look at. I recognize that the people inside Spanish Oaks feel that they have been victimized and feel that they have to take whatever steps are available to them to protect themselves, but the fact is, we all live in a community. We all share the same problems with crime and with fear for our property and our persons and I think that's what makes a community a good place to live and when one group of neighbors takes it upon itself to inflict an ultra-dangerous, ultra-hazardous element into the neighborhood setting on their fellow neighbors, it's something that a Commission such as this one must seriously consider. I'm not as concerned about the looks of this razor wire, to be honest with you, as I am about the health hazard. As the petition states, we are owners of single-family residences and I'd like to emphasize FAMILY RESIDENCES. There are children that play in the area surrounding the walls that Spanish Oaks seeks to install this razor wire on. Commissioners, as long as kids are kids, they're going to hop over fences to chase baseballs and frisbies. They are going to dare each other to walk on a balance beam down the block wall. They are going to take a dare or they are going to take a shortcut to go to the park. Every weekend, every Saturday morning there's a pilgrimage of children coming out of Spanish Oaks who balance walk down my block wall to make it over to Baskin Park. Now, I know there is a chance that they could fall down off of some of these walls, which get as high as maybe eighteen feet, and you suggest to these children that they don't do this, but kids just don't listen. I submit to this Commission that they're not going to stop doing these things just because there's razor wire there. They'll figure out a way to try to get over it. If one child slips off of a fence or some other way becomes entangled in this vicious unreasonably dangerous security fencing and goes through life without a finger or without an eye or severely scarred, then I think that all the concerns that Spanish Oaks' residents have about their security become not only irrelevant, but just simply criminally negligent. (Clapping) I would also submit to the Commission, and I have reviewed the ordinance, 3106, that has been passed and I take it was adopted on April 18 of this year and I sincerely submit to the Commission that this body is without jurisdiction to even allow the installation of razor wire fencing. The City has apparently adopted the Uniform Building Code and I have a copy of the ordinance in front of me. I certainly don't want to bore the Commission, but I think it's important to note that the recently-adopted ordinance specifically defines fences, walls and retaining walls. The ordinance prohibits the introduction of any fence containing,

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ATTY. DAVID JOHNSON:

and I'm quoting from Section 71.06 of the ordinance, Sub-section E, it prohibits any fence containing steel bands or steel ribbons having a sharp edge, and so on and so forth. "Such bands and ribbons are commonly known as razor wire." Then it provides an exception. It says that "razor wire or similar material may be installed as the top portion of a security fence, with the approval of the Planning Commission as to each installation, provided, however, that the lowest portion is 6 feet or more above the grade or adjacent ground level, measured on the exterior side of the fence, that the material must be of galvanized metal installed in uniform coils which do not extend more than 2 feet above the solid portion of the fence and that there is no extension toward the exterior side of the fence beyond the plane of the fence or the interior side thereof." I think it's clear that the exception that has been drafted into the ordinance specifically contemplates installation of razor wire fencing on fences with the blessing of this Commission. Now the ordinance is unambiguous in defining what a fence is. It says "fence, a structure of temporary or semi-permanent material such as wire, wood, screen or plastic, erected for the purpose of enclosing a parcel of land or to divide a parcel of land." Now it defines what a fence is. It goes on to define a wall. It says "a wall is a structure erected of stone, brick, masonry, concrete or other permanent material raised to some height intended for the purposes of enclosure." The ordinance, in every instance, when it discusses the usage of a fence provides, and it speaks not of an exclusion, it says "no fence, wall or retaining wall shall be placed, block walls or retaining walls, fences, walls and retaining walls." It defines these things. It utilizes these terms that it defines. It says on the exception that you may only allow the installation of this fencing or this razor wire on fencing. What we are talking about, Commissioners, is not fencing. We are talking about block walls that divide property lines. In many instances, we are talking about retaining walls that are designed to hold back overflow and so forth. I submit to you tonight that you are without jurisdiction to grant this application as it is placed before you this evening. I don't think it's appropriate to table this measure. I think that you can see by the number of people that are here tonight that the interests of these homeowners, these parents, and these grandparents, in maintaining a safe and unrestricted area for their children to play and themselves to live in has been demonstrated to you. I don't think a tabling is wanted. I think it should be denied. If they want to refile, let

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ATTY. DAVID JOHNSON:

them refile. Let them go through the whole process again, but I don't think that any purpose would be furthered by simply tabling it and then seeing how things go. I think this application should be denied. (Clapping)

DR. MARVIN PERER:

I'm Marvin Perer and my wife and I live at 3417 El Cortez. I should mention because I'll come back to it later, that's at the eastern portion of El Cortez. I want to give to the Commissioners through the Clerk a copy of the letter which I wrote to Mr. Foster and some copies of some pictures of my seven year old son on our swimming pool slide. I would like to second Mr. Johnson. I'm sure all the homeowners of the private homes -- this razor wire is a great safety hazard to both children and pets. We don't have a pet -- I assume nothing pertaining to cats generally, but we certainly have children. When our children climb up our slide, they are quite near to the wall. The potential for harm to children, our children and their friends and other children, is obviously great. Now also, the razor wire is very unsightly. It's not very appealing to sit in your backyard and look at the razor wire and also one of these days most of us will probably be selling our homes for whatever reason. I don't think that the marketability of our homes will be improved by the razor wire. I can understand the concern of the Spanish Oaks' homeowners about security. Certainly neither myself or any of our neighbors are aware of anybody going through our backyards into Spanish Oaks, and most of our yards have pools and locked gates. I really can't speak about this area which was mentioned, but certainly I'd like to see police reports as to what instances there were and where they believe they occurred. I will mention that the gate security at Spanish Oaks is exceedingly poor. Anybody can go into there by going up to the gatehouse and saying you're here to visit somebody. I do this all the time to pick up my babysitter. Certainly I think if Spanish Oaks is concerned about their security, one of the simplest things they could do would be to improve the security they already have. One other point I wish to bring up which pertains to the eastern part of El Cortez Avenue, the back wall of my home was constructed by the previous property owner by his own sons and entirely within our property line. At one time in the past the Spanish Oaks Homeowners Association wished to do something with the wall and the former owner, through his attorney, was able to convince them that they did not own the wall. Now I don't know to how many other walls this pertains to, but I'm sure the Spanish Oaks Homeowners Association has this on file. They cannot put it through my wall because it is not in their land. I don't

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DR. MARVIN PERER:

think the law gives them that opportunity. Now a number of my other neighbors on the eastern side of El Cortez Avenue, their back wall was put up through the combined financial joining both of them and their neighbors in Spanish Oaks. I don't know exactly where the wall lies, whether what part is in Spanish Oaks and what part is in their yard, but certainly both neighbors contributed to it. I don't think one can arbitrarily decide to put wire. Now this circumstance may not apply to the other neighbors, but I certainly think that Spanish Oaks Homeowners Association is negligent by just willy nilly assuming they're going to put wire around everything when they really don't themselves or should know that they don't own all those back walls. Now I agree with Attorney Johnson. I think there should be not a decision to table this, but a decision to defeat it. I hope that the Commissioners will put aside any personal regards about this matter. We are aware that two of the Commissioners live in Spanish Oaks and we hope that they will put this aside and look at the issues without putting their own personal feelings into it. Thank you.

COMMISSIONER BUGBEE:

On your rear wall you're claiming that the original developers, Collins Brothers, did not build that wall, there's only one wall there and that's yours. The attorney said there is an alley or easement down through there.

DR. MARVIN PERER:

Behind our wall there is a few feet which I think is a utility easement. I don't know exactly that, but I did speak with the former landowner who was very definite that he constructed a wall with his own money entirely on our own property line and he at one time had to hire an attorney to prove this, which he did satisfactorily.

BARBARA SORENSON:

Excuse me, I think I can clarify that a little bit. My name is Barbara Sorenson and I live at 3409 El Cortez. I live two doors east of the doctor. What happened was the El Cortez street was partially developed down to about 3419, about half way down the street, and they had walls up. Then the rest of the street was developed with our homes. We faced the desert when Spanish Oaks came in and we didn't have a wall, except for his house had a wall already up, which the property owner had purposely put inside his property line. As you can see from the vicinity of the slide to the fence is unusually close. Okay, Spanish Oaks came to us and said "We want to put up a fence." At first they came and said "We want to have a green belt" and, of course, that never happened, but, so in order to have the fences line up -- formerly, our fences were put up in line with his fence which would put them inside our property line. Now, further up the street where the homes

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OLD BUSINESS: ITEM NO. 1, RW-1-84, RAZOR WIRE REQUEST. REQUEST OF SPANISH OAKS HOMEOWNERS ASSOCIATION TO INSTALL RAZOR WIRE AROUND THE NORTH PORTION OF THE SUBDIVISION WHERE THE SINGLE-FAMILY HOMES ABUT THIS NORTH PORTION ON PROPERTY GENERALLY LOCATED NORTH OF SAHARA AVENUE BETWEEN RICHFIELD AND VALLEY VIEW BOULEVARDS, R-PD6 ZONE.

BARBARA SORENSON:

are already developed, Spanish Oaks came in and put in another wall like this, abutting up against the already existing wall of the older homes in the neighborhood. Where the new homes begin, that raceway does not exist. It goes from Ortiz Street about seven homes down the street. Then, the newer homes have the fences which are put inside their own property line and I might add that we started this with our neighbors over the wall of Spanish Oaks. We put up the fence. One day we came home to find that some workmen were making the fence higher, which is what he refers to as they were trying to do something to his fence and a lawyer had to be called to stop it. Spanish Oaks had decided the fence was not high enough and they made it higher. Another example of saying "Okay, we're kind of tired" -- well, I can speak for my street, "Well, we think we'll do this now." As far as we are concerned, the residents of 3419 to 3403, our fences are within our property line and, therefore, there is no jurisdiction.

COMMISSIONER BUGBEE:

Then they can't touch them when they're on your property line.

BARBARA SORENSON:

I would also add that this raceway situation could have been totally avoided by Spanish Oaks using the existing fence instead of building another fence three feet from the existing fence. I would assume they did this because the fence Spanish Oaks built was a Spanish Oaks' white fence. Now, our fence is cinder block.

COMMISSIONER BUGBEE:

Your fence backs up to the house in Spanish Oaks --

BARBARA SORENSON:

Yes.

COMMISSIONER BUGBEE:

-- and that house has a cinder block fence, too.

BARBARA SORENSON:

No. We have one common fence.

COMMISSIONER BUGBEE:

Cinder block fence.

BARBARA SORENSON:

Yes. The raceway is built -- a cinder block fence against a Spanish Oaks' style fence, which causes a raceway halfway down the street.

COMMISSIONER BUGBEE:

That's not your condition.

BARBARA SORENSON:

No. My condition is my fence is within my property line.

DR. MARVIN PERER:

We have no fences abutting ours. The only fence is our fence. Spanish Oaks uses our fence as a back wall.

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CHAIRMAN MACK:

To address the fences so far as I know about all the fences, Spanish Oaks was designed and built by Collins Brothers, and not by the Spanish Oaks Homeowners Association, so the people who are here and trying to get this thing on, didn't build the fences, they inherited them or bought them in the condition that they were in. I'm sure a lot of them don't even know about this particular two foot or three foot area. I, in particular, have never heard of it before, but I don't think that is really an item that is that important to this particular thing that we're discussing tonight. I think there are other things that we should talk about here other than that particular fence item because I don't think that we're going to be addressing it.

DR. MARVIN PERER:

I agree that's only a small portion, but I think all our neighbors are against the razor wire wherever it may be behind single-family homes.

CHAIRMAN MACK:

I understand that most of you are here against the razor wire. Who else would like to speak? Come forward, please.

JOSEPH DUSHEK:

My name is Joe Dushek. My wife and myself and the group that I represent live up on the upper northeast portion of your map, which is the top righthand corner. This is the Serafina and Bernardo Lane and Balmoral Street area. We share a common wall in that area. By the way, I live at 2905 Bernardo Lane. All the neighbors that are here with me and myself share a common wall with Spanish Oaks and we'd like the Commission to know that we vehemently oppose the razor wire and the rolled wire. We realize there is a mutual interest of anti-burglary which might be one of their primary reasons for considering it, but we feel there is other ways that this could be addressed. We formed ourselves a group called Neighborhood Watch, which is sponsored by Metro. We all participate in it. We've prevented some burglaries on our side of the wall. We feel that just by putting the wire up is not going to obliterate all burglaries inside Spanish Oaks, so we feel that the fine people that live there, and many of them are our friends as well, should look and see exactly what this wire would entail. We feel that there is a danger here besides the unsightliness of it and we don't want our neighborhood to look like a concentration camp. We urge you to consider the issue. We hope that it is defeated and not just tabled. Those are our reasons. Thank you.

EXCERPT - CITY PLANNING COMMISSION MEETING - MAY 22, 1984 - PAGE 12
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COMMISSIONER BUGBEE: How high is the wall in your back yard? You're on the east side of Spanish Oaks' retaining wall?

JOSEPH DUSHEK: Well, we're actually on the north side. That wall runs along the north side up here over to the east portion. On our particular area it's about, on our side, approximately ten to twelve feet high. However, their terrain is much higher, so for them it's probably about six feet. The terrains don't meet at a common level, so it's a little higher on the north side from the non-Spanish Oaks' people.

COMMISSIONER GUTHRIE: The intruders would have to come in through your side, is that right?

JOSEPH DUSHEK: No, that's not necessarily true. Most burglaries, when you burglarize a house, and by the way, I work in law enforcement, you have to have a vehicle or some means of removing that merchandise. If you just hop over a fence, that means you'd have to take the merchandise, throw it over the wall, and then get through our area too to get to the vehicle. Well, our walls are maybe ten to twelve feet high, as I said, on our side. It's pretty high to come and jump over those walls, and then if you could get in, you'd have to come back over with the merchandise, so the wall itself is going to be some preventative measure. I think another consideration would be the Neighborhood Watch. If they had Neighborhood Watch inside and we did and we had good communication, we could probably eliminate a great deal of both of our problems. Thank you.
(Clapping)

CHAIRMAN MACK: Before we go any further, I would like to ask our Counsel two questions. One: in regard to the tabling of this item, which is being talked about so much, what would we be tabling? Would we be tabling this particular request, Item No. 1, or what about the action that was taken at the last meeting?

HAROLD FOSTER: Staff is recommending tabling the portion that you held in abeyance, which would be the north portion abutting the single-family residences.

CHAIRMAN MACK: Okay, so the people here want that denied, is that basically what we're talking about? I just want to get the feeling of what the people are saying. Now, I want to ask Counsel something else. This fence versus wall statement that was addressed by Mr. Johnson, what affect does that have on this?

DEP. CITY ATTORNEY
VAL STEED:

Mr. Chairman, I think Mr. Johnson is correct in saying that in many instances throughout this particular ordinance, fences

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DEP. CITY ATTORNEY
VAL STEED:

and walls are treated separately, but I think that this Commission, and ultimately the City Council, has the responsibility to interpret its ordinances and also there are a couple of places in the ordinance where a fence can be read to include a wall. If, as Mr. Johnson suggests, fences and walls are intended to be mutually exclusive, the only thing that is prohibited for razor wire is a fence, and if that's true, if the only thing that's prohibited under this code is a fence with razor wire, then Spanish Oaks wouldn't need to be here today. They could automatically have it, so I think if you read the ordinance that way, you can read it applying to walls as well as to fences.

CHAIRMAN MACK:

Thank you. I don't think we're going to do any interpreting of any law here today.

COMMISSIONER BUGBEE:

I would like to ask Mr. Foster a question.

CHAIRMAN MACK:

Sure.

COMMISSIONER BUGBEE:

You told us that the action of the City Council was held until our action this meeting?

HAROLD FOSTER:

No. Your action from your last meeting was appealed to the City Council, but staff-wise it has been decided to not set date, establish a public hearing date, until the entire application was acted upon to prevent the City Council from having to have essentially two hearings if this action would also be appealed to them.

CHAIRMAN MACK:

Yes, ma'am.

MICHELLE ROHLMAN:

My name is Michelle Rohlman. I live at 3205 West Oakey Boulevard. I'm not too very technical about walls and what it is supposed to look like, but I'm sure that every one of you has set in front of the television and watched the Holocaust sink. "Oh, how sad, how terrible, these poor people." I was there for four years and all I've got to say is if that barbed wire comes over my wall, I will cut it. You can put it back. I will cut it again because for me this was freedom, this country, and to see this barbed wire again, never! (Clapping)

JUDY SMITH:

My name is Judy Smith. I live at 2901 West Bernardo Lane. It's a house in joint tenancy with Paul G. Smith. My house is a house that holds a 294 foot wall. That wall was put up by Mr. Robarts, who put our tract up. I'm the house next door to the Dushek's. Our wall is at least 12 feet. My concern

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JUDY SMITH:

is, I have four children that sit on the wall as it comes 12 feet and drops because we have apartments behind us and we have a lot of kids that come from the apartments that know my children. They come over that wall instead of going all the way around Sahara to Valley View down Oakey, or the other way around to Rancho. Those kids are always on my wall. I don't want to see one of them get hurt by razor wire. I think there is a clear and present danger at all times. I feel for the people that do live in Spanish Oaks. My sister lives there and she's quite willing to sign our petition. Her house backs up to ours also on the Plaza Del Monte side. I think you should know that four houses that back up to my wall have signed our petition not to put the razor wire up. If you look at the pictures of the razor wire, don't be deceived by the fact of what's being told that it'll only be shown on one side, that's impossible. The wire stands up this way, comes across, and comes down. Yes, probably the positioning of the wiring that would hold the razor wire would be on the Spanish Oaks' side, but it would have to fall onto our property line. It definitely, to me, looks like a concentration camp. I will not put up with it and I will buy razor wire to cut that. As an owner of a pet, I don't know yet if the strong winds affected the wiring that is up. I hate to think of a child or pet being in that back yard if a strong wind hit and it came down. It's not going to stay stationary. The abutment of the wall there -- it's true what Mr. Dushek had said. The neighbors can stand up on their side and look down ours. They would have to go over a 12-foot wall. They could not possibly pull a car into my back yard to wait for the things to come over the wall. I would like this Commission to not table this; I'd like it denied, just on the mere fact just emotionally that I'm a mother of four. Our neighborhood is single-family homes. There is at least one child in each home and if there is grandparents living there, they have at least one or two children there almost on a daily basis. If you permit this type of fencing to go up, then you put our children in clear and present danger and I, for one, will be back here many many times. Thank you. (Clapping)

CHAIRMAN MACK:

Now, anybody who still wants to speak, if you have something new to add, we'll hear it, but if it's just a repetition, I would like to save everybody some time.

ROBERT BROWN:

My name is Robert Brown and I live at 1708 Serafina Street. I'm not in favor of this razor wire and I'm deeply concerned with the Spanish Oaks Homeowners Association's attempt to provide security for their property, but I feel that one of the greatest things that they can do for their security is to maintain good relationships with their neighbors so that

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ROBERT BROWN: if ever there are attempts to cross our property to vandalize or victimize theirs, hopefully, we may be able to intervene. Thank you. (Clapping)

SAUDIE UKEILEY: My name is Saudie Ukeiley, 2900 Bernardo. First, on Oakey they already have some wire right next to their gate which is very sloppy and it hangs over on the Oakey side. The wire they have there is wider than the top of the fence. There is no way they could keep it out of the plane of the other side. The third thing is, in the beginning you gentlemen mentioned that you have a thing where if you build a new building or something, you have to screen in air conditioners, and you want this showing? I mean, that's ridiculous.

DANNY HENDERSON: My name is Danny Henderson. I live at 3509 El Cortez. The top of the Spanish Oaks' fence at my place is about 7 foot up. You go next door to the east and it drops off, and again, it's 12 foot. There is no way anybody can come down that passageway because I built a wall there -- no, between the two I built a wall, it's 10 foot to the bottom, so they can't pass through there.

COMMISSIONER BUGBEE: Could you show us on the map where you built the wall?

CHAIRMAN MACK: Yah.

DANNY HENDERSON: (Pointed on map.)

CHAIRMAN MACK: What's your address?

DANNY HENDERSON: 3509, on the north side.

CHAIRMAN MACK: Okay, the fourth house --

DANNY HENDERSON: Next to the last house that was built in the -- when all the fences were put in by the subdivision.

CHAIRMAN MACK: Okay.

DANNY HENDERSON: I built a wall across here and you go next door there is a 10 foot drop, so you would have to climb up and over. There's no way you can get through there.

CHAIRMAN MACK: Okay. I'm going to close the public hearing portion of this meeting with one comment, and that is, I'm a resident of Spanish Oaks and the Spanish Oaks homeowners have not been

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CHAIRMAN MACK: advised that they're going to have razor wire in their back yards yet, so, you know, I just mention that because I think they will have to be told about this and, of course, I'm sure there's going to be people just like you who don't want it in their back yards. I think what they're trying to do -- the way it was explained to me, was protect basically the areas they don't have, and in particular, yards where people are living behind them and I think they've got to get the street areas and the wall areas and they can hide it. By the way, addressing that Oakey gate, that wire would be changed, according to what I understand. That is not one foot in diameter and it would have to be put over onto the Spanish Oaks' side, if they so desire to do this.

GENTLEMAN FROM AUDIENCE: Sir, when will they do that?

CHAIRMAN MACK: I have no idea. Anyway, at this particular point, is there any discussion by the Commissioners?

COMMISSIONER KENNEDY: Do you need a motion?

CHAIRMAN MACK: Yes.

COMMISSIONER KENNEDY: I don't care too much about the interpretation between a fence and a wall, but I wouldn't like razor wire in my back yard and I'm going to move for DENIAL. (Clapping)

CHAIRMAN MACK: Okay, the DENIAL has carried four to two. This particular item will be heard when by the City Council?

HAROLD FOSTER: This is final action unless it's appealed within ten days.

GENTLEMAN FROM AUDIENCE: If I may ask one question, if this matter is appealed, will the surrounding homeowners be notified of the appeal?

HAROLD FOSTER: Yes.

CHAIRMAN MACK: Oh, yes. We're going to have about a one minute recess until the room clears.

END OF EXCERPT

Voting was as follows:

AYES: Chairman Mack, Mrs. Tracy, Mr. Kennedy, Mr. Guthrie

NOES: Mr. Johnston, Mr. Bugbee



First Interstate Bank
of Nevada, N.A.
Las Vegas District
Trust Department
P.O. Box 15188
Las Vegas, NV 89114

0310

RECEIVED

JUN 20 11 51 AM '84

CITY CLERK

June 19, 1984

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

Subject: 44-5335-00-3

Dear Ms. Hawley:

In response to your Notice of Public Hearing for June 20, 1984, please be advised that we approve having the installation of razor wire on the perimeter fence along the north portion of the Spanish Oaks Subdivision on property generally located north of West Sahara Avenue between Valley View Boulevard and Richfield Boulevard, R-PD6 Zone.

Sincerely,

BROWN & CO.

By: 
Gail Bishop,
Trust Administrator

GB:sjs



The Official Bank of the 1984 Olympics

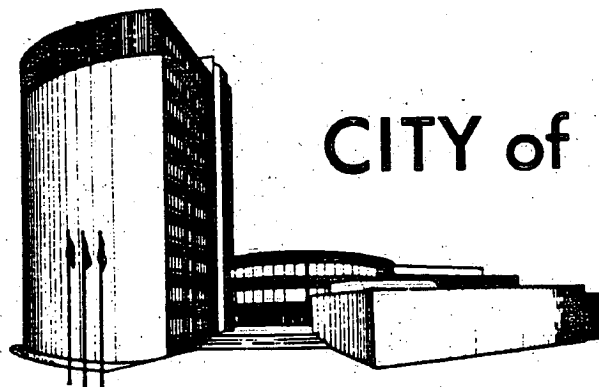


MAYOR BILL BRIARE

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

JUNE 20, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, June 20, 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:

RW-1-84 APPEALS filed by OLGA K. SCHEEL AND AGNES D. ROTHSCHILD to the action of the Planning Commission in APPROVING the installation of razor wire on the perimeter fence of the SPANISH OAKS SUBDIVISION, except along the north portion; and APPEAL filed by RICHARD C. LEX to the action of the Planning Commission in DENYING the installation of razor wire on the perimeter fence along the north portion of the SPANISH OAKS SUBDIVISION on property generally located north of West Sahara Avenue between Valley View Boulevard and Richfield Boulevard, R-PD6 Zone.

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
CITY CLERK

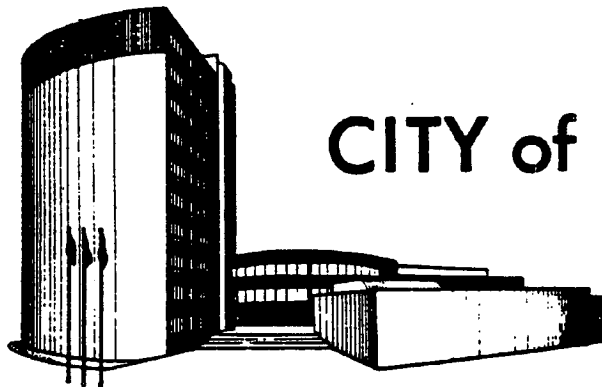
(SEE LOCATION MAP ON REVERSE SIDE)



MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
BOB NOLEN

CITY ATTORNEY
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CITY of LAS VEGAS

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To whom it may concern:

Carol Ann Hawley

CAROL ANN HAWLEY
CITY CLERK

I am a homeowner in

Spanish Oaks & I approve of the razor wire.

Susan Johnson
Billy Johnson

3013 Playa De Monte
Las Vegas Nev. 89102

(SEE LOCATION MAP ON REVERSE SIDE)



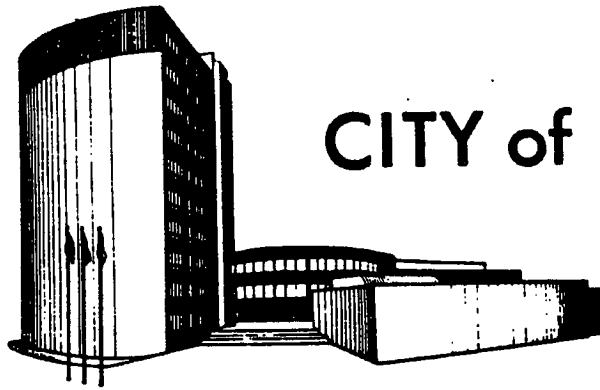
0313

JUN 11 1984
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

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CAROL ANN HAWLEY
CITY CLERK

(SEE LOCATION MAP ON REVERSE SIDE)



0314

June 12, 1984

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

Dear Ms. Hawley,

As a property owner at 3209 West Oakey Blvd., Las Vegas, Nevada, I wish to strongly protest the installation of Razor wire on the back portion of my property backing up to Spanish Oaks. The fence is on the property line and is one half my fence.

Razor wire, as your aware of is also very dangerous, and could cause serious injury to small children who visit my home with their friends. My back fence goes from six feet down to four feet due to the drop in elevation, and with a pool a few feet away from the fence I'm sure you see the danger point.

Sincerely yours,

Larry J. Hollingsworth
Larry J. Hollingsworth
3209 West Oakey Blvd.
Las Vegas, Nevada 89102

RECEIVED

JUN 14 10 34 AM '84

CITY CLERK

Kenneth E. Miller

RECEIVED

0315

2108 PLAZA DEL PADRE
LAS VEGAS, NEVADA 89102
(702) 871-7830

JUN 15 10 49 AM '84

CITY CLERK

June 13, 1984

Carol Ann Hawley, City Clerk
10th Floor, City Hall
400 E. Stewart Ave.
Las Vegas, Nevada 89101

Dear Ms. Hawley:

We received a public hearing notice for June 20, 1984 on RW-1-84 Razor wire installation appeals for Spanish Oaks Subdivision perimeter.

Our home is located on Spanish Oaks Lot 306 with our property bordering Valley View Boulevard.

We are strongly opposed to the installation of razor wire on our property or immediately adjacent to our property and urge the City Council to reverse its decision to allow the installation of razor wire along the Valley View limits of Spanish Oaks.

Sincerely

Kenneth E. Miller
Kenneth E. Miller

Betty J. Miller
Betty J. Miller

cc Spanish Oaks Homeowners Association

ROBERT P. HEDMAN
3016 CALLE DE LAREDO
LAS VEGAS, NEVADA 89102

0316

June 11, 1984.

City of Las Vegas,
Office of the City Clerk,
400 East Stewart,
Las Vegas, Nev., 89101.

Dear Sir:

Re: RW-1-84.

I am in full accord and do
hereby Approve the installation of
razor wire completely around Spanish
oaks subdivision,

Yours truly,

Robert P. Hedman

ROBERT P. HEDMAN
3016 CALLE DE LAREDO
LAS VEGAS, NEVADA 89102

0317

3417 El Cortez Avenue
Las Vegas, Nevada 89102
June 11, 1984

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

Dear Ms. Hawley:

My wife and I support the action of the Planning Commission in denying the installation of razor wire on the perimeter fence along the north portion of the Spanish Oaks subdivision bordering private homes. We are against the appeal filed by Richard C. Lex.

Razor wire is a safety hazard to both children and pets. We have a swimming pool slide parallel to our back wall and when our 9 and 7 year old children climb up the slide they are quite close to the wall. The potential for harm to our children and their friends is great.

It is also unsightly. It will surely reduce our property value and the marketability of our property. How appealing would it be for anyone to sit in their backyard and look at razor wire?

I realize that the Spanish Oaks Homewoners Association is concerned about security. At the testimony given before the Planning Commission on May 22, 1984 the Spanish Oaks representatives indicated that they were actually only concerned about one very small area along their northern portion.

Additionally, the "perimeter fence" of Spanish Oaks at our home is actually the back wall of our property, within our property line, and predates the construction of Spanish Oaks.

My wife and I intend to be at the meeting of the City Council on June 20 and we request an opportunity to give oral testimony against the installation of razor wire along the northern portion of the Spanish Oaks subdivision.

Sincerely yours,

Marvin A. Perer

MAP/ISP:bb

CITY CLERK

Marvin A. Perer and Irene S. Perer,
Trustees for the MAP Family Trust

JUN 13 12 16 PM '84

RECEIVED

3201 West Oakley Blvd
Westwood Vlg Est Lot F
Las Vegas NV 89102

13 June 1984

0318

Re: RW-1-84

~~MMMMMM~~ Ron Lurie
City Council
Las Vegas NV

We are unequivocally and unalterably opposed to the appeal of RICHARD C. LEX attempting to upset the action of the PLANNING COMMISSION in denying the installation of RAZOR WIRE on the perimeter fence along the north section of the SPANISH OAKS SUBDIVISION, on the grounds that it is aesthetically, morally, ethically and legally wrong.

The installation of such wire on OUR fence must by its very nature, be a blot on the landscape and a deterrent to any family wishing to reside adjoining SPANISH OAKS.

Morally, Mr. Lex has no right to take up the time of the City Council with a matter which was so decisively rejected at the PLANNING COMMISSION meeting. The turnout of the concerned citizenry from the abutting property was enough to categorically deny the request for RAZOR WIRE.

Ethically SPANISH OAKS wants to put RAZOR WIRE on our fence without our permission. There is no reason for what amounts to a SPITE FENCE between us. The SPANISH OAKS side of the fence provides a height of ten feet. Hardly a height to scale without ladders.

Legally, there have been numerous court decisions awarding damages to BURGLARS who have been injured attempting to get through protective devices erected by homeowners to forestall illegal entry. Who will protect us from a suit should some unauthorized person sustain such damage or injury on our side of the fence? Mr. Lex? The City Council?

We look to you, COUNCILMAN LURIE to oppose SPANISH OAKS and protect our interests in this matter.

NO! We do not want any ugly RAZOR WIRE on OUR fence.

Sincerely

MAX AND MARY VINSON
(702) 876 1590

cc: Carol Ann Hawley, City Clerk

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TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
RE: PUBLIC HEARING - RW-1-84

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MAYOR BRIARE:

The next hearing is on Council's page 33. This is the razor wire discussion today. These are appeals that have been filed by Olga Scheel and Agnes Rothschild to the action of the Planning Commission in approving the installation of razor wire on the perimeter fence of the Spanish Oaks Subdivision, except along the -- well, you have the record, Mrs. Hawley. Just put in the record what this is all about. I think everybody knows what the razor wire situation is. There was an approval of a part of this and a denial of the other part. Mr. Foster, you had better clearly state exactly how this is now. We are in two parts; they're combined together. I want to make sure we're all talking about the same thing. How are we going to handle this? Are we just going to talk about razor wire in general in Spanish Oaks or are we going to talk about the north side in the one instance and then on the other side in another?

HAROLD FOSTER:

Basically, the entire request is before you. It's been appealed in part by the applicant as well as by the property owners to the east in the Springhurst Development. There was one application submitted for razor wire around just about the entire perimeter, except for a small segment on the south portion at the entrance to the Spanish Oaks Development. When it went to the Planning Commission, staff recommended it be held in abeyance so we could notify the abutting property owners to the north. The Planning Commission held that portion in abeyance and acted on the remainder of it and recommended approval. That was then appealed by a property owner in the Springhurst Development. At the next Planning Commission meeting when the hearing was held on the north portion, that was denied, and the applicant then appealed that to you. So essentially you have the entire request before you.

COUNCILMAN LEVY:

Nobody likes anybody's decisions.

MAYOR BRIARE:

Now that last one you just said, you said the applicant appealed because it was denied?

HAROLD FOSTER:

Yes.

MAYOR BRIARE:

So we're going to have a program to keep our sides apart here. We'll talk amongst the Council for a moment here. Perhaps we should take them just one at a time --

COUNCILMAN LEVY:

I think we almost have to, Mayor.

MAYOR BRIARE:

-- because I don't want someone who thinks they're talking on behalf of the appellant who wants razor wire to be confused with the appellant that doesn't want razor wire. I don't know how this happened, Mr. Foster, but let's don't get too many things into one area. If the Council has no objection, we'll take care of them separately.

COUNCILMAN LEVY:

I think we should, Mayor.

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COUNCILMAN CHRISTENSEN: I think we should take care of them together, and I'll tell you why, because otherwise you are going to have to listen to every presentation twice.

MAYOR BRIARE: Well then, we're going to talk about the philosophy of your razor wire.

COUNCILMAN CHRISTENSEN: If we're going to talk about the philosophy of razor wire again, I'm all for you, but I don't think you're going to get that on.

COUNCILMAN LEVY: I thought there was approval to everything except the single family. I already thought that has been approved, am I wrong?

HAROLD FOSTER: That's correct, but then that was appealed by the Springhurst residents.

COUNCILMAN LURIE: Well then, we ought to hear from Springhurst first, from Olga Scheel first, and then hear from the applicants in Spanish Oaks. It doesn't make any difference where you start, you're going to hear them all anyway, so you might as well start with Olga and --

MAYOR BRIARE: Do you have a suggestion, John?

DEPUTY CITY ATTORNEY
JOHN ROETHEL:

Yes, Your Honor. I would suggest that the Council hear -- the applicants from Spanish Oaks would like to put razor wire around their entire property. I would suggest you hear from them as to why they feel it is necessary to have razor wire around the entire property. You might want to break the appellants into two groups, the people in the single-family area that apparently the Planning Commission sided with -- either/or, it doesn't matter to me, but that group and then you might as well hear from the Springhurst people as to what their feeling is and then if you'd care to -- depending upon the pleasure of the Council, you could consider it all at once, or you could break it up into two sections like the Planning Commission did.

MAYOR BRIARE: All of us were on this Council several months ago when this whole matter was reviewed and I think we're pretty aware with all the letters both in favor and opposed -- I just want to do this thing in some order so that we don't have mass confusion when people are coming forward that we don't know which one they're talking about. If there's no objections by the Council, and if there are, then we'll figure out some kind of a rule. I want to take up first the matter where the Planning Commission recommended denial of the request for razor wire. On our agenda this is shown on the bottom part of the page, May 22, 1984. The

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- MAYOR BRIARE: Planning Commission's recommendation was denial. We will hear that but take no action at the moment. Then we will hear on the matter where the Planning Commission recommended approval on that portion which was before them on an application for approval. Does that meet with the agreement of the Council? Alright, so the Planning Commission recommended denial of the north portion of the subdivision. The resident or representatives of Spanish Oaks appealed that. They are, of course, going to try to convince us that razor wire should be used on the north portion of that subdivision. We're only going to be talking about the north portion of the subdivision at the moment. Is there any question in anybody's mind? Now let's concentrate just on the north portion. Everybody that's going to be up here speaking in favor, they're going to be speaking in favor of having razor wire. Those that are going to be coming up against are going to be talking against razor wire, and they should be, of course, involved with that north portion. Who is the actual appellant? What is the name of the person who appealed -- ?
- COUNCILMAN CHRISTENSEN: Because it was denied.
- MAYOR BRIARE: Right. Was it Spanish Oaks Homeowners or -- Mr. Foster, who is the appellant?
- HAROLD FOSTER: I think Richard Lex does represent the Association for the Homeowners Association for the Spanish Oaks.
- MAYOR BRIARE: Is there any argument from anyone that Richard Lex is the representative of the Homeowners Association? Okay, Mr. Lex, are you present? Yes, there's Mr. Lex. So let's put it this way, Mr. Lex, that your portion of this application was denied for the north part of the subdivision. You have the right to appeal so you're appealing that denial.
- RICHARD LEX: Yes, sir. In representing Spanish Oaks Homeowners Association, I'd like to give some facts regarding portions of that north area.
- MAYOR BRIARE: Mr. Foster, outline what we're talking about.
- COUNCILMAN LEVY: It's the single-family area.
- HAROLD FOSTER: It's from Valley View all along the north side over to this northeast portion and all portions of that north line are abutted by single-family homes.
- COUNCILMAN LURIE: That's the part that the Planning Commission recommended denial --
- COUNCILMAN LEVY: Right.
- COUNCILMAN LURIE: -- and that's what we're going to talk about now.
- MAYOR BRIARE: That's the one we're talking about now, right.
- COUNCILMAN LURIE: I just want to find out what the rules are today.

RICHARD LEX: Since January, 1984, the Association has experienced six burglaries resulting in over \$16,000 of property loss in the area of Calle Del Dios, Calle De Corrida and Plaza Del Padre. These streets are in an area where they are not protected by razor wire on the perimeter walls.

COUNCILMAN LEVY: How much did you say?

RICHARD LEX: Over \$16,000 in property loss. I'll point that out for you here. It's in this area here and here (points to map). One of the real sensitive areas for security of Spanish Oaks is an area that runs from Valley View directly into the property line where we have Spanish Oaks' walls and we have a created alleyway and private homeowners' walls on the other side and I'd like to present some pictures to better depict that. These are the areas that are very sensitive areas to patrol because the Spanish Oaks homeowners' yards go right up to the perimeter and as these pictures will show you, there is a walkway provided for would-be perpetrators that gives them an excellent spot to gain access over the wall to Spanish Oaks.

COUNCILMAN LURIE: I have a question for you. I asked Harold to give me the answer to why we have that space between the two walls. Is one fence built on the inside of the property line and another fence on the other side that's built on their property line that we have that two foot or three foot alleyway?

HAROLD FOSTER: I can only speculate on that. The homes were built first, the fence on the property line and then there was a grade difference and the Spanish Oaks development put in a retaining wall next to it, but they did set it back roughly 18 inches to 2 feet from the portion east of Valley View for the depth of about one lot and then east of Ortiz Street it's about a 2½ foot separation between the two walls and I can only speculate that it was because of the retaining wall situation.

COUNCILMAN LURIE: It seemed to me that area should be given to one property owner or the other property owner.

RICHARD LEX: As I understand it, technically it was Spanish Oaks' property and the developer built them all back because there was some dispute over the property line, but since then there has been some utility poles positioned in that alleyway area.

MAYOR BRIARE: Do you have anything else, Mr. Lex?

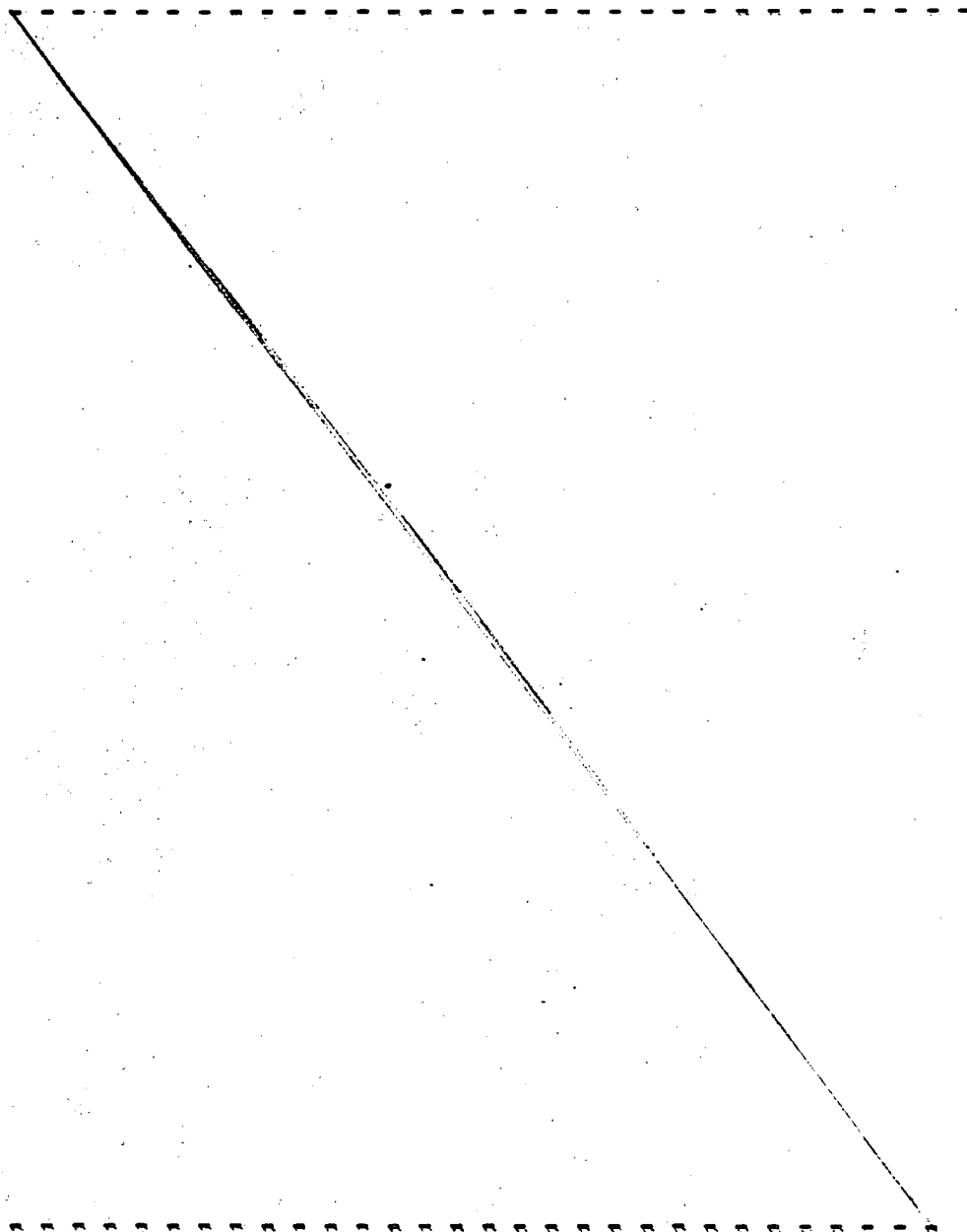
RICHARD LEX: I have some other facts and some other comments related to the appeal against the Planning Commission's approval. It's the feeling of the Board of Directors and security and the

RICHARD LEX:

majority of the homeowners in the north area that the installation of razor wire would produce the same results that it has produced on other parts of the property regarding to incidents exemplified with these six breakins and several thousands of dollars worth of property loss.

MAYOR BRIARE:

Thank you, Mr. Lex. Mr. Lex has spoken in opposition to the denial. Now we will hear from someone who wishes to speak in favor of the denial and support the Planning Commission on their recommendation for denial. Good afternoon, sir.



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DAVID JOHNSON: Good afternoon, Commissioners. My name is David Johnson. I'm an attorney and I represent many of my neighbors. I'm also the owner of a home that is located at 1720 Serafina, which is one of the streets that's directly affected by this proposed razor wire installation.

COUNCILMAN LEVY: Where is Serafina?

DAVID JOHNSON: My home is located on the easterly portion of this map. Maybe I can show you (going to map).

COUNCILMAN LEVY: Are you down --

DAVID JOHNSON: Here (pointing).

COUNCILMAN LEVY: Okay.

COUNCILMAN LURIE: What was your address again?

DAVID JOHNSON: 1720 Serafina.

COUNCILMAN LURIE: Okay. Kind of a pie-shaped lot?

DAVID JOHNSON: That's correct. Now, as the Commission may know from its familiarity with this area, we're not talking generally speaking about homes of relatively little value. Part of the concern, I think, is expressed here by all these property owners is the fact that we're talking about homes that have significant value. Now, when I say "significant value," of course, I'm talking about in monetary terms, but much more importantly --

COUNCILMAN LEVY: You can certainly match them.

DAVID JOHNSON: Sir?

COUNCILMAN LEVY: Your neighbors can match Spanish Oaks.

DAVID JOHNSON: That's correct. Much more important than the monetary value of our homes, Commissioners, is the fact that we are talking, and I'd like to call your attention if I may, to the fact that this is an application to install the razor wire abutting single-family homes, and that's what you have in this neighborhood are family homes. This is a neighborhood that has lots of children running around, lots of teenagers. There are constantly kids throwing frisbees over walls and chasing baseballs into back yards and that's the kind of neighborhood it is. Now, what is being proposed here will not just simply affect the character of that neighborhood, it will utterly destroy the character of that neighborhood. What they're talking about installing here, this razor wire, as you may be aware, is an ultra-dangerous, ultra-hazardous security device that has

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DAVID JOHNSON:

absolutely no place in a residential neighborhood. Now, it's more than just an eyesore. It's a very real danger. Children are going to walk on block walls, Commissioners, to cut across to their neighbor's house or to take shortcuts to the park no matter whether there's razor wire there or not. They are still going to try to make it over the wall, and the first time that a child is caught or entangled in this razor wire and the first time some youngster carries scars with them that they may carry to their grave, I think that we'll all have to take ourselves back to this afternoon and say, "What kind of seeds did we plant today that will bear fruit down the line a ways?" I've just been handed by someone two samples of material that's utilized in razor wire, and I sure don't want to touch it, but I'd just as soon hand it, if I may, if she wants to touch it. The Clerk, she doesn't want to touch it. I don't blame her. I'll personally deliver it to the Commission if you want to touch it, but I think you can see what it's like. It's dangerous. It's sharp.

COUNCILMAN LURIE:

We've seen it, David.

DAVID JOHNSON:

It's made in coils, and the reason it's made in coils is --

MAYOR BRIARE:

Mrs. Scheel, will you please be seated. You're interrupting the proceedings.

DAVID JOHNSON:

It's installed in coils, Commissioners, because that entangles its victim. It's not installed in braids. The reason it's in coils is because it's designed to entangle and therefore more viciously lacerate its victim. Now, I don't really think that you're going to hear a parade of people up here today that are going to echo what I'm telling you right now, and I think that the tone of their conversation may change somewhat, but the substance won't. It's dangerous; it's ugly; it shouldn't be installed in these single-family areas.

COUNCILMAN CHRISTENSEN:

Your Honor, this goes back to what you said at the beginning of the hearing, and I have no fight with this, and I think this learned, legal mind here is probably well aware there are two kinds of seeds that he's talking about. One is the seed of maybe installing razor wire; the other is the seed of maybe saying that children, dogs, cats, whatever, are allowed to roam wherever they want to roam as long as it's a residential neighborhood and property rights don't mean anything. But I will stipulate that I understand what razor ribbon is, and I don't think we need to have a lesson on what razor ribbon is. We've had that lesson 14 times, and what you're embarking on here is a dissertation on the dislike of razor ribbon, and I think the Mayor made that perfectly clear that what we were talking about is whether or not razor ribbon, something that we well understand, is

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COUNCILMAN CHRISTENSEN: going to be allowed on the north line or not. Now, I thought that's what we limited this discussion to, wasn't it?

MAYOR BRIARE: Right, and also, Mr. Johnson, when you indicated there was going to be a parade of people coming up here talking about it, you're mistaken. There's not going to be a parade of people. We're going to hear from a number of people, and then we're going to take it and make whatever kind of decision this Board has to make. We have already debated --

COUNCILMAN LEVY: Razor wire.

MAYOR BRIARE: -- razor wire.

DAVID JOHNSON: Well, if I may suggest then, taking from what Mr. Christensen has indicated. I think then if you're going to adopt that viewpoint, which is certainly an understandable one, I think then you've got to have a balancing test here, and you have to balance the amount of harm that you're going to cause or potentially cause on the surrounding property owners versus the benefits to the property owners inside Spanish Oaks. Now, Mr. Lex was up here a few minutes ago and indicated that there were burglaries totaling \$16,000 or so in one isolated area. I didn't hear any indication of whether or not they continued to have a serious burglary problem. I understand that they've installed some razor wire already. I don't know whether there is a need for additional razor wire installation. Further, as I understand Mr. Lex's presentation, their problems are centered primarily around the area in which this alleyway is located. Now, if I may, to describe our property area, you're talking about -- generally speaking, there's a difference in grade, and some of those Spanish Oaks' homes may have a 6 ft. wall and it's about 12 ft. or 13 ft. on the other side. As a practical matter from a security standpoint, it is very unlikely that a burglar, however experienced he may be, could make it in through our property and hike a 12 ft. wall, get over into Spanish Oaks and get his televisions and stereos and everything else, make it back to the wall, and then, I presume, either throw the stuff down or hand it to some cohort who would be waiting on the other side of the fence and then make off with it. I think that practically speaking, their problem centers from an area that seems to offer a covert kind of way for burglars to enter Spanish Oaks. Now, there's got to be an alternative to ensure themselves against that particular problem.

COUNCILMAN CHRISTENSEN: Which property owners are you representing? All of them on the north line, or just where your neighborhood is?

DAVID JOHNSON: Just where my neighborhood is. But my neighborhood, of course --

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COUNCILMAN CHRISTENSEN: Okay, I misunderstood. I understood you to represent all the property owners on the north line.

COUNCILMAN LEVY: No. He said just in his neighborhood.

COUNCILMAN CHRISTENSEN: I have no fight with your neighborhood. There's a 12 ft. block wall there. I'm not going to vote to put razor wire on that wall. So if you're doing all this in order to sway me, you're wasting your time. I'm already swayed where there's a 12 ft. wall. But let's talk about all the rest of it, if you're going to talk about the rest of it. If not, let's get on to whoever is.

DAVID JOHNSON: Well, can I get a vote from the rest of the Commission before I go any further, maybe there's no need to (Laughing).

MAYOR BRIARE: Well, I think that might -- we might run into a little problem with our City Attorney on that. This is a public hearing, folks, and no clapping, no applauding, no boos or anything like that. We've got to move along. I know there's a lot of people here. I'm very hopeful that some are going to be -- if they wish to be recorded as being here, they certainly may do so, but I don't want to continue repeating and repeating the so-called philosophy of razor wire.

DAVID JOHNSON: Well, I'll try to be brief, Commissioners, so that I can, you know, vacate the podium here. One last thing that does occur to me reviewing the ordinance which apparently was passed, I believe last April, to allow this to come before the Planning Commission and the City Council is that the definition contained within the ordinance itself upon what kind of structures this razor wire can be installed. The ordinance that was passed and adopted is very clear in its definition of what fences and walls are and so forth, and it should be and rightly so, and it specifically states that a fence is a -- and I won't read the whole ordinance I received -- but it contemplates a structure of temporary or semi-permanent material such as wire, wood, screen, or plastic erected for the purpose of enclosing a parcel. Now, that's the way it defines a fence. It goes on to specifically define a wall. It says that a wall is a structure erected of stone, brick, masonry, or other similar permanent material intended for purposes of enclosing, decoration or division of property. Now, I think that it's clear that fences are one animal and walls are another animal. Now, what Spanish Oaks seeks to do here very obviously is install this razor ribbon on walls, on block walls that enclose the residences. I submit to you that the ordinance you passed does not provide authority for that kind of installation. The ordinance you passed says very specifically that razor wire or razor ribbon --

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- DAVID JOHNSON: and it goes on -- may be installed on the top portion of security fences. That's all it contemplates is security fences, and it goes on and it doesn't mention just once, it talks about two feet above the fence and below the plane of the fence and so on and so forth, and I don't really think that the ordinance itself contemplates installation on block walls that enclose single-family residences. Now, maybe on security fences around commercial kinds of situations and so forth, but I would suggest to you that there's a very real problem on jurisdiction. I don't want to --
- COUNCILMAN CHRISTENSEN: You don't consider a block wall around a condominium project that has a guard gate and a locked gate that only the tenants can go in -- you don't consider that a security fence?
- DAVID JOHNSON: Well, I would not suggest that it is a fence in common parlance or not. All I'm suggesting is the way you've drafted the ordinance.
- COUNCILMAN CHRISTENSEN: You don't consider it to be a security fence?
- DAVID JOHNSON: Look. It defines a wall as a wall. It defines a fence as a fence. To me -- to my way of thinking --
- COUNCILMAN CHRISTENSEN: I'm aware of that. You don't consider a wall around a single-family residence community that has guard gates at all entrances and locked gates--you don't consider that a security fence?
- DAVID JOHNSON: Well, I wouldn't. I wouldn't.
- COUNCILMAN CHRISTENSEN: You don't consider that a security fence?
- DAVID JOHNSON: To me, it is not, but I would suggest to you that more importantly --
- COUNCILMAN CHRISTENSEN: What is a security fence?
- DAVID JOHNSON: To me, a security fence is a picket fence or a chain link fence or some other porous type of a fence that is generally put around -- I mean, I know what a -- if we want to argue about what a fence and a wall is, I'm suggesting to you that if a security fence --
- COUNCILMAN CHRISTENSEN: I don't want to argue. You're the guy that wants to argue what a fence and a wall is. I don't want to. I see that as a security fence, just like a fence around a prison is a block wall. It sure as hell is a security fence.
- MAYOR BRIARE: Well, Mr. Christensen, let's us discuss this a little bit because get ready, John, I happen to think you're right,

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MAYOR BRIARE:

Mr. Johnson. I have the ordinance here, and I think you're right, and I think it's pretty clear and I think our Attorney should look at it and tell us right now. On Page 14 of the ordinance, it defines and it's started by "this is all contained in Chapter 21," and the first part is Definitions, and under the Definition as Mr. Johnson's already said, it defines fence and it defines wall, and then over on Page 16, Item E is the part that we changed the ordinance on months ago, and it says, "A fence containing any steel bands" -- this is one of the things that you're not allowed to have, and then there's exceptions, and "razor wire or razor ribbon or similar material may be installed as the top portion of security fences," and it might be semantics, Paul.

COUNCILMAN LEVY:

I think it is.

COUNCILMAN CHRISTENSEN:

I think it's all semantics because we all know that we build masonry fences. As a matter of fact, if you want to go and hire a contractor to build you a wall and go get a building permit, the chances are it will read "masonry fence," not "masonry wall." Wall normally is part of your home. A fence may be a block wall you call it, but it's really a masonry fence if you want to get technical about the definition, and what bothers me is we're getting away from the problem and getting mired in legal technicalities. That's why I dislike attorneys to come before this Board and try and mire us in legal technicalities and mumbo jumbo, rather than getting to the heart of the issue.

DAVID JOHNSON:

If I may respond to that only briefly, Commissioner.

COUNCILMAN LURIE:

I think the ordinance, David -- if I can just answer a question that you raised in that ordinance. The ordinance specifically says commercial areas, industrial areas and detention centers and with a special permit and going before the Planning Commission, residential planned developments.

COUNCILMAN LEVY:

Doesn't it say that?

COUNCILMAN LURIE:

I think if you --

COUNCILMAN LEVY:

Well, we knew what we were writing.

COUNCILMAN LURIE:

And I have to -- I'll give you one more little piece of information to go along with Councilman Christensen. When we adopted this ordinance and when we approved razor wire in Spanish Oaks and when we had our discussions, this Board had a lot of reservations and a lot of concerns about residential areas. My feeling is it shouldn't be

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COUNCILMAN LURIE:

allowed in residential areas, and it's always been my feeling it shouldn't be allowed in residential areas for some of the reasons that you gave, and I don't care what kind of security system you have, whether it's ribbon wire or barb wire or a 10 ft. fence, if someone's going to get into your property and cause a burglary, they're going to get in whether you have all security features. I did a little survey on the area. I think I brought this up at the last meeting. I went to the Metropolitan Police Department Records and got the number of burglaries that have taken place in the area between Rancho, Sahara, Valley View and Oakey from the year -- January '83 until the end of April, 1984, and there's been 15 incidents in that area.

COUNCILMAN LEVY:

Reported.

COUNCILMAN LURIE:

Which is very low in that particular area, and in some of the areas that were discussed, there's really no need on the north side and the east side of Spanish Oaks to put this ribbon wire, and that's the area that you live in and it's the area where some of your other neighbors live up on El Cortez and some of the other areas. I, again, do not like it, but if the people want to put it on their fence on the entrance to Oakey, or the entrance to Valley View, or to the entrance to where the guard gate is, you know, I really don't have a problem with that if those people that live there want to look at it. But if it deprives you of your privacy and you have to look at it, then I think it's wrong and I'm not going to support it. I'm going to go along with the Planning Commission on that particular item and then I'll hear the other protestants so we can move on with this hearing.

MAYOR BRIARE:

Now, you've got two votes.

DAVID JOHNSON:

I think we should move on. Thank you very much, Council.

MARVIN PERER:

I'm Marvin Perer. I live at 3417 El Cortez Avenue with my family. I am also speaking against the appeal of Richard Lex. I will make my remarks very brief. I've already sent in written testimony and I have for the Councilmen pictures of our back wall with our son on the swimming pool slide. Several points that have already been made, but as I say, I will be very brief. The razor wire or any type of wire is a safety hazard for both children and pets, certainly it wouldn't be for our children or any children. It's unsightly. It reduces our property values and certainly who wants to sit in their back yards and look at razor wire. I can understand the concern of Spanish Oaks about their security. I have not been convinced previously that they have such a great security, such a great crime problem, and from what Councilman Lurie says, they don't. Certainly

MARVIN PERER:

at the last meeting before the Planning Commission they had concern only about one area by Ortiz Street and certainly I have heard no plans discussed to increase security in that area without the use of wire, some security which would be acceptable to Spanish Oaks and the abutters. My final comment concerns some of the properties on El Cortez Street, the street on which I live. These houses predated Spanish Oaks. I know in regard to our house that the fence was constructed by the former owner within our property line and certainly the perimeter wire, perimeter fence, wire, wall, whatever you want to speak, which Spanish Oaks talks about on El Cortez Street is our property, our block wall within our property line. I have been told that this easement walkway is actually owned by Centel and Nevada Power, so obviously, they have to be checked further, but certainly, along this perimeter that they're talking about is not owned by them and certainly they cannot put any type of appliances on anybody's wall. One final lighter note, since this can get into a heavy discussion, at the Planning Commission meeting one person brought up the point that evidently there are certain standards required for air conditioning units so they will be aesthetically pleasing; it seems that no such aesthetic standards for razor wire or similar appliances. Thank you.

MAYOR BRIARE:

Thank you, Mr. Perer. We've had remarks from the Council and with respect to the north portion which carried the Planning Commission's recommendation for denial, what is the pleasure of the Board with respect to Richard Lex's appeal?

COUNCILMAN LURIE:

Are we going to vote on each particular item?

MAYOR BRIARE:

It seems since we've already had kind of a consensus of opinion on the north side --

COUNCILMAN CHRISTENSEN:

Your Honor, I'd just like to raise one point. It's probably not humorous, but it might be appropriate. The photographs we just looked at -- if that slide is bolted to the concrete it's supposed to be 5 feet from the property line. It's a permanent structure and in violation of the code.

MAYOR BRIARE:

Any time during a public hearing if a Councilman wants to jump in and make a move on something, it is certainly within the rules of procedure that we follow on this.

COUNCILMAN LEVY:

Mr. Mayor, if you're ready for a motion, I'll be more than happy to make one.

MAYOR BRIARE:

Just jump in.

COUNCILMAN LEVY: I'LL MOVE THAT WE FOLLOW THE RECOMMENDATIONS OF OUR STAFF AND DENY THE APPEAL ON THE NORTH SIDE.

COUNCILMAN LURIE: Does that mean we're voting to approve the Planning Commission's recommendation for denial of the -- ?

COUNCILMAN LEVY: Yes.

COUNCILMAN CHRISTENSEN: That means they don't get the wire.

COUNCILMAN LURIE: Okay.

MAYOR BRIARE: Is there any question by any Council member?

COUNCILMAN CHRISTENSEN: Your Honor, I'd point out one thing also. In the transcript of the minutes, and this is what irritates me so much --

MAYOR BRIARE: What page are you on, Councilman?

COUNCILMAN CHRISTENSEN: Page 12 there's a clear explanation of the fence and what it means and so forth as far as the ordinance is concerned by the City Attorney, and yet we were burdened with that same argument one more time after the City Attorney already put it to rest at the Planning Commission meeting. I take personal affront of an attorney badgering me and picking on my intelligence in that fashion about this fence.

MAYOR BRIARE: Well, the question is, when is a fence not a fence? Any other comments? We're only talking about a portion of this action. Then this report pertains to the north portion of the subdivision. If there are more green lights up there, the fence is denied on the north portion. Cast your votes. Post. THE MOTION IS APPROVED. THE APPEAL IS DENIED. THERE IS NO RAZOR WIRE ON THE NORTH PORTION. So wipe out the north portion for today and we're going to get now into the Planning Commission's recommendation for approval on the lots that abut Spanish Oaks development. I think we have already defined it. This is for Olga Scheel -- you and Mrs. Rothschild.

COUNCILMAN LURIE: Mayor, can I ask a question? Harold, on the one we just voted on it's the solid line? Now we're going to address the broken line?

HAROLD FOSTER: Yes, on the east, west and south sides.

COUNCILMAN LEVY: Before we get started, Mayor, I've got another problem. Could I have Mr. Lex -- could you come up a second, sir? Are you the President of the Association?

RICHARD LEX: The manager.

COUNCILMAN LEVY: Oh, the manager. Have you read our ordinance regarding razor wire?

RICHARD LEX: Yes, sir. 84-11.

COUNCILMAN LEVY: Is this your wire?

RICHARD LEX: Yes, sir.

COUNCILMAN LEVY: Is that okay?

RICHARD LEX: As per specifications approved by the Council in April.

COUNCILMAN LEVY: And you say this is okay?

RICHARD LEX: Let me finish.

COUNCILMAN LEVY: What's wrong with it?

RICHARD LEX: As per your specifications that were detailed in the City Council meeting in April, no, it's not.

COUNCILMAN LEVY: What about the one where we approved razor wire?

RICHARD LEX: You approved in concept that the razor wire installed in residential areas would have to be installed in a fashion where it cannot be more than 2 feet above the wall and could not extend past the vertical plane of the inside of the wall.

COUNCILMAN LEVY: And this is absolutely wrong, right?

RICHARD LEX: Yes, sir. That was installed in the early months of 1983.

COUNCILMAN LEVY: And it's never been changed.

RICHARD LEX: No, it hasn't.

COUNCILMAN LEVY: How long have you been manager?

RICHARD LEX: Since January.

COUNCILMAN LEVY: Strike one.

COUNCILMAN NOLEN: Are there any plans to change it?

MAYOR BRIARE: Actually, it should be taken down is what should be done. It's been illegal since we passed the ordinance.

COUNCILMAN LEVY: This is absolutely wrong.

MAYOR BRIARE: Okay. Is your question answered?

COUNCILMAN LEVY: Yes. My statement is too.

MAYOR BRIARE: Either Mrs. Scheel or Mrs. Rothschild. Olga, are you appealing this together?

OLGA SCHEEL: Yes, of sorts.

MAYOR BRIARE: I think we can only have one appeal.

NED GILBERT: Can I speak, Mr. Mayor?

MAYOR BRIARE: Well, I'm going to hear from Mrs. Scheel.

NED GILBERT: I'm representing Mrs. Rothschild and 45 owners of Springhurst. I am their spokesman. Mrs. Scheel is representing herself and we may or may not be in agreement.

OLGA SCHEEL: I am representing the city of Las Vegas.

MAYOR BRIARE: Did you file an appeal?

OLGA SCHEEL: Yes, I did.

MAYOR BRIARE: And did Mrs. Rothschild file an appeal?

NED GILBERT: On behalf of Springhurst.

MAYOR BRIARE: Do we take two appeals from the same thing? Okay. Well, Mr. Rothschild, you'll get your chance.

NED GILBERT: No, my name is Gilbert, but I'm representing Mrs. Rothschild, who is the Chairman of the Board, representing 44 owners.

MAYOR BRIARE: Mr. Gilbert, when you get the opportunity, you'll be heard. Mrs. Scheel, please proceed.

OLGA SCHEEL: First of all, I want to apologize for having interrupted the attorney.

MAYOR BRIARE: Go ahead with your appeal, no preliminaries.

OLGA SCHEEL: Okay. I first became involved with razor wire eighteen months ago. At that time, Spanish Oaks began installation of razor wire on the southwest boundary, which included the wall separating Spanish Oaks and Springhurst, the community where I live. At that time, razor wire in residential areas was illegal, yet, it was being installed and it was being installed contrary to specifications as prescribed by the ordinance. On April 18 at the time the City Council made razor wire legal in residential areas, I felt that razor wire battle was bigger than Springhurst versus Spanish Oaks. I appointed myself as a committee of one to represent the citizens of Las Vegas against razor wire in residential areas. In discussing the razor wire issue during the past four weeks, I was dismayed at the number of people who were not aware that razor wire is now allowed in residential areas. Consequently, I took the liberty of urging the media to attend this meeting. I hope you gentlemen of the press will give it coverage so that every homeowner knows that one day he may glance out of his window to find that the next-door neighbor has put up razor wire. Councilmen, you have heard the arguments for and against razor wire and, therefore, I will recap the eleven reasons why razor wire should not be allowed. Those reasons which have been heard before I will merely list, but those that I believe are new I will provide more

OLGA SCHEEL:

detail. The eleven reasons are as follows: 1. Razor wire is unsightly, demeaning and ugly. I did bring in the sample and I did cover the end just in case some of you people don't know what it looks like. 2. Razor wire is dangerous to children, pets and adults. Its danger is further increased since a visual barrier, such as tall shrubs, trees and vines that can obscure it completely. These are not forbidden. 3. Razor wire will not keep out intruders. A burglar intent on scaling the wall can stand on top of the wall and jump over the coil. He can cover the coils with canvas or carpeting or he can cut the wire. I myself cut this piece of wire with very simple pliers.

MAYOR BRIARE:

I hope you didn't cut some of the razor wire that is improperly installed, did you?

OLGA SCHEEL:

I'm not going to tell you where I cut it from. These 6 inch simple household pliers cut this razor wire, so I am saying, the razor wire will not keep out intruders. 4. Razor wire will portray a negative image of Las Vegas and damage our already faltering image. We will become known as the city so ridden with crime that citizens must protect themselves with razor wire. 5. Ultimately, this unsavory image will affect our economy. The number of tourists will decrease. The number of conventions will decline and the crime image will deter new industries which Nevada is trying so hard to invite into our state. 6. Razor wire will destroy the fragile beauty of our city. In a few years Las Vegas will become a patchwork of futile kingdoms topped with razor wire. The presedent, once established, cannot be halted. The wire-enclosed compounds will multiply.

MAYOR BRIARE:

Mrs. Scheel, what number are you on now?

OLGA SCHEEL:

I'm on number 7.

MAYOR BRIARE:

You could have xeroxed those and handed them to us.

OLGA SCHEEL:

But the others wouldn't have heard me. 7. Razor wire devaluates property. It connotes a high crime rate and it is aesthetically abominable. 8. When razor wire causes an injury, and it will, Spanish Oaks will be sued, so will the City. As a taxpayer, I object to my tax dollars being spent to define or pay for injuries resulting from razor wire. 9. Razor wire applications will increase the already overburdened agenda for both the Planning Commission and the City Council. There will be opposition and appeals to every razor wire approval granted for residential areas. Because a public hearing is not mandatory for razor wire requests, residents living in an area where razor wire has been approved may not even know it until the wire has been installed. 10. Razor wire will continue to be an emotional controversial issue. The criteria for approval is difficult to establish. For example, today's issue, the Planning Commission approved razor wire for the walls separating Spanish Oaks and

OLGA SCHEEL: Springhurst, two condominium communities, yet, it denied razor wire on the wall separating Spanish Oaks from private residences on the north boundary. If, at a later date, owners of the homes on the north boundary apply for razor wire for the walls on their homes, what criteria would the Planning Commission use to approve or deny the request? 11. And the last one, razor wire will not reduce the number of burglaries. If a burglar is determined, is deterred by the sight of razor wire surrounding Spanish Oaks, he'll only seek another target, perhaps your home. I believe that Spanish Oaks residents, again concerned with burglaries because they live in an area with perhaps the highest concentration of wealth in Las Vegas, and certainly they are more vulnerable to burglaries. Residents of Spanish Oaks do have a right to protect themselves; however, not at the expense or not at the cost of the quality of life of another citizen, or the cost of sacrificing the image of Las Vegas. I would like to suggest one or a combination of the following four alternates for protection of Spanish Oaks.

MAYOR BRIARE: Mrs. Scheel, this is of general character -- you want to tell the people in Spanish Oaks how to do their business, why don't you let the people -- the people are trying to do their business. This is not the time to make recommendations to the management of Spanish Oaks. Mr. Lex, do you argue with that? He's shaking his head "no."

OLGA SCHEEL: He doesn't want any suggestions.

MAYOR BRIARE: If you do, why don't you bring them to him and don't use this as a forum to philosophize on the evils of --

OLGA SCHEEL: Okay, I have faith in the integrity and the ability of the members of the City Council. I believe you do want to do the right thing for your constituents and also for your city. However, it is my opinion that when Spanish Oaks confronted you with the burglaries and their ill-advised solution, razor wire, you were pressured into the wrong decision to allow razor wire in residential areas and I think you have to face the harsh truth that it was the wrong decision and it takes a big man to reverse his decision. I beg you Councilmen to deny Spanish Oaks' request and amend the ordinance to outlaw razor wire in residential areas of Las Vegas. In conclusion, I want to tell you a little bit about myself.

MAYOR BRIARE: Mrs. Scheel, that has no -- I know you're dying to tell us about yourself. Really, Mrs. Scheel, would you conclude now because you can submit us a resume of your background with United Airlines or American Airlines.

OLGA SCHEEL: I was merely going to say that whatever I thoroughly believe in I fight for, and I thoroughly believe that razor wire should not be allowed in Las Vegas and I have merely started the fight with two hundred letters I have mailed to various people in Nevada, including the Governor, the congressmen, and so forth, and I have only begun to fight.

MAYOR BRIARE: Thank you, Olga. Now, Mr. Gilbert, you indicated that you are representing Mrs. Rothschild. Mrs. Rothschild also filed an appeal so we will hear from you and then the appellants who actually began this particular portion have been heard from and we will listen to a comment or two from those who are on the other side.

NED GILBERT: Ned Gilbert, 3032 El Camino Avenue. I live in Springhurst. Before I begin my formal remarks and I'm very cognizant of the fact that this could be a series of harangues and we're trying to avoid this very thing. We had an owners meeting on Monday night with -- and we have 45 owners. I represent them on behalf of Mrs. Rothschild, the President. We have persuaded them not to come before this Council to repeat what I am going to say.

MAYOR BRIARE: Thank you, Mr. Gilbert, and thanks to those folks who have agreed that they should let you speak for them.

NED GILBERT: The only thing I would ask, Mr. Mayor, is permission to ask Mrs. Rothschild three questions which she would answer very briefly because her testimony with regard to the three questions has a bearing on my remarks.

MAYOR BRIARE: We're very informal here. This is not a court of law. You can go ahead and state Mrs. Rothschild's case without cross examination or examination sort of thing; in other words, you know what the answers are going to be.

NED GILBERT: Yes.

MAYOR BRIARE: Why don't you ask the question and you give the answer.

NED GILBERT: Fine, thank you, Mr. Mayor. Obviously, the area has been pretty well covered with respect to feelings on razor wire and all of us try to avoid being repetitious. The environment that is being created as a result of this, we feel unanimously is disgraceful, it's humiliating, it's degrading. If this wire is approved, gentlemen, what's next: bell towers, guards that are armed with machine guns, flood lights, electrified wire, attack dogs, same frame of reference. Our project is twenty years old. I'm a thirteen year resident in this property. My back door, so to speak,

NED GILBERT:

borders on Spanish Oaks. During the thirteen years I know of no police incidents have occurred in Springhurst. Mrs. Rothschild was in the project nineteen years ago when it was established. Mrs. Rothschild has never known of a police incident with the exception of two reported breakins during nineteen years. They're claiming excessive crime, which is obviously the reason that we're here. I happened to check with Metro yesterday. Metro has on file three police incidents, three, and they were established in 1978; that is, Spanish Oaks went in, one was a burglary, one was a trespass and one was traffic collision. Does this sound like a crime wave to anybody? If these incidents that were reported by Mr. Lex are actually so, and perhaps he has documentation. It's not documented across the way here in Metro. There were no rapes, no muggings, armed robberies, assaults, shootings, knifings, gang wars, not even a measly murder. Who are they protecting against? I ask you, if not criminals, then it must be us, their neighbors. I think you should know who their neighbors are, but I'm not sure I should resent a remark that was made earlier, and that is, residential property, gentlemen, I'm a retired real estate developer, and in my frame of reference, residential property is not single-family, it's property where people live in a home, and whether that home is on a single-family zoned lot or whether it's on a lot with forty-five dwellings, or a hundred and forty-five, that's residential and we consider ourselves residential. They arrived six years ago. We didn't send for them. They had plenty of opportunity to check the area. I submit that if we have had crime before they arrived and none since 1978, if there is crime that they allege, three guesses as to who brought it into our neighborhood. If we'd known then what we know now, we would have protested their installation of their entire development. I don't know any of the people there so I'm not talking about anybody I know. I don't know why anyone should be fearful of us because this wire is deadly. We're professional people who mind our own business. We own businesses.

MAYOR BRIARE:

Mr. Gilbert, we're going to concede that the intentions of Spanish Oaks is not to keep you out of their property, is that correct?

NED GILBERT:

Alright, thank you. We are concerned with the impact that it would have on property values because if we have it on our property, obviously, it has an immediate adverse affect on anyone coming around to look at properties and wondering why we have it here. There must be crime. I think it's of merit to tell you that we resided, my wife and I, in Palm Springs for seven years among pallatial estates and never saw a razor wire there, never once, including homes in the

- NED GILBERT: one million, two million and three million dollar category. I spent several hours in the local library researching the monstrous concentration camps in Nazi Germany, not one contained barbed wire. Even the current Berlin Wall doesn't contain barbed wire. They contain moats, but no wire. We just got back from two weeks in Wisconsin in a very choice residential city with 50,000 people. There are no fences. There are no walls with all due respect to you, Councilmen Christensen. All completely open. No fences. No walls. We were in Connecticut.
- COUNCILMAN CHRISTENSEN: I have no problem with not having any walls. I build walls and approve walls when people ask for them. I think it would be a better community if we didn't wall ourselves off from our neighbors. My only question was the Mickey Mouse nit-pickey definition of a wall. I think a wall or a fence, or masonry fence, or whatever you want to call it, I don't care what attorney wants to interpret it, when you build any kind of a structure around an area to give it protection, it's a security fence. That's my only question. I happen to agree with you that we have too many walls and fences in this community. I've said that right here many many times.
- NED GILBERT: I thank you, sir, and I applaud you because I was in Connecticut for several weeks with my wife in communities that date back to the Révolution and I never saw a single fence or a wall, with the exception of a couple of places where they had animals. They can't understand us out here. They say "My God, what is happening?"
- MAYOR BRIARE: Mr. Gilbert, we have other applications we have to go through today.
- NED GILBERT: I should say at this time that the question of the danger of this, I don't want to dwell on, but our insurance is very definitely going to have a major impact, the possibility that somebody could be hurt. As was pointed out before, if someone is mutilated or maimed, it's a very serious matter. I think it's very interesting, I spoke to a key man in Metro and he said that in an event that an officer is in pursuit of somebody who's broken in and that suspect scales the wall, manages one way or the other to scale that wall, the officer will not continue his pursuit in the chance he might be maimed or mutilated. It is interesting what this does to our security concept. There happens to be 1,800 feet of wall, linial wall, around --
- MAYOR BRIARE: The part that we're talking about?
- NED GILBERT: Yes, that's right. We measured it as of this morning. We simply would be in a state of shock if we had to look at this day after day, just the concept. Also, I think it's very interesting that we measured the height of the wall. At its lowest point at 7 feet, its highest point is 10 feet.

NED GILBERT: It averages 8½ to 9 feet from grade. Now I don't know whether they ever got a variance for any of these increases.

COUNCILMAN CHRISTENSEN: The inside or outside?

NED GILBERT: No. We have outside on the street, on the dedicated street.

COUNCILMAN CHRISTENSEN: They measured the wall from the finished grade level on the inside, the shortest side, so you would have to measure that from the Spanish Oaks side to determine that.

NED GILBERT: Well, I think it's interesting, their grade is above us and they use fill dirt to level off their yards, so in some places a child could stand and look over the walls, so if that's the case, okay, so be it. I was simply challenging the height.

COUNCILMAN CHRISTENSEN: Well, that's the way the Code reads.

NED GILBERT: Alright, it's a subterfuge, but it's legal. I'm going to just quickly sum up, Mr. Mayor, because everything I wanted to say has been said. You're aware of far more than I can possibly say if I spent another half hour here. Number one, I have a summary of five items very briefly. The applicant has failed to demonstrate that any kind of special protective need does exist. Number two: the razor wire really serves no useful purpose and would probably create more problems than it solves. Number three: it becomes a far greater hazard to the peace-loving citizen than a deter to any lawbreaker. Four: the aesthetic appearance is really outrageous. It becomes immediately discriminatory if placed in a single-family area and it has the -- as I said before, it has the adverse affect on our property values. Five: if it is approved elsewhere in our city and county, the negative national publicity could result in stigma that we'd be known as "razor wire city." We have enough publicity that isn't of the best without having this sort of thing. Gentlemen, it has no redeeming features. We ask that you please deny.

MAYOR BRIARE: Thank you, Mr. Gilbert. Mr. Lex, are you going to speak --

COUNCILMAN CHRISTENSEN: Your Honor, I'd like to ask this gentleman a question.

MAYOR BRIARE: Mr. Gilbert, just a minute, please.

COUNCILMAN CHRISTENSEN: Did you tell us who you talked to in Metro that gave you those statistics of three incidents?

NED GILBERT: I don't think I want to reveal that information, but I think, but I do think, Mr. Lex, that I'm prepared to prove this if necessary and any member of the Council is able to verify this information.

COUNCILMAN CHRISTENSEN: That's what I want to do is verify it, that's why I wondered where you got it.

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NED GILBERT: Well, I'd like to ask you, Mr. Lex. Is your middle name Kimball?

RICHARD LEX: Yes, sir.

NED GILBERT: It is.

COUNCILMAN CHRISTENSEN: What's that got to do with my question?

NED GILBERT: I have a reason for asking it? Is your social security number 542?

MAYOR BRIARE: Just a minute, Mr. Gilbert. Mr. Gilbert, walk on over there or meet him outside or whatever you want to do.

NED GILBERT: I have a reason for this.

MAYOR BRIARE: Well, I don't know what it is.

NED GILBERT: It has a bearing on this hearing, sir.

MAYOR BRIARE: Well, you conclude your remarks and Councilman Christensen has asked you a question. You answered his question and now you may be seated.

COUNCILMAN CHRISTENSEN: No, he didn't answer my question.

NED GILBERT: I'm sorry, I thought it was Mr. Lex who asked the questions.

COUNCILMAN CHRISTENSEN: No, it's me. I asked the question. Where did you get this information about the number of incidents? Who in the Police Department -- ?

NED GILBERT: Could I tell you confidentially, sir, rather than saying it here?

COUNCILMAN CHRISTENSEN: Sure, come right over here and tell me.

MAYOR BRIARE: Mr. Lex, are you going to be the person who argues against the request for the appeal?

RICHARD LEX: I guess so.

MAYOR BRIARE: Come on forward.

RICHARD LEX: I just briefly want to make note of eight burglaries that took place in the areas of Plaza Del Grande, Calle De Nuevo, and Plaza De Rosa. The razor wire is currently in place at Spanish Oaks. It was installed in the early months of 1983. Between the months of December, 1982 and January, '83 the Association experienced eight burglaries, including one instance of a female resident being attacked with a knife in her home.

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MAYOR BRIARE: These were all investigated by Metro?

RICHARD LEX: Yes. The Association, since the installation of that razor wire in that area, has experienced no further problems in that area. Thank you.

MAYOR BRIARE: Was there anyone else that wanted to speak on behalf of -- against the appeal?

COUNCILMAN LEVY: For the razor wire.

MAYOR BRIARE: Do you want to speak in favor of the razor wire? Well, that's why it's awkward. You're going to speak against the appeal, so therefore, you're speaking in favor of razor wire. Your name and address, please.

JUDY KELTNER: My name is Judy Keltner. I live at 2417 Plaza Del Grande. I know the incident he just mentioned of the woman who was attacked for a fact. She lives right across the street from me. Two Negro gentlemen, about 7:30 in the morning, jumped the wall. She went out to get her newspaper. They followed her in and at knifepoint, you know, anyway, she tосseled with them and it all worked out okay. Her husband got security and it all worked out. That was before the razor wire. I admit that the razor wire is ugly, unattractive, and all of those things, but I don't think by having it -- to me, it sounds like some of these people say, "just because we have it, now we're admitting we have a problem." You know, what will people think if they see we have these things? What will people think if they see bars on our windows? This is a terrible place. I've been back east a lot and a lot of the places have bars. The stores have bars at night. I think we have to protect ourselves. I am in favor of the razor wire. I live on the perimeter, which is, they say, the most dangerous or most frequently, I don't know what I'm trying to say, you know what I'm saying, most vulnerable. Anyway, we don't have any neighbors across from us. We have the professional building. We face a professional building, so we have not had any problems. They have planted a lot of large trees, very large trees and shrubs, and I am at eye level from my kitchen window, I would be with the razor wire, but it is, I don't have to see it because of the trees, so that part of it -- So anyway, I don't think this man's information was quite accurate about the three incidents, I think, that Metro said, and I don't know where that information came from. I just feel we have all the security we need, but I feel, that, you know, the razor wire is okay. I don't know what they're saying about the dangerousness of it. I guess there is always with anything you do. I would think generally people would stay away from it. I don't think generally someone will, even a child. Most of the walls

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- JUDY KELTNER: they can't reach, I don't think. I don't think they're going to go, even if they started to touch it, to go near it. It is pretty scary looking. Anyway, I am in favor.
- COUNCILMAN LEVY: You will see the wire, if it is approved, because this is illegal the way they have done this and it's going to be brought on your side of the fence, not theirs. You're going to be looking at the wire, ma'am.
- JUDY KELTNER: Oh, I'm looking at it now.
- COUNCILMAN LEVY: You'll be really seeing it.
- JUDY KELTNER: The reason I can't see it is because of the shrubbery. It's not because of the wire. I could see it when they installed it and it had nothing to do with the height of it.
- COUNCILMAN LEVY: Well, this is installed wrong.
- JUDY KELTNER: I understand that, but the reason I don't see it is not because it is this high or this high; it's because, as I said, they planted a lot of trees.
- MAYOR BRIARE: Thank you, Mrs. Keltner. Yes, ma'am. I am hopeful that you might be the one to make the concluding remarks and then we've got to move on.
- ANNETTE RICHARDS: Thank you, Mr. Mayor. I'm Annette Richards and I live in Spanish Oaks. I'm not a prolific public speaker and I realize this is a political time of year and I think that the two people who preceded me in being against the razor wire must be running for public office the way they ran on and on. I do not live on the perimeter, per se. I live very close to the perimeter. I live close to an area that really needs razor wire, but we do not have it. We have seen people come over the walls from the outside. Whether they are just deciding to cut through, or whether they are coming in as an illegal entrance, I cannot say, I do not know. I am aware of the number of illegal activities that have happened in our community. All of our people have moved into that community because it was their choice. We all want a better security. We provide security of our own in addition to what we spend through our taxes for local public security which we are very much behind and for. I think that it comes to a time that there are a number of people when we go through various other areas that you notice they have maybe not razor wire on their walls, but they do have iron grills, barring, bars on their windows and doors. I am very much aware that Las Vegas is a community that is number one in crime in our nation, which is sad. If that is not true, it has recently been changed.

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ANNETTE RICHARDS:

I think that the razor wire, when it is properly installed, will not be obnoxious and a deterrent to people outside our area. I notice that it has been emphasized that the people on the outside are in individual homes. Well, we too are in individual homes. We each have our individual house. We are all families. We also have children inside. The wire, when it is properly installed, I believe, will not be that much visible to people on the outside. It will be our people on the inside who are looking for that and looking at that and realizing it is a detriment to someone who is trying to come in to invade it and violate our properties. We do hope that you as Council members will seriously consider in our favor as for razor wire, not only on one side, but on all sides of our property. Thank you very much.

MAYOR BRIARE:

Thank you, Mrs. Richards. You did bring up a very fine point here. Now folks, we're not going to have a situation where we say one says it is and the other says it isn't and one says it's nice and the other says it's bad. We're going to conclude in about three or four minutes and there was a lady that did stand up before you, but go ahead, you're at the microphone.

FRANCES HARRISON:

Okay, my name is Frances Harrison. I do happen to live in Springhurst. We also lease an office in Spanish Oaks. Now, what I wish you would do, instead of approving or denying this whole thing, I don't like it, but I would go along with it along the commercial side, but not in front of Springhurst's front doors and back doors. The incident this lady was talking about, jumping the wall, was where the Credit Union is, the commercial, not the residential.

MAYOR BRIARE:

Okay. Thank you, Mrs. Harrison. Now ma'am, please, you're going to have to sum up what everybody else wants to say. Give us your name and your home address.

MRS. GLOVITCH

I'm Mrs. Glovitch and I live in Spanish Oaks. There have been robberies on either side of our home, and the fact is that I am home alone until about two or three in the morning. It's quite unnerving to know that someone is in your home that doesn't belong there and I don't think any of us like the looks of razor wire; that is certainly true of all Americans, I'm sure, but it's gotten to be sort of an ugly world we're living in.

COUNCILMAN LEVY:

Do you live on the outskirts or do you live inside?

MRS. GLOVITCH:

I live close to the outside.

COUNCILMAN LEVY:

You won't be looking at it?

- MRS. GLOVITCH: Well, yes, I will because there is a pool inbetween my home and the wall, but I will be able to see all the wire, yes.
- COUNCILMAN LEVY: It's not going to be in your back yard?
- MRS. GLOVITCH: Well, I'm looking at -- in my back yard, yes, I am looking right at the wire, although it's not right there. There is a pool in the back of our home and then the wall, so I will be seeing this wire. Like I say, I don't think any of us like the looks of razor wire. It's a terrible thing to look at.
- MAYOR BRIARE: The Council, to repeat, have had available to them the total and complete transcript of the meeting that was held before the City Planning Commission and sometimes much more can be gained if we close the public hearing, which I am now doing, and allow the Council members to ask questions or we will discuss amongst ourselves, talk to staff, or if one of the Council members should ask one of the speakers that have gone before us a question and we would hope that speaker would respond to it, so what comments, if any, do we have from the Council members?
- COUNCILMAN LURIE: Mayor, I have one comment to make. This really doesn't have anything to do with the vote on the razor wire right now, but it just irritates me to have people make comments about the Metropolitan Police Department and about our crime rate, and no offense to Mrs. Richards or Mr. Gilbert, but I think you ought to read the newspaper, get your facts straight, or call one of us or meet with the Sheriff and learn about what's going on in the community to fight crime. I serve on the Metropolitan Police Commission. I work with those men. I work with the Sheriff, and don't discredit those people because they're doing one heck of a job in keeping this city safe and protecting you. Spend a little time and learn about what they do because I'm tired of people rapping the Metropolitan Police Department. These men do a good job. Mr. Gilbert says that if a person goes over walls, the man is not going to pursue it and catch that criminal.
- MAYOR BRIARE: You can go ahead and sit down, Mrs. Richard, because you're not going to be heard. He's not asking you a question. Please be seated.
- COUNCILMAN LURIE: You know, to sit here and listen and have people make comments about our Metropolitan Police Department is unfair to those people and I just want you to know that if you need some information, correct information, to call me. I'll be happy to get it for you. I'll have some other comments on some other areas.

- MAYOR BRIARE: Comments by other Council members? Now getting back to one of the opening comments -- do you have another question? It looks like -- or any other comment, you had better do it now.
- COUNCILMAN LURIE: The comment I have, and I can see why people oppose razor wire aesthetically and the way that it was put up. Some of these pictures that we have, and I have to be very frank with you, that if I looked out my window and I saw this razor wire hanging on that wall and I would go cut it down. There wouldn't be any question in my mind. I think it is offensive the way it was installed. The new ordinance has certain conditions on how that razor wire has to be installed on a certain side of the property line and only two feet above the wall. I think with those conditions the razor wire shouldn't be too offensive to anyone on the other side because it's not going to be that noticeable. I always felt that we would have a problem with razor wire, as I mentioned before, where it faces a residential area, and I think that the people who represent Springhurst have a legitimate complaint concerning that razor wire that faces their property. I'm not supporting razor wire in that particular area, but I'll support it in any commercial or industrial or detention area or on those gates of Spanish Oaks, so if you need a motion to that affect, Mayor.
- MAYOR BRIARE: Any other comments by the Council?
- COUNCILMAN CHRISTENSEN: I'd like to ask a question. Maybe, I don't know whether staff can answer, or whether it's going to have to be somebody from Spanish Oaks, but in the area between Spanish Oaks and Springhurst there's -- how much area is there between the street and the curb and the fence?
- COUNCILMAN LEVY: Anywhere from six to nine feet.
- COUNCILMAN CHRISTENSEN: Where does it say that?
- COUNCILMAN LEVY: The gentleman said it's an average of seven and a half feet.
- COUNCILMAN CHRISTENSEN: No, I'm not talking about the height of the fence. I'm talking about the distance between the curb and the fence. Isn't there a distance there between where the street ends and the fence begins?
- HAROLD FOSTER: There's a sidewalk there.
- COUNCILMAN CHRISTENSEN: Okay. How wide is the sidewalk?
- HAROLD FOSTER: I believe it's five feet.
- COUNCILMAN CHRISTENSEN: And there's only the sidewalk. It's all concrete from the curb to the fence.

HAROLD FOSTER: That's correct.

COUNCILMAN CHRISTENSEN: What would happen if you eliminated parking there? How are you going to police that? Part of the problem they have on the side facing Springhurst is that you drive up there, and this has happened, you drive up there with a van. Put two wheels on the sidewalk. Go up the ladder on the back of the van onto the roof of the van. Step across the wall and you're in Spanish Oaks. That's exactly what's happened in the past. Now, if the people in Springhurst were that high on security and that high on keeping the crime rate down, than reducing razor wire, it seems like somebody in Springhurst that's so busy watching that wall and getting irritated by that wire would have called the Police and said "Hey, there's a van there and somebody just went over the wall into Spanish Oaks." Then you have a Neighborhood Watch situation. The Police respond and apprehend the criminal, but I know that has happened. That's why I questioned these number of incidents because I personally know of more incidents than three in the last three years, that's a ridiculous figure. I knew it was an error, that's why I wondered whether the error started with the Police Department, or where. I knew there was some space, but I didn't know how much, whether it was five foot, ten foot, whether there was a sidewalk and some planter space or whether there was a sidewalk and then the bare wall, or what. Another interesting thought is that this wall isn't a block wall, incidentally, gentlemen, it's poured concrete wall with a block face design in the forms, so it's really a cement fence.

MAYOR BRIARE: Any other comments? I just might comment on this that I think Mrs. Scheel indicated, at least on a television spot that I saw her on, that one of the best deterrents of crime is Neighborhood Watches. There's no question about it. I personally, my fellow members of this Council, don't want to get into another whole discussion on the razor wire. I voted for -- I voted against it, I mean. I voted against it last time. I'm going to vote against it today. I hope maybe we can get the whole thing out because if we don't get the whole thing out, because if we don't get it out, I have a feeling that one of these days Mr. Johnson and some of the folks he represents are going to bring this ordinance to court and I'm going to talk to the City Attorney's office sometime in the next several days because I think that even though it upset one member of the Council, I think you've got a very valid point that we have an ordinance that has a flaw in it and it might give us an opportunity to bring the whole ordinance back and maybe get things back to where they were a year ago.

COUNCILMAN CHRISTENSEN: Maybe you should read the transcript that the City Attorney's Office already answered that question.

MAYOR BRIARE: Well, Councilman, I'm not going to get into an argument with you on what the City Attorney said at one meeting; what

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MAYOR BRIARE:

another representative of the City Attorney says at another meeting. I think there is a valid point here. Just the same way we have Courts of Law, if your judge in the courtroom makes his ruling, based on what's presented to him, and what's been presented to us today, especially by Mr. Johnson, I think our whole ordinance should be changed. So what's the pleasure of the Council with respect to the appeal on the recommendation of the --

COUNCILMAN CHRISTENSEN: Well, Mayor, you bring up an interesting point. You originally said we're going to discuss the razor wire as it went here in this ordinance and we're into a discussion on exactly what you said you didn't want to get into over the merits for and against razor wire per se and whether it was good, bad and so forth and apparently we are into that so I've got to ask another question. If razor ribbon is bad because it is aesthetically ugly and dangerous and so forth, what about steel fences with sharp points on the top? What about barbed wire, free strands, dangling in towards your property or out. What about some of these other deterrents that we have now. What about -- let's talk about one gentleman mentioned the bright lights, attack dogs, guard towers, guns. We didn't want to get to that and in a flash we're already there. I mean, there's lights, there's guard towers, there's attack dogs and there's guns all over this town for people to protect themselves, so we're already there gentlemen. It's nothing new and if we're going to attack the razor ribbon ordinance because it's aesthetically incorrect and because the -- we can't come with a definition of a security wall or a security fence, then I think we can go ahead and get mired in all kinds of more legalities, and so forth, and try to spend sixteen paragraphs to describe what is a fence and what isn't. When we get into that, then we had better start taking on barbed wire fences, barbed wire top fence, such as runs behind my back yard for the full width of it. It happens to belong to the Las Vegas Valley Water District, but nevertheless, I have an eight-foot fence with a barbed wire top on it on my back yard that I have to look at. I think it's unsightly and it's not to protect me, it's to protect the Water District. All of these things I think we had better look at the whole picture. If we're going to look at the whole picture and if we're going to look at what this appeal is all about and what this particular item on the agenda is about, then we should limit it to this item on the agenda, but if we're going to take on the whole ordinance, then I'd suggest we hold a public hearing and take on the whole ordinance and take on the total security on property rights and individual rights of people to protect themselves, and so forth, in this whole valley. Let's go the whole route. I mean, who can determine how far we can discuss it?

MAYOR BRIARE: Well, Councilman, you voted in favor of the ordinance that allowed razor wire? Do you feel that's a good ordinance?

COUNCILMAN CHRISTENSEN: Yes, I do.

MAYOR BRIARE: Then let's leave it alone, unless we get three votes to change it. What's the pleasure of the Council? We have an appeal with a question. There's an appeal filed opposing the approval that was given by the Planning Commission for the portion, well, we know where we're talking about, the outside portion.

COUNCILMAN LURIE: Mayor, I would make a motion that -- but, you have to, the attorney, has to give me some direction on how the motion should be made because I want to eliminate the area around Springhurst.

COUNCILMAN LEVY: What about the apartments?

COUNCILMAN LURIE: Which apartments?

COUNCILMAN LEVY: The apartments on Valley View to Springhurst.

COUNCILMAN LURIE: I'm just talking about the Springhurst section. They're the ones that we have pictures of right here in front of us. So actually what I would recommend approving is the Valley View side --

COUNCILMAN CHRISTENSEN: You want to delete the southeast corner.

COUNCILMAN LURIE: The area around the apartments up to El Camino, El Camino over to, I believe, the front entrance and then the area behind the commercial up to, and I don't see the name of that street there, to Springhurst. You tell me how to work a motion out to that effect and I will make it and see how it goes.

DEPUTY CITY ATTORNEY
JOHN ROETHEL: How about this one: Move to --

MAYOR BRIARE: Let me jump in with one and the easiest one would be, Councilman, to find out whether you might have a majority of this Council with you is to divide the question. You can divide the question in two parts. One will be on all of it, except that part which you just described, and the next part of the question would be that which you described.

COUNCILMAN LURIE: That's two questions.

MAYOR BRIARE: You can divide a motion in two parts. It's going to get very confusing. You and I agree with respect to doing away with the razor wire all around the place with the exception of that area and that's the part I don't agree with you. I want to have the opportunity to vote "no" on all the razor wire. You want to have the opportunity to vote "no" on part of the

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MAYOR BRIARE: razor wire.

COUNCILMAN LURIE: Right.

COUNCILMAN CHRISTENSEN: Are you, Commissioner, indicating that it is unsightly to you when you are in your home, but if you are at work, it isn't?

COUNCILMAN LURIE: Who are you asking?

COUNCILMAN LEVY: Well, of course, when you only work to a certain hour, there is no protection after six o'clock or whatever, I think that's what he's aiming at. What is the motion, Mr. Mayor?

MAYOR BRIARE: We don't have one yet.

COUNCILMAN LEVY: I thought he made one.

COUNCILMAN CHRISTENSEN: He hasn't figured out how to word it.

COUNCILMAN LEVY: Why don't you say everything but the southeast section.

DEPUTY CITY ATTORNEY
JOHN ROETHEL: Do you want to do it the Mayor's way or do you want to do it your way? Do you want to do it in two parts?

COUNCILMAN LURIE: No.

DEPUTY CITY ATTORNEY
JOHN ROETHEL: Then we'll do it in one part. I would suggest that you move to -- because there's an appeal involved I want to get this right. Move to deny the appeal and approve the razor wire for that portion of Spanish Oaks except for the property surrounding Springhurst.

COUNCILMAN LURIE: Okay, that's what I want.

HAROLD FOSTER: Will that come all the way down to the commercial along this street? You're denying it from this point along the west and along the north. This is Springhurst (pointing to map).

COUNCILMAN LURIE: That's right.

COUNCILMAN LEVY: Does Springhurst have a gate basically? The housing doesn't really start until -- I think that's where you'd want it to stop, right there.

COUNCILMAN CHRISTENSEN: That's not where Springhurst starts. Springhurst doesn't start until --

COUNCILMAN LURIE: Where do they start? That would be right to that corner.

MAYOR BRIARE: Not knowing what the members of this Council feel toward razor wire in general, it's very difficult to vote on this motion. I have to vote "no" on the motion and what I'm doing, I'm voting

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MAYOR BRIARE: "no" on the entire motion because I don't even want to say "yes" to a small part of it. I would rather have a motion to allow the appeal and deny the razor wire and let the applicants come forward again with a new application and just go for that little corner and just see how they work it on that basis.

DEPUTY CITY ATTORNEY JOHN ROETHEL: Excuse me, Mr. Mayor. There seems to be some confusion on the motion. If I interpret what you said, if Mr. Lurie's motion is passed, razor wire will be permitted in all that area, except for that area around Springhurst. I believe that's what he wants to do.

COUNCILMAN LURIE: That's pretty clear, that's what I want.

MAYOR BRIARE: Councilman Lurie, would you restate your motion.

COUNCILMAN LURIE: That the APPEAL BE DENIED AND THEY APPROVE THE RAZOR WIRE, EXCEPT IN THE AREA SURROUNDING SPRINGHURST.

HAROLD FOSTER: So it will extend south to El Camino. El Camino is the south street in front of Springhurst.

COUNCILMAN LURIE: Okay, up to El Camino.

DEPUTY CITY ATTORNEY JOHN ROETHEL: Harold, just clarify, that's the area where razor wire will not be permitted.

HAROLD FOSTER: That's correct.

DEPUTY CITY ATTORNEY JOHN ROETHEL: Okay.

MAYOR BRIARE: I think there's something wrong in that kind of a motion because you're forcing a member to vote against something or to vote in favor of something that he's opposed to.

COUNCILMAN LEVY: How's that, Mayor? Just vote "no."

MAYOR BRIARE: Then I'm voting "no" to take away the razor wire in a certain area. I want an opportunity to vote "no" against that razor wire. I'm not being given that opportunity and I'm not going to be able to put my hand on the Robert's Rule of Order at the moment, but I'll find it. I'm being denied the opportunity to vote against razor wire, so I vote "yes" or I vote "no."

COUNCILMAN CHRISTENSEN: If you change it, you deny us the opportunity of voting on a part of it.

MAYOR BRIARE: I want to vote on a part of it. That's why I want to split the question.

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COUNCILMAN LEVY: I'll make a motion afterwards to take in his portion, since you don't make motions, is that what you want?

MAYOR BRIARE: I think this should be split into two parts. The part that Ron wants the razor wire and the part he doesn't want it and let us vote -- I want to vote "yes" to deny and I want to vote "no" to allow the part he wants to allow and I -- common sense says that you can't force a member of a legislative body to vote in favor of something that he doesn't want to vote on. He doesn't want to vote in favor of it. Let's be in recess and figure out what we want to do.

(THERE WAS A RECESS IN THE MEETING AT THIS TIME.)

MAYOR BRIARE: We're back in session. It's always difficult, ladies and gentlemen, and I think you can kind of appreciate how it is right here that when you have certain kinds of motions that you vote "yes" and the answers "no" or you vote "no" and the answers really "yes," so Councilman Lurie's motion can be put down in two very simple forms and then in accordance with normal parliamentary procedure the City Attorney can be instructed to put it into language that would be properly entered into the record that would accomplish what the intent is of this Board and I asked Councilman Lurie during the break if this would express his intent and that is that there will be two parts. Number one will be that there will be no wire around the Springhurst area. Number two -- that would be voted on and no matter how that vote goes, the next part of the motion will be to allow the wire on the remainder of the part that we are talking about here. The north portion that we discussed first is not being discussed. That's already been taken care of. There's no wire around there either. First of all, does the Council agree with the simplicity that we put this to?

COUNCILMAN CHRISTENSEN: What you did is that you divided the motion.

MAYOR BRIARE: Yes, sir.

COUNCILMAN CHRISTENSEN: Now, can we divide the motion?

MAYOR BRIARE: Sure. Do you want to divide it again?

COUNCILMAN CHRISTENSEN: No. I wonder, can we divide the motion? What rules do we divide the motion by?

COUNCILMAN LURIE: I'll withdraw my other motion and then we'll have a new motion on the floor.

DEPUTY CITY ATTORNEY
JOHN ROETHEL: It's certainly permissible to do it.

MAYOR BRIARE: You can split it into distinct parts and I think, Paul, the reason you have that rule is so that problems like I expressed

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MAYOR BRIARE: can be resolved.

COUNCILMAN CHRISTENSEN: I just asked what the rule was. I didn't know there was one. I didn't know we could change the motion around. That's news to me, that's why I asked.

COUNCILMAN LURIE: I just withdraw the first motion and make a new motion: One, NO WIRE AROUND SPRINGHURST, and two, ALLOW THE WIRE ON THE REMAINDER.

COUNCILMAN CHRISTENSEN: That's the same motion you made the first time.

COUNCILMAN LURIE: You can vote on the two motions.

MAYOR BRIARE: Alright, THE FIRST MOTION WE'RE GOING TO VOTE ON IS WHETHER WE SHOULD HAVE WIRE AROUND SPRINGHURST. THERE'S NO WIRE AROUND SPRINGHURST, is what Councilman Lurie's first part is.

COUNCILMAN LURIE: And Harold knows the area starting El Camino around to the --

MAYOR BRIARE: Comments on this part of the motion. Cast your votes. Post. The motion is APPROVED. There's no wire around Springhurst.

(Voting was as follows:
"AYES" Briare, Christensen, Levy, Lurie, Nolen
"NOES" None
Motion carried unanimously.)

MAYOR BRIARE: Your second part.

COUNCILMAN LURIE: TO ALLOW THE WIRE AROUND THE REMAINDER.

MAYOR BRIARE: Any other comments? Cast your votes. Post. Motion is APPROVED. That takes care of the wire. Now let's see if we can't finish our agenda for this afternoon.

(Voting was as follows:
"AYES" Christensen, Levy, Lurie, Nolen
"NOES" Briare
Motion for APPROVAL carried by a 4/1 vote.)

END OF EXCERPT

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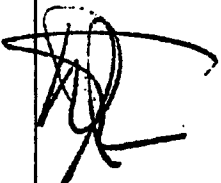
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR

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



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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 together with reasonable ingress thereto and egress therefrom.

APPROVED AGENDA ITEM

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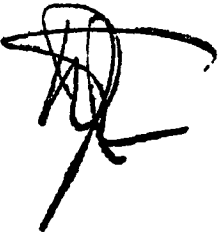
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

2. Conformance to code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.

All Variances and/or Use Permits shall conform to the following general conditions:

1. Conformance to the plot plan and elevations;
2. Satisfaction of City Code requirements and design standards of all City departments.

APPROVED AGENDA ITEM



AGENDA

CITY COUNCIL MINUTES - JUNE 20, 1984

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CITY COUNCIL

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

17 A. TENTATIVE MAP - CAPISTRANO VILLAGE

Property generally located on the south side of Charleston Boulevard, west of Redwood Street, N-U Zone (under Resolution of Intent to R-PD21 and P-R).

Owner/Subdivider: James M. Tighi

No. of Acres: 4.78 No. of Units: 78

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

1. Conformance to the conditions of approval for Z-13-84.
2. Record the Order of Vacation for VAC-7-84 prior to recording the final map.
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. Provide a hydrology report as required by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A
thru G as recommended,
subject to conditions.
Motion carried with
Levy abstaining on
Item E.

Clerk to notify &
Planning to proceed

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - JUNE 20, 1984

To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

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A. TENTATIVE MAP - CAPISTRANO VILLAGE

The tentative map conforms to the Subdivision Regulations and to the approved zoning plan.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

B. FINAL MAP - CAPISTRANO VILLAGE (A CONDOMINIUM
SUBDIVISION)

Property generally located on the south side
of Charleston Boulevard, west of Redwood
Street, N-U Zone (under Resolution of Intent
to R-PD21).

Owner/Subdivider: James M. Tighi
No. of Acres: 3.83 No. of Units: 78

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

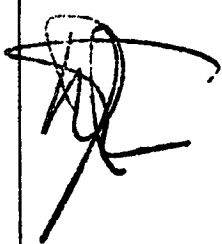
1. Approval of the tentative map.
2. Conformance to the conditions of approval
for the tentative map.
3. A directional sign shall be required, at
each primary entrance on Charleston
Boulevard, depicting the location and
address or the building number of each
structure within the development.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A
thru G, subject to
conditions.
Motion carried with
Levy abstaining on
Item E.

Clerk to notify &
Planning to proceed

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

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B. FINAL MAP - CAPISTRANO VILLAGE (A CONDOMINIUM SUBDIVISION)

This final map is related to Item A. If that map is approved, this map can also be approved because it conforms to the tentative map.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)C. TENTATIVE MAP - WILDWOOD TERRACE

Property generally located on the north side
of Vegas Drive, east of Torrey Pines Drive,
N-U Zone (under Resolution of Intent to R-CL).

Owner: Patrick Gaffey

Subdivider: Topper McKay, Wildwood
Builders, Inc.

No. of Acres: 6.67 No. of Lots: 49

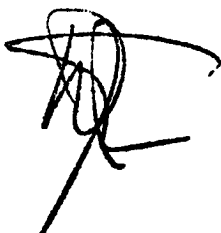
Planning Commission unanimously recommends
APPROVAL, subject to the following conditions:

1. Conformance to the conditions of approval
for Z-8-84.
2. No vehicle access to Vegas 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. Provide a hydrology report as required
by the Department of Engineering Services.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A
thru G, subject to
conditions.
Motion carried with
Levy abstaining on
Item E.

Clerk to notify &
Planning to proceed

APPROVED AGENDA ITEM


CITY COUNCIL MINUTES - JUNE 20, 1984

To: The City Council
Re: Community Planning and Development Agenda Item
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C. TENTATIVE MAP - WILDWOOD TERRACE

This tentative map substantially conforms to the Subdivision Regulations.
The map also conforms to the zoning plan for this R-CL development.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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ITEM**Council Action****Department Action****X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)****D. TENTATIVE MAP - SAHARA WEST (COMMERCIAL
SUBDIVISION)**

Property generally located on the south side of Sahara Avenue, west of Tamrich Drive, R-1 Zone (under Resolution of Intent to C-1).

Owner/Subdivider: Teddy Enterprises and Assoc.

No. of Acres: 3.82 No. of Lots: 1

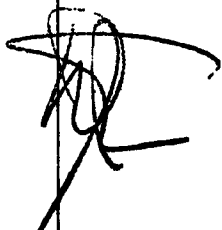
Planning Commission unanimously recommends APPROVAL, subject to the following conditions:

1. Conformance to the conditions of approval for Z-55-72.
2. Provide a hydrology study as required by the Department of Engineering Services.
3. Any proposed division of land within this parcel shall first be approved by the Department of Community Planning and Development.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A thru G, subject to conditions.
Motion carried with Levy abstaining on Item E.

Clerk to notify & Planning to proceed

APPROVED AGENDA ITEM


To: The City Council
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D. TENTATIVE MAP - SAHARA WEST (COMMERCIAL SUBDIVISION)

This tentative map is a commercial subdivision of a shopping center southwest of Sahara Avenue and Tamrich Drive. The map conforms to the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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PHONE 386-6011**ITEM****Council Action****Department Action****X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)****E. TENTATIVE MAP - CONCORD VILLAGE**

Property generally located on the east side of Decatur Boulevard, south of Lake Mead Boulevard, R-E Zone (under Resolution of Intent to R-CL).

Owner: Ann Greta Jones

Subdivider: R.A. Homes

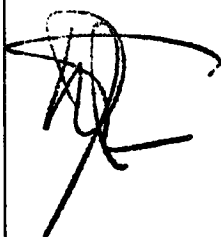
No. of Acres: 19.9 No. of Lots: 183

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

1. Conformance to the conditions of approval for Z-14-84.
2. All garages shall be set back a minimum 16' from the front property line.
3. A crash gate be provided on the south end of the cul-de-sac on the easterly north-south street, with satisfactory ingress and egress to the south as required by the Department of Fire Services.
4. No vehicular access to Decatur Boulevard from the abutting lots.
5. 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.

Levy -
APPROVED Items A thru G, subject to conditions.
Motion carried with Levy abstaining on Item E.

Clerk to notify & Planning to proceed

APPROVED AGENDA ITEM


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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

E. TENTATIVE MAP - CONCORD VILLAGE (CONTINUED)

6. No final map shall be recorded containing Lot 1 abutting Coran Lane; Lots 127 and 128 abutting the cul-de-sac on the south end of the easterly north-south street; and Lot 149 abutting the intersection of Coran Lane and Madeline Drive until portions of those streets have been vacated.

7. A waiver be permitted for 20' wide minimum frontages for the lots on the cul-de-sacs and knuckles.

Staff Recommendation: APPROVAL

APPROVED
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E. TENTATIVE MAP - CONCORD VILLAGE

The tentative map conforms to the Subdivision Regulations and the approved zoning plan.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)F. EXTENSION OF TIME - Z-76-81 - THE HOUSING
AUTHORITY OF THE CITY OF LAS VEGAS

Extension of Time on property generally located on the east side of 10th Street, between Stewart Avenue and I-15, R-2 Zone (under Resolution of Intent to R-3).

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

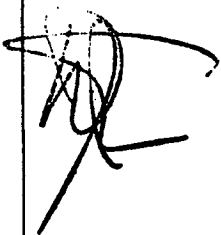
1. Extension of Time shall expire January 6, 1986.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A thru G, subject to conditions.
Motion carried with Levy abstaining on Item E.

Clerk to notify & Planning to proceed

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - JUNE 20, 1984

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F. EXTENSION OF TIME - Z-76-81 - THE HOUSING AUTHORITY OF THE CITY OF LAS VEGAS

This is the second request for an extension of time by the Housing Authority. The Authority indicated it will be out to bid within six months on this project. The Planning Commission recommended an 18-month extension to allow sufficient for development.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - Subject to an 18-month time limit.

STAFF RECOMMENDATION: APPROVAL - Subject to a one-year time limit.

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)G. EXTENSION OF TIME - Z-62-75 - RANDEL
CORPORATION

Extension of Time on property generally located on the north side of Washington Avenue between Rancho Drive and Robin Street, R-1 Zone (under Resolution of Intent to C-1).

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

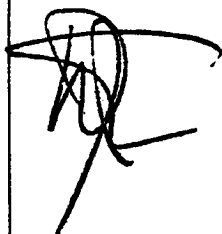
1. Extension of Time shall expire June 16, 1985.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL

Levy -
APPROVED Items A
thru G, subject to
conditions.
Motion carried with
Levy abstaining on
Item E.

Clerk to notify &
Planning to proceed

APPROVED AGENDA ITEM



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G. EXTENSION OF TIME - Z-62-75 - RANDEL CORPORATION

This is the third request for an extension of time on this property. An office building was constructed on the southeast portion approximately one year ago. The applicant is intending to commence a major development on the north portion 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

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

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H. PLOT PLAN REVIEW - Z-80-83 - MICHAEL ASHE

Plot Plan Review on property generally located on the northwest corner of Eastern Avenue and St. Louis Avenue, P-R Zone.

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

1. Conformance to the revised plot plan.

Staff Recommendation: APPROVAL

Lurie -
APPROVED
Motion carried with
Briare voting "No."

Christensen -
Motion APPROVED
directed City Clerk
to swear in witness
(Michael Ashe).
Motion carried with
Briare and Levy
voting "No."

Note: Verbatim transcript made part
of Final Minutes.

Clerk to notify &
Planning to proceed

Michael Ashe
appeared

John Foley, Atty.
appeared in
opposition.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - JUNE 20, 1984

To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

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H. PLOT PLAN REVIEW - Z-80-83 - MICHAEL ASHE

The plot plan review involves constructing a new building on the north portion of the property at the northwest corner of Eastern Avenue and St. Louis Avenue in a P-R zone. Originally, it was intended to utilize the existing building and construct a major addition to it. There will be nine parking spaces provided where seven spaces are required.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
X-H - PLOT PLAN REVIEW - Z-80-83

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MAYOR BRIARE: The next is Item H, a Plot Plan Review for Michael Ashe. I asked Mr. Foster earlier today -- well, Mr. Foley's in the audience and he has a problem. Are you Mr. Ashe?

MICHAEL ASHE: Yes, I am.

MAYOR BRIARE: Yes, he has a problem with your request here, and so, Mr. Foster, I'm going to ask this question that we approved the zoning for Mr. Ashe --

COUNCILMAN LURIE: The zoning's approved.

MAYOR BRIARE: Yes, right.

COUNCILMAN LURIE: This is a plot plan.

MAYOR BRIARE: And when we approved it, we approved it based on a certain layout.

COUNCILMAN LEVY: A different plot plan.

MICHAEL ASHE: Correct, correct.

MAYOR BRIARE: With a plot plan, right?

MICHAEL ASHE: Right.

MAYOR BRIARE: Now, then, you came before the Planning Commission to change that Plot Plan?

MICHAEL ASHE: Yes, I did.

MAYOR BRIARE: There were no notices sent out or anything?

MICHAEL ASHE: I know there was not. I notified the property owners to the west of my property and to the north of my property on May the 31st, and I showed them both a plot plan of the property, and I have a letter from the property owner to the west of me approving it, or seeing no problem.

MAYOR BRIARE: It's true. It has the approval recommended by the Planning Commission and staff recommendation at Planning Commission, but I know we have a problem and, Mr. Foley, that's why you wanted to be heard on this.

JOHN FOLEY: Yes, if Your Honor please, and members of the Council. I was contacted by Mr. Jack Cherry, Attorney, sometime I think around Wednesday of last week that he had had a frantic call from a Dr. Herman who is the property owner to the north of the subject property. Dr. Herman was on the Colorado

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JOHN FOLEY:

River Run. I do not -- I have not represented Dr. Herman personally. I've only known him professionally. He was opposed to this and he wanted to have this matter put over until he could get back, and then Mr. Cherry gave me a number where I could call the doctor down at -- he was at a restaurant down the river waiting for my call. Mr. Cherry said that they had a conflict in their firm because they'd done some work for Mr. Ashe and could not handle the matter. And so I called Dr. Herman and he told me that he was on his vacation run and he'd like to get back and be present at any hearing, and that the hearing was a Planning Commission for last Thursday night, and I indicated I would appear for him at that Planning Commission. I checked with -- about the time it would be on and I had another meeting. I had to attend another emergency type meeting, and I didn't get here in time to the Planning Commission. It just -- I don't know whether I was 5, 10 minutes late. They had taken it up with no opposition and treated it, as I understand, with no opposition. I asked the members of the Planning Commission to reconsider it and they said, "No, the man's left. You're going to have to go before the County Commission." Or before the City Council. Excuse me. And I still have not talked to Dr. Herman personally. I've been to the property, and you look at the property. Putting that -- moving the house to the back is what the change is. I think it's moving it some 20 feet to the back. It really gives a boxed in area, a feeling, for that property to the north, and as I see, looking at your variance ordinances, a variance is supposed to be granted on the exceptional -- looking at the Ordinance No. 11-124.

DEPUTY CITY ATTORNEY
JOHN ROETHEL:

May I interrupt you for a minute, Mr. Foley.

COUNCILMAN LEVY:

Why would they need a variance? What do we need a variance for?

JOHN FOLEY:

Well, he got a variance.

COUNCILMAN LEVY:

He's not asking for any variance.

JOHN FOLEY:

But if you'd hear me out, Commissioner. He got a variance because of now he's changing it. He got a variance which allowed him the property to put his building 20 feet, or move it over to the curb line, I think, within 5 feet, although I'm not sure of that. I may have my facts wrong. Maybe you can correct me.

COUNCILMAN LEVY:

I don't believe, sir. It used to be an existing house on this property, and that's what he got approved for professional zoning. For some reason or another, and I'm

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COUNCILMAN LEVY: sure he might have an opportunity to tell us why he decided -- and I happened to notice the house has been removed -- and he wants to put up property there.

JOHN FOLEY: Well, what did the variance do? Just professional zoning?

COUNCILMAN LEVY: There was no variance.

HAROLD FOSTER: No, the variance was after the zoning was approved to allow an addition to the front of the existing house closer to the front property line than the ordinance would allow.

COUNCILMAN LEVY: Which this is better to me in my mind. What he's doing now certainly makes it a better situation for the City.

COUNCILMAN LURIE: It's opening up the whole corner.

COUNCILMAN LEVY: It opens up the whole corner and frees it up. I think everybody would like this better.

JOHN FOLEY: Well, unless you were right here (pointing), Commissioner. You go stand there, and you're boxed in.

COUNCILMAN LEVY: What have we done to his lot?

JOHN FOLEY: It's moved this to within 5 feet of his property.

COUNCILMAN LEVY: Isn't there a drop in difference in land size?

COUNCILMAN LURIE: No.

MICHAEL ASHE: Yes, there is, sir.

COUNCILMAN LEVY: And isn't -- in other words, so that they would not be able to have community parking or anything else. I think that's what you're looking for.

JOHN FOLEY: Well, they could.

COUNCILMAN LEVY: But they don't.

JOHN FOLEY: They could very easily if the property owners would work for it, and as I understand this -- here's -- now, your variance -- maybe I don't --

COUNCILMAN CHRISTENSEN: Wait a minute. Let's get back to the variance. Do we need -- is there a necessity for a variance anymore, Harold?

HAROLD FOSTER: No, if this is approved, then there's no need for a variance.

COUNCILMEN CHRISTENSEN: Then there is no need for a variance. Okay.

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JOHN FOLEY: Well, do you mean the variance that was already obtained --

COUNCILMAN CHRISTENSEN: You see, the variance was only to allow him to build onto the house closer to the property line, and the house was raised, so we don't have to have the variance to build closer to the property line.

HAROLD FOSTER: Right. It applied to the old plot plan.

COUNCILMAN CHRISTENSEN: Pardon?

HAROLD FOSTER: It applied to the old plot plan.

COUNCILMAN CHRISTENSEN: Right. So really, he's got the zoning on the property and he doesn't need a variance now.

COUNCILMAN LEVY: Mr. Ashe, when did you give the doctor --

MICHAEL ASHE: May the 31st, I contacted him by telephone and told him that I wanted to discuss the possibility of a plot change, and told him over the phone what I would do. On June the 4th, I delivered the plot plan to him.

COUNCILMAN LEVY: June 4th?

MICHAEL ASHE: June 4th.

COUNCILMAN LEVY: A few weeks ago.

MICHAEL ASHE: Right. June 5th, he called me and told me I could pick up the plot plan and that he would let me know by Thursday, June 7th before he went on vacation. I called and talked to him at noon that day. He said I want to talk to Planning and see what their recommendation is. I told him who I had talked to, and the first time I heard an objection was on Wednesday night at Planning Commission.

JOHN FOLEY: Well, as I understand it, he had this vacation planned for six months. This boat -- this thing down on the river --

COUNCILMAN LEVY: But he knew about it before he left, and he didn't really seem to really put any effort --

JOHN FOLEY: Well, he did. He did know about it. That's true. But it meant cancelling his vacation to be here, Commissioner.

COUNCILMAN LEVY: I know. No, no.

JOHN FOLEY: You asked him to do that?

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COUNCILMAN LEVY: No. All I meant was getting ahold of you sooner.

JOHN FOLEY: Pardon me?

COUNCILMAN LEVY: It meant getting ahold of you sooner because you're such a competent attorney.

JOHN FOLEY: Well, he didn't even know a lawyer to get ahold of, and here I come in through Jack Cherry, and I'm in the mess of this thing, and I'd just like you to put it over so the doctor can be here. That's all I ask you to do.

MAYOR BRIARE: Mr. Ashe, did Dr. Herman oppose you when you came before this Council to change the zoning to P-R?

MICHAEL ASHE: No, he did not, and I pointed that out to him.

MAYOR BRIARE: But do you suppose that he didn't oppose it because your building was located in a different area?

MICHAEL ASHE: Yes, I'm sure of that.

MAYOR BRIARE: Okay, so now, it's been changed and there's been one public hearing. It's been changed, and so now, he is opposing it. What the heck do you do?

COUNCILMAN LEVY: Not the zoning. The moving of the building.

MAYOR BRIARE: Right.

COUNCILMAN LURIE: Would two weeks make any difference?

MAYOR BRIARE: Because he didn't object to it when the building was here.

MICHAEL ASHE: Well, it does financially because I --

COUNCILMAN LURIE: You know, I always ask that -- some people for two weeks, and I see some projects that don't get started for six months after I ask whether two weeks will make any difference.

MICHAEL ASHE: I've got signed contracts, and as a matter of fact, they were down today to try and determine grade and things of this nature. So it would -- it's going to cost me money. I was hoping to be in this building by July 1, and we ran into problems, and, you know, we're anxious to get started. I do have a plot plan here showing the previous request and what I think the doctor is concerned about is his building being hidden, and regardless of whether I use the existing location --

COUNCILMAN LURIE: His building faces a different street.

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MICHAEL ASHE: I agree.

COUNCILMAN LURIE: Faces completely different streets.

JOHN FOLEY: He says you move this back --

COUNCILMAN LURIE: An interior.

COUNCILMAN LEVY: John, John.

MICHAEL ASHE: Mike, yes.

COUNCILMAN LURIE: Let me see that plot plan you have there, Mike.

MICHAEL ASHE: Okay. This was the original. Dr. Herman's property is here to the north. He's concerned that people coming north are not going to see his property heading north. They have to go down -- I have photos to show that they have to go down and make a U turn to come back to his property.

COUNCILMAN LURIE: They have to go down and make a U turn and come back. I used to live right on that street that you're talking about so I know the area quite well.

MICHAEL ASHE: Here's the proposed building which traffic -- I went to Traffic and talked to them first. I talked to Planning. They said that this was a nightmare the way I had it proposed to start with because of the parking. They said even though I show this as an exit, people will not exit; they'll enter here. They'll try to turn and park in here, so they were in favor of this. They felt like it would facilitate traffic around this corner, and as far as people exiting Dr. Herman's, all they have to do is look left. The only way they can exit is to the right. So I didn't see any hardship.

JOHN FOLEY: Well, it's strange. You get the zoning and then you change the whole deal. I don't think that's right.

COUNCILMAN LEVY: But that's architect. Now, he's asking for architectural supervision.

JOHN FOLEY: But that's architectural supervision and you're changing the whole layout of your property, Al. That's not right.

COUNCILMAN LEVY: That's right. Architectural supervision, John.

JOHN FOLEY: That's not right when you're a next door neighbor, and then all of a sudden you put it right in front of you.

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COUNCILMAN LEVY: He went to you. Wait a minute. He went to his next door neighbor. He went one step beyond, which I think is pretty nice.

JOHN FOLEY: Listen. The man -- you ask -- you bring the guy there. The doctor never committed that he could have this.

COUNCILMAN LEVY: No.

JOHN FOLEY: And the doctor's entitled to a chance to come before this Board. He should be entitled to regular notice. He's got a vacation planned.

COUNCILMAN LEVY: Wrong. Architectural supervision does not need -- it's not a public hearing.

JOHN FOLEY: But I question, Al, whether that is strictly architectural supervision when you change the whole situation like you're doing.

COUNCILMAN CHRISTENSEN: Well, I think what you have to look at is that we have two different actions that took place in the past here. One was the zoning action to rezone the property. The second one was a variance to allow him to use the existing house and add to it and make it closer than what's allowed in a P-R Zone.

JOHN FOLEY: Closer to the street.

COUNCILMAN CHRISTENSEN: Right. Okay, so now, what happens is he tears the building down, determines that it's better to not use the variance, and forget about a variance and just build what he's allowed on a P-R Zone. That doesn't require a public hearing. It does not require a public hearing to cancel a variance of the person who asked for the variance's request. So there's no variance involved anymore. There's no need for a public hearing. It's a plot plan review to make sure that he adheres to the plot plan that he's submitted to the Commission and so forth.

JOHN FOLEY: But he obtained approval from this Board based upon a layout plan, I take it, and now, that's entirely changed, and that's what I say is wrong.

COUNCILMAN CHRISTENSEN: Well, you obtain an approval for the property zoning, not necessarily on a layout, but on the position of the property.

JOHN FOLEY: And the location of where the unit's going to be.

COUNCILMAN CHRISTENSEN: The location of the property is where you get the zoning.

JOHN FOLEY: And also on how you're going to use your property.

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- COUNCILMAN CHRISTENSEN: Well, then, what you're saying is that if we get a piece of property zoned R-1, then we have to have a public hearing if they want to move their house 10 ft. further back from the street, or 5 ft. from the left property line instead of the right property line. I don't believe so.
- JOHN FOLEY: Well, the question here is are you changing the deal, and I think you're substantially changing the deal when you move this back and you give him the box in.
- COUNCILMAN LURIE: I think you're improving it. You're going to improve the building because the building that was there before was an old house that wasn't taken care of, that having it raised to build a new structure there is going to really improve that whole corner. It's going to -- I think it is and I don't think it's going to detriment the other property owner on the other side that faces an interior street.
- JOHN FOLEY: Well, I'm sure, Commissioner, that the changing the whole thing -- this gentleman's going to add to the value of the property by what he's doing, but I'm just complaining where he's doing it. That's not a question saying that the old house is better. I'm not arguing that at all.
- COUNCILMAN LEVY: Well, do you think the parking and what he's doing is really better for him?
- JOHN FOLEY: Well, listen. I think the man should be here. I don't see why I can't think that the doctor, who's a citizen of this community, shouldn't have a right to come here.
- COUNCILMAN LEVY: He sure has.
- COUNCILMAN CHRISTENSEN: Well, maybe one of the problems is because --
- JOHN FOLEY: He can't go on his boat ride too, Al.
- COUNCILMAN LEVY: I know.
- JOHN FOLEY: Here you take a vacation -- all of you do.
- COUNCILMAN LURIE: We come back. Wait a minute. I want you to know that I come back from my vacation to attend this meeting.
- JOHN FOLEY: Okay. Okay. I'm sure it's for the last item though.
- COUNCILMAN LURIE: My priorities are right, I'll tell you that.
- JOHN FOLEY: But you're a Commissioner.
- COUNCILMAN LURIE: Thank you.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
X-H - PLOT PLAN REVIEW - Z-80-83

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JOHN FOLEY: You're elected officials.

COUNCILMAN CHRISTENSEN: I guess my problem with it is that the guy was notified a long time before he left. Why is he frantically --

JOHN FOLEY: A couple of days.

COUNCILMAN CHRISTENSEN: A couple of days? That's not what I --

MICHAEL ASHE: May 31st.

COUNCILMAN LEVY: May 31st.

JOHN FOLEY: You're a dentist. You're busy. You've got a lot of things to do before you go on this trip, because he's planned it for six months, and here he's going to be gone for about three weeks. He's gone.

COUNCILMAN CHRISTENSEN: Oh, come on. He can't make a phone call back to the guy and say, "Hey, look. I've looked at your plot plan. I've got a problem with it. I'd like to hold it off." Instead, he makes the effort to call the guy and he says, "Well, I want to call it in. I told you I'd get back to you Thursday. It's Thursday, and I'll call Planning and see what I can find out and get back to you," and then the next call he gets is from somewhere up the river and he's decided not to return the call before he leaves.

JOHN FOLEY: Well, he's got a right to think that the City will pursue regular procedures.

COUNCILMAN LEVY: We are.

COUNCILMAN CHRISTENSEN: We are pursuing regular procedures. You want an irregular procedure.

JOHN FOLEY: I don't think you are, and I want to state for the record that I think this is a violation of due process to give -- to allow --

COUNCILMAN LEVY: John.

JOHN FOLEY: I know. I'm going to make it for the record. I know Paul's going to get mad at me for the legal mumbo jumbo, but we may end up in court. I want it there because Carl Christensen would insist that it be in there.

COUNCILMAN LEVY: Let Carl Christensen -- let Carl Christensen --

JOHN FOLEY: I want to make it for the record here. That's all.

MAYOR BRIARE: Go ahead, Mr. Foley.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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JOHN FOLEY: I'm making this for the record.

COUNCILMAN CHRISTENSEN: I worry about your due process for this reason.

JOHN FOLEY: Well, let me put it in, Paul, and then I know you guys are going to do what you're going to do.

COUNCILMAN CHRISTENSEN: Alright. Alright. Alright.

JOHN FOLEY: But that under the circumstances of this case where an application is brought forward showing the particular use -- can I have this. Can we have this marked as Exhibit A.

MAYOR BRIARE: Go ahead, John. We're very informal, John.

JOHN FOLEY: Would you, please, so it'll be in the record as Exhibit A.

HAROLD FOSTER: Oh, it will be in the file.

JOHN FOLEY: And then the change is Exhibit B.

COUNCILMAN CHRISTENSEN: Now, wait a minute. If we're going to do this, let's start swearing witnesses because I want to make sure the testimony is correct.

JOHN FOLEY: So Exhibit B is a substantial modification of the whole thing and it's a denial of due process without my client having a chance to be here.

COUNCILMAN CHRISTENSEN: Okay, if we're going to do that, then I want this gentleman sworn as a witness and I want the date that he notified the man on the record just as strong so that we know when the guy was talked to and when he indicated that he --

MAYOR BRIARE: Paul, you'd accept a transcript. You don't have to swear him in.

COUNCILMAN CHRISTENSEN: Not if this is going to be in the record as a due process. I want due process the whole way, Mayor. We're not going to have part court to satisfy one person and not court to satisfy the other person. We're going to run this like a court.

JOHN FOLEY: I want to finish saying one thing. It's also in violation of the ordinances of the City of Las Vegas.

COUNCILMAN CHRISTENSEN: Okay, fine. Now, let's swear this witness and get his testimony.

MAYOR BRIARE: Well, I think, Paul, if you're making a formal request that Mr. Ashe be sworn in, I want a -- I don't know if the City Attorney says that that's up to any member of this Council

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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MAYOR BRIARE: to just say you want to swear him in.

COUNCILMAN CHRISTENSEN: Can't I make the formal request to have a witness sworn when I'm threatened with a lawsuit?

MAYOR BRIARE: Well, he's -- come on, Paul, let's move on.

COUNCILMAN CHRISTENSEN: Mayor, I was just threatened with a lawsuit, and I want to make sure that the record's complete.

MAYOR BRIARE: Why don't you make a motion then for him to be sworn in and we'll vote on it.

COUNCILMAN CHRISTENSEN: I don't think that's required. I think as a member of this Council I have a right to have the witness sworn if I want to.

MAYOR BRIARE: Does he? In a deliberate body --

COUNCILMAN LURIE: Well, you had a right to put the motion --

COUNCILMAN CHRISTENSEN: Especially where I'm threatened with a lawsuit.

DEPUTY CITY ATTORNEY
JOHN ROETHEL: I don't think each Councilman has a right by himself. I think it has to be the action of the Council.

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

COUNCILMAN CHRISTENSEN: Yes. I MOVE WE SWEAR THE WITNESS SINCE THIS COUNCIL AS A WHOLE HAS BEEN THREATENED WITH A LAWSUIT FOR VIOLATING A PERSON'S RIGHTS OF DUE PROCESS OF LAW. I think it's important for all testimony in this issue be under oath, and I WOULD MOVE THAT WE SWEAR ALL WITNESSES.

MAYOR BRIARE: Any comments by the Council? Cast your votes. Post. The motion's APPROVED. Swear him in.

(VOTE: VOTING "YES": NOLEN, LURIE, LEVY & CHRISTENSEN.
VOTING "NO": BRIARE)

CITY CLERK HAWLEY: Raise your right hand. Do you, Michael Ashe, solemnly swear that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

MICHAEL ASHE: Yes, I do.

COUNCILMAN CHRISTENSEN: Are you running the meeting, Mayor?

MAYOR BRIARE: Go ahead. He's your witness.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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- COUNCILMAN CHRISTENSEN: I want to hear the testimony again. I want to hear the dates the person was notified, the dates he intended to respond, and so forth.
- MICHAEL ASHE: Okay. On May the 31st, I contacted the doctor which owns the property to the north of my property and informed him of what I would like to do. He said he would like to see a copy of the plot plan. I went to his office -- or my wife went to his office on June 4th and delivered the plot plan to him. On June the 5th, I called him and he said that I could pick up the plot plan. I talked to him at his office that morning. He informed me that he would like to get the feelings of the Planning Commission -- or Planning Department. On Thursday, he contacted me by phone, discussed it with me, and told me that he's swaying one way or the other as far as which way he wants to go because he's afraid that his building would be hidden. I pointed out the pluses of where I was going to locate the building and how, what effect it would have on his. I asked him if he would let me know prior to him leaving town. He said he would get back to me; he was going to leave on vacation the next morning. I did not hear of any problem until this past Monday. I don't know the date -- June the 19th, I imagine -- 18th -- and at that time Attorney Cherry contacted me and told me that there was a complaint from Dr. Herman and voicing an opinion that he would like to hold this matter.
- COUNCILMAN CHRISTENSEN: For the record, Monday was the June the 18th.
- MAYOR BRIARE: Any other questions?
- COUNCILMAN CHRISTENSEN: I just wanted to make sure everything was on the record. That's all we've had so far.
- JOHN FOLEY: I would again request that this matter be put over until he can be here -- the doctor can be here. Then you don't have a lawsuit; you don't have anything. Give a man a chance to be here.
- COUNCILMAN CHRISTENSEN: You might have a lawsuit from the other side.
- JOHN FOLEY: Oh, well.
- MAYOR BRIARE: We've lost -- we've lost some members here.
- JOHN FOLEY: You don't have a quorum?
- MAYOR BRIARE: No, we have a quorum.
- JOHN FOLEY: I guess you do. Yes, you have a quorum.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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COUNCILMAN CHRISTENSEN: The problem I have. I really don't have a problem with the time or anything else. It's just that the problem I have is if what you say is true, that means that every time a piece of property that was zoned by this Board -- anyone changes the structure, if it's within the setback requirements and all the other requirements, it will have to come back before this Board and require a public hearing and a public notification. To put it in layman's terms, you're telling me that if what you say holds true, it's kind of like establishing case law that will now force the City Council from now on if we allow this to set this precedence -- from now on, that if you, John Foley, want to add onto your law office that whenever that was zoned, all those same people have to be renotified that you're going to move another 10 ft. onto your law office, even if it's perfectly within the setback requirements, it requires a --

JOHN FOLEY: He's moving 20 feet.

COUNCILMAN CHRISTENSEN: Okay. Requires no variance or whatever. If it's 50 feet and it doesn't require a variance, now we have to notify everybody or we're in violation of the guy's rights by denying him due process, which is pretty heavy stuff to lay on me.

JOHN FOLEY: Well --

COUNCILMAN CHRISTENSEN: That means you're going to impact this community with thousands and thousands of dollars of costs to notify everybody for every building permit that is taken out.

JOHN FOLEY: No, no, I'm not trying to do all that.

COUNCILMAN CHRISTENSEN: That's what you're saying, that's what you're saying.

JOHN FOLEY: I'm only a guy here trying to get a hearing for my client. Now, you changed the deal.

COUNCILMAN CHRISTENSEN: But you've already established that the reason you insist on this hearing is that his due process has been denied. If that's the case, --

JOHN FOLEY: And I don't think this complies with the ordinances either. What ordinance grants you the right to put it anywhere?

MAYOR BRIARE: I want to find out if somebody wants to make a motion to -- only the rules have to be made up here. Mr. Foley has asked for a continuance on this matter. Does any Councilman wish to place a motion before us to hold this matter until

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 20, 1984
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MAYOR BRIARE: the next meeting? Last call.

COUNCILMAN LURIE: Mayor, in all fairness to Mr. Foley, I believe that the applicant had contact with Mr. Ashe. I think that when he contacted Mr. Foley, Mr. Foley was representing him here today so he could take his vacation. I personally think that --

COUNCILMAN LEVY: Who, Mr. Foley or the doctor?

COUNCILMAN LURIE: The doctor. Did I say Mr. Foley was taking his vacation?
The doctor. I'M GOING TO MOVE TO APPROVE THE PLOT PLAN REVIEW.

MAYOR BRIARE: Comments on the motion? Cast your vote. Post. MOTION IS APPROVED.

End of Excerpt

AGENDA*City of Las Vegas*

June 20, 1984

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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)****I. PLOT PLAN REVIEW - Z-17-62 - PONDEROSA
CONSTRUCTION, CO., INC.**

Plot Plan Review on property generally located on the northeast corner of Garwood Avenue and Torrey Pines Drive, R-3 Zone.

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

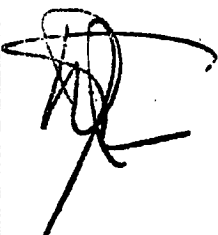
1. Provide a cul-de-sac for Crestline Drive as required by the Department of Engineering Services.
2. Install full half-street improvements conforming to City standards and specifications on Garwood Avenue and Crestline Drive.

Staff Recommendation: APPROVAL

Levy -
APPROVED as recommended.
Unanimous
(Briare excused)

Clerk to notify & Planning to proceed

Jerry Hillcrest appeared on behalf of applicant

APPROVED AGENDA ITEM


To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

I. PLOT PLAN REVIEW - Z-17-62 - PONDEROSA CONSTRUCTION CO., INC.

The request is for a plot plan review for a 70 unit apartment project that is generally located northeast of Garwood Avenue and Torrey Pines Drive in an R-3 zone. The plot plan review is to revise the layout of this proposed apartment project from the plan that was submitted at the time the zoning was approved in 1962. An apartment development on the easterly portion of this R-3 site is presently under construction and there will be a vacant parcel remaining between that construction and the project proposed on this request. A private drive between Hargrove and Crestline will remain as proposed along the south side of the site adjacent to the R-1 properties for secondary access to each project. The location of this driveway was established at the time the development to the east was approved. A total of 160 parking spaces will be provided where 85 are required for this proposed two-story apartment project. An R-1 zoned parcel is proposed to be included at Garwood and Crestline that would serve as landscaped open space at the entrance to this project. A swimming pool and a central recreation area is proposed for this development.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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June 20, 1984

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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-30-84 - JESSE R. MCKENZIE,
JR., ET ALReclassification of property located at
700 South 9th Street.

From: R-1 (Single Family Residence)

To: P-R (Professional Offices & Parking)

Proposed Use: Office

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

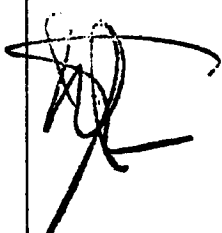
1. Resolution of Intent shall be restricted to a twelve (12) month time limit.
2. Approval of the encroachment agreement through the Department of Engineering Services.
3. Pave the alley as required by the Department of Engineering Services.
4. Install street lights on Garces Avenue and 9th Street as required by the Department of Engineering Services.

Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED as recom-
mended
Unanimous
(Briere excused)Clerk to notify &
Planning to proceed

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

0391

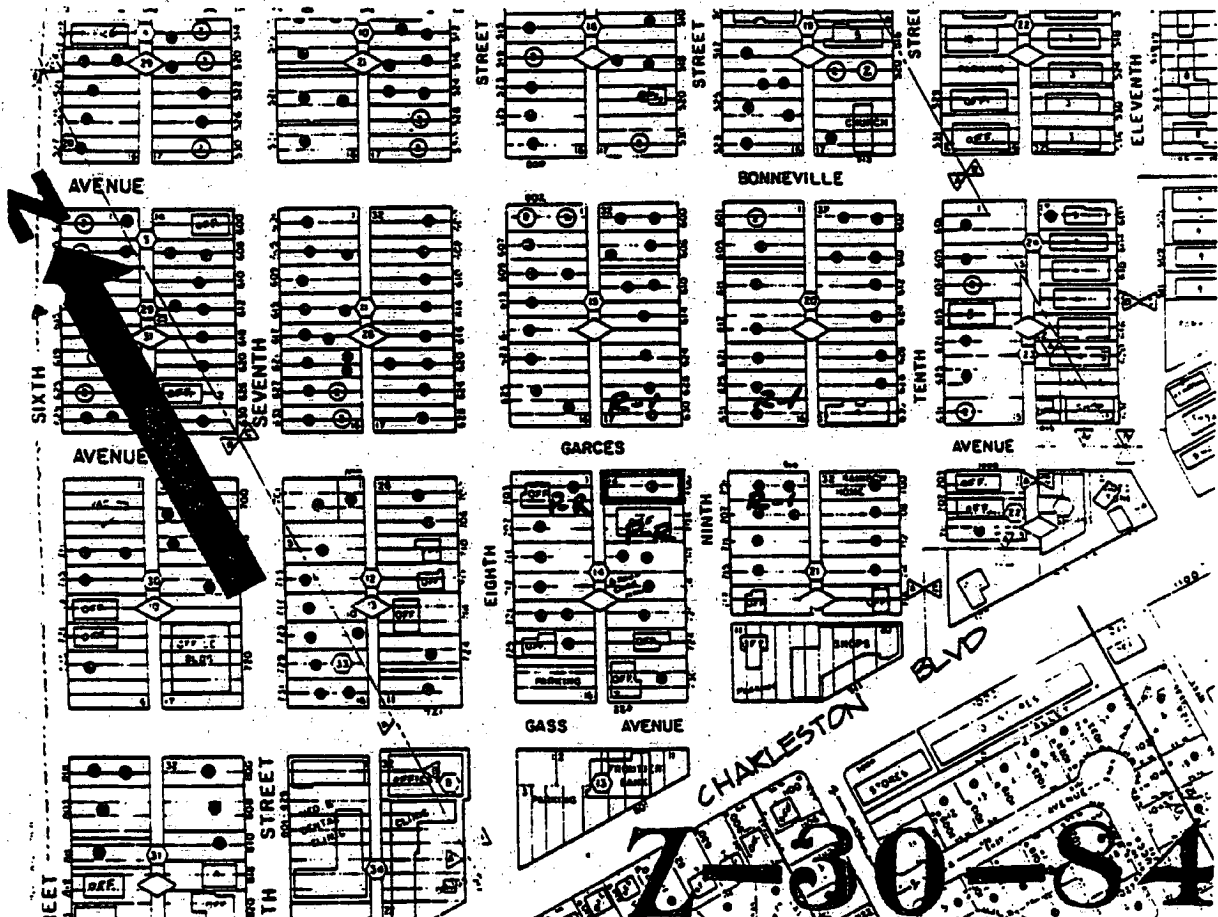
J. ZONE CHANGE - Z-30-84 - JESSE R. MCKENZIE, JR., ET AL

The request is to rezone the property at 700 S. 9th Street from R-1 to P-R for a proposed office. There is an existing residence on the property that will be converted. There will be 12 parking spaces provided where six are required. Some of the landscaping and a fountain will be placed in the unimproved right-of-way on Garces Avenue that will require an encroachment permit.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



AGENDA*City of Las Vegas*

June 20, 1984

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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-32-84 - JACK TOBLER, TRUSTEE

Reclassification of property generally
located on the north side of Cheyenne Avenue
between Rancho Drive and Decatur Boulevard.

From: C-2 (General Commercial) and
R-E (Residence Estates)

To: C-2 (General Commercial)

Proposed Use: Commercial Storage Units

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. Install street improvements on Cheyenne
Avenue as required by the Department of
Engineering Services.

Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED, subject
to conditions
Unanimous
(Briare excused)

Clerk to notify &
Planning to proceed

Tom Edwards appeared
on behalf of the
applicant.

No one appeared
in opposition.

APPROVED AGENDA ITEM

To: The City Council
 Re: Community Planning and Development Agenda Item
 June 20, 1984 City Council Agenda

X.

0393

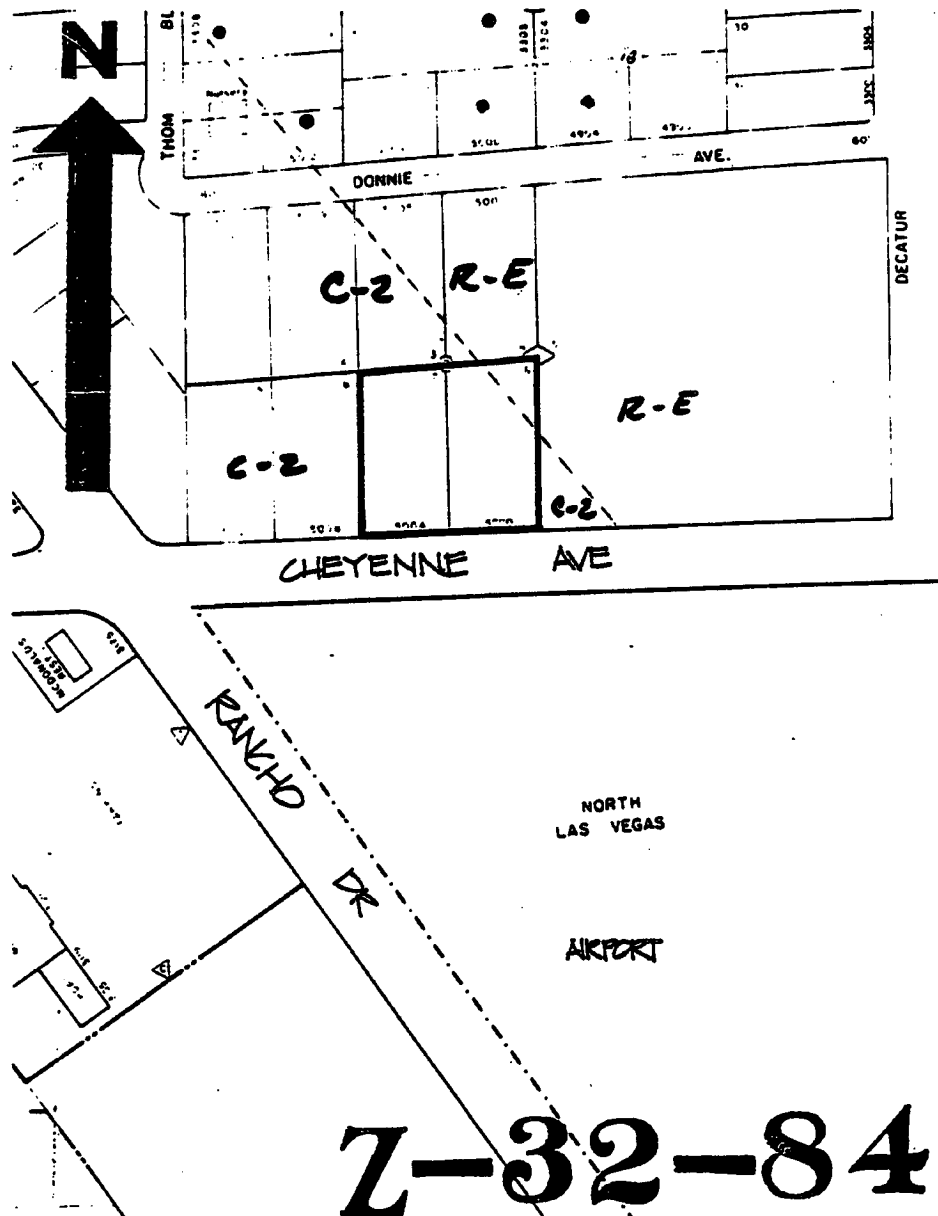
K. ZONE CHANGE - Z-32-84 - JACK TOBLER, TRUSTEE

The request is to rezone this property from R-E and C-2 to C-2 on the north side of Cheyenne Avenue between Rancho and Decatur for a commercial storage unit development. Most of the property is already zoned C-2 and the request only involves the northeast portion. The North Las Vegas Air Terminal is located to the south. There is vacant R-E to the east and north and vacant C-2 to the northwest and west. The proposed use is very compatible with the Air Terminal because it is for storage use and there will be few people on the premises at any one time. There will be landscaping and a wrought iron fence on the front portion of this property along Cheyenne.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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June 20, 1984

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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)44 L. ALTERATION OF CONDITIONS - Z-26-84 - S.F.S
INVESTMENT COMPANY, ET AL

Request to alter the conditions of approval for zoning application Z-26-84 on property generally located on the north side of Cory Place, between Upland Boulevard and Mohawk Street, R-1 Zone (under Resolution of Intent to R-CL), as follows:

1. To delete the requirement for R-1 setbacks on the side yards for all R-CL lots (Condition #3).
2. To eliminate providing temporary paved access from this development to Upland Boulevard (Condition #4).
3. To eliminate the requirement that all houses be a minimum of 1,200 square feet in size (Condition #11).
4. Clarify that the required paving on Cory Place to Mohawk and then on Mohawk south to Charleston be of a temporary type and limited to paving only (Condition #12).

Planning Commission unanimously recommends APPROVAL to alter the conditions above, as follows:

1. Condition #3 be amended to read "Front and rear R-1 setbacks shall apply to all R-CL lots."
2. Condition #4 be expunged.
3. Condition #11 be amended to read "Houses shall have a minimum of 1,150 square feet on the R-CL lots. One 1,150 square foot house in the R-1 on Cory Place shall be permitted, but the remainder of the homes in the R-1 shall be a minimum of 1,200 square feet."

Lurie -
APPROVED request as recommended by Planning Commission except that leader houses be allowed a minimum size of 1152 square feet. Motion carried with Levy abstaining.

Clerk to notify & Planning to proceed

Dan Keiserman appeared and represented the application.

Nita Burrows appeared in opposition

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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)

L. ALTERATION OF CONDITIONS - Z-26-84 - S.F.S
INVESTMENT COMPANY, ET AL (CONTINUED)

APPROVED
See Page 48

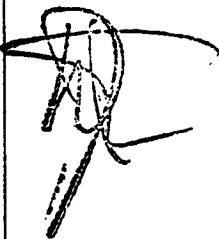
See Page 48

4. Condition #12 be amended to read "The required paving on Cory Place from Bartona Street to Mohawk Street and south on Mohawk to Charleston Boulevard is to be of a temporary type (2' a/c on a 6" Type II Base) and having a minimum width of 25'.

Staff Recommendation: APPROVAL of Items 1, 2 and 4 and DENIAL of Item 3.

PROTESTS: 3

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

0396

L. ALTERATION OF CONDITIONS - Z-26-84 - S.F.S. INVESTMENT COMPANY, ET AL

The request is to alter several of the conditions of approval for this proposed R-1 and R-CL project on the north side of Cory Place between Upland Boulevard and Mohawk Street. The applicant is requesting the following:

1. To delete the requirement for R-1 setbacks on the side yards for all R-CL lots (Condition #3).
2. To eliminate providing temporary paved access from this development to Upland Boulevard (Condition #4).
3. To eliminate the requirement that all houses be a minimum of 1,200 square feet in size (Condition #11).
4. Clarify that the required paving on Cory Place to Mohawk and then on Mohawk south to Charleston be of a temporary type and limited to paving only (Condition #12).

In reference to Item #1, this change is reasonable to have R-CL side setbacks for a total of 10' apply rather than the R-1 requirement of 14' because the lot widths on these R-CL lots are narrower. This will allow greater flexibility for the homes to be placed on these lots. Regarding Item #2 to eliminate the temporary paved access on Cory Place west to Upland Boulevard, this is a result of the applicant indicating he would be in agreement to provide temporary paving on Cory Place to the east and then south on Mohawk to Charleston to satisfy the protestants in the area. The applicant felt by providing the temporary pavement to the east to Charleston, he would be relieved of the paving requirement on Cory Place to Upland Boulevard. The developer on the south side of Cory between this project and Upland has agreed to install the paving by means of an assessment district and there are other owners on Cory and on Mohawk to the south where it may now be possible to have a Special Improvement District for this paving. Normally, the City only requires a developer to install one paved street to his development unless it is a relatively large project, which this is not. Therefore, deleting this requirement of paved access on Cory Place to Upland Boulevard is justified.

In reference to Item #3, the developer wishes to remove the 1,200 square foot minimum size for the homes because he is proposing one model which will have 1,152 square feet. He indicated that approximately 10% of the project would have homes of this size and he proposes to have one home of this size on Cory Place in the R-1 row of lots to be used as the model. Regarding Item #4, the applicant wishes to clarify that the paving required to be installed to the east on Cory and on Mohawk south to Charleston would be of a temporary type and approximately 25' wide. The condition of approval did not reflect this, however, that is what staff worked out with the applicant that it would be 25' in width and would consist of 2" pavement on 6" Type II base.

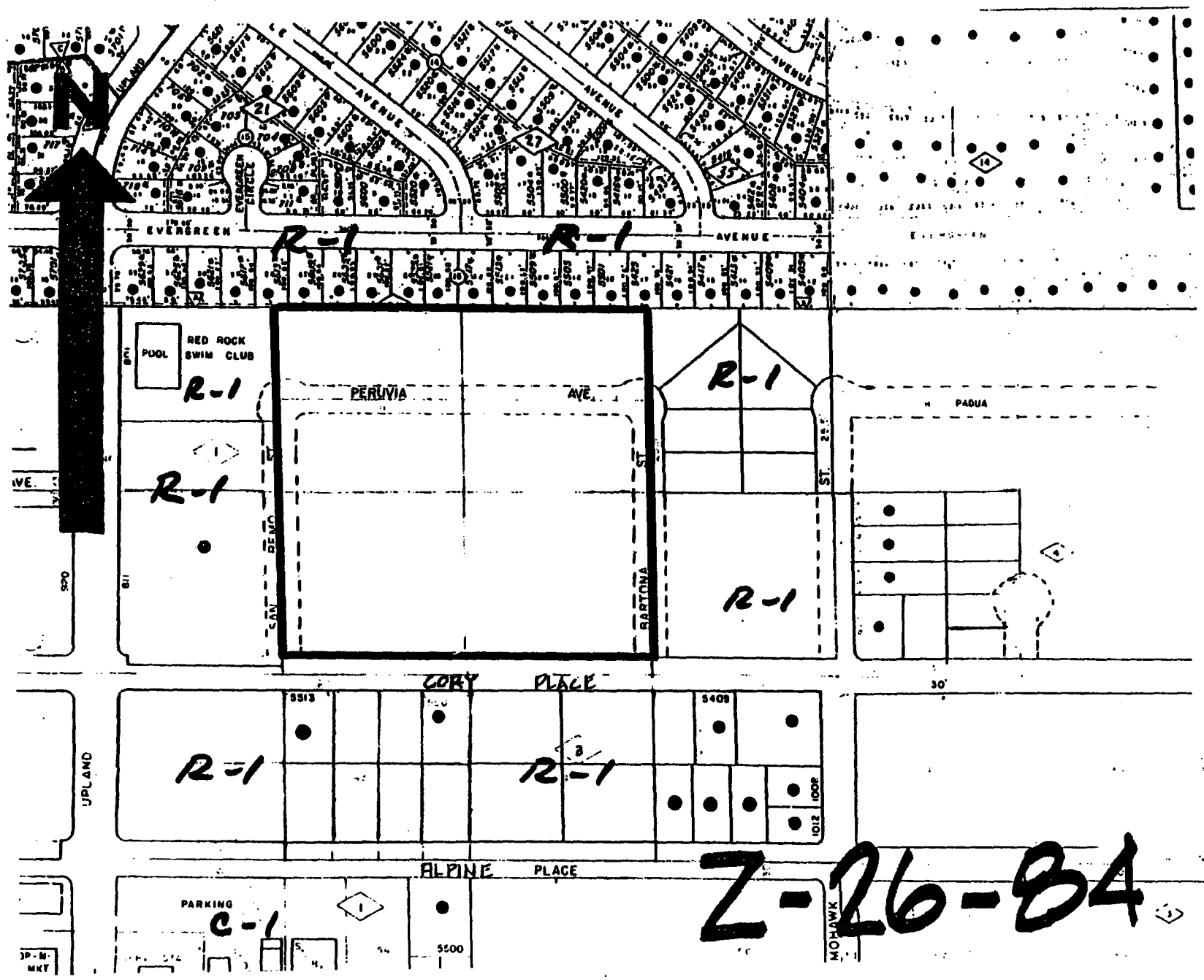
PLANNING COMMISSION RECOMMENDATION: APPROVAL (see agenda page)

STAFF RECOMMENDATION: APPROVAL of Items 1, 2 and 4 and DENIAL of Item 3.

PROTESTS: 3 - 1 Letter

2 Persons spoke at Planning Commission meeting

SEE ATTACHED LOCATION MAP



AGENDA

City of Las Vegas

June 20, 1984

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CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)551 M. AESTHETIC REVIEW - AR-5-83 - FRED DORIOT,
ARCHITECT

Request to construct a new exterior facade on the Golden Nugget Hotel and Casino on property generally bounded by Fremont Street, S. Casino Center Boulevard, Carson Avenue and N. 1st Street in Zoning District C-2.

Staff Recommendation: APPROVAL

Lurie -
APPROVED
Unanimous

Clerk to notify &
Planning to proceed

Rich Harris appeared
and represented
the application.

APPROVED AGENDA ITEM

CITY COUNCIL MINUTES - JUNE 20, 1984

To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X. 0399

M. AESTHETIC REVIEW - AR-5-83 - FRED DORIOT, ARCHITECT

This request is to construct a new exterior facade on the Golden Nugget Hotel and Casino to enhance the appearance of this facility. The facade will consist of marble and ceramic tile in an arch design on the street level portions and the existing hotel will be resided with similar material to match the new high rise tower that was just completed. Recently, the City Council approved the minor encroachment into the right-of-way that was necessary for this new facade.

STAFF RECOMMENDATION: APPROVAL

AGENDA

City of Las Vegas June 20, 1984 0400

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)

- N. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE CITY PLANNING COMMISSION AT
ITS JUNE 14, 1984 MEETING.

VAC-12-84
VAC-13-84

7/5/84 Agenda
7/5/84 Agenda

- O. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD MAY 24, 1984.

V-63-84

7/5/84 Agenda

P. FINAL MAP - WILDWOOD TERRACE UNIT NO. 1

Property generally located on the north
side of Vegas Drive, east of Torrey Pines
Drive, N-U Zone (under Resolution of Intent
to R-CL).

Owner: Patrick Gaffey
Subdivider: Topper McKay, Wildwood
Builders, Inc.

No. of Acres: 3.33 No. of Lots: 24

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

Levy -
APPROVED as recom-
mended.
Unanimous

Clerk to notify &
Planning to proceed

ADDENDUM ITEM

APPROVED AGENDA ITEM



CITY COUNCIL MINUTES - JUNE 20, 1984

To: The City Council
Re: Community Planning and Development Agenda Item
June 20, 1984 City Council Agenda

X.

0401

P. FINAL MAP - WILDWOOD TERRACE UNIT NO. 1

This final map is related to Item C on your agenda. If that map is approved, this map can also be approved because it conforms to the tentative map.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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ITEM

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XI. ADDENDUM ITEMSADDENDUM NO. 1:

IV(a). ADMINISTRATIVE AGENDA - Item E.
Discussion and possible action on
reconsideration of Opportunities
Industrialization Center Grant.
(see page 14A)

See Page 14A

See Page 14A

IV(a). ADMINISTRATIVE AGENDA - Item F.
Request of Clark County for an
easement across City property in
connection with the Las Vegas
Wash adjacent to the City's
Wastewater Treatment Plan.
(see page 14A)

See Page 14A

See Page 14A

X. COMMUNITY PLANNING & DEVELOPMENT
Item P.
Final Map - Wildwood Terrace
Unit No. 1
(see page 50)

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APPROVED AGENDA ITEM

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XII. CITIZENS PARTICIPATION

Items raised under this portion of the Agenda cannot be acted upon by the City Council until the Notice provisions of the Open Meeting Law have been complied with. Therefore, action on such items will have to be considered at a later meeting.

NONE

NONE

MEETING ADJOURNED AT 5:00 P.M.

APPROVED AGENDA ITEM

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