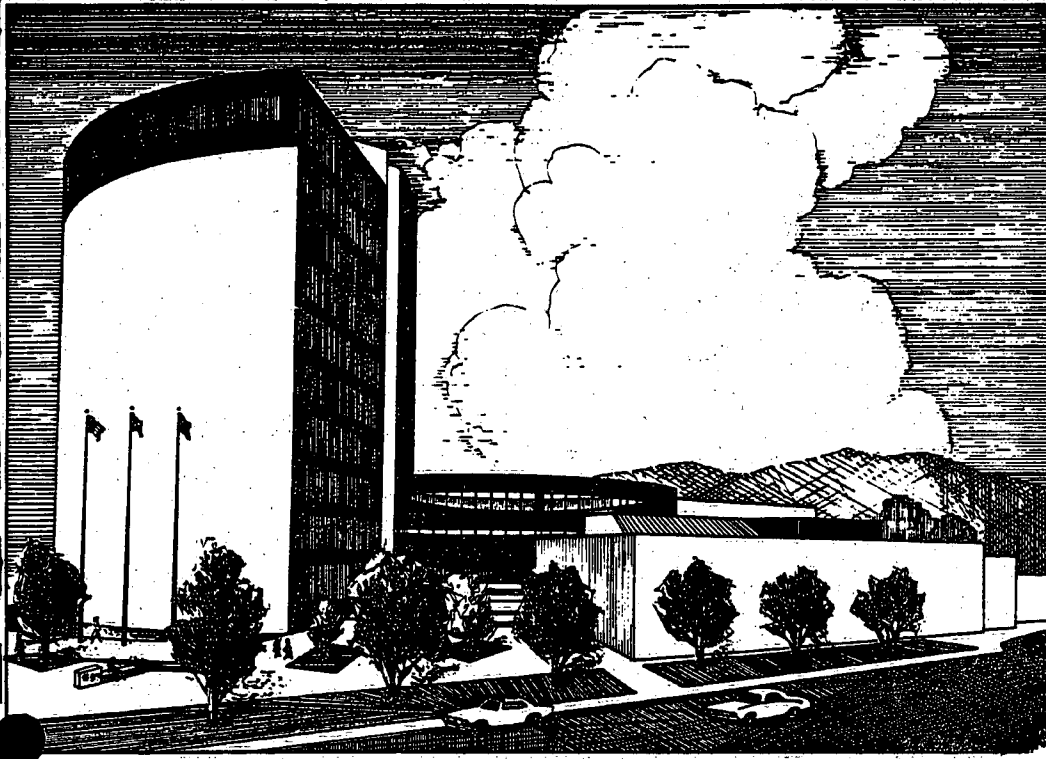




MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: August 15, 1984

TIME: 9:45 A.M.

INVOCATION: Reverend John Yoder, All Saints Episcopal Church

PLEDGE OF ALLEGIANCE: Mayor Led Audience In Pledge

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

☒ ☐ ☐

APPROVED BY REFERENCE

February 6, 1985

ATTEST:

Carl A. Hawley
CITY CLERK

William H. Briare Jr.
MAYOR

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

AGENDA*City of Las Vegas*

August 15, 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. COMMUNITY RELATIONS

None

10:03 B. SPECIAL EVENTS

PROCLAMATION IN MEMORY OF DON E. ASHWORTH

Mayor Briare recited the Proclamation on behalf of himself and the Council in memory of Don Ashworth. Approximately 30 of his family members were present. City Manager Hall presented proclamation to Mrs. Ashworth and their sons.

II. 10:00 A.M.

Mayor commends Darrer Hamm on winning the silver medal in XXIII Olympiad. (See letter made part of Final Minutes.)

10:09

A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW.

Announcement Made.

B. INVOCATION

Reverend John Yoder
All Saints Episcopal Church

Invocation Given By
Reverend John Yoder.

C. PLEDGE OF ALLEGIANCE

Mayor Led Audience
In Pledge.

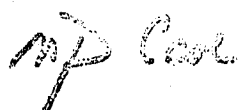
D. APPROVAL OF CITY COUNCIL FINAL MINUTES

For the meeting of May 16, 1984.

Lurie -
APPROVED
Unanimous

Clerk to proceed.

APPROVED AGENDA ITEM





Proclamation

TO THE FAMILY OF
DON E. ASHWORTH, SR.
AUGUST 15, 1984

*In recognition of Don's lifetime service to his fellow man; and
For his valuable work on behalf of the City of Las Vegas and his
dedicated membership for over thirty years as a founding Trustee
and Chairman of the City of Las Vegas Board of Civil Service
Trustees; and*

*For his knowledge unselfishly shared and his contributions
generously given to make the City of Las Vegas a better place in
which to live;*

*We the undersigned Mayor and City Council do hereby proclaim
our devotion to the memory of Don E. Ashworth, Sr.*

WILLIAM H. BRIARE
MAYOR

RON LIRIE
COUNCILMAN

PAUL J. CHRISTENSEN
COUNCILMAN

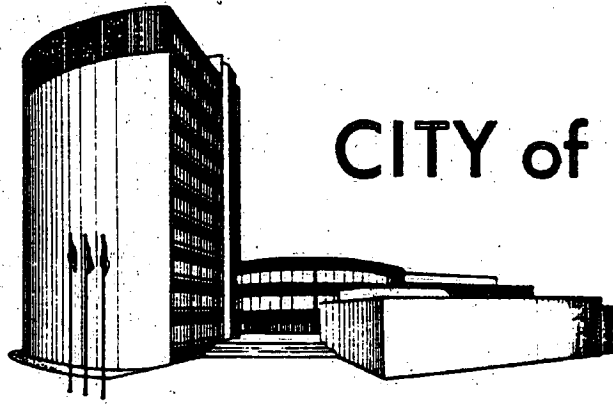
AL LEVY
COUNCILMAN

BOB NOLEN
COUNCILMAN

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

August 13, 1984

Mr. Darren Hamm
3750 S. Valley View
Suite 5
Las Vegas, Nevada 89103

Dear Mr. Hamm:

Congratulations on your excellent performance in the XXIII Olympiad.

On behalf of all of the citizens of the city of Las Vegas, we salute you and recognize the time and effort you spent in your long and lonely but successful quest for metal.

We were disappointed that the demonstration event of windsurfing did not receive more TV coverage, but we feel confident that it will take its place as an official Olympic event in the future.

You can be proud that because of your perserverance and hard work towards your pre-set goal, you will serve as a fine example of the outstanding young athletes being produced in Las Vegas.

Again, congratulations on winning the exhibition Silver Medal in windsurfing.

Respectfully yours,

WILLIAM H. BRIARE
Mayor

RON LURIE
Councilman

PAUL J. CHRISTENSEN
Councilman

AL LEVY
Councilman

BOB NOLEN
Councilman



(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

Joanne Deser, an employee of the City of Las Vegas, Nevada
being first duly sworn, deposes and says that on the 10th day of
August, 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 15th of August, 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 main-
tained in the Office of the City Clerk as having requested, in writing, a copy
of said AGENDA (NOTICE).

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

Subscribed and sworn to before me this

10th day of August 1984

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

My Commission expires: 3-15-86



(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA }
COUNTY OF CLARK } ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 10th day of August, 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 REGULAR MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on 15th day August, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

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

Joanne Perry
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

10th day of August, 1984

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



AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM

Council Action

Department Action

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

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

10:11 *A. CHILD CARE FACILITY APPLICATIONS
(Approved by the Child Welfare Board)

Family Child Care Homes

1. ELVIA BACA
3936 Lighthouse
5 children days
2. BARBARA BANDA
2600 Valparaiso
4 children days
3. CAROL CATES
4324 Baxter Place
5 children days
4. VERNA PACE
6124 Aberdeen Lane
6 children days

Lurie -
APPROVED Items 1
thru 6.
Unanimous.

Staff to proceed.

APPROVED FOR AGENDA ITEM

mp Core

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM	Council Action	Department Action
<u>III. DEPARTMENT OF BUSINESS ACTIVITY</u> (cont'd)		
*A. <u>CHILD CARE FACILITY APPLICATIONS</u> (cont'd)		
<u>Family Child Care Homes</u> (cont'd)	Lurie - APPROVED Items 1 thru 6. Unanimous	Staff to proceed
5. KARIN ROELF 6509 Bannock Way 4 children days		
6. BETTY PETARDE 4916 Cannon 6 children days		
10:12 *B. <u>GAMING -- Additional</u>		
1. SCOTT PLAZA, INC. Union Plaza Hotel & Casino #1 Main Street 1 Poker Table	Lurie - APPROVED Items 1 thru 4. Unanimous with the exception that Lurie abstained on Item 3.	Staff to proceed
2. AUTOMATIC AMUSEMENTS OF L. V. Hard Hat Cocktail Lounge 1675 Industrial Road 7 slots		
3. CASINO SERVICES Lady Luck Casino 206 North Third Street 1 slot		

MP Core

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AGENDA*City of Las Vegas*

August 15, 1984

CITY COUNCIL

Page 4

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

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

4. UNITED COIN MACHINE COMPANY

Ruben Bullock's Westside Story
901 West Owens
2 slots

Lurie -
APPROVED Items 1
thru 4.
Unanimous with the
exception that
Lurie abstained on
Item 3.

Staff to proceed

10:12 **C.** LIQUOR -- Change of Ownership

1. From: Jesse K. Davis, 100%

TO: BINDER & BINDER
dba
PEYTON PLACE COCKTAIL
LOUNGE
124 South 11th Street

General On-Off Sale

Michael Binder, Co-
owner, 50%
Hans Karl Binder, Co-
owner, 50%

Levy -
APPROVED temporary
license for 1 year.
Applicant to re-
apply at the end
of the year and go
through licensing
procedure.
Motion carried with
Nolen and Christensen
voting "No."
Police Report dated
8/8/84 made part of
record and on file
at LVMPD.

Staff to proceed

Atty. Sam Anter
and Hans and
Michael Binder
appeared.

Lt. Hash Hanief
appeared on behalf
of LVMPD.

Letters on behalf of
applicant submitted
by Atty. Binder made
part of record and
included in Final
Minutes

VERBATIM TRANSCRIPT MADE PART OF
FINAL MINUTES.

APPROVED AGENDA ITEM

mp Carr

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 3, 1984TO: The City CouncilFROM: MIKE COOL, DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 15, 1984 CITY COUNCIL AGENDA
LIQUOR -- Change of OwnershipPURPOSE/BACKGROUND

Item, "C", 1.

Appearing on the Department of Business Activity portion of the agenda is a request for a change of ownership on a General On-Off Sale liquor license from Michael Binder and Hans Binder, dba Peyton Place Cocktail Lounge, located at 124 South 11th Street.

This item has received an "unfavorable" police report.

Additional confidential investigative reports will be submitted by Special/Privileged Investigations Section to the City Council prior to the meeting.

FISCAL IMPACTRECOMMENDATIONS


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "C" 1

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP
FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE

Page 1

MAYOR BRIARE: The next is a request for a change of ownership from Jesse Davis to Binder and Binder doing business as Peyton Place Cocktail Lounge. We have a recommendation from our investigating officers to deny this request.

ATTY. SAM ANTER: May we be heard, Your Honor?

MAYOR BRIARE: Officer, did you wish to make any comment at the first?

LT. HASH HANIEF: Unless there are questions. Just in response to any argument.

MAYOR BRIARE: Mr. Ogilvie, do we need to make any statements?

CITY ATTORNEY OGILVIE: I would like to have made a part of the record the Police Report in connection with this matter. It's identified as being dated August 8, 1984, to Preston E. Hubbs, Commander, Intelligence Bureau, Hash Hanief, Lt., Special Privilege Investigations Section, from Richard E. Conden Investigator, Special Privilege Investigations Section, Subject: Background Investigation, Peyton Place Cocktail Lounge, 124 South 11th Street, Applicants: Hans K. Binder, Co-Owner, 50%, 40-9668, I.D. 730662; Michael Binder, Co-Owner, 50%, 40-10885, I.D. 770359; Applicant seeks approval as new owners for General Off-Sale Liquor License at the above captioned location. If Your Honor pleases, I would like that made a part of the record.

MAYOR BRIARE: If there are no objections by any of the Council members, then it will be made a part of the record. Counselor.

ATTY. SAM ANTER: My name is Sam Anter and I represent Michael and Hans Binder, the applicants for a license for the Peyton Place. They are present here in the Chambers. If I may -- Mr. Hans Binder, age 52, and his cousin Michael, age 60, have entered into an agreement to buy Peyton Place. I've just heard the City Attorney ask that the Police Report as submitted be made part of the record. In commenting on the report which comes out of Illinois, Mr. Binder ran a licensed establishment in Aurora, Illinois, from '71 to '77. It was in a low, run-down neighborhood, what is commonly referred to as a ghetto type area. He was told by the authorities that if a disservice occurred, he was to call the police. In the period of the five years that he operated the establishment as this report, which was recently introduced and accepted will show 23 calls to the authorities with request of a disturbance going on. This was when he would shut someone off from too much liquor or there was a potential fight. He would call the authorities and this would become part of the record. The Mayor of this small town was also the Chariman of the Liquor Board with

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TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP
FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE

Page 2

ATTY. SAM ANTER:

authority to issue license suspensions up to 30 days. The report also reflects on three or four occasions appeals having been taken by Mr. Binder which was a matter of right that he had and his attorney would do so. If the Mayor felt that the suspension should merit two weeks or 30 days, they would take an appeal and the matter would be resolved to something less, but I would point out that he was only doing what he was told to do was to call up rather than try to stop a disturbance. Twenty-three violations in a ghetto-type neighborhood in a period of five years. When he left that establishment and went to a different type of liquor establishment in another town of Warrenville, which was a middle-class neighborhood with a supper club type customer, there were no violations and that report is also in there covering the period of 1979. Now he's been in Vegas and he's prepared to go into business. He and his cousin standing here before you who is 60 and has no blemish on his record whatever are prepared to move their families here; are in the process now of being so. They are buying, from Mr. Jesse Davis who is sitting in the first row there, Peyton Place together with the building and the land upon which it sits. They're going to invest part of their life savings, pick up on deeds of trust and assume the encumbrances to go into this business. Now, the report as submitted are merely cold facts. The Mayor's letter says, "I was not the Mayor at the time, but if an application from Hans comes before me, I would deny it." My gosh, that is the utmost of hearsay to say that although I was not the Mayor, if he came before me, I would deny it. I would like to point that this establishment had a liquor license for 30 years. They were trying to eliminate the license when the -- when Mr. Binder finally removed himself from the premises, another person came in, operated for nine months, he also found the same difficulty and abandoned the place and the license. The City came in, rezoned it. Today it is no longer a liquor license. I feel and deep down so does Mr. Binder that the City all along wanted to eliminate this sore spot, so to speak, and finally had their opportunity to do so. I ask you not to look at this report merely as a cold piece of document. It does not reflect truly what Mr. Binder went through. Call the police when there's a disturbance. He does and it's a matter of record, 23 times in four years.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984

III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP

FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE

Page 3

- COUNCILMAN LURIE: How about answering the question of selling liquor to a minor?
- ATTY. SAM ANTER: Yes, he had --
- COUNCILMAN LURIE: You haven't touched on that particular item.
- ATTY. SAM ANTER: I will.
- COUNCILMAN LURIE: The other item was that he was turned down once in the County. Why was he turned down in the County?
- ATTY. SAM ANTER: If you'll see the new application, previous counsel in filling out the application, he informed the attorney that there was no actual conviction so the report as typed as submitted did not reflect that there was an arrest or shall we say a citation. The attorney did not type it properly. I noted that in the present application form and we corrected that. We come before you -- as far as the minor on the premises, he had a place that had upper and lower -- hamburger and sandwiches for the children and a youngster came down to say to her dad, "Dad, we've got to leave," just then in come the authorities. If I may, I'd like to have Mr. Binder explain. It does not reflect this on the report, but the establishment had food and liquor and a youngster came in from the food establishment section to the liquor section.
- COUNCILMAN LURIE: Well, we don't have that information either.
- ATTY. SAM ANTER: I realize that.
- COUNCILMAN LURIE: We have -- we have, in our information, an arrest for selling to a minor and a fine. That to me tells the story right there. I don't have any evidence to reflect what you're telling me.
- LT. HASH HANIEF: If I may add, Commissioner, that wasn't an arrest. His license was suspended on those charges -- that for having customers after closing and the gambling charge. He had been arrested on the gambling charge.
- COUNCILMAN LURIE: And the gambling charge was not listed as an arrest on the application.
- ATTY. SAM ANTER: This was again --

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
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FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE - Page 4

LT. HASH HANIEF:

To the County.

ATTY. SAM ANTER:

If I may, this was the gambling charge. When you came in, you picked the ball team, you picked the inning and you picked the number of runs and this is the so-called syndicated gambling that they charged him with. Every establishment, not only in Las Vegas, but even where I come from Rhode Island and Massachusetts, we used to pick a pool and this was the so-called "syndicated gambling." I show you this as the form SYND to indicate that it was part of some big establishment. You come in, you put a quarter into the kitty and you might win the entire pool, \$5 or \$10. That is the syndicated column section.

MAYOR BRIARE:

Counselor, is that intention of your clients to have slot machines?

ATTY. SAM ANTER:

No, eventually yes, but --

MAYOR BRIARE:

Well, the reason I'm asking is I wondered if they have an application before the State?

HANS BINDER:

Yes, we do.

ATTY. SAM ANTER:

My clients are --

MAYOR BRIARE:

When is it going to be heard, the application before the State for a gambling license?

ATTY. SAM ANTER:

Mr. Chairman, if the report as stated can be accepted in its cold cold facts, my clients would have no qualms about being given even a limited or restricted or temporary. That's how confident they are that they're not going into this business to cause any infraction of the rules or laws. They're not going to pour their life savings into the purchase of that establishment and feel that they could do what they want. Now, I can go on with the -- I've given you each a packet of letters of recommendation to show that after the place in question, he went on to others without violations, the victim of circumstances and the type of business that he purchased and ran in this ghetto-type neighborhood where he tried to work along with the authorities, they note every single violation, but this is a syndicated gambling and the liquor -- minor on the premises he has an explanation for, but it does not reflect on the police report.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP
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MAYOR BRIARE: You've given us your explanation.

ATTY. SAM ANTER: I'll have Mr. Binder give it to you.

MAYOR BRIARE: There's no use to repeat it. Is it going to be different from what you've already told us?

ATTY. SAM ANTER: No.

MAYOR BRIARE: We understand, counselor.

ATTY. SAM ANTER: The establishment had two sections, food and liquor.

MAYOR BRIARE: You've explained that.

ATTY. SAM ANTER: Right.

MAYOR BRIARE: Do you have anything else you want to offer, Counselor?

ATTY. SAM ANTER: No. I would -- if they would like to hear from Jesse Davis or his present employee as to his honesty and integrity in running his present place that he's employed at.

MAYOR BRIARE: Are there any comments or questions by the Council members? Did you wish to make any comments, Officer?

LT. HASH HANIEF: He would have had a chance, I would assume, at the hearing prior to the suspension to explain the situation. He did have two suspensions and an eventual revocation of his license. In 1981 in West Chicago, he was denied a license again as he was here in the County.

MAYOR BRIARE: Anything else? Thank you, gentlemen. Mr. Ogilvie, do we want Mr. Anter's documents that were given to us also entered into the record.

CITY ATTORNEY OGILVIE: I believe that was Mr. Anter's intention.

MAYOR BRIARE: Fine. If there's no objections by the Council members then that will be -- what's the pleasure of the Board? Comments by the Councilmen? What does the Board wish? What action does this Board wish to take at this time?

COUNCILMAN LEVY: It's interesting that he's willing to do a temporary. He's going to be buying an establishment -- be responsible for a quarter of million dollars, I think it was, and do a temporary and I'm just wondering what will happen if we find him not to be as wonderful as his attorney has indicated and we have to close him? What kind of fight we're going to have then?

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984

III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP

FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE - Page 6

MAYOR BRIARE: Do you wish to comment on that, Counselor?

ATTY. SAM ANTER: My client is so assured that -- of himself that he would not violate that in the event that should happen, he'd have to sell and dispose of the realty, the property. He would suffer the loss of the license.

COUNCILMAN LEVY: And they're willing to close it while they sell it?

ATTY. SAM ANTER: Definitely.

COUNCILMAN LEVY: And there's not going to be no big fight here?

ATTY. SAM ANTER: That's right. That's how far he's willing to go.

COUNCILMAN LEVY: I want him to swear to that.

MAYOR BRIARE: Well, it might be that if you had a motion, that it might be that would have to be documented and made a part of the application.

ATTY. SAM ANTER: That's right. He's indicated prior to coming here that he's prepared to so indicate.

MAYOR BRIARE: Do you want to offer a motion, Councilman?

COUNCILMAN LEVY: Yes, I'll make a motion THAT WE GIVE HIM A TEMPORARY LICENSE FOR ONE-YEAR TO BRING HIM BACK BEFORE US AND I WANT HIM TO SIGN A DOCUMENT THAT IF WE FIND HIM TO BE A UNDESIRABLE, THAT HE WILL CLOSE HIS DOOR AND NOT WAIT FOR US TO FIGHT IT.

ATTY. SAM ANTER: Right.

MAYOR BRIARE: And, Councilman, that documentation would be the subject to the approval of the City Attorney's office.

COUNCILMAN LEVY: Yes.

COUNCILMAN LURIE: Can I ask the City Attorney if that document is any good? Would a document like that be any good, George, on a temporary license if we were to revoke?

CITY ATTORNEY OGILVIE: If you approve it for one year, I think it probably would be.

COUNCILMAN LURIE: Would be?

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP
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Page 7

- CITY ATTORNEY OGILVIE: Yes. Sometimes we have problems where it's conditioned on good behavior, but this in addition to being conditioned on good behavior has a time certain set on the license and I feel that -- at the end of one year, he has to come back --
- COUNCILMAN LEVY: Oh, yes.
- CITY ATTORNEY OGILVIE: -- and demonstrate that he is entitled to a new license. It's not the question of us being in a position --
- COUNCILMAN LEVY: But during that year, George, if we have problems, that he's automatically going to surrender that license.
- CITY ATTORNEY OGILVIE: I feel that would -- we could not enforce that. I think we would have to have a hearing.
- COUNCILMAN LEVY: Well, I mean a hearing, but I mean we're not going to have a big year lengthy going to courts and appealing situation. If he agrees to that.
- LT. HASH HANIEF: Well, if I could add one thing. The money he has invested now, according to the escrow instructions he will not lose. One of the paragraphs in here is that in the event the buyers are denied a liquor license, they will refund the earnest money.
- COUNCILMAN LEVY: That's now, but I'm talking about after -- he's going to close it tomorrow I'm sure if we agree to it. So he will lose. In other words, he has that license he's going to have to make those payments, but he's going to -- the store's going to be closed while he tries to sell it, not open.
- COUNCILMAN CHRISTENSEN: I think you're stirring up the pot that you don't need to stir up because the fact that it's a privileged license makes this so that it's based upon whether or not he has good behavior, I mean, to run all these other ramifications in, I don't see that they do a thing.
- MAYOR BRIARE: Any other comments? Are you ready for the vote?
Mr. Ogilvie.
- CITY ATTORNEY OGILVIE: In answer to Councilman Lurie's question. The stipulation that he will forfeit his license if there's any misdoing in his place of business, I think is unenforceable. I think that you can enforce the one year, but -- one-year limit on his license, but I don't think that you can enforce the provision that he forfeits his license if there's any --

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP
FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE - Page 8

ATTY. SAM ANTER: That's true. He'd be subject to all the authorities rules and regulations and it comes before the Board in one year. At that time, whacko, he's out-of-business anyway.

CITY ATTORNEY OGILVIE: If he does -- if there is problems during that year, I think that he would be entitled to the same rights as any other licensee with respect to complaints, show cause hearing.

ATTY. SAM ANTER: Oh, yes. It can't be a vendetta or a plot of any police officer or a liquor investigator, that's for sure.

MAYOR BRIARE: Any other comments by the Council?

COUNCILMAN LURIE: Just one other question. His brother Michael is planning on moving from Phoenix to relocate here and is going to be --

ATTY. SAM ANTER: Cousin, yes.

COUNCILMAN LURIE: A cousin -- part of the operation and operate it?

ATTY. SAM ANTER: Right. In fact, his property in Illinois is on the market now and part of the purchase price will be added on to reduce the indebtedness of the purchase of the property.

COUNCILMAN LURIE: Al, the motion is that this will come back before us in one year for review?

COUNCILMAN LEVY: Yes, sir.

MAYOR BRAIRE: Any further comments?

CITY ATTORNEY OGILVIE: No, I think rather than come back for review in a year, I would prefer that if the motion passes that it be a one year license.

COUNCILMAN LEVY: That's exactly what it is, fine.

CITY ATTORNEY OGILVIE: He would have to reapply at the end of the year and go through the licensing procedure.

MAYOR BRIARE: The record will reflect that as Councilman Levy's motion.

COUNCILMAN LEVY: Basically, yes.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984

III-C - DEPT. OF BUSINESS ACTIVITY -- LIQUOR -- CHANGE OF OWNERSHIP

FROM JESSE K. DAVIS TO BINDER & BINDER dba PEYTON PLACE COCKTAIL LOUNGE

Page 9

MAYOR BRAIRE:

One year. Other comments? Cast your votes.

Post. Motion's APPROVED, Counselor, and 3 to 2 vote.

(Nolen and Christensen voted "No")

END OF EXCERPT

HARONILL INC.
708 S. 6TH Street
Las Vegas, Nevada 89101
384-2828

August 9, 1984

Nevada Liquor Commission
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Re: Hans Karl Binder for Liquor License

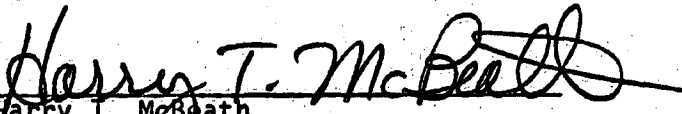
Dear Sir:

As president of Haronill, Inc. dba Cooke's Pub I had the good fortune of employing the above named as bartender during the period of August, 1982 until February of 1983 at Cooke's Pub, located at 3410 E. Lake Mead Blvd., North Las Vegas, Nevada.

During this period of time, Mr. Binder operated the pub in an excellant manner, keeping a tight reign on the daily operation.

I would most heartily recommend Hans Binder for licensing and/or employment.

Sincerely,
HARONILL INC.


Harry T. McBeath
President

0020

McGRATH, HARTY AND McGRATH
ATTORNEYS AND COUNSELORS AT LAW

WHEATON PINES PROFESSIONAL BUILDING
705 WARRENVILLE ROAD
WARRENVILLE ROAD AT ROOSEVELT
WHEATON, IL 60187
(312) 668-8055

WILLIAM J. McGRATH
RICHARD B. HARTY
WILLIAM R. McGRATH
ROBERT L. McGRATH

RECEIVED
SPECIAL BUREAU

JUL 25 1 04 PM '84
SHERIFF
LAS VEGAS NEV

July 23, 1984

Las Vegas Metropolitan Police
400 East Stewart Avenue
Las Vegas, Nevada 89101

Attention: Mr. Preston Hubbs

In Re: Application of Hans Binder for Liquor License

Dear Mr. Hubbs:

Please be advised that I spoke with Mr. Richard Condon, of your office, a few days ago and requested to him that he inquire of Mr. Richard H. Volkmer, Mayor, City of Warrenville, 27 W 630 Stafford Place, Warrenville, Illinois 60555 to verify the fact that Mr. Hans Binder was president of the Circus Tap, Inc., an Illinois corporation, doing business as the Lighthouse Lounge, located at 3 S 336 Route 59, in the City of Warrenville, Illinois.

The Mayor, ex officio, is also the Liquor Commissioner of the City of Warrenville. Although he was Mayor at the time that Binder operated the Lighthouse Lounge, his records would reflect the fact that there were no incidents at the Lighthouse Lounge would adversely affect the liquor license which was held by Circus Tap, Inc.

Mr. Binder operated the Lighthouse Lounge until it was sold at the end of October in 1980. I have enclosed a copy of the Employer's Quarterly Federal Tax Return which is in the nature of a final return executed by Mr. Hans Binder as president of Circus Tap Inc.

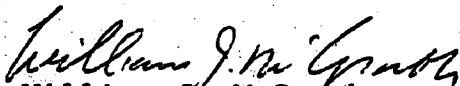
During the time that I represented Mr. Binder, while he was operating the restaurant and lounge, under the trade style of Lighthouse Lounge, I was not called upon to defend him in any actions which were taken by the Village against his liquor license there. Most of the Lighthouse Lounge patronage were regular customers, and quite frequently consisted of married couples. Mr. Binder operated in the nature of a middle class social club.

Las Vegas Metropolitan Police
July 23, 1984
Page two

There was no hesitation on my part in recommending him to you for the issuance of a liquor license for operation of a cocktail lounge, with restaurant and package liquor, as was the case with the Lighthouse Lounge.

Respectfully submitted,

McGRATH, HARTY AND McGRATH


William J. McGrath

WJM:et

Enclosure

0022

McGRATH, HARTY AND McGRATH
ATTORNEYS AND COUNSELORS AT LAW

WHEATON PINES PROFESSIONAL BUILDING
705 WARRENVILLE ROAD
WARRENVILLE ROAD AT ROOSEVELT
WHEATON, IL 60187

(312) 668-8055

WILLIAM J. McGRATH
RICHARD B. HARTY
WILLIAM R. McGRATH
ROBERT L. McGRATH

June 5, 1984

Nevada Gaming Commission
State Gaming Control Board
Las Vegas, Nevada 89104

RE: Hans Karl Binder
2601 East Charleston Boulevard
Las Vegas, Nevada 89104

Gentlemen:

Enclosed please find our statement to the fact that Mr. Binder did not receive any violations or citations during the time that he operated the Lighthouse Lounge in Warrenville, Illinois.

We had requested the Mayor of the City of Warrenville, Richard H. Volkmer, who is Liquor Commissioner ex officio, to verify to you in writing the facts which I have stated concerning Hans Binder operating a tavern, liquor store cum restaurant.

Mr. Volkmer advises me that it is his policy not to issue any such letters on request of any private individual such as attorneys, etc, but that he would gladly answer a request from you in writing upon written request from your office. Mr. Volkmer's address is as follows:

Mr. Richard H. Volkmer
Mayor, City of Warrenville
27 W 630 Stafford Place
Warrenville, Illinois 60555

Hoping this has been of some assistance to you, I am

Yours very truly,

McGRATH, HARTY AND McGRATH

William J. McGrath
William J. McGrath

WJM:et

Enclosure

JUN 12 7 42 AM '84
LAS VEGAS, NEV
SHERIFF
CLERK
RECEIVED

McGRATH, HARTY AND McGRATH
ATTORNEYS AND COUNSELORS AT LAW

WHEATON PINES PROFESSIONAL BUILDING
705 WARRENVILLE ROAD
WARRENVILLE ROAD AT ROOSEVELT
WHEATON, IL 60187

(312) 668 - 8055

WILLIAM J. McGRATH
RICHARD B. HARTY
WILLIAM R. McGRATH
ROBERT L. McGRATH

May 31, 1984

Nevada Gaming Commission
State Gaming Control Board
Las Vegas, Nevada 89104

To Whom It May Concern:

Re: Hans Karl Binder
2601 East Charleston Boulevard
Las Vegas, Nevada 89104

Re: Sunrise Liquors

I have represented Mr. Binder during the time he owned and operated The Lighthouse Lounge, from JAN 1980 to OCTOBER 1980, and at no time were there any violations placed against his liquor premises, nor was he given any suspensions or closings nor were we ever cited for any violations of liquor license which resulted in any hearings.

Very truly yours,

McGRATH, HARTY AND McGRATH

William J. McGrath
William J. McGrath

JUN 12 7 42 AM '84
ASST. CLERK
CITY CLERK

Form **941**
(Rev. April 1980)
Department of the Treasury
Internal Revenue Service

Employer's Quarterly Federal Tax Return

Your name,
address,
employer
identification
number, and
calendar
quarter of
return.
(If not
correct,
please
change)

Name **YF 36-2820727**
CIRCUS TAP INC
Trade **LIGHTHOUSE LOUNGE**
3 S 336 RT 59
Address **WARRENVILLE**

12-31-80

IL 60555

If address is
different from
prior return,
check here ☐

1 Number of employees (except household) employed in the pay period that includes March 31st (complete for first quarter only)

2 Total wages and tips subject to withholding, plus other compensation

3 Total income tax withheld from wages, tips, annuities, gambling, etc.

4 Adjustment of withheld income tax for preceding quarters of calendar year

5 Adjusted total of income tax withheld

6 Taxable FICA wages paid \$ 22,000 multiplied by 12.5% = TAX

7 Taxable tips reported \$ multiplied by 6.667% = TAX

8 Total FICA taxes (add lines 6 and 7)

9 Adjustment of FICA taxes (see instructions)

10 Adjusted total of FICA taxes

11 Total taxes (add lines 8 and 10)

12 Advance earned income credit (EIC) payments, if any (see instructions)

13 Net taxes (subtract line 12 from line 11)

Deposit period ending:

Overpayment from previous quarter

First
month
of
quarter

1st through 7th day

8th through 15th day

16th through 22d day

23d through last day

A First month total

Second
month
of
quarter

1st through 7th day

8th through 15th day

16th through 22d day

23d through last day

B Second month total

Third
month
of
quarter

1st through 7th day

8th through 15th day

16th through 22d day

23d through last day

C Third month total

D Total for quarter (add items A, B, and C)

E Final deposit made for quarter. (Enter zero if the final deposit made for the quarter is included in item D)

14 Total deposits for quarter (including final deposit made for quarter) and overpayment from previous quarter. (See instructions for deposit requirements on page 4.)

Note: If undeposited taxes at the end of the quarter are \$500 or more, deposit the full amount with an authorized financial institution or a Federal Reserve Bank according to the instructions on the back of the Federal Tax Deposit Form 501. Enter this deposit in the Record of Federal Tax Deposits and include it on line 14.

15 Undeposited taxes due (subtract line 14 from line 13—this should be less than \$500). Pay to Internal Revenue Service and enter here

16 If line 14 is more than line 13, enter overpayment here ☐ **FINAL** and check box for refund or return on Form 941.

17 Number of Forms W-4 enclosed. Do not send originals. (See General and Specific Instructions.)

18 If you are not liable for tax on this return, write "NOT TAXABLE" on line 18. **FINAL** 10-31-82

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Date 1-23-80

Signature to

Hans K. Prinder

Title

President

Please file this form with your Internal Revenue Service Center or in person at the IRS.

Form 941-80

To Who It May Concern:

I have known Hans Binder for some 15 years. We were in the same kind of Business. The Bar and package Taverns. I did visit his bars many times and I never did see him out of line. He, like myself, belonged to the Illinois Retail Liquor Ass. as well as the National Liquor Ass. We also attended the Ill. and National Conventions.

He was Treasurer of the Ill. Retail Liquor Ass. for some 6 or 7 years and did a very good job. I think he is a up right Citizen and runs a clean and respectful business. Sincerely
Marguerite Horelhek (312) 898-3557
902 Steffen Rd Aurora, Ill. 60505

July 1984

To Whom it may concern.

I am writting this letter concerning my employee Hans Binder.

Hans Binder has been employed with me since May of 1983. During this time of employment he has proved to me, to be a good and loyal employee. He has demonstrated though his actions to be an employee whom I feel comfortable with, and also someone I can trust.

I have no reason to doubt his character during his time of employment for me.

Thank you very much,

Gerald D. Nungester

*Gerald D. Nungester.
Owner "Sunrise Liquors."*

May 31, 1984
83 N. Lincoln Ave.
Aurora, Ill. 60505

To Whom It May Concern:

I became acquainted with Hans Binder several years ago when He entered into the Tavern buisness in Aurora.

I have known Hans to be an honest and respectful buisness person and a very good friend.

Respectfully,

Herbert K. Dixon
Herbert K. Dixon

0028

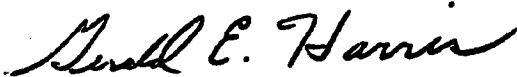
May 31, 1984
308 W. Old Indian Tr.
Aurora, Ill. 60506

To Whom It May Concern:

I first met Hans Binder approximately 15 years ago when He entered into buisness in Aurora and became a member of the Illinois Retail Liquor Association Area #58. I was President and Hans was Treasurer. We attended numerous functions, conventions, etc. together and became close and good friends.

I know him as a very good and respectable buisnessman and citizen.

Yours truly,


Gerald E. Harris

0029

August 15, 1984

Page 5

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)10:29 D. LIQUOR -- Change of Ownership/
Change of Business Name1. From: Nibblers
Calixto Ramon Ledon,
100%TO: *TOMAS LUGO
dba
NIBBLERS SANDWICHES
220 East Charleston

Beer/Wine On-Sale

Tomas Gonzales Lugo,
100%*Subject to the provisions of the
Planning, and Fire codes and
Health Department regulationsLurie -
DENIED
UnanimousPolice Report dated
8/14/84 made part of
record and on file
at LVMPD.VERBATIM TRANSCRIPT MADE
PART OF FINAL MINUTES.

Staff to notify

Atty. Frank Cremen
on behalf of
Calixto Ledon and
Tomas Lugo
appeared.Lt. Hash Hanief
appeared on behalf
of LVMPD..40 E. LIQUOR -- Change of Business Name

1. From: Palermo's Delicatessen

TO: PAUL RUSSO
dba
P. J. RUSSO'S
2300 Maryland Parkway

Beer/Wine Off-Sale

Paul J. Russo, 100%

Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

MP Cool

City of Las Vegas

CITY COUNCIL MINUTES - AUGUST 15, 1984

0030

AGENDA DOCUMENTATION

Date: August 3, 1984

TO: The City Council

FROM: MIKE COOL, DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 15, 1984 CITY COUNCIL AGENDA
LIQUOR -- Change of Ownership/Change of Business Name

PURPOSE/BACKGROUND

Item, "D", 1.

Appearing on the Department of Business Activity portion of the agenda is a request for a change of ownership and change of business name on a Beer/Wine On-Sale license from Tomas Lugo, dba Nibblers Sandwiches, located at 220 East Charleston Blvd.

This item has received an "unfavorable" police report.

Additional confidential investigative reports will be submitted by Special/Privileged Investigations Section to the City Council prior to the meeting.

FISCAL IMPACT

RECOMMENDATIONS

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

111 "D" 1

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 1

- MAYOR BRIARE: The next item is a request for a change of business from Nibblers to Nibblers Sandwiches.
- CITY ATTORNEY OGILVIE: Again, Mr. Mayor, while the applicant is coming forward, I'd like to have made a part of the record of this proceedings the Police Report which is before you. It's identified as being dated August 1, 1984, to Preston E. Hubbs, Commander, Intelligence Services Bureau, Hash Hanief, Lt., Special Privilege Investigation Section from Harry L. Homshire, Investigator, Special Privilege Investigation Section, Subject: Background Investigation, Nibblers Sandwiches, 228 E. Charleston Boulevard, Applicant: Tomas G. Lugo, 100% Owner, 40-10968, I.D. 707188, Applicant seeks Approval for a Beer and Wine On-Sale License and Change of Ownership from Nibblers, Calixto Ramon Ledon, 100% Owner, as to the caption above. I would like that to be made a part of the record, Your Honor, and also a letter from the United States Department of Justice, which is identified as being dated August 14, 1984, addressed to the City Council and signed James E. Walsh, Officer in Charge.
- MAYOR BRIARE: If there's no objection by the Council members, that material will be entered into the record. Before we hear from the applicant, Officer, did you want to make any comment?
- LT. HASH HANIEF: Not at this time, no, sir.
- MAYOR BRIARE: Gentlemen.
- ATTY. FRANK CREMEN: Yes, sir. My name is Frank Cremen. I'm Counsel for Mr. Lugo and Carlos Ledon, the seller of this property. The Officer has just provided me with a copy of the letter that Mr. Ogilvie just referenced from the Department of Justice. It is the first time that I have ever heard of this, and I believe it is the first time that my client has ever heard of it -- Mr. Lugo has ever heard of it. I would like the opportunity to check this matter out. I can't see how he can be considered an illegal alien and be in the middle of a deportation proceedings without ever having been advised of that fact.
- COUNCILMAN LURIE: Do you want us to hold this for two weeks?
- ATTY. FRANK CREMEN: Could you, please. I've never seen it before and neither has my client.
- COUNCILMAN LURIE: It's a pretty serious charge. Do you want us to --
- ATTY. FRANK CREMEN: Yes.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 2

LT. HASH HANIEF: That's just one of the reasons that we submit for denial.

COUNCILMAN LEVY: Well, let me ask you a question. Are they operating the facility now?

ATTY. FRANK CREMEN: No, client, Carlos Ledon, he is the seller. He is operating it. He wishes to sell it because he intends to open up another business.

COUNCILMAN LEVY: Where's the gentleman who's buying it.

ATTY. FRANK CREMEN: He's right here.

COUNCILMAN LEVY: Mr. Lugo's right there.

ATTY. FRANK CREMEN: That's correct.

COUNCILMAN LEVY: Mr. Lugo's not even around your facility?

CALIXTO LEDON: Oh, he's around.

COUNCILMAN LEVY: What's he doing?

CALIXTO LEDON: He's around, sir. He's been helping me out for the last year, sir, on and off with whatever he can help me with, but I'm the owner. Mr. Nolen knows that I've been trying to open a business for a year now, the All American Hot Dog Company, sir. We --

COUNCILMAN NOLEN: I'd have to say, Counselor, that I think we can all recognize the seriousness of this, and I would suggest -- before I'd vote to hold it, I'd like a guarantee that he's not going to be around the place.

ATTY. FRANK CREMEN: Well, I'm sure that we can enter into that stipulation for two weeks.

MAYOR BRIARE: Counselor, how did you instruct your client to respond to this question. Mr. Lugo, is this letter correct or incorrect?

ATTY. FRANK CREMEN: He's never seen it, and he's really not fluent in English. As I indicated, it's dated August 14, which was yesterday.

MAYOR BRIARE: Is he presently in deportation proceedings?

ATTY. FRANK CREMEN: No, not to our knowledge.

MAYOR BRIARE: Can you ask him?

ATTY. FRANK CREMEN: Well, he doesn't speak English. I have his probation officer. This application was recommended for denial

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 3

ATTY. FRANK CREMEN: because the man had been convicted of a felony, and I brought before the Board this morning his probation officer. He was convicted of a felony and we don't contest that. He was placed on probation. He honorably completed his probation. The Department of Parole and Probation recommended him for an honorable discharge. He was honorably discharged. In conjunction with that, he was permitted to withdraw his plea of guilty to the charge and the charge was dismissed. Now --

COUNCILMAN LEVY: I thought we weren't going to get into that.

MAYOR BRIARE: Counselor, I don't have any objection to holding it because it means nothing except that no action was taken, but if we're going to be ultimately faced with this, maybe we take action on it today. I don't know. It sounds like as I ready it it's pretty serious and just based on this, if a man's going to be deported, even if he doesn't understand English, somebody can translate for him.

COUNCILMAN LEVY: Adios.

MAYOR BRIARE: Is he going to be deported or is he not? He knows best.

CALIXTO LEDON: No, he is not.

ATTY. FRANK CREMEN: Your Honor, or Mr. Mayor, Mr. Cavalero is more familiar with this than I. As I indicated, I have never seen this letter before, but he is familiar with the situation and he indicated some sort of a hearing is scheduled for what, August 31?

MR. CAVALERO: August 31, when his wife -- his wife has signed for him because she is a resident of Las Vegas, Nevada, and they will be -- he will be applying -- well, he has applied for residency, but he will be totally -- how will you say -- she will be responsible for him. This was temporarily -- his card was temporarily suspended when he entered into probation.

COUNCILMAN LEVY: Alright. I'd be willing to hold this for three weeks, which will be our next meeting, under one consideration is that he does not step in your store again during that period of time.

CALIXTO LEDON: Fine.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 4

LT. HASH HANIEF:

Well, Commissioner, if I could add. Our report was completed before this came in. This was just additional information that we got. We still submit the unfavorable as it is, even leaving that out. I think also the deportable situation is one paragraph in there. I think the other part about the conversation that was overheard should be taken. I do have our Marielito foot patrol people here, if you'd like to question them, as to the instances as the location. Our unfavorable was based on other information, other than this report.

CALIXTO LEDON:

I'd like to have them come up and see what the problem has been in my establishment.

MAYOR BRIARE:

Well, just a minute. First of all, I think we should decide if the Council wants to continue this now or if they want it to go on until the next meeting, which --

COUNCILMAN LEVY:

Forget this. We can sit this aside.

MAYOR BRIARE:

Because there's no use going through all the material if we're going to hold off for two weeks. What does the Council feel? Just give me an indication of how you might feel about this.

COUNCILMAN LEVY:

Well, if we're going to --

MAYOR BRIARE:

Are we going to handle it today and get it over with, or --

COUNCILMAN LEVY:

Only in fairness, if we're going to handle it today, I would say we do not -- so this is part of the deal -- this letter -- and with what Hash has presented us here this morning, I think we should proceed if that's what they would like. Mr. Cremen, is that alright?

ATTY. FRANK CREMEN:

That's agreeable with us, but I don't know subconsciously you can disregard it. Quite truthfully, as I said, I have not heard of this before. Evidently, Mr. Hanief had not either.

COUNCILMAN LEVY:

But your client had.

ATTY. FRANK CREMEN:

I don't -- I don't believe --

COUNCILMAN LEVY:

Well, his probation officer had certainly heard of it. He said it.

ATTY. FRANK CREMEN:

That's correct. He evidently spoke with Mrs. Lugo yesterday and was advised of this. I hadn't heard of it.

MAYOR BRIARE:

Alright, Counselor, forget this letter. Just totally put it out of your mind.

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 5

LT. HASH HANIEF: We would even be willing to accept the fact the probation officer said the hearing will be at the end of the month and --

MAYOR BRIARE: Well, I want to ask Mr. Cremen if he is familiar with the documentation that has been entered into the record --

COUNCILMAN LEVY: Forget the letter.

MAYOR BRIARE: -- at the request of our City Attorney. Forgetting this letter.

ATTY. FRANK CREMEN: Yes.

MAYOR BRIARE: You are familiar with it?

ATTY. FRANK CREMEN: Yes.

MAYOR BRIARE: Do you want to make any comment on the content of the material that has been submitted to us our investigation department?

ATTY. FRANK CREMEN: Well, I think it has to be pointed out that his conviction has now been set aside and he was recommended for denial on that basis. What was not included in the report was that he did honorably complete his probation. The probation was honorably discharged. He was permitted to withdraw his plea and the charge was dismissed. With that having occurred, I believe it was restored, his civil rights, and this shouldn't have an impact on his application. Perhaps the City Attorney can further enlighten you on that. I believe the only purpose for which this conviction could now be used would be to impeach him as a witness in a court proceeding.

CITY ATTORNEY OGILVIE: Well, first of all, Mr. Mayor, if we're going to proceed with the hearing with the stipulation that the letter from the Justice Department be excluded from consideration, I would move that the letter which has previously been made a part of the record be deleted. I think we should have a formal order to that effect.

MAYOR BRIARE: Should be what?

CITY ATTORNEY OGILVIE: Deleted from the record. This is a letter from the United States Department of Justice which I previously identified. I would move that it be deleted from the record with respect --

MAYOR BRIARE: Well, if there's no motion before the Council or if no Councilman wants to bring a motion forward to hold this off, then we will proceed this morning and if there are

TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 15, 1984
III-D - DEPT. OF BUSINESS ACTIVITY - LIQUOR -- CHANGE OF OWNERSHIP/CHANGE OF
BUSINESS NAME, FROM NIBBLERS, CALIXTO RAMON LEDON, TO TOMAS LUGO dba
NIBBLERS SANDWICHES, 220 EAST CHARLESTON BOULEVARD

Page 6

MAYOR BRIARE: no objections, we will withdraw this letter. We will withdraw this letter, Mrs. Hawley, dated August 14th from the United States Department of Justice. Mr. Ogilvie.

CITY ATTORNEY OGILVIE: Yes, signed by James E. Walsh.

MAYOR BRIARE: Once again, Counselor, I'm going to ask you if there's anything else you'd like to add with respect to the material that is in the record that we have before us to which we are being asked to make judgment?

CITY ATTORNEY OGILVIE: Mr. Mayor, Mr. Cremen did ask me a question. I feel that I owe him an answer. Certainly, the honorable discharge upon completion of his probation did restore Mr. Lugo his civil rights; however, I don't think that that restoration would go to the extent of precluding the City Council from considering that in its deliberations on his license.

COUNCILMAN NOLEN: I have a question. Lieutenant, he is required to register as an ex-felon at this time?

LT. HASH HANIEF: Not at this time, no.

COUNCILMAN LURIE: Mayor, I don't really think it's going to do any good to hold this for two weeks with this type of information that we have presented, and I'LL JUST MOVE THAT WE DENY THE APPLICATION TODAY.

MAYOR BRIARE: Comments by the Council members?

COUNCILMAN LEVY: I'm a little upset about one thing. Mr. Hanief, are we having problems at that location now?

LT. HASH HANIEF: I could bring you in the foot patrol for first hand information and they could address that.

MAYOR BRIARE: Perhaps that could be the subject of another meeting. Any comments by the Council? The motion is to deny. Cast your votes. Post. The motion's APPROVED; your application has been DENIED, Counselor. Thank you.

(END OF DISCUSSION ON THIS ITEM.)

/ch

AGENDA*City of Las Vegas*

August 15, 1984

Page 6

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)10:40 F. LIQUOR -- Approval of Corporate Officer1. PIZZA HUTS OF LAS VEGAS
dbaPIZZA HUT OF LAS VEGAS #1
825 North RanchoPIZZA HUT OF LAS VEGAS #5
260 South DecaturPIZZA HUT OF LAS VEGAS #11
3001 West Sahara AvenuePIZZA HUT OF LAS VEGAS #14
7000 West Charleston

Beer/Wine On-Sale Licenses

Corporate Officer:
Donald Jack McClure, Pres,
TreasLurie -
APPROVED
Unanimous

Staff to proceed

10:40 G. LIQUOR -- Approval of Manager1. PAUL, INC.
dbaTWO GUYS FROM ITALY
2301 South EasternGeneral On-Sale Restaurant
LimitedManager:
Ignacio Llamas Trillo, General
ManagerLurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AND ADOPTED

mp Carr

AGENDA*City of Las Vegas*

August 15, 1984

Page 7

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:40

H. PRIVATE INVESTIGATOR/PRIVATE
PATROLMAN LICENSE -- New

1. *LORNE LOMPNEY
dba
LOMPNEY FIRE CONSULTANTS -
PRIVATE INVESTIGATIONS &
PRIVATE PATROL
1701 West Charleston, Suite 300

Lorne Leonard Lompney, 100%

*Subject to the provisions of the
Fire codes

Lurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

10:41

I. PRIVATE INVESTIGATOR LICENSE --
Change of Location

1. From: 325 South Third Street,
Suite 24

TO: LITTON & WYSOCKI
ASSOCIATES
dba
LITTON & WYSOCKI
ASSOCIATES
953 East Sahara,
Suite E 15-A

Michael R. Wysocki,
Partner, 50%
William G. Litton,
Partner, 50%

Lurie -
APPROVED
Unanimous

Staff to proceed

mp Cor

AGENDA*City of Las Vegas*

August 15, 1984

Page 8

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

2:04

J. SECONDHAND DEALERS LICENSE --
Change of Location

1. From: 3979 West Charleston
- TO: *CHARWILL, INC.
dba
CHRISTENSEN SHOOTERS
SUPPLY
914 South Valley View
- Class III-C

Lynn Arthur Laudise,
Pres, Dir, 95%
Patricia Ann Laudise,
Secy, Dir, 5%

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

NOTE: To be considered following
2 p.m. Public Hearing on
Use Permit U-44-84.

Lurie -
APPROVED,
subject to
provisions.
Unanimous

(Action taken in
P.M. Session.)

Staff to proceed

2:41

K. FIREARMS PERMIT -- Change of
Business Name

1. From: Stereo Plus
- TO: JOSEPH VILARDO
dba
APACHE GUN SHOP
1839 East Charleston
- Joseph D. Vilardo, 100%

Lurie -
APPROVED
Unanimous

Staff to proceed

mp Cor

AGENDA*City of Las Vegas*

August 15, 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)

10:41

L. SPECIAL EVENT LIQUOR LICENSE

1. DEUTSCH AMERICAN SOCIETY
OF SOUTHERN NEVADA

Location: 1006 North Rancho

Date: August 18, 1984

Responsible Licensee:
Robert Gordon
Twin Lakes Liquor

Lurie -
APPROVED
Unanimous

Staff to proceed

10:42

M. LIQUOR -- Request for Approval of
Nonoperational Status

1. RANCHO PLAZA, INC.
dba
GALLERIA LIQUOR BARN
2160 West Charleston

General Off-Sale License

The Richard Tam Living Trust,
Richard Tam, Trustee, 79.4%
stockholder;
Richard Tam, Pres, Dir, 5.556%
et al

(Request for approval of non-
operational status for three-
month period: 8/24/84 to
11/24/84.)

Lurie -
APPROVED Items 1
thru 4.
Unanimous

Staff to proceed

APPROVED AND FORWARDED:

mp Lee

AGENDA*City of Las Vegas*

August 15, 1984

Page 10

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

M. LIQUOR -- Request for Approval of
Nonoperational Status
(cont'd)

2. EXCO, INC.
dba
THE TIGER ROOM
121 1/2 South Casino Center

General On-Sale License

Leonard Shapiro, 100%, Sole
Officer/Stockholder

(Nonoperational status for period
5/23/84 to 8/23/84 approved
5/16/84. Request for approval
of extension for additional
three-month period: 8/23/84
to 11/23/84.)

3. UNIVERSAL FAMILY PALACE, INC.
dba
MISS KITTY'S
111 Las Vegas Boulevard South

General On-Sale License

Salvatore Cangialosi, Sr.,
Pres, Dir, 50%
Gerald Ivey Gillock, Secy,
Treas, Dir, 50%

(Request for approval of non-
operational status for three-
month period: 8/19/84 to
11/19/84.)

Lurie -
APPROVED Items 1
thru 4.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED FOR COUNCIL ACTION

MP Cor

AGENDA*City of Las Vegas*

August 15, 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)M. LIQUOR -- Request for Approval of
Nonoperational Status
(cont'd)

4. SAMUEL PERLMAN
dba
SAMMY'S NEWSSTAND/PACKAGE
LIQUOR
117 1/2 South Casino Center

General Off-Sale License

Samuel Perlman, 100%

(Nonoperational status for period
6/1/84 to 9/1/84 approved 5/16/84.
Request for approval of extension
for additional three-month period:
9/1/84 to 12/1/84.)

Lurie -
APPROVED Items 1
thru 4.
Unanimous

Staff to proceed

APPROVED AND RECORDED

mp Con

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 3, 1984TO:
The City CouncilFROM:
MIKE COOL, DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- AUGUST 15, 1984 CITY COUNCIL AGENDA
LIQUOR -- Request for Approval of Nonoperational StatusPURPOSE/BACKGROUND

Item, "M", 1, 2, 3 & 4.

Standard requests for extension of nonoperational status on
liquor licenses as follows:

1. Rancho Plaza, Inc., dba Galleria Liquor Barn.
2. Exco, Inc., dba The Tiger Room.
3. Universal Family Palace, Inc., dba Miss Kitty's.
4. Samuel Perlman, dba Sammy's Newsstand/Package Liquor.

Copies of letters requesting extensions are attached.


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "M" 1, 2, 3 &

RICHARD TAM 2140 West Charleston Blvd., Las Vegas, Nevada 89102, 382-5498

July 31, 1984

City Council
City of Las Vegas
Department of Business Activity
400 E. Stewart
Las Vegas, Nv. 89101

Attn: Marjorie Hether,
Chief of Privilege
License Division

Re: Galleria Liquor Barn
L04-064-4-00162

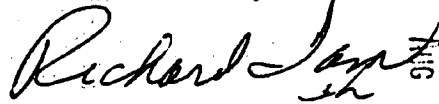
Dear Ms. Hether:

We herewith request approval of nonoperational status for the above business.

Galleria Liquor Barn is presently in Chapter 11 of Bankruptcy proceedings. However, we are presently in the process of selling this business. The Bankruptcy Court has approved the sale and we are now awaiting the approval of the liquor license for the buyer.

Thank you for your consideration in this matter.

Very truly yours,
RANCHO PLAZA, INC.


Richard Tam, Pres.

RT/eh

RECEIVED
BUSINESS ACTIVITY
AUG 1 11 53 AM '84

Leonard Shapiro, Publisher • 10418 Yarmouth Ave., Granada Hills, CA 91344 • (213) 368-9002

JULY 23, 1984

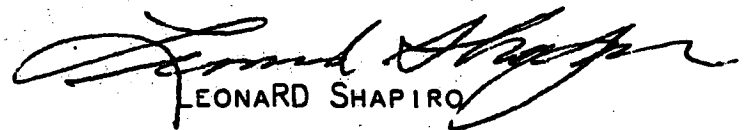
MR. RICK INGRAM
CITY OF LAS VEGAS
400 EAST STEWART
P.O. Box 1900
LAS VEGAS, NEVADA 89101

DEAR MR. INGRAM:

REGARDING YOUR TELEPHONE CALL TODAY, I AM HEREBY
APPLYING FOR A THREE (3) MONTHS EXTENSION FROM AUGUST 23, 1984
FOR THE TIGER ROOM ON 121½ CASINO CENTER(#L04-042-4-00435)
(GENERAL ON-SALE LICENSE) LAS VEGAS, NEVADA. THIS IS A REQ-
UEST FOR NON-OPERATIONAL STATUS.

THANK YOU VERY MUCH FOR YOUR COOPERATION AND COURTESY
IN THIS MATTER.

SINCERELY YOURS,


LEONARD SHAPIRO

LAW OFFICES

BARKER, GILLOCK & PERRY

A PROFESSIONAL CORPORATION

0046

LAS VEGAS OFFICE: 714 SOUTH FOURTH STREET, LAS VEGAS, NV 89101 702-386-1086

RENO OFFICE: 620 HUMBOLDT STREET, RENO, NV 89309 703-323-1001

WILLIAM S. BARKER
GERALD I. GILLOCK
MICHAEL A. KONING
JANICE J. BROWN
TERRY L. EARLEY
THOMAS J. MORRO

VICTOR A. PERRY
WILLIAM S. BARKER
KENNETH R. BICK
CARL M. HEBERT
CHARLES W. SPANN
THERRY V. BARKLEY
JAMES H. WRAY, III

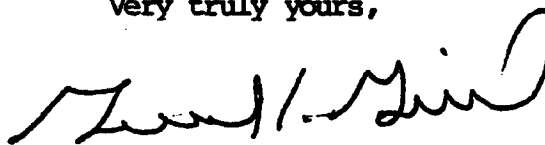
August 6, 1984

Department of Business Activity
City of Las Vegas
400 East Stewart Street
Las Vegas, Nevada 89101

Gentlemen:

This is a request for a 90 day extension of the non-operational status of the liquor license of Universal's Family Palace, Inc. to allow the company additional time to relocate and transfer the license.

Very truly yours,



Gerald I. Gillock

GIG/ym

0047

August 2, 1984

City of Las Vegas
City Council
c/o Department of Business Activity
400 East Stewart
Las Vegas, Nevada 89101

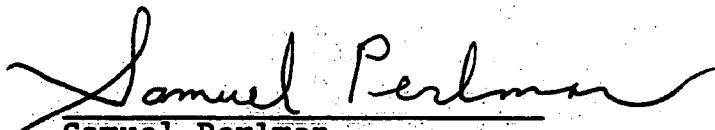
Re: Sammy's Newsstand/Package Liquor
117½ South Casino Center
General Off-Sale License
L04-080-4-00125

Gentlemen:

This letter is to request extension of non-operational status on my general off-sale liquor license for the period September 1, 1984 to December 1, 1984.

I am, at this time, attempting to find a suitable buyer for this license.

Sincerely,


Samuel Perlman

RECEIVED
BUSINESS ACTIVITY
AUG 6 8 11 AM '84

AGENDA*City of Las Vegas*

August 15, 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

NO ITEMS FOR CONSIDERATION

0049

AGENDA*City of Las Vegas*

August 15, 1984

Page 13

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

ITEM

Council Action

Department Action

IV.(b) DEPARTMENT OF FINANCE AND COMPUTER
SERVICES
MARVIN A. LEAVITT, CPA, DIRECTOR*CONSENT AGENDA

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

10:42

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

1. Service and Material Warrants
In the amount of \$4,505,703.85
2. Payroll Warrants
In the amount of \$752,421.43
3. Other Warrants and Investments
In the amount of \$739,519.80

Lurie -
APPROVED Items 1,
2 and 3.
Unanimous

Staff to proceed.

APPROVED AGENDA ITEM

0050

[illegible]

46

No.	Thru	AMT \$	DESCRIPTION:
151226	152740	752,421.43	PP/E July 28, 1984

CITY MANAGER

CITY CLERK

AGENDA*City of Las Vegas*

August 15, 1984

Page 14

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>
Automotive Mechanic	General Services	\$1,671- 2,031	General
Kennel Attendant	Public Services	\$1,212- 1,473	General
Electrical Trades Helper	Public Services	\$1,406- 1,709	General
Maintenance Mechanic	Public Services	\$1,477- 1,795	General
Management Analyst II	Economic & Urban Development	\$1,833- 2,399	Grant
Deputy Director Community Planning & Development	Community Planning & Development	\$2,958- 3,708	General
Firefighter (8)	Fire Services	\$1,585- 2,171	General
City Engineer	Design & Development	\$3,208- 3,970	General

Lurie -
APPROVED Items A
and B as recommended.
Unanimous

Staff to proceed

Lurie stresses to staff to make sure
all positions are critical hires to
avoid a layoff situation in the future.

APPROVED AGENDA ITEM

mp Coe

10:42

AGENDA*City of Las Vegas*

August 15, 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

AUTHORIZATION TO FILL
POSITIONS (CRITICAL HIRES)

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>HOURLY SALARY</u>	<u>FUNDING</u>
Jr. Clerk	Fire Services	\$4.80	General

APPROVED
See Page 14

See Page 14

II. POSITIONS TO BE ESTABLISHED AND FILLED

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Firefighter (6)	Fire Services	\$1,585- 2,171	General

APPROVED
See Page 14

See Page 14

B. REPORT OF NEW HIRES PURSUANT TO PRIOR
COUNCIL APPROVAL

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Judicial Services Officer	Municipal Court	\$1,441- 1,752	General

APPROVED
See Page 14

See Page 14

Nolen asks staff to review the need
for the position of Judicial
Services Officer when the City opens
its own booking facility.

APPROVED AGENDA ITEM

mp Coe

AGENDA DOCUMENTATION

Date: _____

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

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

PURPOSE/BACKGROUND

Of the 1,608 positions in the City's 1984-85 Fiscal Budget, 10.6% (171 positions) are currently vacant.

The staff is recommending the filling of twenty-two (22) critical positions at this time.

The chart below gives you a summary of our current staffing, as well as showing the twenty-two (22) requests to fill positions.

STAFFING SUMMARY

	CURRENT STAFFING			REQUESTS TO BE FILLED		
	AUTHORIZED POSITIONS	NUMBER FILLED	NUMBER VACANT	FILL EXISTING VACANCIES	FILL NEW POSITIONS	TOTAL REQUESTED
Appointive	154	140	10	3	0	3
Classified	1136	1089	51	12	6	18
Contract	17	14	3	0	0	0
Elective	9	9	0	0	0	0
Hourly	292	185	107	1	0	1
Total	1608	1437	171	16	6	22

FISCAL IMPACT

There are two types of requests presented. The first group, Budgeted Vacancies, includes sixteen positions which are in the 1984-'85 budget, one of which is federally funded, and replacement of those vacancies is considered critical. The second, Positions to be Established and Filled, includes 6 Firefighter positions in the Department of Fire Services with a projected cost for the remainder of this fiscal year of \$101,022. Funding for these positions is available in the City's current budget.

The total dollar savings realized through vacancies thus far in fiscal year 1984-'85 is \$134,767. If the positions that are currently vacant were to remain vacant for the remainder of the fiscal year 1984-'85, the estimated total savings for the year would be \$1,398,408.

RECOMMENDATION

Staff recommends the filling of twenty-two (22) positions indicated above.

RECOMMENDED

Jay Tait
 Jay Tait, Director
 Personnel & Employee Relations

Agenda Item

IV. (c)

City of Las Vegas

0054

AGENDA DOCUMENTATION

Date: August 15, 1984

TO: The City Council

FROM: Michael P. Cool
Deputy City Manager

SUBJECT:

ADDITIONAL INFORMATION REGARDING REQUEST TO HIRE 14 FIREFIGHTERSPURPOSE/BACKGROUND

The August 15th Council agenda includes a request to hire fourteen (14) new firefighters. Eight (8) of the fourteen are replacements of current staff who have or will shortly be retiring, and six (6) are new positions.

Firefighter recruitments are done annually; the recruitment/selection process is very rigorous and takes approximately four months to complete. The eligible list is then good for one year. The current eligible list, established in 1983, will expire at the end of this month, and a new one is not scheduled to be established until late Spring, 1985.

By hiring fourteen persons from the existing eligible list, the Fire Department will be able to maintain necessary staff levels and accommodate turnover later this fiscal year, thus preventing the need to use extensive overtime.

The Department of Finance & Computer Services has verified that funds for these positions are available in the 1984-'85 budget. The Fire Department currently has a projected savings of \$118,239. This savings, plus the savings that will result from replacing eight retiring firefighters with eight new firefighters (whose salaries, because they are new, are lower than long-term employees') will more than cover the cost of the six new positions.

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

City of Las Vegas

0055

August 15, 1984

Page 16

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission Action

Department Action

IV. (d) DEPARTMENT OF ECONOMIC & URBAN
DEVELOPMENT
JACK THOMASON, DIRECTOR

10:45

A. A RESOLUTION OF THE LAS VEGAS CITY
COUNCIL, LAS VEGAS, NEVADA, AUTH-
ORIZING APPLICATION FOR SEVENTH
YEAR FUNDING OF THE SENIOR
CITIZENS LAW PROJECT

Lurie -
ADOPTED Resolution.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

mp Core

*City of Las Vegas***AGENDA DOCUMENTATION**Date: August 6, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT: A RESOLUTION OF THE LAS VEGAS CITY COUNCIL, LAS VEGAS, NEVADA, AUTHORIZING
APPLICATION FOR SEVENTH YEAR FUNDING OF THE SENIOR CITIZENS LAW PROJECTPURPOSE/BACKGROUND

The Senior Citizens Law Project was established in September, 1978, with a grant awarded under Title III of the Older Americans Act. Since that time, the project has provided legal aid to senior citizens 60 years and older who subsist on fixed, low or moderate incomes. Although the bulk of services provided has been in the area of simple will preparations, legal assistance has also been provided for cases dealing with age discrimination, landlord-tenant disputes, simple adoptions, preparation and termination of real property agreements, and government benefits in appeal process. The Project has assisted some 13,641 persons in resolving 12,717 cases since opening its doors in 1978. These numbers are expected to continue to increase during the seventh program year.

With the beginning of the Project's second year, service provisions were expanded to include an outreach effort to meet the needs of seniors in the Las Vegas Valley rural areas of Mesquite, Pahrump, and Overton. It was determined that a large number of senior citizens living in those areas needed legal services but were unable to come to Las Vegas to receive them. Approximately 20% of the Project Director's time has been spent conducting outreach efforts. Since initiating outreach efforts, the Director has assisted 1,004 clients through the outreach program.

It is anticipated that as the senior population of the Las Vegas Valley continues to grow and as evidenced by the previous years' records, the services of the Senior Citizens Law Project will continue to be a necessity. Therefore, with a seventh year of funding, the Project will be able to further meet the needs of our senior citizens.

FISCAL IMPACT

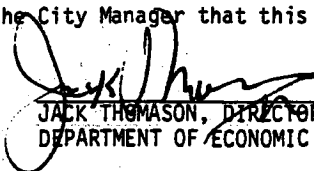
\$68,195.70 (Nevada Division for Aging Services)
59,039.73 * (City of Las Vegas In-Kind)

\$127,235.43

*The City's in-kind contribution includes the provision of space, administrative services, supplies and equipment. (Detailed budget attached)

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that this Resolution be approved.


JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT

Agenda Item

IV. (d) A.

A RESOLUTION OF THE LAS VEGAS CITY COUNCIL,
LAS VEGAS, NEVADA, AUTHORIZING APPLICATION
FOR SEVENTH YEAR FUNDING OF THE SENIOR
CITIZENS LAW PROJECT

WHEREAS, The City of Las Vegas desires to make every reasonable effort to meet the needs of the elderly citizens in the Las Vegas area; and

WHEREAS, the needs of elderly citizens include the need for legal services which are often beyond the scope of a limited income; and

WHEREAS, the Nevada Division for Aging Services has indicated availability of funds under Title III-B of the Older Americans Act for the City of Las Vegas for such a project.

NOW, THEREFORE, BE IT RESOLVED by the Las Vegas City Council, Las Vegas, Nevada, that:

1. The Department of Economic and Urban Development of said City is hereby authorized to make application for funds to operate a Senior Citizens Law Project.

2. Said Department of Economic and Urban Development, as agent for the City, is authorized to file such reports, documentation and other forms as may be necessary or appropriate for said project.

3. Said Department of Economic and Urban Development is authorized to accept \$68,195.70 in State legal services project funds.

4. The City will provide \$59,039.73 in in-kind match, to include provision of space, administrative services, supplies and equipment.

5. The Mayor is hereby authorized to execute and contract with the Nevada Division for Aging Services for such funds and is also authorized to execute other such documents as may be necessary or appropriate.

6. The City Clerk is hereby directed to attest said contract.

PASSED, ADOPTED AND APPROVED this 15th day of August, 1984.


RON LURIE, MAYOR PRO-TEM

ATTEST:


Carol Ann Hawley, City Clerk

SECTION III

PROGRAM BUDGET
NINE (9) MONTHS
(10/01/84 THROUGH 06/30/85)

EXPENDITURES			FUNDING SOURCE				
COST CATEGORY	MONTHLY COST	TOTAL 9 MONTHS	III B	CASH MATCH	IN-KIND MATCH	CASH NON-MATCH	IN-KIND NON MATCH
1. Director	\$ 2,630.76	\$ 23,676.84	\$ 23,676.84	\$	\$	\$	\$
2. Paralegal	1,500.52	13,504.68	13,504.68				
3. Legal Secretary	1,432.33	12,890.97	12,890.97				
4. Assistant Director (parttime)	1,298.76	11,688.84		11,688.84			
5. Legal Secretary	1,810.59	16,295.31		16,295.31			
6. Secretary	1,741.75	15,675.75		15,675.75			
7. Receptionist (parttime)	153.48	1,381.32	1,381.32				
FRINGE BENEFITS*							
1. Director	593.52	5,341.68	5,341.68				
2. Paralegal	338.54	3,046.86	3,046.86				
3. Legal Secretary	323.15	2,908.35	2,908.35				
4. Assistant Director	293.00	2,637.00		2,637.00			
5. Legal Secretary	408.48	3,676.32		3,676.32			
6. Secretary	392.98	3,536.82		3,536.82			
*Fringe benefits include retirement, group insurance and disability insurance							
Travel	170.00	1,530.00	1,530.00				
Communications	85.00	765.00	765.00				
Office Supplies	210.00	1,890.00	1,890.00				
Litigation	60.00	540.00	540.00				
Ordinances/Publications	70.00	630.00	630.00				
Printing/Reproduction	25.00	225.00	225.00				
Dues/Subscriptions	100.00	900.00	900.00				
Training	285.00	2,565.00	2,565.00				
Reference Publications	60.00	540.00	540.00				
Bonding/Malpractice	115.00	1,035.00	1,035.00				
Building Space	256.83	2,311.47			2,311.47		
Utilities	200.00	1,800.00			1,800.00		
Equipment Maintenance/Rental	157.58	1,418.22			1,418.22		
Future Building Acquisition	-0-	20,400.00				20,400.00*	
TOTAL	\$14,712.27	\$152,810.43	\$73,370.70	\$53,510.04	\$ 5,529.69	\$20,400.00	-0-

*Funds to be received as a result of NRS 19.031

AGENDA*City of Las Vegas*

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

Page 17

ITEM

Commission Action

Department Action

IV. (e) DEPARTMENT OF PARKS, RECREATION AND SENIOR
CITIZEN ACTIVITIES - CHRIS J. STANFILL,
DIRECTOR

10:45

- A. Permission to apply to Nevada State
Office of Community Services for
continuation of a grant

Lurie -
APPROVED
Unanimous

Staff to proceed.

APPROVED AGENDA ITEM

mp Coe

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 30, 1984

TO:

The Board of City Commissioners

FROM:

Chris J. Stanfill, Acting Director
Parks, Recreation & Senior Citizen Activities

SUBJECT: Department of Parks, Recreation & Senior Citizen Activities requests permission to apply to Nevada State Office of Community Services for continuation of a State grant.

PURPOSE/BACKGROUND

The Senior Citizens Division of the Department of Parks, Recreation & Senior Citizen Activities has requested permission to apply for a continuation of a grant from the Nevada State Office of Community Services for a social worker to assist elderly and handicapped residents of Clark County with social functioning problems.

FISCAL IMPACT

There is no fiscal impact.

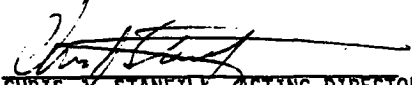
RECOMMENDATIONS

The Department of Parks, Recreation, and Senior Citizen Activities recommends that approval be granted to pursue this grant.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____


CHRIS J. STANFILL, ACTING DIRECTOR
DEPARTMENT OF PARKS, RECREATION & SENIOR
CITIZEN ACTIVITIES

Agenda Item

IV (e)

STATE OF NEVADA
OFFICE OF COMMUNITY SERVICES
Grant Application

0061

Signature Page

1. NAME OF APPLICANT ORGANIZATION Las Vegas Senior Citizens' Center
 2. ADDRESS OF APPLICANT ORGANIZATION 450 East Bonanza Road
Las Vegas, Nevada 89101
 3. TELEPHONE NUMBER (702) 386-6454
 4. NAME OF PROPOSED PROJECT Coordinator of Social Services Department
 5. ADDRESS OF PROPOSED PROJECT 450 East Bonanza Road
Las Vegas, Nevada 89101
 6. NAME OF PROJECT DIRECTOR Mr. Chris Stanfil
 7. NAME OF BOARD PRESIDENT Dr. Alex Witkow, M. D.
 8. PROJECT PERIOD BEGINNING 09/01/84 ENDING 08/31/85
 9. TYPE OF PROPOSED PROJECT. DESCRIBE BRIEFLY. (1-Supervise low-income Energy Assistance Program (Clark County); (2-To act as liaison between State Office of Community Services and So.Nevada Sr.Citizen Community); (3-Provide various short-term social work services for the L.V.Sr.Centers); (4-Recruit,train and supervise social work students who attend U.N.L.V. to assist in providing direct services in the Sr.Community); (5-Provide a professional social work network link between the Sr.Centers & social helping service agencies serving Sr.Americans residing in Clark Co.); (6-Assist in initiating new Social Service Programs.)
- TOTAL AMOUNT OF STATE FUNDS REQUESTED: \$ 35,135.00

TERMS AND CONDITIONS: It is understood and agreed by the undersigned that:

1. Funds granted as a result of this request are to be expended for the purposes set forth herein and in accordance with all State and Federal regulations and restrictions.
2. Any proposals for changes in this project as approved will be submitted in writing by the applicant, and, upon notification of approval by the State agency, shall be deemed incorporated into and become part of this agreement.
3. The undersigned will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulations of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that law. In accordance with Title VI of that Act and the Regulations, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received Federal financial assistance from the State Office of Community Services.
4. The undersigned HEREBY GIVES ASSURANCES THAT he/she will immediately take any measures necessary to effectuate this agreement.

7/20/84
Date
SignaturePROJECT DIRECTOR
Title

AGENDA*City of Las Vegas*

August 15, 1984

Page 18

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IV (f) DEPARTMENT OF GENERAL SERVICESDAN R. PILKINGTON, DIRECTOR*CONSENT AGENDA

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

PURCHASING & CONTRACTS DIVISION

10:45

*A. AWARD OF BIDS

1. Materials Handling Equipment
Department of General Services

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

Staff to proceed

*B. AWARD OF ANNUAL CONTRACTS & AGREEMENTS

1. Expendable Animal Food
Department of Public Services
2. Fire Hydrants (New & Replacement)
Department of Fire Services
3. Dry Cleaning Services
Department of General Services
4. Expendable Equipment Filters
Department of General Services
5. Equipment Radiators (New & Replacement)
Department of General Services
6. Expendable Street Sweeper Brooms
Department of General Services

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

mp Cool

City of Las Vegas

AGENDA DOCUMENTATION

Date: AUGUST 8, 1984TO: The City CouncilFROM: MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

1. <u>BID TITLE:</u>	ONE (1) 4-WHEEL HYDRAULIC FORKLIFT	<u>BID NUMBER:</u>	85.3460.1
<u>ITEM:</u>	CAPITAL EQUIPMENT	<u>ESTIMATE:</u>	\$11,500.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	10
<u>FUNDING:</u>	VEHICLE SERVICES	<u>RESPONSES RECEIVED:</u>	6

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO UNLOAD INCOMING SUPPLIES FOR THE CITY OF LAS VEGAS CENTRAL STORES SECTION OF THE PURCHASING AND CONTRACTS DIVISION. THE PHYSICAL MOVE OF THE CENTRAL STORES OPERATION TO 300 LAS VEGAS BOULEVARD NORTH REQUIRES THAT A FORKLIFT BE USED TO UNLOAD SUPPLIES FROM TRUCKS AND WILL BE A CONTINUING REQUIREMENT.

BID ABSTRACT SUMMARY

LOS ARCOS EQUIPMENT	LAS VEGAS	NV	\$10,900.00
DIVERSIFIED EQUIPMENT	LAS VEGAS	NV	\$11,400.00
SOUTHERN NEVADA EQUIPMENT	LAS VEGAS	NV	\$11,636.40
CASHMAN EQUIPMENT COMPANY	LAS VEGAS	NV	\$12,724.00
AAA LIFT TRUCKS, INC.	LAS VEGAS	NV	\$13,396.00
INLAND EMPIRE EQUIPMENT	LAS VEGAS	NV	\$13,655.00

STAFF RECOMMENDATION

THAT THE BID OF LOS ARCOS EQUIPMENT BE REJECTED FOR FAILURE TO SUBMIT A BID SIGNED BY AN AUTHORIZED PERSON OF THAT FIRM AS REQUIRED BY THE CONDITIONS OF THE BID DOCUMENTS.

AND THAT THE BID BE AWARDED TO:

DIVERSIFIED EQUIPMENT	LAS VEGAS	NV	\$11,400.00
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FISCAL IMPACT

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

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION A PAGE 1
IV (f)

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. <u>BID TITLE:</u>	DUG AND CAT FOOD	<u>BID NUMBER:</u>	83.9999.14
<u>ITEM:</u>	EXPENDABLE	<u>ESTIMATE:</u>	\$14,000.00
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>FUNDING:</u>	ANIMAL CARE AND CONTROL FUND

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE FOOD FOR ANIMALS AT THE ANIMAL SHELTER.

CONTRACT EXTENSION

HUNSAKER FEED AND SEED HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 AT EXISTING PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

STAFF RECOMMENDS

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

HUNSAKER FEED AND SEED LAS VEGAS NV \$14,000.00 ESTIMATED ANNUAL USAGE

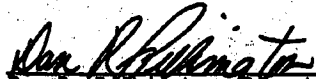
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 84-85. FUNDS ARE AVAILABLE IN THE ANIMAL CARE AND CONTROL FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION 8 PAGE 1
IV (f)

City of Las Vegas

0065

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

2. <u>BID TITLE:</u>	FIRE HYDRANTS	<u>BID NUMBER:</u>	83.9999.23
<u>ITEM:</u>	CAPITAL EQUIPMENT	<u>ESTIMATE:</u>	\$1,451.14 UNIT PRICE
<u>DEPARTMENT:</u>	FIRE SERVICES	<u>FUNDING:</u>	FIRE MECHANICAL

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE REPLACEMENT FIRE HYDRANTS THROUGHOUT THE CITY OF LAS VEGAS WHICH BECOME INOPERABLE AND BEYOND REPAIR.

CONTRACT EXTENSION

STANDARD WHOLESALE HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985, WITH A 6% INCREASE. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 AT REASONABLE PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

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

STANDARD WHOLESALE	LAS VEGAS	NV	\$1,451.14 UNIT PRICE
ESTIMATED ANNUAL USAGE: \$20,000.00			

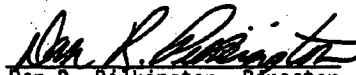
FISCAL IMPACT

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

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION B PAGE 2
IV (f)

City of Las Vegas

0066

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO:
The City CouncilFROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

3.	<u>BID TITLE:</u>	DRY CLEANING AND LAUNDRY SERVICES FOR UNIFORMED CITY EMPLOYEES	<u>BID NUMBER:</u>	83.9999.26
	<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$15,000.00
	<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VARIOUS

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE DRY CLEANING SERVICE FOR EMPLOYEES REQUIRED TO WEAR UNIFORMS TO MEET THE PROVISIONS OF THE NEGOTIATED CONTRACT BETWEEN THE CITY AND THE EMPLOYEES' ASSOCIATION.

CONTRACT EXTENSION

AL PHILLIPS THE CLEANER HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985 AT PRICES NOT TO EXCEED THE ALLOWABLE 10% INCREASE. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

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

AL PHILLIPS THE CLEANER LAS VEGAS NV \$15,000.00 ESTIMATED ANNUAL USAGE

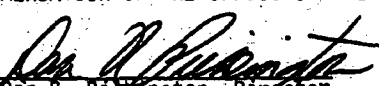
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 84-85. FUNDS ARE AVAILABLE FROM VARIOUS FUNDS.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION B PAGE 3
IV (f)

City of Las Vegas

0067

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO:
The City CouncilFROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

4. <u>BID TITLE:</u>	ANNUAL AUTOMOTIVE AIR, FUEL, AND OIL FILTER CONTRACT	<u>BID NUMBER:</u>	83.9999.34
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$13,000.00 ANNUAL USAGE
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

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

CONTRACT EXTENSION

CHEM OIL AND TIRE HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 AT 1984 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

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

CHEM OIL AND TIRE	LAS VEGAS NV	12,600 POINTS
	ESTIMATED ANNUAL USAGE:	\$13,200.00

FISCAL IMPACT

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

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION 8 PAGE 4
IV (f)

City of Las Vegas

0068

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

5.	<u>BID TITLE:</u>	ANNUAL RADIATOR REPAIR CONTRACT	<u>BID NUMBER:</u>	83.9999.39
	<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$16,500.00 ANNUAL USAGE
	<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

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

CONTRACT EXTENSION

LAS VEGAS RADIATOR HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 AT 1984 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

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

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

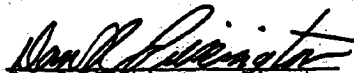
FISCAL IMPACT

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

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION 8 PAGE 5
IV (f)

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984TO:
The City CouncilFROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

6. <u>BID TITLE:</u>	STREET SWEEPER BROOM AND CHAIN CONTRACT	<u>BID NUMBER:</u>	83.9999.48
<u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>ESTIMATE:</u>	\$27,500.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>FUNDING:</u>	VEHICLE SERVICES

NEED FOR PURCHASE

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

CONTRACT EXTENSION

VABCO, INC., BACON'S AIR SWEEPER SERVICE, AND OLD DOMINION BRUSH HAVE AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM NOVEMBER 1, 1984, THROUGH OCTOBER 31, 1985 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH OCTOBER 31, 1985 AT 1984 PRICES WITH ESTABLISHED REPUTABLE CONTRACTORS.

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

VABCO, INC.	LENEXA	KS	\$ 4,898.00	8ID GROUP	I ONLY
BACON'S AIR SWEEPER SERVICE	LAS VEGAS	NV	\$14,500.00	8ID GROUP	II ONLY
OLD DOMINION BRUSH	RICHMOND	VA	\$ 4,829.00	8ID GROUP	III ONLY

FISCAL IMPACT

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

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION 8 PAGE 6
IV (f)

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

City of Las Vegas

0070

August 15, 1984

Page 19

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

ITEM

Council Action

Department Action

PURCHASING & CONTRACTS DIVISION CONT'D

*C. PURCHASE ORDER APPROVAL

1. Rebuild Endloader/Backhoe
Department of General Services
2. Maintenance of Communications Network
Department of Fire Services
3. Expendable Water Treatment Chemicals
Department of Public Services
4. Maintenance of Data Processing Systems
Department of Finance & Computer Services

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

Staff to proceed

APPROVED AGENDA ITEM

mp Coe

City of Las Vegas

CITY COUNCIL MINUTES - AUGUST 15, 1984

0071

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO:
The City Council

FROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

1. <u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	3462-6206
<u>DESCRIPTION:</u>	REBUILD OF ENDLOADER/BACKHOE EQUIPMENT #24	<u>FUNDING:</u>	VEHICLE SERVICES
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>ESTIMATE:</u>	\$27,300.00

NEED FOR PURCHASE

THE NEED FOR THIS PURCHASE IS BASED UPON A COST/BENEFIT ANALYSES WHICH COMPARED THE PRICE OF PROVIDING A REPLACEMENT PIECE OF NEW UPGRADED EQUIPMENT AT AN ESTIMATED COST OF \$100,000.00 AGAINST REBUILDING THE EXISTING PIECE OF EQUIPMENT AT A COST OF \$27,294.80. THE PRESENT BUDGET CONSTRAINTS DICTATE THE EQUIPMENT IN QUESTION TO BE REBUILT TO FACTORY SPECIFICATIONS. SOLE SOURCE

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

BLAINE EQUIPMENT CO.	LAS VEGAS	NV	\$27,294.80
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FISCAL IMPACT

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

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION C PAGE 1
IV (f)

City of Las Vegas

0072

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984TO:
The City CouncilFROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

2. <u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	3600-5507
<u>DESCRIPTION:</u>	MAINTENANCE OF COMMUNICATIONS EQUIPMENT	<u>FUNDING:</u>	FIRE SERVICES COMMUNICATIONS
<u>DEPARTMENT:</u>	FIRE SERVICES	<u>ESTIMATE:</u>	\$34,000.00

NEED FOR PURCHASE

THE DEPARTMENT OF FIRE SERVICES CENTRAL DISPATCH CENTER HOUSES EXTREMELY COMPLICATED AS WELL AS SOPHISTICATED COMMUNICATIONS EQUIPMENT. THE MAJORITY OF THIS EQUIPMENT IS CUSTOM DESIGNED AND INSTALLED BY MOTOROLA ENGINEERS AND TECHNICIANS WITH CORRESPONDING PROPRIETARY RIGHTS.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

MOTOROLA COMMUNICATIONS AND ENGINEERING, INC. LAS VEGAS NV \$33,360.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 84-85. FUNDS ARE AVAILABLE IN THE FIRE SERVICES COMMUNICATIONS FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION C PAGE 2
IV (f)

City of Las Vegas

0073

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL,
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

3. <u>ITEM:</u>	EXPENDABLE SUPPLIES	<u>PURCHASE REQUEST:</u>	7110-1604
<u>DESCRIPTION:</u>	CHEMICALS FOR WATER TREATMENT	<u>FUNDING:</u>	SANITATION FUND
<u>DEPARTMENT:</u>	PUBLIC SERVICES	<u>ESTIMATE:</u>	\$13,000.00

NEED FOR PURCHASE

THIS PURCHASE WAS NECESSARY TO ENSURE AN ADEQUATE SUPPLY OF THIS CHEMICAL THROUGH SEPTEMBER 30, 1984, WHEN A NEW ANNUAL CONTRACT WILL COMMENCE. THIS CHEMICAL IS NECESSARY TO MEET WATER QUALITY STANDARDS ESTABLISHED BY EPA AND THE STATE OF NEVADA. THIS IS THE ONLY APPROVED POLYMER ACCEPTABLE TO THE CITY AT THIS TIME.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

AQUA BEN CORP.	ORANGE	CA	\$12,900.00
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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 C PAGE 3
IV (f)

AGENDA DOCUMENTATION

Date: AUGUST 8, 1984

TO:
The City Council

FROM:
MICHAEL P. COOL,
DEPUTY CITY MANAGER

SUBJECT: AGENDA - CITY COUNCIL MEETING - AUGUST 15, 1984
IV (f) DEPARTMENT OF GENERAL SERVICES

PURPOSE/BACKGROUND

*C. PURCHASE ORDER APPROVAL

4. THE FOLLOWING ITEM WAS TABLED AT THE LAST COUNCIL MEETING AFTER DISCUSSION. RESEARCH HAS BEEN COMPLETED AND SHOWS POTENTIAL ANNUAL COST TO THE CITY TO BE AT LEAST \$65,000, IN LIEU OF A SERVICE CONTRACT

<u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	1042-001
<u>DESCRIPTION:</u>	MAINTENANCE OF COMPUTER EQUIPMENT	<u>FUNDING:</u>	GENERAL FUND
<u>DEPARTMENT:</u>	FINANCE AND COMPUTER SERVICES	<u>ESTIMATE:</u>	\$216,000.00

NEED FOR PURCHASE

THIS SERVICE IS NECESSARY TO PROVIDE FACTORY TRAINED, QUALIFIED PERSONS TO MAINTAIN AND REPAIR THE CITY'S COMPLEX AND SOPHISTICATED DATA PROCESSING HARDWARE SYSTEMS. SOLE SOURCE

STAFF RECOMMENDATION

FOR PURCHASE ORDER APPROVAL

BURROUGHS CORPORATION	LAS VEGAS	NV	\$215,934.36
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FISCAL IMPACT

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

ESTIMATED ANNUAL COST TO CITY IN LIEU OF MAINTENANCE CONTRACTS	\$281,600
ANNUAL COST OF MAINTENANCE CONTRACTS	<u>215,934</u>
	<u>\$65,666</u>

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION C PAGE 4
IV (f)

BACKGROUND

The City of Las Vegas presently has installed three Burroughs 1800-Series computers and all necessary peripheral equipment which serve departments throughout the City. In the past, we have executed separate annual maintenance contracts for each mainframe and associated peripheral equipment, plus a fourth to cover terminals and remote printers, which currently number 121 devices. The amounts of these maintenance agreements for Fiscal Year 1984-85 are as follows:

B1860	\$ 41,429.88
B1855	52,152.96
B1885	71,587.80
Terminals and remote printers	<u>50,763.72</u>
TOTAL	<u>\$215,934.36</u>

The total represents a 5.8% increase over last year.

DISCUSSION

Question #1:

The main problem with performing maintenance on Burroughs computer equipment using in-house personnel is the need for training and experience. For each different type of equipment (central processor, disk drive, tape drive, etc.), Burroughs sends their technical personnel to schools lasting from 1½ to 5 weeks. For the particular types of hardware installed at the City of Las Vegas, this training would total at least 27 weeks. Because of scheduling considerations, the actual elapsed time to complete the training would be between one to one and one-half years. The training would have to be completed by a minimum of two people to allow for backup. No figures on the cost of the training were available from Burroughs since up to now only their own employees have been permitted to participate. Assuming a \$1,000 per week tuition fee and standard rates for lodging, meals, and airfare, the cost for two persons would approach \$100,000; and then they would have learned only the basics about the various devices. They would lack the experience necessary for repairing such complicated and highly-specialized equipment quickly. The three Burroughs engineers assigned to the City have among them a total of 36 years experience in repairing Burroughs computers and computer-related hardware. The average annual salary, with benefits, paid to these individuals by Burroughs, is \$38,000.

In addition to repair personnel, the need for readily-available spare parts must be considered. Burroughs currently maintains on site at the City, an inventory of spare parts valued at \$93,000. According to Burroughs' estimates, spare

parts usage by the City of Las Vegas during the past year amounted to \$101,600 (our cost). Also, there is the matter of costly peripheral devices that tend to malfunction over time due to their large number of moving parts. Examples are disk drives, tape drives, and printers. During the past year, Burroughs has replaced two disk drive modules that would have cost the City \$27,000 each, if a maintenance agreement had not been in effect. A maintenance agreement can consequently be viewed as an insurance policy against catastrophic equipment failure.

Question #2:

One Burroughs engineer is stationed permanently on site at the City for eight hours each workday, maintaining a workroom in our computer facility. If a problem develops during the day, there is no need to place a service call to Burroughs since the engineer is already present to give immediate attention to the trouble. When not engaged in specific repair work, the engineer spends his time performing additional preventive maintenance and implementing Logic Improvement Notices and Reliability Improvement Notices received from Burroughs. These are changes to the hardware and operating system that must be made by a qualified Burroughs engineer and which can number hundreds during the course of a year for our three computer systems. Burroughs makes no charge to the City for stationing an engineer on site; this is done primarily because of the size of our facility. After hours, another Burroughs engineer is on call during the period of maintenance coverage, which is 24 hours per day, Monday through Friday. Each Monday morning, between the hours of 5:00 A.M. and 8:00 A.M., the on-site Burroughs engineer is joined by an additional engineer, and both perform preventive maintenance on all three computer systems. This amounts to over 1800 man-hours per year spent by Burroughs personnel at our facility.

A log of specific repair activity is maintained by Burroughs, which includes repair undertaken during preventive maintenance. Their log is kept by device serial number for the over 300 devices, including terminals, installed at the City. A check of this log for the period July 1, 1983, to June 30, 1984, shows a total of 226 instances of repair for the three computer mainframes alone, not counting the many peripheral devices and terminals.

Question #3

The main argument against replacing our Burroughs computers with those of another manufacturer is that all of the custom-designed on-line programs written for our user departments would have to be virtually rewritten from the ground up, thus erasing thousands of man-hours of work. Every report program would have to be analyzed and changed because the data base system of another vendor would not work the same way. There are many aspects of a computer system that

are difficult for people who do not work directly in data processing to appreciate. These include the computer's operating system - used for directing all other programs and for communicating with peripheral devices; the data base system - used for organizing files and records; the communications system - used for sending data to and receiving data from remote terminals and printers; and utility programs - used for sorting, printing, exchanging, and analyzing data files. Not a single one of these systems is even remotely similar in operation from one manufacturer to another. It is not possible to roll one vendor's computer out the door and another's in without a massive conversion of software and a total retraining of the entire staff. Such a conversion would probably take one to two years to complete, during which time no new program development could be undertaken. Conversions also cause personnel in the end-user departments to have to change procedures due to differences in the new computer's operating and communications software and to endure many hours of downtime and inconvenience caused by problems that arise out of the multitude of changes to the application programs. Planning for conversion helps, but it does not change the fact that thousands of man-hours must be expended in redesigning, changing, and testing software. If the savings in switching to another computer are not extremely large, then it's not worth it. The total cost of computers and related equipment either owned by the City or under lease purchase is \$1,494,000. The dollars spent for software development by the City's staff during the past several years should at least equal the cost of the hardware, if not exceed it. If the City owned and operated a computer system other than Burroughs, it is estimated based upon discussions with other entities that the annual maintenance costs would not be significantly different than the annual cost of maintaining the existing system.

CONCLUSION

A brief recap of some of the cost figures discussed above might be in order:

Estimated cost of annual training	\$ 50,000
Annual salaries for two technicians	76,000
Estimated cost of parts used last year	101,600
Typical repair which occurred last year (two disk drive modules)	<u>54,000</u>
	<u>\$281,600</u>

The Department of Finance and Computer Services believes that the City is much better off having the maintenance service performed by the Burroughs Corporation and recommends that the agenda item for maintenance of the City's computer systems be approved.

AGENDA*City of Las Vegas*

August 15, 1984

Page 20

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

ITEM	Council Action	Department Action
IV (h). DEPARTMENT OF DESIGN AND DEVELOPMENT THOMAS B. GRAHAM, AICP, RLA, DIRECTOR		
*CONSENT AGENDA		
All matters listed under Item A, recommended for approval by the staff, are considered to be routine by the City Council and may be enacted by one motion. However, any item may be discussed if a Council member or citizen so requests.		
10:46 *A. ACCEPTANCE OF RIGHT OF WAY ITEMS		
1. Grant Deed From: First Nevada Capital, Inc., a Nevada Corporation To: City of Las Vegas Portion of Lots M and K of Park Place Addition Required right of way for Las Vegas Boulevard South (Building Permit) (7/26/84)	Lurie - APPROVED Unanimous	Staff to proceed
B. APPROVAL OF TRAFFIC AND PARKING ITEMS		
1. Request for driveway variances on South Rancho Drive. (Traffic and Parking Commission recommends approval.)	Lurie - APPROVED Unanimous	Staff to proceed
2. Resolution to amend Title XI (Traffic) of the City of Las Vegas Municipal Code as follows:		
a. Request by Milan Selakovic for the elimination of a handicapped parking zone and a bus stop at 1625 East Fremont Street or relocation. (Traffic and Parking Commission recommends approval.)	Lurie - APPROVED Items 2-a and 2-b as recommended. Unanimous	Staff to proceed
b. Intersection study at Exley Avenue and Monterey Street.	APPROVED See Above	See Above

APPROVED AGENDA ITEM

mp Cor

City of Las Vegas

0079

AGENDA DOCUMENTATION

Date: August 3, 1984TO:
The City CouncilFROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR DRIVEWAY VARIANCES ON SOUTH RANCHO DRIVE

PURPOSE/BACKGROUND

Four property owners residing on the east side of Rancho Drive between Charleston and Oakey Boulevards have requested driveway variances to exceed the current City of Las Vegas standard maximum width of 18 feet to 25 feet in width. The requests were made by the following property owners at the following addresses:

1. George Rudiak at 2244 Edgewood Avenue (corner of South Rancho Drive and Edgewood Avenue).
2. Electronic Construction Company at 1117 South Rancho Drive.
3. Dorothy Thomas at 1139 South Rancho Drive.
4. Fletcher Jones at 1145 South Rancho Drive.

The City of Las Vegas proposes to widen Rancho Drive in between Charleston Boulevard and Oakey Boulevard in latter 1984 to provide two traffic lanes in each direction and a two-way left turn lane.

The Traffic and Parking Commission at its regular meeting of July 26, 1984 considered the request.

FISCAL IMPACT

None.

RECOMMENDATIONS

The Traffic and Parking Commission recommends approval of the driveway variances to allow driveway widths of 25 feet in a residential area.

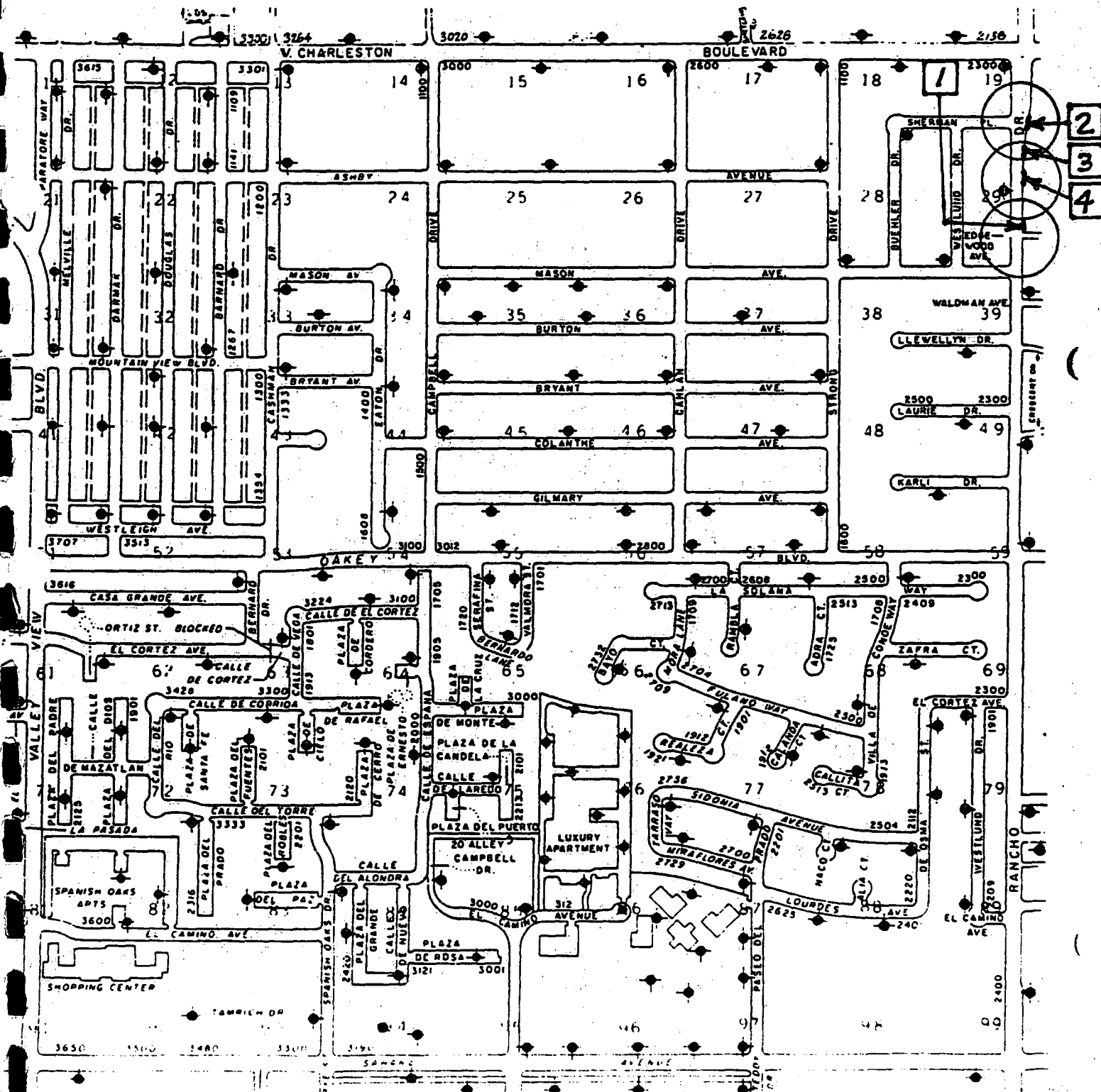
Staff concurs.

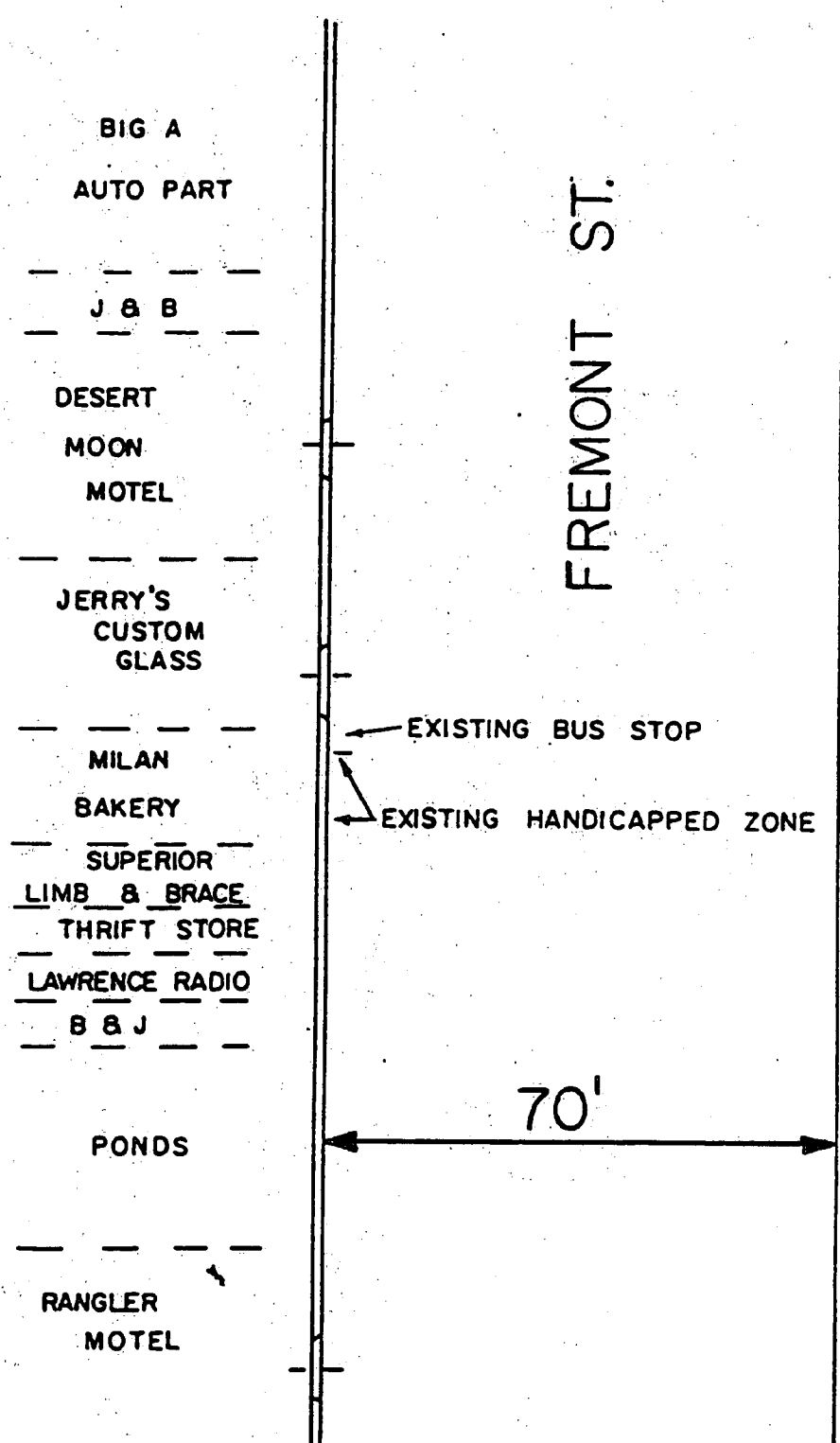

THOMAS B. GRAHAM, AICP, RLA
DIRECTOR OF DESIGN AND DEVELOPMENT

Agenda Item 8/15/84

IV (h). B. 1.

6 - 80
4 - 79





REQUEST TO REMOVE HANDICAPPED AND
BUS STOP ZONE AT 1625 E. FREMONT ST.

City of Las Vegas

0082

AGENDA DOCUMENTATION

Date: August 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT: REQUEST BY MILAN SELAKOVIC FOR THE ELIMINATION OF A HANDICAPPED PARKING ZONE
AND A BUS STOP AT 1625 EAST FREMONT OR RELOCATIONPURPOSE/BACKGROUND

A request was received for the removal of a handicapped parking space and bus stop located at 1625 East Fremont Street. This item was considered at the June 28, 1984 Traffic and Parking Commission meeting and continued to the July 26, 1984 meeting pending renotification of the property owners about the possible relocation rather than elimination of the handicapped zone.

The existing handicapped parking zone was initially installed at the request of the Salvation Army, which has subsequently relocated to another location. The former Salvation Army building is now occupied by the Milan Bakery, which does not need a handicapped parking zone. The Superior Limb and Brace store does need a handicapped parking space. Two hour limited parking will serve the needs of the bakery.

In June eight notices were sent out to the property owners of record that are within the vicinity of the handicapped parking zone and bus stop concerning the request to eliminate the handicapped space and bus stop. Also, in June nine notices were hand-delivered to tenants in the area. From the hand-delivered notices there were two responses received in favor and four responses received against the request. From the notices that were mailed to the property owners of record there were two responses in favor and one response against. On all the notices it was indicated that no response would be assumed to be an affirmative response.

In July notices were sent out to the same property owners and tenants requesting comments on the relocation of the handicapped zone, while leaving the existing bus stop at its existing location. From the hand-delivered notices there were two responses in favor and two against. There was no response from the eight property owners of record that were mailed notices. Again, on all the notices it was indicated that no response would be assumed to be an affirmative response.

At its July 26, 1984 meeting the Traffic and Parking Commission conducted another public hearing and recommended that the handicapped parking zone be relocated from 1625 East Fremont Street to 1621 East Fremont Street, that two hour time limited parking be re-instated at 1625 East Fremont Street; that the existing bus stop remain at its existing location; and that the costs of the changes be reimbursed to the City of Las Vegas in equal shares by the Milan Bakery at 1625 East Fremont Street and the Superior Limb and Brace business at 1621 East Fremont Street.

FISCAL IMPACT

None. As a condition of approval, the applicant and Superior Limb and Brace will reimburse the City of Las Vegas the costs of relocation.

RECOMMENDATIONS

The Traffic and Parking Commission recommends approval of the relocation of the handicapped parking zone from 1625 East Fremont Street to 1621 East Fremont Street and the reinstatement of two hour time limited parking at 1625 East Fremont Street and recommends that the City Council authorize the Mayor to sign the Resolution.

Staff concurs.

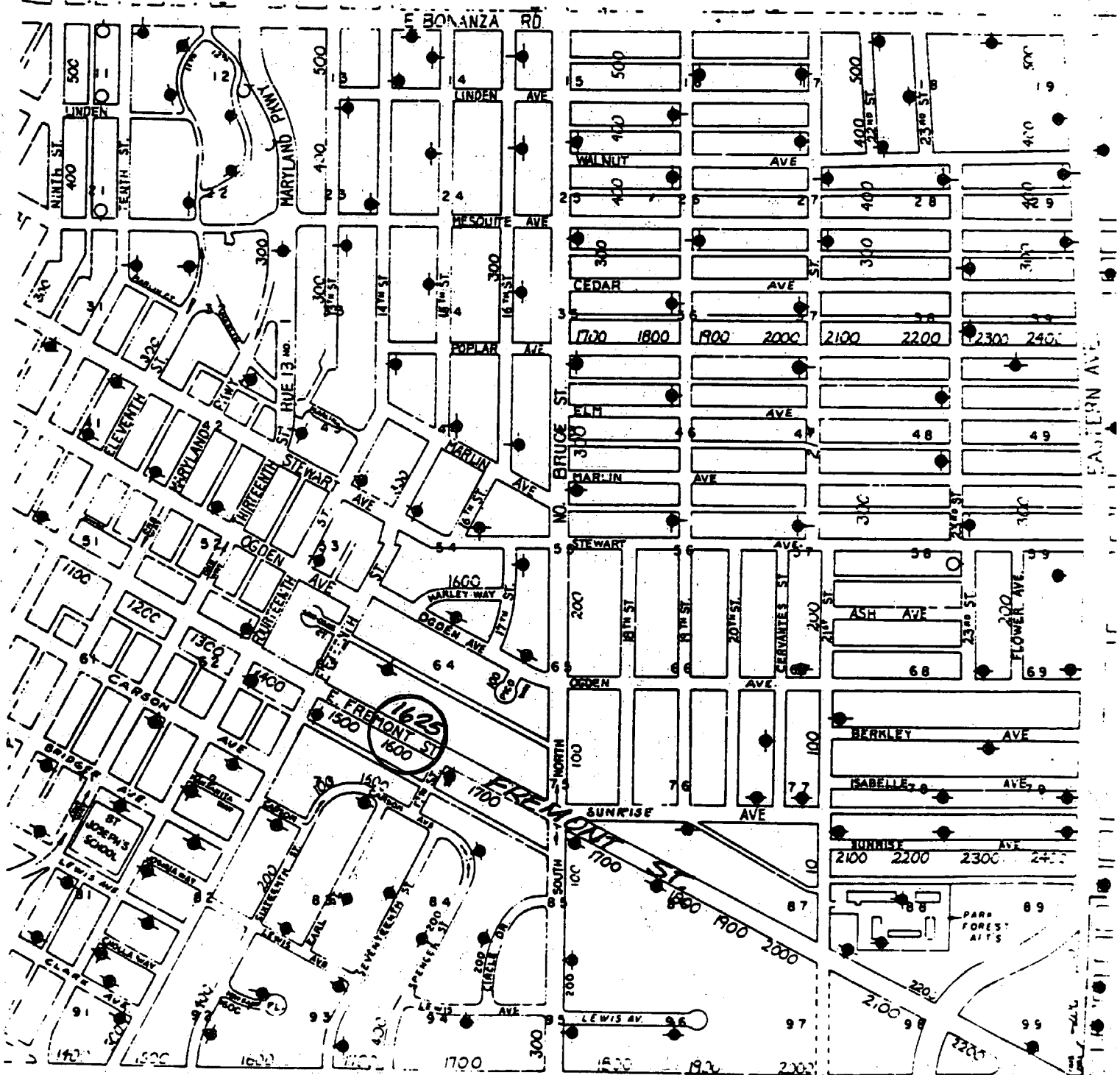
Thomas B. Graham
THOMAS B. GRAHAM, AICP, PLA
DIRECTOR OF DESIGN AND DEVELOPMENT

Agenda Item 8/15/84

IV (h). B.2.a.

REQUEST BY MILAN SELAKOVIC AT 1625 EAST FREMONT STREET
FOR THE ELIMINATION OF A HANDICAPPED PARKING ZONE AND A
BUS STOP

0083



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

June 15, 1984

Attention: Mr. A. Bossi - Traffic & Parking Commission

Gentlemen:

Effective May 1st, 1984 I have purchased the building located at 1625 East Freemont from the Salvation Army.

On May 15th. last, the Salvation Army people moved their Retail " Thrifty - Buy type " Store to a new location from where they will continue their operation.

During the Month of July we plan to move our entire Retail and Wholesale Bakery operation from 5151 S. Procyon, where we have been in operation for over three years, to 1625 E. Freemont.

We feel very good about this new location---it is centrally located for serving the Hotels, Casinos and Restaurants in Las Vegas---and the area could use a good Bakery with triple A quality Breads, Pastries, cookies, croissants and cakes for all occasions.

Parking, however, is a problem, and we cannot park in front of our own building.

The Salvation Army, who employ a lot of handicapped individuals, have apparently elected to maintain a 4 hour " Handicapped " parking zone in front of the building ---since they have now sold the building and no longer operate at this location we feel that the parking zoning should now revert to the zoning which is prevalent on the street which is 2 hour parking from 8 AM to 6 PM.

Also, the Salvation Army apparently maintained a " Bus Stop " at this spot adjacent to the " Handicapped - Parking " for the convenience of their clients . I have observed this " Bus Stop " for hours and I have yet to see a Bus stop to pick-up a passenger or to drop one off, and I have yet to see anyone at this location waiting for a Bus. The Salvation Army people , apparently, were the only ones using the Bus. Also, this Bus Stop is in the center of the Block with additional Bus Stops in existence at both ends of this same block. Eliminating this Bus Stop should help the Bus Company also since (3) stops on the same block would not seem to be either desirable or necessary.

We petition your office for your help and consideration in having these (2) two zones changed to the prevalent zoning of 2 hour parking between 8 AM and 6 PM in front of our building at 1625 E. Freemont.

Yours very truly,

Milan Selakovic

Milan Selakovic - Proprietor, Milan Bakery, 5151 S. Procyon

RESOLUTION

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-VII be amended to delete the following as a Handicapped Zone:

1625 E. Fremont Street

SCHEDULE 17-VII be amended to include the following as a Handicapped Zone:

1621 E. Fremont Street

PASSED, ADOPTED AND APPROVED THIS 15th day of August, 1984.



RON LURIE, MAYOR PRO-TEM


CAROL ANN HAWLEY, CITY CLERK

AGENDA DOCUMENTATION

Date: August 6, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

SUBJECT: INTERSECTION STUDY AT EXLEY AVENUE AND MONTEREY STREET

PURPOSE/BACKGROUND

Both Exley Avenue and Monterey Street are residential streets with speed limits of 25 m.p.h. Currently, yield signs control the Monterey Street approaches to Exley Avenue. The City Council at its regular meeting of August 1, 1984 approved the installation of stop signs to replace the yield signs on the Monterey Street approaches to Exley Avenue. A resolution must be passed by the City Council in accordance with City of Las Vegas Municipal Code Section 11.20.050 in order to install the stop signs.

FISCAL IMPACT

City of Las Vegas forces will install the necessary signs. Funds are available in the F.Y. 1984-1985 budget.

RECOMMENDATIONS

The City Council at its August 1, 1984 meeting approved the installation of stop signs on the Monterey Street approaches to Exley Avenue and it is recommended that the City Council authorize the Mayor to sign the Resolution in its behalf.


THOMAS B. GRAHAM, AICP, RLA
DIRECTOR OF DESIGN AND DEVELOPMENT

Agenda Item 8-15-84

IV (h). B. 2b.

R E S O L U T I O N

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 City Manager 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:

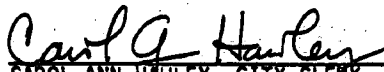
SCHEDULE 14-II be amended to include the following as stops required:

Monterey Street at Exley Avenue

PASSED, ADOPTED AND APPROVED THIS 15th day of August, 1984.



RON LURIE, MAYOR PRO-TEM


CAROL ANN HAWLEY, CITY CLERK

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM	Council Action	Department Action
IV (h). DEPT. OF DESIGN AND DEVELOPMENT (cont.) THOMAS B. GRAHAM, AICP, RLA, DIRECTOR		
3. Request by Al Britz and Bill Hogan for the elimination of the traffic island at 15th Street and St. Louis Avenue. (Traffic and Parking Commission recommends denial.)	Levy - APPROVED motion to follow recommendations of Traffic & Parking Commission (denying request to eliminate traffic island). Motion carried with Christensen voting "No."	Staff to notify. VERBATIM TRANSCRIPT MADE PART OF FINAL MINUTES.
C. <u>REPORTS/ACTION</u>		
1. Selection of alignment for Northwest Interceptor Sewer (abeyance item from 8/1/84)	Abeyance at request of City Manager.	9/5/84 Agenda
2. Traffic signal modification Agreement with Nevada Department of Transportation (P182-84-012)	Lurie - APPROVED Unanimous	Staff to proceed
12 3. Discussion and possible action on selection of architectural consultant and alternate for the Downtown Transportation Center project	Lurie - APPROVED as recommended by staff. Unanimous	Staff to proceed
11:13 4. Discussion and possible action on authorization of staff to evaluate consultant firms and negotiate contract for architectural/engineering services in connection with City Hall Jail Renovation.	Christensen - APPROVED as recommended. Unanimous	Staff to proceed
APPROVED AGENDA ITEM <i>mp Cor</i>		
	Re Item B-3 Above: The City Clerk received names of 33 citizens who were for elimination of the traffic island and 5 who wanted same retained; at the Traffic & Parking Commission meeting Al Britz presented names of 51 citizens who desired the island eliminated.	

AGENDA DOCUMENTATION

Date: August 6, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

SUBJECT: REQUEST BY AL BRITZ AND BILL HOGAN FOR THE ELIMINATION OF THE TRAFFIC ISLAND
AT 15TH STREET AND ST. LOUIS AVENUE

PURPOSE/BACKGROUND

A request (see attachment A) was received from Al Britz and Bill Hogan, residing at 1337 St. Joseph Circle and 1809 South 14th Street, respectively, to eliminate the traffic island existing at the intersection of St. Louis Avenue and 15th Street. The traffic islands located at the intersection of St. Louis Avenue and 15th Street were initially installed in response to the request of residents concerning accidents, speed, and the traffic volumes on 15th Street. A before-after study was conducted in 1980 (see attachment B - memo dated November 4, 1980 to Traffic and Parking Commission) with the conclusion that traffic volumes and accidents had been reduced, generally, and the islands were effective.

Recently on July 18th and 19th, 1984 additional traffic counts and accident analysis were conducted in response to the request by Messrs. Britz and Hogan. A tabular comparison of the traffic volumes is shown in attachment C with column (1) indicating traffic volumes 12 months before the island installation, column (2) traffic volumes 12 months after the island installation and column (3) traffic volumes counted July 18 and 19, 1984. The traffic volume on 15th Street between St. Louis Avenue and Oakey Boulevard has decreased even further. Generally, traffic volumes have decreased. Traffic counts were also conducted on 14th Street between Oakey Boulevard and Bonita Avenue. The volume on 14th Street was about 200 v.p.d.

Traffic accidents were also studied in the area and a tabular comparison (see attachment C) was made between the period (column 1) 12 months before the island installation, 12 months after (column 2) the island installation and in 1983 (column 3). The trend of reduction of accidents that occurred in the area from 12 months before (28) to 12 months after (18) has continued in the 12 month period in 1983 (18).

There were 62 notices sent to the residents of 15th Street, (Oakey Boulevard to St. Louis Avenue), 14th Street (Bonita Avenue to Oakey Boulevard), St. Jude Circle, St. Joseph Circle, Canosa Avenue, and Bonita Avenue west of 15th Street. There were 15 in favor and 14 against the elimination of the island. On the notice it was indicated that no response would be assumed to be a response against the removal of the islands.

In addition there was a list of 51 names for the elimination of the island, some of which lived at the same addresses, which was submitted by Al Britz. Also copies of notices had been made by property owners who had received a notice. There were eleven copies of the notice that were submitted by residents in the 1300 and 1400 block of St. Louis Avenue that disapproved of the removal of the island.

The Traffic and Parking Commission at its regular meeting of July 26, 1984 after conducting a public hearing recommended against removal of the traffic island.

FISCAL IMPACT

None, if the islands remain.

RECOMMENDATIONS

The Traffic and Parking Commission recommends that the traffic island remain and not be eliminated.

Staff concurs.

Thomas B. Graham
THOMAS B. GRAHAM, AICP, RPA
DIRECTOR OF DESIGN AND DEVELOPMENT

Agenda Item 8-15-84

IV (h). B. 3.

June 1, 1984

TO WHOM THIS MAY CONCERN:

TRAFFIC AND PARKING COMMISSION

I RECEIVED A LETTER FROM DON SAYLOR

Dear Sir;

We who live in the area around 15th Street and St. Louis, who must use St. Louis Street.

Would like for all of us on 14th Street, Bonita, Canosa, St. Josephs Circle and St. Jude Circle be given the choice to voice our opinion.

We have found out that the traffic has been reduced by $\frac{1}{2}$ as to 3 years ago. The city could save some \$1,500 by not putting in the island.

Thank You,

Al Britz

Bill Hogan

ATTACHMENT A

IV (h). B. 3.

CITY OF LAS VEGAS

Date

0091

INTER-OFFICE MEMORANDUM

November 4, 1980

TO:

Traffic and Parking Commission

FROM:

Traffic Engineering

SUBJECT:

Before-After Study of Island at
15th St. and St. Louis Ave.

COPIES TO:

SITUATION:

In April, 1979, a letter was received by the City Manager from Mr. Lyle Rivera and Mr. Brian Greenspun that requested a traffic island at 15th St. and St. Louis Ave. and traffic buttons on 15th St. at Bonita Ave. to control and reduce traffic volumes, accidents and speeding. The following events occurred.

- June 7, 1979 - The Traffic and Parking Commission held a public hearing and considered the request and continued it pending development of other alternatives.
- July 19, 1979 - The Traffic and Parking Commission considered the designs of islands at 15th St. and Bonita Ave. and 15th St. and St. Louis Ave. The island at 15th St. and Bonita Ave. was the only one approved and the item was sent to the City Commission for approval.
- Aug. 15, 1979 - The City Commission approved the island at 15th St. and Bonita Ave., but an island at 15th St. and St. Louis Ave. was approved on a "trial basis".
- Sept. 19, 1979 - The City Commission considered approval of the purchase order to construct the islands but put the item into abeyance until the Oct. 3, 1979 meeting, so that differences between two groups of residents over the island design could be resolved at a meeting of Oct. 2, 1979.
- Oct. 2, 1979 - Meeting was held and final island design was approved by residents.
- Oct. 3, 1979 - The City Commission approved the alternate island design that was acceptable to the residents.
- Nov. 14, 1979 - Island construction project was accepted.

The island installation at 15th St. and St. Louis Ave. was approved on a "trial" basis by the City Commission. This report is a follow-up study on the effectiveness of the island.

- 2 -

RECOMMENDATION:

It is recommended that the island at 15th St. and St. Louis Ave. remain due to its effectiveness in reducing traffic volumes and accidents.

ANALYSIS:

Traffic accidents for the 12 month period prior to the installation of the island and the 12 month period after the installation of the island were analyzed. A table follows showing this information:

<u>Location</u>	<u>No. of Accidents</u>		<u>Change</u>
	<u>12 Months Before</u>	<u>12 Months After</u>	
15th St. / Oakey Blvd.	4	2	-2
15th St. - Oakey Blvd. to St. Louis Ave.	1	0	-1
15th St./ St. Louis Ave.	6	4	-2
15th St. - St. Louis Ave. to Sahara Ave.	2	0	-2
16th St.-Oakey Blvd. to St. Louis Ave.	0	0	0
16th St./St. Louis	0	0	0
17th St.-Oakey Blvd. to St. Louis Ave.	3	0	-3
17th St./Oakey Blvd.	1	3	+2
Spencer Ave.-Oakey Blvd. to St. Louis Ave.	0	0	0
Spencer Ave./Oakey Blvd.	0	0	0
Burnham Ave.-Charleston Blvd. to Oakey Blvd.	3	1	-2
Burnham Ave./Oakey Blvd.	4	6	+2
Burnham Ave.-Oakey Blvd. to St. Louis Ave.	1	1	0
Burnham Ave./St. Louis Ave.	3	1	-2
TOTAL	28	18	

As can be seen from the table, there has been a general reduction of accidents on 15th St. Increases in accidents have occurred at the intersections of Burnham Ave. and Oakey Blvd. and at 17th St. and St. Louis Ave.

Traffic counts were also conducted to determine traffic volumes before and after the installation of the island. The "before" counts were conducted in September, 1979. The "after" counts shown were taken in September, 1980. The following table indicates these counts:

ATTACHMENT B

IV (h). B. 3.

Traffic Volumes (A.D.T. - Both Directions)

<u>Location</u>	<u>Before</u>	<u>After</u>	<u>Change</u>
15th St. between Charleston Blvd. & Oakey Blvd.	3,238	4,387	+ 1,149
15th St. between Oakey Blvd. and Bonita	3,383	2,284	- 1,099
15th St. between Bonita Ave. and St. Louis Ave.	3,609	2,764	- 845
15th St. between Sahara Ave. and St. Louis Ave.	1,118	843	- 275
16th St. south of Oakey Blvd.	331	494	+ 163
16th St. north of St. Louis Ave.	482	537	+ 55
17th St. south of Charleston Blvd.	1,748	1,323	- 425
17th St. north of St. Louis	1,748	2,252	+ 504
17th St. between St. Louis Ave. & Sahara Ave.	2,588	2,033	- 555
Burnham Ave. south of Charleston Blvd.	3,082	2,807	- 275
Burnham Ave. north of St. Louis	3,333	3,669	+ 336

From the table it can be noted that on 15th St. north of St. Louis Ave. the traffic volume has been reduced by 23% and between Oakey Blvd. and Bonita Ave. the traffic volume has been reduced by 32%. South of St. Louis on 15th St. the traffic volumes has been reduced by 25%. On 16th St. and 17th St. traffic volumes have increased, as shown in the table.

Traffic Volumes (A.D.T. - Both Directions)

<u>Location</u>	(1) 12 months <u>Before</u>	(2) 12 months <u>After</u>	(3) July 18-19 <u>1984</u>
15th St. between Charleston Blvd. & Oakey Blvd.	3,238	4,387	2,900
15th St. between Oakey Blvd. and Bonita	3,383	2,284	1,425
15th St. between Bonita Ave. and St. Louis Ave.	3,609	2,764	1,521
15th St. between Sahara Ave. and St. Louis Ave.	1,118	843	1,060
16th St. south of Oakey Blvd.	331	494	289
16th St. north of St. Louis Ave.	482	537	489
17th St. south of Charleston Blvd.	1,748	1,323	1,003
17th St. north of St. Louis	1,748	2,252	1,159
17th St. between St. Louis Ave. & Sahara Ave.	2,588	2,033	1,520

No. of Accidents

<u>Location</u>	(1) 12 months <u>Before</u>	(2) 12 months <u>After</u>	(3) in <u>1983</u>
15th St. / Oakey Blvd.	4	2	1
15th St. - Oakey Blvd. to St. Louis Ave.	1	0	0
15th St. / St. Louis Ave.	6	4	4
15th St. - St. Louis Ave. to Sahara Ave.	2	0	1
16th St.-Oakey Blvd. to St. Louis Ave.	0	0	0
16th St./St. Louis	0	0	0
17th St.-Oakey Blvd. to St. Louis Ave.	3	0	1
17th St./Oakey Blvd.	1	3	3
Spencer Ave.-Oakey Blvd. to St. Louis Ave.	0	0	1
Spencer Ave./Oakey Blvd.	0	0	1
Burnham Ave.-Charleston Blvd. to Oakey Blvd.	3	1	2
Burnham Ave./Oakey Blvd.	4	6	2
Burnham Ave.-Oakey Blvd. to St. Louis Ave.	1	1	0
Burnham Ave./St. Louis Ave.	3	1	2
TOTAL	<u>28</u>	<u>18</u>	<u>18</u>

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IV(h) DEPT. OF DESIGN AND DEVELOPMENT - APPROVAL OF TRAFFIC AND PARKING ITEMS
B. 3. REQUEST OF AL BRITZ AND BILL HOGAN FOR THE ELIMINATION OF THE TRAFFIC
ISLAND AT 15TH STREET AND ST. LOUIS AVENUE. PAGE 1

MAYOR BRIARE:

Now with respect to Item 3, request by Al Britz and Bill Hogan for the elimination of the traffic island at 15th Street and St. Louis Avenue. Traffic and Parking Commission's recommendation was to deny this request. The Council has received numerous letters and calls and other types of communications with respect to this both in favor and some opposed, plus a -- okay, we'll have it entered into the record. Nineteen signatures in favor of eliminating this particular island, okay.

TONY PAWLOW:

Yes, Mr. Mayor. My name is Tony Pawlow. I just happen to be a person that lives on St. Louis and I'm concerned. It's an inconvenience and I'd just like to know why it's there in the first place, that's all?

MAYOR BRIARE:

Thank you, sir.

JOHN J. MCVEIGH:

Yes. I'm John J. McVeigh, Roman Catholic Priest, the Pastor of St. Anne's Parrish and the parochial school of St. Anne's is attached to the Parrish. Before the island was in position, it had been observed that drivers would get off Maryland Parkway and use 15th Street, especially between Sahara and let's say Charleston, as sort of a freeway. A number of the children from St. Anne's School, as well as children from the John C. Fremont School, are pedestrians in the particular area. I feel that the island, as it is situated and placed, does tend to reduce and reduce considerably the traffic flowing north and south, south and north on 15th Street and it would be my recommendation and request that the island remain.

MAYOR BRIARE:

Thank you, Father. I know there are others who wish to be heard. I think first we had better do this in the order -- to hear from those who are here to speak to eliminate the island. It's already there. It's already been approved by the Council and there's really -- the only thing we are here for is to determine whether it's going to stay there or whether it's going to be removed and since this is on the agenda because of people who wanted to remove it, we will hear from those who want to remove it first and then we will hear from those who want to have it stay and keep in mind Father McVeigh's comments. This is now for the first -- anybody wants to speak to us in order to get rid of that traffic island.

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PAGE 2

AL BRITZ:

Mr. Mayor and members of the Council, I think you've known my views on this point for a long time. When this thing started some four years ago --

MAYOR BRIARE:

Mr. Britz.

AL BRITZ:

Al Britz. I live at 1337 St. Joseph Circle. There was never a question as to it would possibly reduce some of the traffic. This has never been a question. It's been a fallacy, of course, and mainly because we didn't have our streets synchronized on Maryland Parkway and Eastern which we have spent millions of dollars now and people use the streets in a proper fashion as they should. The only people that really use 15th Street are the ones that live there. We need the street. You've only got to go one long block and that's the end of the line. As far as children is concerned, you have the same problem throughout the whole City. There's no difference there than anywheres else. This is just conversation and also they say that, well, we've had numerous people running across our lawns and bent our grass over. Isn't that amazing. We have that problem all over town. We're no different there than anywhere else, but we happen to live in that particular area. We have to use that street to get out of that subdivision and the simplest way to get out is to go across the street and go to Sahara if we want to go to the south. The street is put in properly and engineered intelligently. Four years ago or three years ago, the complete Engineering Department, the Police Department and the Fire Department voted down the stupid island. Now, what is the idea of a complete turnaround, that's what I'd like to know? Why should a handful of people ruin a whole City for the people that live in that general area. It's not fair. It's absolutely totally un-American. If it were so good, why don't we have dozens of them in the whole City, but we don't because they're not fitting and they're not proper and they're not engineered that way. Now, we have had more problems since we had an island before us. In fact, one night one of our esteemed citizens wound up in the middle of the stupid island and had to be pulled off with a tow truck. Now, it wasn't his fault probably, maybe he had a drink too much, but the fact is it should have not been there, then the man wouldn't have the problem.

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COUNCILMAN LEVY: That isn't very nice.

AL BRITZ: That is a problem. It's a problem. It's an obstacle course. It does not belong there in no way, shape or form. Now, as far as the people are concerned, we had a petition before, the original one, of 193 people opposed to it against 50 for it. Now, you, the members of the Council, voted it down. You wanted to put it in on a temporary basis. If you remember, Mr. Levy, we went along with that for a temporary basis for a year. The temporary has been gone a long time and now we have synchronized lights. It should be removed. Let us not set a bad example of this City. You know, we have a lot of bad things going on in our community and our city and our state. How many places do you find where the city -- the members of the Commission get ousted and kicked out and put to jail. Members of the legislature out, put in jail. Now we have a Federal Judge. We don't need that.

MAYOR BRIARE: Mr. Britz, let's stick to the item.

AL BRITZ: Let's get to the point, I know and I'm here in this state because I like to be here. I've been here more years than I've been anywhere else and I have nothing opposed to anything like that, only to this thing here.

MAYOR BRIARE: Thank you, Mr. Britz. Now, is there anyone else that wishes to speak in opposition to this island and that want to get rid of it? Okay, then, Father McVeigh, your remarks are already in the record. Is there anyone else here that wishes to speak in favor of keeping it?

CRAIG HOPPE: Yes, my name is Craig Hoppe. I'm an attorney. I'm here on behalf of John Mowbray, 1317 East St. Louis Avenue and Joseph Foley, 1801 South 15th Street. I believe the allowed purpose of the island was to -- the initial allowed purpose was to reduce the traffic flow and hopefully to reduce the accident rate. I think the Traffic Engineering Department's recent study dramatically shows that the islands have accomplished that purpose. Before the islands were installed, the average traffic flow was 3600 vehicles along 15th Street. A year after the islands were installed, that figure was cut down to 2700 and in July of this year that figure was 1500. The accident rate at that inter-

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CRAIG HOPPE:

section also compares favorably. Before the island -- a year before the islands were installed, there were 28 accidents at that intersection. Last year and this year for the 12 months after the islands were installed, there were 18 accidents and in 1983, there were 18 accidents. That's a 36% reduction in the accident rate and a 58% reduction in the traffic flow along 15th Street. I think the proponents who argue for elimination are arguing essentially on the basis of convenience and I think the safety factors involved for the retention of the islands far outweigh any convenience, minor inconvenience, that the residents are -- some of the residents are incurring there.

MAYOR BRIARE:

Thank you. Is there anyone else that wants to speak in favor of leaving them the way they are?

MARK SCOTT:

Mr. Mayor, Councilmen, I'm Mark Scott. I live at 1620 South 15th. I've lived there for 12 years.

COUNCILMAN LEVY:

What is your name, sir?

MARK SCOTT:

Mark Scott.

COUNCILMAN LEVY:

Scott.

MARK SCOTT:

And I've lived there for 12 years and it's been my perception that traffic has been considerably reduced since the island was placed in St. Louis. The street was obviously constructed as a residential street, not a thoroughfare. I think the primary traffic that we were concerned with before the island was placed, was the fact that people were using it as an alternate route for Maryland Parkway. Maryland Parkway and Eastern, of course, are the thoroughfares in that area and I think that they should be utilized for that purpose; that South 15th should remain as a residential street. Thank you.

MAYOR BRIARE:

Thank you, Mr. Scott. Senator, did you want to make any comments or anything?

COUNCILMAN LEVY:

Don't talk about your uncle now.

MAYOR BRIARE:

Did you want to tell us about the Democrat National Convention or --

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SENATOR HELEN FOLEY:

Not at this time, Mayor, thank you. I'm Senator Helen Foley and I represent District 3 and the island is in my district. I also have a personal interest because I was raised on 15th Street. In talking to the neighbors in that area, I find that they are generally very pleased with the island. It's been kind of a mess on St. Louis lately because of all the construction, however, people feel that 15th Street is again a safe place. Before the islands were installed, you were taking your life into your hands if you even tried to back out of your driveway. The children were not allowed to even use their tricycles down the street because it was just far too dangerous. People no longer use it as a thoroughfare and the neighborhood seems quite safe and we would really like to keep the islands where they are.

MAYOR BRIARE:

Senator, if this was a bill on the State Legislature, you'd vote to keep it?

COUNCILMAN LEVY:

She'd endorse it.

SENATOR HELEN FOLEY:

I'd sponsor it.

MAYOR BRIARE:

Anyone else? The Traffic and Parking Commission recommended denial. What is the wishes of the City Council?

COUNCILMAN LEVY:

DENIAL TO REMOVE IT.

COUNCILMAN CHRISTENSEN:

Your Honor, I'd like to --

MAYOR BRIARE:

The request is to remove it and they said "No" to that request?

COUNCILMAN CHRISTENSEN:

Your Honor, I'd like to --

MAYOR BRIARE:

Councilman Christensen.

COUNCILMAN CHRISTENSEN:

I'd like to ask a couple of questions and maybe they're rhetorical questions, maybe they can't be answered. I oppose this traffic island originally because we don't have enough streets that go from north to the south in this town. I happen to have to traverse this town frequently from north to south and I don't quarrel with any of the points that have been made here. There's no question that when you

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- COUNCILMAN CHRISTENSEN: block a street, it closes -- it shuts down some of the traffic on it. I mean that's, you know, that's very easy to see. You block off the street, you're not going to get the traffic on it. I can understand that and there's no question that most people would like to live on a trafficless street, but there's a couple of statements been made that I have to question a little bit that this was designed as a residential street and not a public thoroughfare. It was my understanding that all of our public streets were public thoroughfares; if they're not, I'm confused. Are not all of our public streets public thoroughfares?
- MARK SCOTT: I believe I made the comment and my -- maybe it's a matter of semantics, but I think that obviously Maryland Parkway is the main traffic street and it's a six-lane street. South 15th is a two-lane street.
- COUNCILMAN CHRISTENSEN: But you see, what bothers me is that we're squeezing all this traffic onto Maryland Parkway. I personally -- at this exact position, when this came up before, was accused of being in favor of killing children because I wanted the speed limit changed on Maryland Parkway so that we didn't have a 15 mile speed limit for three blocks. Now, I never advocated killing children, but I was accused of that. Now, I really have some questions about this because you know if we closed off every residential street, we would certainly make them more pleasant for residents to live on because they wouldn't have any traffic, but I've got to ask another kind of a rhetorical question. Do any of these people that live on 15th street drive on anybody else's residential streets or do they only use their own street and the major thoroughfares that are six lanes or better?
- MARK SCOTT: Well --
- MAYOR BRIARE: Mr. Scott, that was a rhetorical question.
- COUNCILMAN CHRISTENSEN: It's a question that -- you understand I asked that question because it's something to think about. I don't advocate racing down a street. Another question that has always bothered me is that one time I ran over a stop sign in the ice up in Utah and took out the stop sign and I heard they got my car out of there because they didn't want to have to buy the stop sign

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- COUNCILMAN CHRISTENSEN: and you talk about the accident rate on that intersection. I wonder how many times we replaced the reflector posts and so forth on that island for accidents that happen on that island that went unreported because they didn't want to have to buy those reflector posts and I wonder how many accidents we've really had at that intersection that are due to that island being there as compared to those that are not happening on the intersection because the intersection is closed. It's very easy to eliminate accidents on the street, just close the street then you don't have any more. That's the problem I have with it. I can understand all these things. If you want to vacate a street, then what we should do is talk about vacating the street and take it off the maintenance of the City if nobody else is going to use it but the people that live there. They do that in Rancho Circle. They do that in Rancho Bel Aire. They do that in Spanish Oaks. They do that in a lot of places and then we're not responsible for maintaining the street, but we don't get to use it either.
- MAYOR BRIARE: Thank you, Councilman. The Parking and Traffic Commission recommended the traffic island remain and not be eliminated. Staff concurred. What's the pleasure --
- COUNCILMAN LEVY: Mr. Mayor, this is a no winner for me because it is basically in my area, but I've analyzed it and I don't see any signatures from the people who live on 15th Street who are wanting that street reopened and I understand exactly what it's done. I understand it has slowed the traffic down and it's caused less traffic and less accidents and I think the people feel a little safer on that street; therefore, I'll follow the recommendations -- MAKE A MOTION WE FOLLOW THE RECOMMENDATIONS OF THE TRAFFIC COMMISSION AND LEAVE THE MONUMENT UP -- WHAT YOU CALL IT.
- MAYOR BRIARE: Any comments by the Council members? Cast your votes. Post. THE MOTION IS APPROVED. EVERYTHING STAYS AS IT WAS. (Motion carried with Christensen voting "No")

END OF EXCERPT

RESPONSE RECEIVED BY CITY CLERK'S OFFICE IN REGARD TO REQUEST TO ELIMINATE TRAFFIC ISLAND AT 15TH STREET AND ST. LOUIS AVENUE:

TO ELIMINATE ISLAND

E. Vera Tyler, 1422 E. St. Louis Ave.
Barbara L. Daigle, "
Charles Hedger, 1210 E. St. Louis Ave.
Hazel Hedger, "
William Schlaf, 1505 E. St. Louis
Ursula-Beate Rhoda, 1509 E. St. Louis Ave.
J. A. Wade, 2001 Maryland Parkway
Kenneth Ryan, 1211 E. Phillips Ave.
Virginia M. Ryan, "
Mrs. Mary Pelishek, 1208 E. St. Louis Ave.
William P. Jackson, 1209 E. Phillips Ave.
Charlene Jackson, "
Catherine Smith, 1518 E. St. Louis Ave.
Mrs. Robert Martin, 1900 S. 15th St.
Tony Pamlow, address unknown
Ann Rosta, 1312 Bonita Ave.
Uossi Jerushalrmi, 1810 S. 14th St.
Isabel M. Castaneda, 1337 St. Joseph Cir.
Alfred Britz, 1337 St. Joseph Cir.
Irene Britz, "
Brendan M. Bate, 1306 Canosa Ave.
Alehandra Bates, "
Jane R. Barger, 1307 Canosa
James Sayre
Al Tuanty, 1301 Canosa Ave.
Franky Slobodauka, "
Hazel M. Fox, 1717 S. 14th St.
Marian Kanaley, 1309 Bonita Ave.
Bob Reed, 1813 S. 14th St.
Andrew M. Hargraves, 1313 Bonita Ave.
Mrs. C. P. Kugel, address unknown
B. G. Beaird, 1309 E. St. Louis Ave.
Evelyn Beaird, 1309 E. St. Louis Ave.

TO RETAIN ISLAND

John P. Wanderer, 15th Street
Regina B. Von Tobel, 1901 S. 15th Ave.
Jacob E. Von Tobel, "

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

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I. APPLICATION

1. These contract provisions shall apply to all work performed on the contract by the contractor with his own organization and with the assistance of workmen under his immediate superintendence and to all work performed on the contract by piecework, station work or by subcontract.

2. The contractor shall insert in each of his subcontracts all of the stipulations contained in these Required Contract Provisions and also a clause requiring his subcontractors to include these Required Contract Provisions in any lower tier subcontracts which they may enter into, together with a clause requiring the inclusion of these provisions in any further subcontracts that may in turn be made. The Required Contract Provisions shall in no instance be incorporated by reference.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be grounds for termination of the contract.

4. A breach of the following clauses may also be grounds for debarment as provided in 29 CFR 5.6(b):

Section I, paragraphs 2;
Section IV, paragraphs 1, 2, 3, 5 and 7;
Section V, paragraphs 1, 5a, 5b, and 5d

II. EQUAL OPPORTUNITY

1. Selection of Labor:

During the performance of this contract, the contractor shall not discriminate against labor from any other State, possession or territory of the United States.

2. Employment Practices:

During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contract will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post

in conspicuous places, available to employees and applicants for employment, notices to be provided by the State highway department setting forth the provisions of this nondiscrimination clause.

b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

c. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the State highway department advising the said labor union or workers' representative of the contractor's commitments under this section II-2 and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations (41 CFR, Part 60) and relevant orders of the Secretary of Labor.

e. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the Federal Highway Administration and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

f. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or Federally-assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.

g. The contractor will include the provisions of this Section II-2 in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the State highway department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however*, that in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the Federal Highway Administration, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

3. Selection of Subcontractors, Procurement of Materials, and Leasing of Equipment:

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

a. **Compliance With Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended

from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

b. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

c. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex or national origin.

d. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the State highway department or the Federal Highway Administration, to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the State highway department or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

e. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the State highway department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

(1) withholding of payments to the contractor under the contract until the contractor complies; and/or

(2) cancellation, termination or suspension of the contract, in whole or in part.

f. **Incorporation of Provisions:** The contractor shall include the provision of this paragraph 3 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the State highway department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State highway department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

III. NONSEGREGATED FACILITIES

(Applicable to Federal-aid construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity clause.)

By submission of this bid, the execution of this contract or subcontract, or the consummation of this material supply agreement, as appropriate, the bidder, Federal-aid construction contractor, subcontractor, or material supplier, as appropriate, certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any

segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. He agrees that (except where he has obtained identical certifications from proposed subcontractors and material suppliers for specific time periods), he will obtain identical certification from proposed subcontractors or material suppliers prior to the award of subcontracts or the consummation of material supply agreements, exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

IV. PAYMENT OF PREDETERMINED MINIMUM WAGES

1. General

All mechanics and laborers employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR, Part 3)), the full amounts due at time of payment computed at wage rates not less than those contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics; and the wage determination decision shall be posted by the contractor at the site of the work in a prominent place where it can be easily seen by the workers. For the purpose of this clause, contributions made or costs reasonably anticipated under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of Section IV, paragraph 3b, hereof. Also for the purpose of this clause, regular contributions made or costs incurred for more than a weekly period under plans, funds, or programs, but covering the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

2. Classification:

a. The State highway department contracting officer shall require that any class of laborers or mechanics, including apprentices and trainees, which is not listed in the wage determination and which is to be employed under the contract, shall be classified or reclassified conformably to the wage determination, and a report of the action taken shall be sent by the State highway department contracting officer to the Secretary of Labor.

b. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics, including apprentices and trainees, to be used, the question accompanied by the recommendation of the State highway department contracting officer shall be referred to the Secretary for final determination.

3. Payment of Fringe Benefits:

a. The State highway department contracting officer shall require, whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly wage rate and the contractor is obligated to pay a cash equivalent of such a fringe benefit, an hourly cash equivalent thereof to be established. In the event the interested parties cannot agree upon a cash equivalent of the fringe benefit, the question, accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for determination.

b. If the contractor does not make payments to a trustee or other third person, he may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing benefits under a plan or program of a type expressly listed in the wage determination decision of the Secretary of Labor which is a part of this contract: *Provided, however*, the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

4. Payment of Excess Wages:

While the wage rates shown are the minimum rates required by the contract to be paid during its life, this is not a representation that labor can be obtained at these rates. No increase in the contract price shall be allowed or authorized on account of the payment of wage rates in excess of those listed herein.

5. Apprentices and Trainees (Programs of Department of Labor):

a. Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training, or with a State Apprenticeship Agency recognized by the Bureau, or if a person is employed in his first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than the ratio permitted to the contractor as to his entire work force under the registered program. Any employee listed on a payroll at an apprentice wage rate, who is not a trainee as defined in 29 CFR 5.2(c)(2) or is not registered or otherwise employed as stated above, shall be paid the wage rate determined by the Secretary of Labor for the classification of work he actually performed. The contractor or subcontractor will be required to furnish to the State highway agency or to a representative of the Wage-Hour Division of the U.S. Department of Labor written evidence of the registration of his program and apprentices as well as the appropriate ratios and wage rates (expressed in percentages of the journeyman hourly rates), for the area of construction prior to using any apprentices on the contract work. The wage rate paid apprentices shall be not less than the appropriate percentage of the journeyman's rate contained in the applicable wage determination.

b. Trainees, except as provided in 29 CFR 5.15, will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification, by the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training. The ratio of trainees to journeymen shall not be greater than permitted under the plan approved by the Bureau of Apprenticeship and Training. Every trainee must be paid at not less than the rate specified in the approved program for his level of progress. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Bureau of Apprenticeship and Training shall be paid not less than the wage rate determined by the Secretary of Labor for the classification of work he actually performed. The contractor or subcontractor will be required to furnish the State highway agency or a representative of the Wage-Hour Division of the U.S. Department of Labor written evidence of the certification of his program, the registration of the trainees, and the ratios and wage rates prescribed in that program. In the event the Bureau of Apprenticeship and Training withdraws approval of a training program, the contractor will no longer be permitted

to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. The utilization of apprentices, trainees and journeymen shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 80.

6. Apprentices and Trainees (Programs of Department of Transportation):

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with Federal-aid highway construction programs are not subject to the requirements of Section IV, paragraph 5 above. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs.

7. Overtime Requirements:

No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers, mechanics, watchmen or guards (including apprentices and trainees described in paragraphs 5 and 6 above) shall require or permit any laborer, mechanic, watchman or guard in any workweek in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek unless such laborer, mechanic, watchman or guard receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, as the case may be.

8. Violation: Liability for unpaid wages; liquidated damages:

In the event of any violation of the clause set forth in paragraph 7, the contractor and any subcontractor responsible therefore shall be liable to any affected employee for his unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer, mechanic, watchman or guard employed in violation of the clause set forth in paragraph 7, in the sum of \$10 for each calendar day on which such employee was required or permitted to work in excess of eight hours or in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 7.

9. Withholding for unpaid wages:

The State highway department contracting officer may withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to pay laborers, mechanics (including apprentices and trainees) watchmen, or guards employed by the contractor or any subcontractor on the work the full amount of wages required by the contract. In the event of failure to pay any laborer, mechanic, (including apprentices and trainees) watchman or guard employed or working on the site of the work, all or part of the wages required by the contract, the State highway department contracting officer may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

10. Withholding for liquidated damages:

The State highway department contracting officer may withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for liquidated damages as provided in the clause set forth in paragraph 8.

V. STATEMENTS AND PAYROLLS**1. Compliance with Copeland Regulation (29 CFR, Part 3):**

The contractor shall comply with the Copeland Regulations (29 CFR, Part 3) of the Secretary of Labor which are herein incorporated by reference.

2. Weekly statements:

Each contractor or subcontractor shall furnish each week a statement to the State highway department resident engineer with respect to the wages paid each of its employees, (including apprentices and trainees described in Section IV, paragraphs 5 and 6, and watchmen and guards) engaged on work covered by the Copeland Regulations during the preceding weekly payroll period. The statement shall be executed by the contractor or subcontractor or by an authorized officer or employee of the contractor or subcontractor who supervises the payment of wages. Contractors and subcontractors must use the certification set forth on U.S. Department of Labor Form WH-348, or the same certification appearing on the reverse of Optional U.S. Department of Labor Form WH-347, or on any form with identical wording.

3. Final labor summary:

The contractor and each subcontractor shall furnish, upon the completion of the contract, a summary of all employment, indicating for the completed project the total hours worked and the total amount earned. This data shall be submitted to the State highway department resident engineer on Form PR-57 together with the data required in Section VI, hereof, relative to materials and supplies. The provisions of this paragraph are not applicable to contracts for secondary highways or contracts financed solely with funds provided by the Highway Beautification Act of 1965, as amended.

4. Final certification:

Upon completion of the contract, the contractor shall submit to the State highway department contracting officer for transmission to the Federal Highway Administration with the voucher for final payment for any work performed under the contract, a certificate concerning wages and classifications for laborers, mechanics, watchmen and guards employed on the project, in the following form:

The undersigned, contractor on

(Project No.)

hereby certifies that all laborers, mechanics, apprentices, trainees, watchmen and guards employed by him or by any subcontractor performing work under the contract on the project have been paid wages at rates not less than those required by the contract provisions, and that the work performed by each such laborer, mechanic, apprentice or trainee conformed to the classifications set forth in the contract or training program provisions applicable to the wage rate paid.

Signature and title

• • • • •

5. Payrolls and payroll records:

a. Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers, mechanics, apprentices, trainees, watchmen and guards working at the site of the work.

b. The payroll records shall contain the name, social security number and address of each such employee, his correct classification, rates of pay (including rates of contributions or costs anticipated of the types described in section 1(b)(2) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor, pursuant to Section IV, paragraph 3b, has found that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act,

the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual costs incurred in providing such benefits.

c. The payrolls shall contain the following information:

(1) The employee's full name, address and social security number. (The employee's full name and social security number need only appear on the first payroll on which his name appears. The employee's address need only be shown on the first submitted payroll on which the employee's name appears, unless a change of address necessitates a submittal to reflect the new address.)

(2) The employee's classification.

(3) Entries indicating the employee's basic hourly wage rate and, where applicable, the overtime hourly wage rate. The payroll should indicate separately the amounts of employee and employer contributions to fringe benefit funds and/or programs. Any fringe benefits paid to the employee in cash must be indicated. There is no prescribed or mandatory form for showing the above information on payrolls.

(4) The employee's daily and weekly hours worked in each classification, including actual overtime hours worked (not adjusted).

(5) The itemized deductions made and

(6) The net wages paid.

d. The contractor will submit weekly a copy of all payrolls to the State highway department resident engineer. The copy shall be accompanied by a statement signed by the employer or his agent indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor and that the classifications set forth for each laborer or mechanic conform with the work he performed. Submission of a weekly statement which is required under this contract by Section V, paragraph 2, and the Copeland Regulations of the Secretary of Labor (29 CFR, Part 3) and the filing with the initial payroll or any subsequent payroll of a copy of any findings by the Secretary of Labor pursuant to Section IV, paragraph 3b, shall satisfy this requirement. The prime contractor shall be responsible for the submission of copies of payrolls of all subcontractors. The contractor will make the records required under the labor standards clauses of the contract available for inspection by authorized representatives of the State highway department, the Federal Highway Administration and the Department of Labor, and will permit such representatives to interview employees during working hours on the job.

e. The wages of labor shall be paid in legal tender of the United States, except that this condition will be considered satisfied if payment is made by negotiable check, on a solvent bank, which may be cashed readily by the employee in the local community for the full amount, without discount or collection charges of any kind. Where checks are used for payment, the contractor shall make all necessary arrangements for them to be cashed and shall give information regarding such arrangements.

f. No fee of any kind shall be asked or accepted by the contractor or any of his agents from any person as a condition of employment on the project.

g. No laborers shall be charged for any tools used in performing their respective duties except for reasonably avoidable loss or damage thereto.

h. Every employee on the work covered by this contract shall be permitted to lodge, board and trade where and with whom he elects and neither the contractor nor his agents, nor his employees shall, directly or indirectly, require as a condition of employment that an employee shall lodge, board or trade at a particular place or with a particular person.

i. No charge shall be made for any transportation furnished by the contractor, or his agents, to any person employed on the work.

j. No individual shall be employed as a laborer or mechanic on this contract except on a wage basis, but this shall not be construed to prohibit the rental of teams, trucks, or other equipment from individuals.

VI. RECORD OF MATERIALS, SUPPLIES AND LABOR

1. The provisions in this section are applicable to all contracts except contracts for secondary highways and contracts financed solely with funds provided by the Highway Beautification Act of 1965, as amended.

2. The contractor shall maintain a record of the total cost of all materials and supplies purchased for and incorporated in the work, and also of the quantities of those specific materials and supplies listed on Form PR-47 and in the units shown. Upon completion of the contract, this record, together with the final labor summary required in Section V, paragraph 3, hereof, shall be transmitted to the State highway department resident engineer for the project on Form PR-47 in accordance with instructions attached thereto, which will be furnished for this purpose upon request. The quantities for the listed items shall be reported separately for roadway and for structures over 20 feet long as measured along the centerline of the roadway.

3. The contractor shall become familiar with the list of specific materials and supplies contained in Form PR-47 prior to the commencement of work under this contract. Any additional materials information required will be solicited through revisions of Form PR-47 with attendant explanations.

4. Where subcontractors are involved the contractor shall submit either a single report covering work both by himself and all his subcontractors, or he may submit separate reports for himself and for each of his subcontractors.

VII. SUBLETTING OR ASSIGNING THE CONTRACT

1. The contractor shall perform with his own organization contract work amounting to not less than 50 percent of the original total contract price, except that any items designated by the State as "Specialty Items" may be performed by subcontract and the amount of any such "Specialty Items" so performed may be deducted from the original total contract price before computing the amount of work required to be performed by the contractor with his own organization.

a. "His own organization" shall be construed to include only workmen employed and paid directly by the prime contractor and equipment owner or rented by him, with or without operators.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, craftsmanship or equipment not ordinarily available in contracting organizations qualified to bid on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. In addition to the 50 percent requirement set forth in paragraph 1 above, the contractor shall furnish (a) a competent superintendent or foreman who is employed by him, who has full authority to direct performance of the work in accordance with the contract requirements, and who is in charge of all construction operations (regardless of who performs the work), and (b) such other of his own organizational capability and responsibility (supervision, management, and engineering services) as the State highway department contracting officer determines is necessary to assure the performance of the contract.

3. The contract amount upon which the 50 percent requirement set forth in paragraph 1 is computed includes the cost of materials and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

4. Any items that have been selected as "Specialty Items" for the contract are listed as such in the Special Provisions, bid schedule, or elsewhere in the contract documents.

5. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the State high-

way department contracting officer, or his authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Request for permission to sublet, assign, or otherwise dispose of any portion of the contract shall be in writing and accompanied by (a) a showing that the organization which will perform the work is particularly experienced and equipped for such work, and (b) an assurance by the contractor that the labor standards provisions set forth in this contract shall apply to labor performed on all work encompassed by the request.

VIII. SAFETY; ACCIDENT PREVENTION

In the performance of this contract, the contractor shall comply with all applicable Federal, State and local laws governing safety, health and sanitation. The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions, on his own responsibility, or as the State highway department contracting officer may determine, reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

It is a condition of this contract, and shall be made a condition of each subcontract entered into pursuant to this contract, that the contractor and any subcontractor shall not require any laborer or mechanic employed in performance of the contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health or safety, as determined under construction safety and health standards (Title 29, Code of Federal Regulations, Part 1926, formerly Part 1518, as revised from time to time), promulgated by the United States Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (83 Stat. 96).

IX. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, the following notice shall be posted on each Federal-aid highway project in one or more places where it is readily available to all personnel concerned with the project:

* * * *

NOTICE TO ALL PERSONNEL ENGAGED ON FEDERAL-AID HIGHWAY PROJECTS

Title 18, United States Code, Section 1020, reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation: or

"Whoever knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation: or

"Whoever knowingly makes any false statement or false representation as to a material fact in any statement, certificate, or

report submitted pursuant to provisions of the Federal-Aid Road Act approved July 1, 1916 (39 Stat. 355), as amended and supplemented;

"Shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

**X. IMPLEMENTATION OF CLEAN AIR ACT AND
FEDERAL WATER POLLUTION CONTROL ACT
(APPLICABLE TO CONTRACTS AND SUBCONTRACTS
WHICH EXCEED \$100,000)**

1. The contractor stipulates that any facility to be utilized in the performance of this contract, unless such contract is exempt under the Clean Air Act, as amended (42 U.S.C. 1857 et seq., as amended by Pub. L. 91-604), and under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., as amended by Pub. L. 92-500), Executive Order 11738, and regulations in implementation thereof (40 C.F.R., Part 15), is not

listed, on the date of contract award, on the U.S. Environmental Protection Agency, (EPA) List of Violating Facilities Pursuant to 40 C.F.R. 15.20.

2. The contractor agrees to comply with all the requirements of section 114 of the Clean Air Act and section 308 of the Federal Water Pollution Control Act and all regulations and guidelines listed thereunder.

3. The contractor shall promptly notify the State highway department of the receipt of any communication from the Director, Office of Federal Activities, EPA, indicating that a facility to be utilized for the contract is under consideration to be listed on the EPA List of Violating Facilities.

4. The contractor agrees to include or cause to be included the requirements of subparagraphs 1 through 4 of this paragraph X in every nonexempt subcontract, and further agrees to take such action as the Government may direct as a means of enforcing such requirements.

AGENDA DOCUMENTATION

Date: July 26, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGER

SUBJECT: SELECTION OF ALIGNMENT FOR NORTHWEST INTERCEPTOR SEWER

PURPOSE/BACKGROUND

One of the projects on the current \$20,500,000 bond issue program is the Northwest Sewer Interceptor from Vegas Drive near Simmons Street to Decatur Blvd. near Lone Mountain Road.

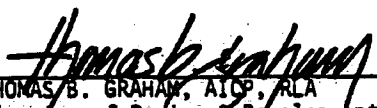
The purpose of this Interceptor is two-fold. First, to provide sewer availability to a presently partially built up area of Las Vegas where no sewers are now available; second, to provide sewer capacity to permit growth in the North and Northwest area.

The engineering firm of VTN, Nevada has studied several promising alignments within the terminal points described above. The Department of Design and Development staff, together with VTN, Nevada will present their findings and recommendations resulting from these studies so that the Mayor and Council can select the most feasible route.

FISCAL IMPACT

RECOMMENDATIONS

Recommendations will be made at the presentation.


THOMAS B. GRAHAM, AICP, RLA
Director of Design & Development

Agenda Item 8-15-84

IV (h). C. 1

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 26, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT: TRAFFIC SIGNAL MODIFICATION AGREEMENT WITH NEVADA DEPARTMENT
OF TRANSPORTATION (P182-84-012)PURPOSE/BACKGROUND

The Nevada Department of Transportation has indicated that they will provide safety funds for the modification to increase visibility of the following intersections:

1. Las Vegas Boulevard and Bonneville Avenue
2. Las Vegas Boulevard and Bridger Avenue
3. Las Vegas Boulevard and Carson Avenue
4. Las Vegas Boulevard and Fremont Street
5. Las Vegas Boulevard and Ogden Avenue
6. Fremont Street and Bruce Street

The modifications consist of increasing the signal head sizes from 8 inches to 12 inches and replacing the existing poles.

Nevada Department of Transportation will fund the modifications entirely.

The City Attorney's office has reviewed and approved the language of the agreement.

FISCAL IMPACT

None. Nevada Department of Transportation will reimburse the City 100% of all costs to complete the work.

RECOMMENDATIONS

The Director of Design and Development recommends that the City Council approve the agreement and authorize the Mayor to execute the agreement.


THOMAS B. GRAHAM, AISC, RLA
Director of Design & Development

Agenda Item 8/15/84

IV (h). C. 2.

INTEGRATED COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this 4th day of September, 1984, by and between the STATE OF NEVADA, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter referred to as STATE, and the CITY OF LAS VEGAS, a body politic of the State of Nevada, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, pursuant to the provisions of NRS 277.180, STATE and CITY are authorized to enter into agreements for the performance of any governmental service which either STATE or CITY is authorized to perform and which includes, but is not limited to, the construction, maintenance and repair of street lighting and traffic signal systems; and

WHEREAS, STATE proposes to modify traffic signal systems at the intersections of Las Vegas Boulevard with Bonneville Avenue, Bridger Avenue, Carson Avenue, Freemont Street and Ogden Avenue, and Freemont Street with Bruce Street; and

WHEREAS, construction of said systems will greatly minimize and mitigate danger to pedestrian and vehicular traffic; and

WHEREAS, construction of said systems will be of great benefit to the citizens of CITY, STATE, and to the traveling public in general.

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

STATE AGREES:

1. To provide expertise in the area of federal laws, regulations and directives relating to the Federal Highway Administration to administer this program.
2. To review the plans and estimates, prepare the specifications and authorize the CITY to proceed with the construction of the project.
3. TO reimburse the CITY one hundred percent (100%) of the actual costs incurred by CITY in furnishing materials and performing the work as specified in the plans. Partial payments will be made once each month as the work satisfactorily progresses. The payments shall be based upon materials in place, or on the project and invoiced, and labor expended thereon. No payment shall be made when, in the judgment of the STATE, the work is not in accordance with the plans and/or specifications of the project.

4. To participate in the cost of replacement of equipment necessary for major repairs to the said signal systems provided the cost of said repair exceeds \$1,000.00 and is unrecoverable by insurance or other means. The participation to be one hundred percent (100%) of the cost of major equipment items replaced, said major equipment items to be limited to controller, poles, mast arms and signal heads.

CITY AGREES:

1. To provide preliminary engineering, preliminary plans and estimates to STATE without cost to STATE.

2. Upon being notified in writing by STATE that Federal funds are available to carry out STATE's obligation to accomplish construction utilizing CITY forces on a Force Account basis (actual costs) under the following stipulation:

(a) Certify to the STATE that they are adequately staffed and have at least seventy percent (70%) of the construction equipment necessary to undertake and satisfactorily complete the work.

3. All work contemplated by this agreement shall conform to STATE standard specifications, standard plans for Road and Bridge Construction, Design Manual and the Manual on Uniform Traffic Control Devices for Streets and Highways.

4. The CITY will not commence work on any project until all applicable procedures have been completed, and written authorization or Notice to Proceed has been sent by the STATE to the CITY.

5. To operate, maintain and provide energy for said traffic signal systems in a manner satisfactory to STATE without cost to STATE except as set forth in Paragraph 4 of "STATE AGREES" on page 2 of this Agreement, after completion of the construction of said traffic signal system.

6. It is further understood that the CITY will be responsible for any loss, damage, liability, cost or expense caused by the actions or non-actions of its employees, servants or agents resulting from the execution of this Agreement.

7. To abide by all of the E.E.O. provisions, more specifically, Parts II and III of Form PR-1273 attached hereto and made a part hereof.

STATE AND CITY MUTUALLY AGREE:

1. All work contemplated by this agreement shall be done in good workmanlike manner and to the satisfaction of all parties hereto and completed as scheduled in the plans and specifications.

2. All plans and specifications, and any supplements thereto, are hereby incorporated herein and made a part hereof by reference.

Any preliminary engineering costs incurred by the CITY will be on a non-participating basis.

3. Work accomplished under this Agreement is subject to inspection both during and after construction by the STATE and Federal Highway Administration. The STATE will certify the project to the Federal Highway Administration upon satisfactory completion and acceptance by the STATE of the project.

4. The accounts and records pertaining to the project(s) shall be subject to inspection and available for audit by representatives of the STATE and of the Federal Highway Administration for a period of three (3) years after the final payment.

5. This agreement is null and void should Federal Funds be unavailable to carry out STATE's obligation.

6. This agreement can be amended or modified by letter signed by duly authorized representatives of both STATE and CITY and shall become a part of this agreement.

THIS AGREEMENT shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto and shall become effective upon execution.

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

CITY OF LAS VEGAS

Ron Lurie
Mayor Pro-Tem - Ron Lurie

ATTEST:

Carl G. Hawley
City Clerk 8-20-84

Reviewed *R. L. P.*
Admin. Services 7/3/84

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

Donald W. Hill
Asst. Director

ATTEST:

[Signature]
Administrative Services Officer

Recommended:

[Signature]
Chief Traffic Engineer

Recommended:

[Signature]
District Engineer

Approved as to Legality and Form:

William M. Raymond
Deputy Attorney General
Asst. Chief Counsel

AGENDA DOCUMENTATION

Date: AUGUST 3, 1984

TO: The City Council

FROM: MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON SELECTION OF ARCHITECTURAL CONSULTANT AND
ALTERNATE FOR THE DOWNTOWN TRANSPORTATION CENTER PROJECTPURPOSE/BACKGROUND

Design and Development staff developed a descriptive pre-design program and firm cost estimates for renovating the old Fire Station No. 1 into a multi-modal Downtown Transportation Center facility. These documents were used as a basis for requesting 80% funding from the Urban Mass Transportation Administration (U.M.T.A.). This funding request should be approved by the end of August, 1984, (design contract ratification cannot take place prior to approval).

Interested architectural consultants were invited to submit Statements of Qualifications by advertisement in local newspapers on June 3, 1984. On July 25, 1984, the Project Screening Committee, consisting of representatives from Design and Development, Economic and Urban Development, Community Planning and Development, and General Services, evaluated the six submissions received from interested private architectural consultants and recommended a short list of three firms to be considered by the Management Selection Committee. The Management Selection Committee reviewed the submissions of the short-listed firms and the recommendations of the Project Screening Committee and selected one firm for first consideration to provide the necessary consulting services.

<u>FISCAL IMPACT</u>	10% project funding from Municipal Garage Revenue	\$ 160,000.
	10% project funding by Nevada Department of Transportation	160,000.
	80% project funding by U.M.T.A. pending approval of funding request (estimated approval by the end of August, 1984)	1,280,000.
	TOTAL AVAILABLE FUNDS	\$1,600,000.

RECOMMENDATIONS

Based on review of the short-listed firms, submissions of Qualifications Statements and the staff evaluations by the Project Screening Committee, the Management Selection Committee recommends that the City Council select the architectural firm of Dobrusky Kittrell Garlock to provide architectural services for the Downtown Transportation Center project and that the firm of Farris Alexander Congdon Architects be selected as an alternate so that in the event a mutually agreed to contract cannot be negotiated with Dobrusky Kittrell Garlock, negotiations may begin with the alternate.

Thomas B. Graham
THOMAS B. GRAHAM, AICP, RL, DIRECTOR
DEPARTMENT OF DESIGN AND DEVELOPMENT

Agenda Item 8-15-84

IV (h). c. 3.

City of Las Vegas

AGENDA DOCUMENTATION

Date: AUGUST 10, 1984TO:
The City CouncilFROM:
MICHAEL P. COOL
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZATION OF STAFF TO EVALUATE CONSULTANT
FIRMS AND NEGOTIATE CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES IN CONNECTION
WITH CITY HALL JAIL RENOVATIONPURPOSE/BACKGROUND

When the new County jail facility opens in October, the Metro jail and booking operations currently located in the City Hall complex will move to the new County complex. The court authorization allowing the City to utilize the City Hall jail will expire upon the opening of the new County facility. The City is pursuing legal action to obtain an indefinite extension of time to allow Metro to continue to utilize the City Hall facility for City bookings. We anticipate that this extension will be granted, however, contingent upon certain renovation requirements. In addition to the renovations, a new roof is also needed.

A comparative cost analysis was done comparing the cost of booking in the new County jail and booking in the City jail annex. The analysis reflects that we could anticipate approximately \$480,000.00 savings each year by booking at the City jail annex. In order to do this, certain remodeling will be necessary at this point in time. Exactly how much remodeling and at what cost is not available in specifics. Consequently, the figures listed below tend to reflect the maximum cost that would be involved. Regardless of whether or not we remodel the jail, we will need to put a new roof on that portion of the building which will cost approximately \$100,000.00. If the total estimated cost for the remodeling and roof are experienced, they would be amortized in less than two years.

FISCAL IMPACT Preliminary Estimated Pre-Design Project Budget:

\$500,000 - facility interior renovation
 \$100,000 - adjacent roof areas
 \$75,000 - A/E consultants professional fees
 \$25,000 - construction administration

\$700,000Funding -Revenue Sharing Fund
(#055020)

\$200,000 - jail renovations
 \$100,000 - re-roofing
 \$400,000 - remainder from
 other funding

\$700,000

Fiscal impact: Potential savings annually = \$480,000

RECOMMENDATIONS

It is, therefore, recommended that authorization be given to staff to evaluate consultant firms and negotiate a contract for architectural/engineering services in connection with the City Hall jail renovation.


 THOMAS B. GRAHAM, AICP, RLA, DIRECTOR
 DEPARTMENT OF DESIGN AND DEVELOPMENT

Agenda Item 8-15-84

IV (h). C.4.

AGENDA*City of Las Vegas*

August 15, 1984

Page 22

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

ITEM

Council Action

Department Action

V. GEORGE F. OGILVIE - CITY ATTORNEY

11:14 A. Appeal of Work Card Denial:
to
11:18 Mr. Philip C. Mirabelli

Levy-
APPROVED motion to
grant work card on
temporary basis for
4 months with
condition Appellant
work under the
supervision of his
father.

Unanimous

Police Report dated 8/13/84 made part
of record and on file at LVMPD.

VERBATIM TRANSCRIPT MADE A PART
OF THE FINAL MINUTES ON ITEM A.

Clerk to notify
Appellant, Philip
Mirabelli, Sr. and
Lt. Hanief
appeared.

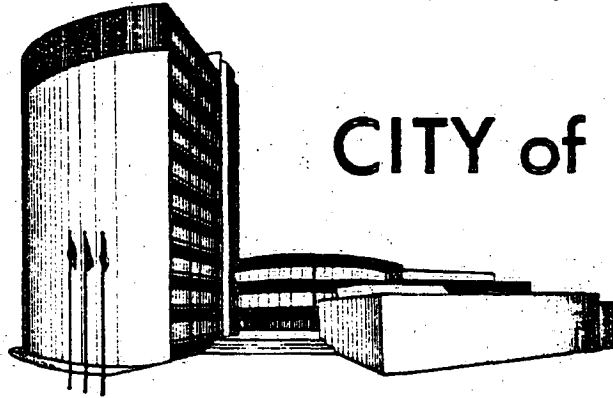
B. Approval of Resolution Extending Franchise
Agreement for Southwest Gas Corporation
until October 31, 1984

Lurie-
ADOPTED Resolution.
Unanimous

Lurie requests City Attorney to keep
him apprised of the status of franchise
negotiations for Southwest Gas.

Staff to proceed

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



CITY of LAS VEGAS

August 8, 1984

Mr. Philip C. Mirabelli
1500 Metropolitan
Las Vegas, Nevada 89102

Dear Mr. Mirabelli:

Please be advised that your appeal to the City Council regarding the denial of your work card has been rescheduled from September 5, 1984 to Wednesday, August 15, 1984. This matter will be heard sometime between 10 A.M. and 12 Noon. I would advise you to be present at 10 A.M. and wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

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

We will see you at the City Council Chambers on Wednesday, August 15, 1984 at the 10 A.M. City Council Meeting.

Sincerely,

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

CAH:jp

cc: City Attorney
Las Vegas Metropolitan Police Dept. - SIB



August 8, 1984

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

Dear Ms. Hawley:

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

Sincerely,



Philip C. Mirabelli
1500 Metropolitan
Las Vegas, Nevada 89102
878-4752

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

V. CITY ATTORNEY

A. APPEAL OF WORK CARD DENIAL - MR. PHILIP C. MIRABELLI

PAGE 1

MAYOR BRIARE:

The next Item on page 22, City Attorney's agenda, first is which a work card denial for Mr. Philip C. Mirabelli.

CITY ATTORNEY OGILVIE:

Your Honor, I would like to have made a part of the record of these proceedings, the Police Report in this matter which is identified as being dated August 13, 1984 to City Council from Hash Hanief, Lt., Special Privilege Investigations Section, Intelligence Services Bureau, Subject: Work Card Denial, Philip Mirabelli, I.D. NO. 335410. This should be made a part of the record before they proceed.

COUNCILMAN LEVY:

Mr. Mayor, I understand there's been some changes in the work of Mr. Mirabelli in that he will now -- the request, I think, to work for his father on a temporary basis for the next two, three months. I know Mr. Mirabelli, Sr., I guess, all my life. I feel that he has added something to the community and therefore, I would make a MOTION THAT WE GIVE MR. PHILIP MIRABELLI, JR. A TEMPORARY LICENSE FOR FOUR MONTHS THAT HE'D BE WORKING UNDER THE AUSPICES OF HIS FATHER.

MAYOR BRIARE:

Phil, Sr., it's nice to see you. I know there's been more brighter times for you in these chambers, but nevertheless, it's always a pleasure to see you, Phil, especially when you have -- I kind of presume that you've got your father's lawyers out today representing your son. Would you want to make any comment?

PHIL MIRABELLI, SR.:

The only comment I have -- I think it's important that you understand I think the Police Department is doing a good job. I'm just a father trying to help his son. I have no quarrel with them at all.

COUNCILMAN LURIE:

With the motion, he's going to have to get a new referral slip from you because the one before says the El Cortez.

PHIL MIRABELLI, SR.:

I'll be glad to sign one.

COUNCILMAN LURIE:

And then, you know that if it's approved, this license is just for your father's location.

PHIL MARABELLI, SR.:

It's a work card, sir.

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

V. CITY ATTORNEY

A. APPEAL OF WORK CARD DENIAL - MR. PHILIP C. MIRABELLI

PAGE 2

COUNCILMAN LURIE: Yes.

COUNCILMAN NOLEN: For that location. Do you have any problem with that, Lieutenant, as far as --

LT. HASH HANIEF: No, that was one of the comments in my report to you people that he'd be hired there. Instead of going back to the store, he can just go over to our Fingerprint Bureau and get a referral slip over there. He'll still have to come and have it okayed by me though, that'll be a requirement for our records.

MAYOR BRIARE: Officer, where was that recommendation?

COUNCILMAN LEVY: It's in there.

LT. HASH HANIEF: In the postscript of the report I wrote to you. If the father has a business, he could hire his son. Do you have a copy of the report I wrote to you?

MAYOR BRIARE: Yes.

LT. HASH HANIEF: It's in the postscript, third paragraph down, bottom line.

MAYOR BRIARE: Well, yes, but you just said if -- Officer, but you see the only thing I ever needed is what you have here. Now, are you adding to this by saying that would be your recommendation that we go ahead and allow the boy to work for his father?

LT. HASH HANIEF: It -- the word card that way, that's basically within the City. If they do bring the employer or a letter from the employer, sometimes it does convince you people to give them a card.

MAYOR BRIARE: Are you sure, are you sure?

LT. HASH HANIEF: Yes, sir.

MAYOR BRIARE: Your recommendation?

LT. HASH HANIEF: We have no objection to him having the card there.

MAYOR BRIARE: Well, okay, see that was here. That was not --

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

V. CITY ATTORNEY

A. APPEAL OF WORK CARD DENIAL - MR. PHILIP C. MIRABELLI

PAGE 3

COUNCILMAN LEVY: I don't think -- he didn't have that option. He just made a suggestion. Now, he has the option.

MAYOR BRIARE: Well, it makes the difference of whether I'm going to vote in favor of your motion or not. If what you just stated here --

LT. HASH HANIEF: Well his work application was for the El Cortez and it was denied for that.

MAYOR BRIARE: But working for his father, you say is okay?

LT. HASH HANIEF: We'll give a card for that under the conditions you've set out.

MAYOR BRIARE: But you still want some action by this Council?

COUNCILMAN CHRISTENSEN: What we're trying to find out, Hash, is do you think it's okay if he works for his dad?

LT. HASH HANIEF: Yes, sir.

MAYOR BRIARE: That's very important to me. Phil, I'm going to vote against it. Now, I'm going to vote for it.

PHIL MIRABELLI, SR.: You just do what you think is right.

LT. HASH HANIEF: What he would be approved would be a work card and the notation on there would be "no postcard changes." So he would not be able to take that card and transfer it to another job.

COUNCILMAN NOLEN: He'd have to come back before this Council for any change?

LT. HASH HANIEF: He would be denied working at any other establishment without the owner's approval.

MAYOR BRIARE: I'll tell you, young man, you're sure lucky to have a father like you've got. I don't think you've demonstrated that you feel that way, but maybe for the next couple of months you will demonstrate it. Do you think he will, Phil?

PHIL MIRABELLI, SR.: Oh, yes, I think so.

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

V. CITY ATTORNEY

A. APPEAL OF WORK CARD DENIAL - MR. PHILIP C. MIRABELLI

PAGE 4

MAYOR BRIARE:

Any other comments? Cast your votes. Post.
The motion's approved, just on your basis,
Dad. I hope your boy doesn't forget you.
(Motion carried unanimously)

PHIL MIRABELLI, SR.:

Thank you.

END OF EXCERPT

City of Las Vegas

AGENDA DOCUMENTATION

Date: August 8, 1984

TO: The City Council

FROM: *George F. Ogilvie*
George F. Ogilvie
City AttorneySUBJECT:

Resolution to extend the Franchise Agreement between the City and Southwest Gas Corporation to October 31, 1984.

PURPOSE/BACKGROUND

Present Franchise Agreement between the City and Southwest Gas Corporation is due to expire on August 23, 1984. Although representatives of the City and Southwest Gas are in negotiations relative to the terms of a new franchise agreement, those negotiations have not been concluded.

Accordingly, the existing franchise of Southwest Gas should be extended to allow time for the completion of those negotiations, and the Resolution which is before you, if it is adopted, will grant such extension until October 31, 1984.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the attached Resolution which extends the Franchise Agreement between the City of Las Vegas and Southwest Gas Corporation until October 31, 1984, be adopted.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V-B

R E S O L U T I O N

1
2
3 A RESOLUTION AUTHORIZING THE EXTENSION OF THE FRANCHISE AGREEMENT
4 DATED AUGUST 24, 1954, BETWEEN NEVADA SOUTHERN GAS COMPANY,
5 PREDECESSOR OF SOUTHWEST GAS CORPORATION, AND THE CITY OF LAS
6 VEGAS, NEVADA.

7 WHEREAS, the present franchise agreement between the
8 City of Las Vegas, Nevada, and Southwest Gas Corporation which
9 provides for the sale and distribution of natural gas to the
10 residents of said City is due to expire on August 23, 1984; and

11 WHEREAS, the parties to that franchise agreement are
12 presently in the process of negotiating a new franchise agreement
13 which will provide for the continued use of public streets and
14 rights-of-way which are necessary in order for Southwest Gas
15 Corporation to continue to sell and distribute natural gas to
16 the residents of said City; and

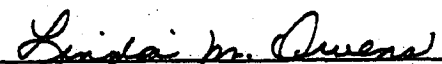
17 WHEREAS, such negotiations will not be completed prior
18 to the expiration of the present franchise agreement,

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of
20 the City of Las Vegas, Nevada, that the franchise agreement
21 presently in effect between said City and Southwest Gas Corpora-
22 tion and is due to expire on August 23, 1984, be, and the same
23 hereby is, extended to and including the 31st day of October,
24 1984.

25 PASSED, ADOPTED and APPROVED this 15th day of August,
26 1984.

27
28 
RON LURIE, MAYOR PRO-TEM

29 ATTEST:

30
31 
32 LINDA M. OWENS, ACTING CITY CLERK

AGENDA*City of Las Vegas*

August 15, 1984

Page 23

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

11:19

- A. BILL NO. 84-40 - AMENDS THE R-MH ZONING DISTRICT REGULATIONS TO REQUIRE THE SAME FRONT AND SIDE YARD SETBACKS AS ARE REQUIRED IN THE R-1 ZONING DISTRICT.

Committee: Councilmen Christensen and Lurie

First Publication: SUN - 8/1/84

Committee Recommendation:

Adoption at the City Council meeting of 8/15/84.

Christensen -
Second Reading and
Bill ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

11:20

- B. BILL NO. 84-41 - SETS FORTH THE DEPARTMENTS OF THE CITY AND THEIR CONSTITUENT DIVISIONS.

Committee: Councilmen Lurie and Christensen

First Publication: SUN - 8/1/84

Committee Recommendation:

Adoption at the City Council meeting of 8/15/84.

Lurie -
Second Reading and
Bill ADOPTED.
Unanimous

Clerk to proceed
with second
publication.

APPROVED AGENDA ITEM

mp Core

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 9, 1984

TO: The City Council

FROM: Val Steed
Deputy City Attorney *Val Steed*SUBJECT:

Bill No. 84-40: Amends the R-MH Zoning District Regulations to Require the Same Front and Side Yard Setbacks in Said District as are Required in the R-1 Zoning District

PURPOSE/BACKGROUND

This bill, if adopted, would require the same front and side yard setbacks in the R-MH Zoning District as are required in the R-1 Zoning District.

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

VI - A

AGENDA DOCUMENTATION

Date: July 10, 1984

TO: The City Council

FROM: *Robert Yeargin*
Robert Yeargin
Deputy City Attorney

SUBJECT: Bill No. 84-41 Sets forth the departments of the City and their constituent divisions; amends or repeals certain LVMC sections to make them consistent with new chapter.

PURPOSE/BACKGROUND

The purpose of this bill is to provide by ordinance for the divisions of the City and their various divisions, as the City Charter requires. In this connection, sections are amended or repealed in Chapters 16 (Senior Citizens' Center), 18 (Department of Financial Management), 28 (City Park Ranger Unit), 38 (Golf Board), and 42 (Parks and Recreation Advisory Commission). In the case of Chapter 16, the amendment places the office of director of the Senior Citizens' Center in the Department of Parks, Recreation, and Senior Citizen Activities. The amendments in Chapters 28, 38, and 42 reflect the new name of the Department of Parks, Recreation and Senior Citizen Affairs and also the change of the Council's name from the Board of City Commissioners.

In Chapter 18, the name of the Department of Finance, as contained in the current code, is changed to the Department of Financial Management, as required by the Charter. Existing sections dealing with the organization of the department are repealed. The department's organization is made subject to Chapter 2.09, which deals with divisions in each department of the City.

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

July 30, 1984

TO:

FILE

FROM:

CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
JULY 30, 1984

COPIES TO:

8/1/84 and 8/15/84 City Council Books
City Attorney
Business Activity Director
Community Planning and Development Director
Public Services Director
Building and Safety DirectorMetro
Fire Services

MEETING HELD:

Monday, July 30, 1984, at 4:00 P.M. in the City Manager's
Conference Room, 10th Floor, City Hall, 400 East Stewart
Avenue, Las Vegas, Nevada. Meeting adjourned at 4:02 P.M.

PRESENT:

Councilman Paul Christensen
City Manager Ashley Hall
Deputy City Manager Don Saylor
Deputy City Attorney Robert Yeargin
Community Planning and Development Director Harold Foster
City Clerk Carol Ann Hawley
Deputy City Clerk Linda Owens
Jamie Hurley, Las Vegas SUN

EXCUSED:

Councilman Ron Lurie

- A. BILL NO. 84-40 - AMENDS THE R-MH ZONING DISTRICT REGULATIONS TO REQUIRE THE
SAME FRONT AND SIDE YARD SETBACKS AS ARE REQUIRED IN THE R-1 ZONING DISTRICT.
Committee: Councilmen Christensen and Lurie

This bill affects mobile home parks where the spaces are owned by the individuals
which have less side yard setbacks than residential so that mobile home lots and
single-family residential lots will be consistent. No one spoke in opposition.
Committee recommended adoption at the August 15, 1984 City Council meeting.

- B. BILL NO. 84-41 - SETS FORTH THE DEPARTMENTS OF THE CITY AND THEIR CONSTITUENT
DIVISIONS.
Committee: Councilmen Lurie and Christensen

This bill legally sets forth various changes in the departments of the City.
No one spoke in opposition. Committee recommended adoption at the August 15,
1984 City Council meeting.

RECOMMENDING COMMITTEE MEETING
JULY 30, 1984
PAGE 2

- C. BILL NO. 84-42 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE PERSON RESPONSIBLE FOR TAKING CORRECTIVE ACTION UNDER THE CITY'S LITTER ABATEMENT ORDINANCE.

Committee: Councilmen Lurie and Christensen

This bill is a result of departmental reorganization of the City. No one spoke in opposition. Committee recommended adoption at the August 15, 1984 City Council meeting.

- D. BILL NO. 84-43 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE "DIRECTOR OF PUBLIC WORKS" FOR PURPOSES OF ENFORCEMENT OF THE CITY'S DANGEROUS BUILDINGS CODE.

Committee: Councilmen Lurie and Christensen

This bill is a result of departmental reorganization of the City. No one spoke in opposition. Committee recommended adoption at the August 15, 1984 City Council meeting.

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

COUNTY OF CLARK) ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 23rd day of July, 1984, at the hour of 10:15 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of a NOTICE of a INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances to be held on the 30th day of July, 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)

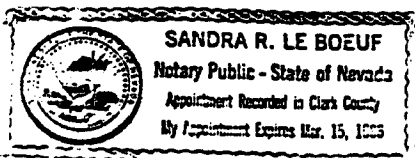
Joanne Perry
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

23rd day of July, 1984

Sandra R. LeBoeuf
NOTARY PUBLIC in and for said County

and State. My Commission expires: 3/15/86

AFFIDAVIT OF MAILING

0131

CITY COUNCIL MINUTES - AUGUST 15, 1984

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 23rd day of July, 1984, a copy of a NOTICE OF INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4pm, on Monday July 30th, 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

23rd day of July 1984

Sandra R. Le Boeuf
NOTARY PUBLIC in and for said County
and State.

My Commission expires: 3-15-86



July 18, 1984

N O T I C E

The following Bills proposed for adoption by the City Council of the City of Las Vegas, Nevada, will be the subject of PUBLIC COMMENT before the respective Recommending Committees at the hour of 4:00 P.M.. Monday, July 30, 1984, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. 84-40 - AMENDS THE R-MH ZONING DISTRICT REGULATIONS TO REQUIRE THE SAME FRONT AND SIDE YARD SETBACKS AS ARE REQUIRED IN THE R-1 ZONING DISTRICT.

Committee: Councilmen Christensen and Lurie

- B. BILL NO. 84-41 - SETS FORTH THE DEPARTMENTS OF THE CITY AND THEIR CONSTITUENT DIVISIONS.

Committee: Councilmen Lurie and Christensen

- C. BILL NO. 84-42 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE PERSON RESPONSIBLE FOR TAKING CORRECTIVE ACTION UNDER THE CITY'S LITTER ABATEMENT ORDINANCE.

Committee: Councilmen Lurie and Christensen

- D. BILL NO. 84-43 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE "DIRECTOR OF PUBLIC WORKS" FOR PURPOSES OF ENFORCEMENT OF THE CITY'S DANGEROUS BUILDINGS CODE.

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.

CITY OF LAS VEGAS

Date

0133

INTER-OFFICE MEMORANDUM

August 14, 1984

TO:

FILE

FROM:

CH
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
AUGUST 13, 1984

COPIES TO:

8/15/84 and 9/5/84 City Council Books
City Attorney
Business Activity Director
Community Planning and Development Director
Public Services Director
Building and Safety DirectorMetro
Fire Services

MEETING HELD:

Monday, August 13, 1984, at 4:00 P.M. in the City Manager's
Conference Room, 10th Floor, City Hall, 400 East Stewart
Avenue, Las Vegas, Nevada. Meeting adjourned at 4:30 P.M.

PRESENT:

Councilman Ron Lurie
Councilman Al Levy
City Manager Ashley Hall
Deputy City Manager Mike Cool
Deputy City Manager Don Saylor
City Attorney George Ogilvie
City Clerk Carol Ann Hawley
Deputy City Clerk Linda Owens
Business Activity Director Jerry Cahill
Privilege License Chief Marge Hether
Fire Chief Clell West
Al Knudson, Fire Department
Robert Genzer, Community Planning and Development
Larry Childress, Smith's Food King
Bill McGarry, Urban League of Southern Nevada
Ralph Rainey, Sporting House Bar
Keith McClellan, Kayo Oil Company
Jack Doyle, Las Vegas Food & Beverage Association
Larrie Schmidt, Las Vegas Food & Beverage Association
Scott De Arman, Vietnam Veterans of America, Chapter 17
Randy Day, Vietnam Veterans of America, Chapter 17A. BILL NO. 84-44 - PROVIDES DEFINITION OF "SADOMASOCHISTIC ABUSE."
Committee: Councilmen Lurie and LevyLas Vegas Metropolitan Police Department representatives appeared in favor of
this Bill. Committee recommended adoption at the September 5, 1984 Council
Meeting.

RECOMMENDING COMMITTEE MEETING
AUGUST 14, 1984
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- B. BILL NO. 84-45 - ANNEXATION NO. A-10-84(A), PROPERTY LOCATED ON THE SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND REDWOOD STREET; PETITIONED BY: K. L. KELTNER, ET AL; ACREAGE: APPROXIMATELY 5 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Councilmen Lurie and Levy

No one appeared in opposition to this Bill. Committee recommended adoption at the September 5, 1984 Council Meeting.

- C. REAL ESTATE COMMITTEE - DISCUSSION ON THE LEASE AND/OR SALE OF THE OLD FIRE STATION #3.

Committee: Councilmen Levy and Lurie

Councilman Levy announced that various organizations were interested in this facility, and that in a discussion with Councilman Lurie, they had decided they would like to meet over the next week or two with the different organizations and then arrive at a recommendation. Councilman Levy instructed Deputy City Manager Don Saylor to notify all parties concerned and make arrangements for them to have appointments with Councilman Levy and Lurie. Interested organizations are the Urban League, Vietnam Veterans Association, Indian Center and Dalton Properties. The Committee indicated they were more in favor of leasing the facility rather than selling same.

- D. LIQUOR COMMITTEE - POLICY RE: LICENSING OF LIQUOR ESTABLISHMENTS IN AREAS ANNEXED TO CITY.

Committee: Councilmen Levy and Lurie

Councilman Levy recommended adoption of the policy as amended for licensing of liquor establishments in areas annexed into the city. Councilman Lurie did not make a recommendation at this meeting (see verbatim transcript).

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING - CITY OF LAS VEGAS - AUGUST 13, 1984
RE: POLICY REGARDING LICENSING OF LIQUOR ESTABLISHMENTS IN AREAS ANNEXED TO
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COUNCILMAN LEVY:

The item on the agenda is the policy regarding licensing of liquor establishments in areas annexed to the City. It's a Committee consisting of myself and Councilman Lurie. We've had about three or four different suggestions from our City Attorney. I personally have not talked to anybody, but I know how I feel about it. I feel that if a business is established and in operation, to encourage them to come into the City, I don't think that we should be -- we should grandfather whatever they have and allow them to come into the City, hoping that we can upgrade, maybe we can upgrade them or somehow or another if we are not in the same grade or position we have, and that's one thing. But I don't see how we can charge them anything except maybe their next fee that they have coming -- that we have coming to us as a business fee. I think the people are already established. It isn't that they're looking to get into business. They're already there. That's how Al Levy feels about it, unless somebody can change my mind at the moment.

CITY ATTORNEY OGILVIE:

Well, I think we're really talking about two things.

COUNCILMAN LEVY:

Alright.

CITY ATTORNEY OGILVIE:

One thing, Jerry and I are in agreement, and that is what is attached in this policy that we have submitted.

COUNCILMAN LEVY:

What are you guys in agreement on? Am I in agreement?

CITY ATTORNEY OGILVIE:

What?

COUNCILMAN LEVY:

Am I?

CITY ATTORNEY OGILVIE:

Perhaps not entirely.

COUNCILMAN LEVY:

Thank you.

CITY ATTORNEY OGILVIE:

For example, a package beer and wine store. Our ordinance requires a comparable to be in conjunction with a grocery store. Also, 1200 sq. ft. of floor space plus a \$30,000 inventory. The County doesn't require anything. So Jerry's and my proposal is that they grandfather it in as they are, except that they can't move the license. There's a restriction on the license that they can't move it unless it's a new location that they move it to that complies with the City ordinance.

COUNCILMAN LEVY:

I have no problem with that.

CITY ATTORNEY OGILVIE:

And these three pages that I propose are that type of --

COUNCILMAN LEVY:

Only if they move it?

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING - CITY OF LAS VEGAS - AUGUST 13, 1984
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- COUNCILMAN LURIE: If they move it, they have to bring it in compliance with --
- COUNCILMAN LEVY: I have no problem with that.
- CITY ATTORNEY OGILVIE: I'm not sure -- that's with respect to beer and wine. Let's see. There was another one. Retail beer, the same thing.
- COUNCILMAN LEVY: With our new 1500 ft. ruling, we don't have as much licensing moving as we had in the past I think you'll find.
- CITY ATTORNEY OGILVIE: Yes. Service bar -- there are two categories in the City Code that correspond with the County's service bar. One is a general on-sale license and one is a general on-sale restaurant limited license. I don't think there's any problem with the general on-sale license -- grandfathering them in as is, but with the ones that would be grandfathered in in the category of general on-sale restaurant license -- the same condition that I said before, that they could not move it to another location without complying with the City's --
- COUNCILMAN LEVY: If it's one moving, I have no problem.
- CITY ATTORNEY OGILVIE: So there are 15 items on the policy which Jerry and I agree on. The only item that we don't and you and Jerry agree is what we do with respect to the initial fee. Jerry and I both say it should be waived, but --
- COUNCILMAN LEVY: No, Jerry and I say it should be waived.
- CITY ATTORNEY OGILVIE: No, all three of us say it should be waived, but I say that a condition should be on the license that it cannot be transferred with a new owner, and you and Jerry say no condition. These are just my --
- COUNCILMAN LEVY: I appreciate it. What is your thinking in that regard?
- CITY ATTORNEY OGILVIE: Because I think that -- and this is what Herb and I were discussing and Herb can contradict me -- the reason that I feel that way is that at the present time, the County license has no value in it. You can go into County Licensing and get one. So it has no intrinsic value. A City license, on the other hand, has and always has had. First, because prior to 1980, because of the population quota created an artificial value for the license, and since 1980 because we in the 1980 ordinance assigned a value to that license. So it's my feeling that when a County Licensee is annexed to the City, his license ipso facto acquires some value. It may not be the \$40,000

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- CITY ATTORNEY OGILVIE: or \$60,000 provided for in the ordinance, but whatever the street value of that license is. It's an increase in the value of that man's business.
- COUNCILMAN LEVY: Number One, is that so bad?
- CITY ATTORNEY OGILVIE: Well, I'd -- no, I don't --
- COUNCILMAN LEVY: Number Two, how many stores are we talking about -- could we be talking about?
- CITY ATTORNEY OGILVIE: As far as I know, there's only two at the present time.
- COUNCILMAN LEVY: Well, at the moment, but it could be 10 over the next 10 years.
- CITY ATTORNEY OGILVIE: That is my reason. I think that on annexation, that license acquires some value and the City should be in a position to take advantage of --
- COUNCILMAN LEVY: We are. If he's now in the City, we're going to be getting a higher -- some more fees.
- CITY ATTORNEY OGILVIE: Herb disagrees.
- COUNCILMAN LEVY: He's on my side. For the first time, Herb, in how long? No, that's how I feel about it. Really, if a guy's got a dead store, I don't care what kind of price we put on it -- on the licensing fees, we're not going to get the money for it. If he's got a store that's doing very well, it doesn't matter where he's in, he'll get more than that.
- CITY ATTORNEY OGILVIE: My feeling is once he's annexed, if it is a dead store, he can close his doors, but he still has a piece of paper he can sell.
- COUNCILMAN LEVY: To who, for what? If there's -- if he can get that minimum liquor license fee? Nobody wants to have a liquor store -- Ron, you agree with me that he's going to want to get a liquor, you know, for a piece of paper. It's not -- you know, it's not that valuable compared to what that guy's put into it. Do you have any problems with that?
- COUNCILMAN LURIE: You're doing all the talking. I'm just listening.
- COUNCILMAN LEVY: Okay. Anybody else like to make a comment regarding that one remark?
- LARRY CHILDRESS: May I ask a question?
- COUNCILMAN LEVY: Certainly, sir. First, tell us your name. They don't know who you are.

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- LARRY CHILDRESS: Larry Childress, Smith's Food King. I have no problem with the annexation and no fee for coming over. But let me ask you a question. You're talking about -- and I have a feeling. I don't feel privileged license should be put out there for anybody to make money. What would be wrong with turning in the license and just be issued another license in its place?
- COUNCILMAN LEVY: I'm not sure I understand what you're saying, Larry.
- LARRY CHILDRESS: Well, in other words, the individual selling the business would surrender the license and the other guy be granted a license upon approval without charge. It'd just be a tradeout.
- COUNCILMAN LEVY: Well, I don't understand. What's he accomplishing?
- COUNCILMAN LURIE: I think what he's saying is if a person annexes into the City and he has that license, he's grandfathered in. But he can't sell that license. The other person that's buying the business would have to come in and buy a license to operate at that location. I think that's what he's saying.
- JERRY CAHILL: One thing he has to keep in mind is you do not necessarily have to buy from the City. Under the ordinance, he can buy from someone else.
- COUNCILMAN LEVY: Well, if that happens, and anytime we annex, and we're getting close to annexing this shopping center within the City limits, they're not going to want to come in. Why should he? Why should that guy have to go through the trouble of buying a license when he's already established? He's losing --
- CITY ATTORNEY OGILVIE: I'm not saying that he should buy a license. I'm just saying that he can't sell it.
- COUNCILMAN LURIE: He can't sell that license. If he sells it, the new person buying it has got to buy a new license.
- COUNCILMAN LEVY: I know -- that new -- that's right.
- COUNCILMAN LURIE: He can't sell that license.
- COUNCILMAN LEVY: They're not going to -- why should they? When they were in the County, they could. They could sell that license.
- CITY ATTORNEY OGILVIE: It has no value.
- COUNCILMAN LEVY: Well, it certainly has if the store's doing good.

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COUNCILMAN LURIE: Well, you're buying good will in the County.

COUNCILMAN LEVY: Yes.

CITY ATTORNEY OGILVIE: The piece of paper in and of itself doesn't have a value. We have created an artificial value --

COUNCILMAN LEVY: Very artificial.

CITY ATTORNEY OGILVIE: -- in the City on the value of the pieces of paper.

COUNCILMAN LEVY: Mr. Doyle, do you know anybody -- since you're in the business, do you know of any licenses that have sold for the values that we placed on them?

JACK DOYLE: Maybe the Pink Panther.

DEPUTY CITY MANAGER
SAYLOR: I don't think we've ever sold one.

COUNCILMAN LEVY: We haven't sold any.

JACK DOYLE: But if I sold my place in the County --

COUNCILMAN LEVY: Identify yourself.

JACK DOYLE: I'm Jack Doyle representing the Las Vegas Food and Beverage Association. It could work the other way too. If I sold my place for say \$100,000 and then I get annexed in the City next week, the guy comes back to me and says go pay here \$40,000. I have to go down and buy a license and its \$60,000.

COUNCILMAN LEVY: We're not saying that, Jack.

JACK DOYLE: You're not saying that?

COUNCILMAN LEVY: No, I believe I'm saying that. Is that what you're saying?

HERB JONES: That's exactly what took my mind. That's why we were late.

JACK DOYLE: Therefore, or otherwise, I'd have to raise it another \$60,000.

HERB JONES: Say that I have a place that makes \$10,000 a year -- say \$20,000 a year, and when I advertise it, going to put it up for sale, I'm going to put it up for sale at \$100,000, because a buyer's going to buy it for \$100,000.

COUNCILMAN LEVY: Not much more.

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- HERB JONES: Not he comes in and he gets the \$100,000. That's all he's going to pay, but he's got to go over to the City and pay \$60,000, so if he's got to pay \$160,000, he isn't coming in. He's not going to buy it. That's just ordinary business computations.
- COUNCILMAN LEVY: I just think more and just as important is the individual who's sitting there doing a business is going to have to now fight -- does not want to be annexed, and I certainly don't want to see that. I think that we are trying to encourage an annexation situation within this Valley so that we have more appropriate government in action.
- HERB JONES: If you make it too tough, nobody wants to come in.
- COUNCILMAN LEVY: No business wants to be disrupted is the best way of saying it, or a guy doesn't want to be disrupted because his landlord or the owner of that building or he himself is being requested or being pushed into the City. I know it happened to me in my business when we were in the County and we ended up in the City. Any other comments regarding this matter?
- JACK DOYLE: I completely agree with you, Al, that they take everyone else as is. You're going to receive the license fees semi-annually and you'll gain the money back then anyway.
- COUNCILMAN LEVY: And values and everything.
- JACK DOYLE: And slot machine licenses.
- COUNCILMAN LURIE: George, why can't you put a time limit on when they can sell that business license?
- RALPH RAINEY: I'd like to go on record. Ralph Rainey, Sporting House Bar. I'd like to go on record that I agree with what you're saying. It seems to me like it's the only fair thing. We're in a situation where we're surrounded by the City.
- COUNCILMAN LEVY: Which bar are you, sir?
- RALPH RAINEY: Sporting House Bar, 1631 North Decatur Road.
- COUNCILMAN LEVY: It's my old bar.
- RALPH RAINEY: But I agree with your stand.
- COUNCILMAN LEVY: Now, here's a gentleman who's sitting there that we'd like to have in the City and I'd guarantee you, that we --
- COUNCILMAN LURIE: Has he made an application to come in the City?

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING - CITY OF LAS VEGAS - AUGUST 13, 1984
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COUNCILMAN LEVY: I don't think he can.

RALPH RAINEY: I am in a quarry about the impact of it and that's why I'm here.

COUNCILMAN LEVY: But I don't think he would, if we said, "Okay, now, we're going to do this."

RALPH RAINEY: If there's money involved, there's no way.

COUNCILMAN LEVY: He'd fight it all the way. I can't blame him. He's settled. In other words, he's not increasing his position of his business by coming in the City. The business is still going to be as good as this man's able to operate it, which is not quite as good as how I operated it. (Laughing)

JACK DOYLE: Another thing, I've been paying time and a half on my sewer.

COUNCILMAN LEVY: Just keep paying it. (Laughing) Anybody else like to make a comment regarding this portion of the agenda? No other comments. What else, George? Do we have any other problems?

CITY ATTORNEY OGILVIE: No, other than the things I read in the policy, Jerry and I both recommend that the 1500 ft. be waived.

COUNCILMAN LEVY: Oh, yes. It will have to be. But when they move --

CITY ATTORNEY OGILVIE: Yes.

COUNCILMAN LURIE: If they come in and they're within 1500 ft., we'll waive that.

CITY ATTORNEY OGILVIE: Yes. You don't put them out of business.

COUNCILMAN LEVY: But when they want to move, all grandfather's off?

CITY ATTORNEY OGILVIE: Yes, that's right. Then if I understand what you desire to do, I would recommend to the full Board that they adopt the recommended policy and further, that there be no condition on --

COUNCILMAN LURIE: You've got it all done. You've already made a recommendation so you go ahead and take care of the committee. I'll vote at the meeting.

COUNCILMAN LEVY: Okay.

CITY ATTORNEY OGILVIE: Everything on these three pages be approved other than the asterisked paragraph on the third page, and I think you're deciding that initial fees will be waived and there be no condition limiting transferability because of this.

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING - CITY OF LAS VEGAS - AUGUST 13, 1984
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COUNCILMAN LURIE: If they're annexed in the City, they can do what they want with the license -- if they're annexed into the City. There's no restrictions.

CITY ATTORNEY OGILVIE: No restrictions, right, except as I pointed out.

COUNCILMAN LEVY: They're going to have to live within our rules.

CITY ATTORNEY OGILVIE: Yes, with the square footage.

COUNCILMAN LEVY: Does anybody have any comments? Jerry? Where'd Jerry go?

CITY MANAGER HALL: He went outside for a minute.

COUNCILMAN LEVY: Marge?

MARGE HETHER: We agree with your recommendation.

COUNCILMAN LEVY: Does anybody else have any comments?

KEITH McCLELLAN: I'd like to make a comment on behalf of K. O. Oil. My name is Keith McClellan. KAYO's affected by potential annexation because it has a store on North Decatur.

COUNCILMAN LEVY: Where, sir?

KEITH McCLELLAN: 2147. It's Jet. They're doing business as Jet.

COUNCILMAN LEVY: Well, that's strictly gas, or do they have the off-sale beer and wine?

KEITH McCLELLAN: It is in the process of applying for a County license. On behalf of KAYO Oil, I think your proposal is wise because we would otherwise be forced to fight the annexation. You have given KAYO a good incentive not to do so.

COUNCILMAN LURIE: They'd better hurry up and get their license.

KEITH McCLELLAN: Well, it's fairly close now.

CITY ATTORNEY OGILVIE: Well, his type of license wouldn't be subject to that limitation.

KEITH McCLELLAN: It's beer and wine off-sale.

CITY ATTORNEY OGILVIE: Yes. It would not be subject to the limitation on transferability.

KEITH McCLELLAN: Right. I understand that. Their major concern was whether to go ahead with the capital investment as far as the minimum floor space. As I understand your proposal, that will be grandfathered in and waived.

TRANSCRIPT - RECOMMENDING COMMITTEE MEETING - CITY OF LAS VEGAS - AUGUST 13, 1984
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CITY ATTORNEY OGILVIE: As long as you stay in the same location.

COUNCILMAN LEVY: But if you're in any location that you're proposing within the City, you know our ground rules.

KEITH McCLELLAN: Yes. It seems fair.

COUNCILMAN LEVY: Any other comments? Then it will be recommended that the policy be approved except for the asterisk -- the first paragraph, and Ron at that time will make a decision. That will be my recommendation. Ron will make his decision when he gets there. Any other things today? There being none, the meeting's adjourned.

/ch

MEETING ADJOURNED AT 4:30 P.M.

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)REAL ESTATE COMMITTEE

- G. LEASE AND/OR SALE OF THE OLD FIRE STATION #3.
Committee: Councilmen Levy and Lurie

Committee Recommendation:

Representatives of various organizations will be meeting with the Real Estate Committee in the next couple of weeks in regard to their organization either leasing or purchasing the Old Fire Station #3.

Councilman Levy reported to the full Council on this matter.

9/5/84 Agenda

LIQUOR COMMITTEE

- H. POLICY RE: LICENSING OF LIQUOR ESTABLISHMENTS IN AREAS ANNEXED TO CITY.
Committee: Councilmen Levy and Lurie

Committee Recommendation:

Councilman Levy recommended adoption of the policy as amended in the backup for licensing of liquor establishments in areas annexed to the city. Councilman Lurie did not make a recommendation at the meeting.

(NOTE: The policy in the backup has been amended to reflect Councilman Levy's recommendation. A transcript of the Recommending Committee Meeting is also in the backup materials.)

Levy -
APPROVED Policy.
Unanimous

Staff to proceed

Jack Doyle,
Las Vegas Food &
Beverage Assoc.,
appeared.

VERBATIM TRANSCRIPT MADE A PART
OF THE FINAL MINUTES.

APPROVED AGENDA ITEM

MP Carr

City of Las Vegas

0145

AGENDA DOCUMENTATION

Date: July 26, 1984

TO: The City Council

FROM: DON J. SAYLOR
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON THE LEASE AND/OR SALE
OF THE OLD FIRE STATION #3.PURPOSE/BACKGROUND

We have on file a request from Mr. Evan Williams of Dalton Properties, Inc. to purchase the property. We also have a request from Mr. John Thomas of the Vietnam Veterans of America who seeks permission to use the facility primarily as a Vietnam Veterans center. It is my understanding that the Urban League has also requested permission to purchase the property to be used as a center for their functions, although we do not have this request in writing.

The property consists of the vacated fire station together with parking located on approximately .6 acres of land. There is also an undeveloped piece of land consisting of approximately 1.1 acres for a total land area of 1.7 acres. Our in-house appraisal places a value of approximately \$257,250 for the entire property.

FISCAL IMPACT

None.

RECOMMENDATIONS

The City Manager recommends that this item be referred to the Real Estate Committee for a recommendation.

City of Las Vegas

0146

AGENDA DOCUMENTATION

Date: August 14, 1984

TO: The City Council

FROM:

George P. Quinn
CITY ATTORNEY

SUBJECT: Policy re: Licensing of Liquor Establishments in Areas Annexed to City

PURPOSE/BACKGROUND

A question has arisen concerning the effect, if any, the annexation of property on which is situate a liquor establishment which has been licensed by Clark County will have on that liquor license. There are several areas of conflict between the County's liquor control ordinance and the City's, and it is the opinion of this Office that, unless they are waived by the City Council, all of the requirements of the City's ordinance would apply to and should be enforced against the County licensees when their establishments are annexed to the City. Therefore, it is the recommendation of this Office that the City Council adopt an overall policy which will apply to all of such licensees as and when their establishments become annexed to the City and attached is the collective recommendation of the Department of Business Activity and this Office with respect to such policy.

This matter was discussed at a meeting of the liquor control ordinance committee at its meeting which was held on Monday, August 13, 1984, and Councilman Levy recommended that the attached policy be adopted by the City Council.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council adopt the attached policy concerning the licensing of liquor establishments in areas which are annexed to the City.

Agenda Item

VI-H

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 1

VI. REPORTS FROM RECOMMENDING COMMITTEES - LIQUOR COMMITTEE

H. POLICY RE: LICENSING OF LIQUOR ESTABLISHMENTS IN AREAS ANNEXED TO CITY.

- MAYOR BRIARE: The next is the Liquor Committee for the establishment of an area -- for the licensing of liquor establishments in areas that are annexed into the City. Councilman Levy.
- COUNCILMAN LEVY: Yes, Mayor. We had a good round-robin that -- regarding the potential of any liquor store type of establishments that are in the County that will be annexed into the City and it -- anyways we had a good discussion and came up with the recommendation that are in our backup and this is the recommendation that we have at this time to present to the Council.
- MAYOR BRIARE: Any comments or questions by anyone?
- COUNCILMAN CHRISTENSEN: Yes, I'm having a hard time finding out --
- COUNCILMAN LEVY: Basically, what we're doing, we're saying that they will grandfather -- if they come into the City, they'll be grandfathered to what kind of an establishment they have, but if they go to sell, they'll have to follow our code. That's basically what it calls for, that right?
- MAYOR BRIARE: Anyone want to make any comments?
- COUNCILMAN LURIE: At the meeting, Mayor, I didn't vote on it because Councilman Levy was handling the agenda all by himself and it was kind of a one-sided discussion so I was going to wait and make my vote this morning because I still had some questions I wanted to confer with Mr. Cahill about and I'm satisfied that what this does is allow any annexed area that has a license there now -- they would surrender, I imagine, their license to the County and we would issue them a license in the City and I have no problem with that now and I must support the change.
- JACK DOYLE: Mayor, Councilmen, I'm Jack Doyle. I represent the --
- COUNCILMAN LURIE: Maybe, maybe I'm going to, unless he changes my mind.
- JACK DOYLE: -- Las Vegas Food & Beverage Association and we were at the Committee Hearing and agree with the Committee.
- MAYOR BRIARE: You like it?
- JACK DOYLE: Yes, we like it very much.

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

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VI. REPORTS FROM RECOMMENDING COMMITTEES - LIQUOR COMMITTEE

H. POLICY RE: LICENSING OF LIQUOR ESTABLISHMENTS IN AREAS ANNEXED TO CITY.

COUNCILMAN LURIE: Would you move, Al, to change it?

COUNCILMAN LEVY: Yes, to follow the recommendations.

MAYOR BRIARE: Comments by Council? Cast your vote. Post.
The motion is approved and the recommendations
called for. (Motion carried unanimously)

END OF EXCERPT

RECOMMENDED POLICY RE: REQUIREMENTS
FOR LICENSING OF LIQUOR ESTABLISHMENTS
ANNEXED INTO CITY

<u>County Licensing Classification</u>	<u>Recommended Action Upon Annexation</u>
1. Club	1. Treat on a case by case basis if and when the situation arises
2. Import-Wholesale	2. Treat on a case by case basis if and when the situation arises
3. Package Beer/Wine	3. Grandfather in as Beer/Wine Off-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees, but with the restriction that the license may not be moved to another location unless the new location is in conjunction with a grocery store and complies with the City's square footage and inventory requirements
4. Package Liquor	4. Grandfather in as General Off-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees
5. Recreation Club	5. Grandfather in either as General On-Sale licenses or General On-Sale Restaurant Limited licenses, depending upon the method of operation of the particular establishment, subject to the payment of the City's appropriate semi-annual license fees
6. Retail Beer	6. Grandfather in as Beer/Wine On-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees, but with the restriction that the license may not be moved to another location unless the new location complies with the City's seating capacity requirement

- | | |
|--|---|
| 7. Retail Beer/Wine | 7. Grandfather in as Beer/Wine On-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees |
| 8. Service Bar | 8. Grandfather in either as General On-Sale licenses or General On-Sale Restaurant Limited licenses, depending upon whether the bar is in conjunction with a hotel or a restaurant, subject to the payment of the City's appropriate semi-annual license fees, but with the restriction on any General On-Sale Restaurant Limited license that the license may not be moved to another location unless the new location complies with the City's seating capacity requirement |
| 9. Supper Club | 9. Grandfather in as General On-Sale Restaurant Limited licenses, subject to the payment of the City's appropriate semi-annual license fees |
| 10. Tavern | 10. Grandfather in as General On-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees |
| 11. Hotel-Main Bar | 11. Grandfather in as General On-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees |
| 12. Package Liquor (grocery store, supermarket or drug store) | 12. Grandfather in as General Off-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees |

- | | |
|-----------------------------------|---|
| 13. Sport and Convention Pavilion | 13. Treat on a case by case basis if and when the situation arises |
| 14. Billiard Hall | 14. Treat on a case by case basis if and when the situation arises |
| 15. Tavern and Package Liquor | 15. Grandfather in as a General On/Off-Sale licenses, subject to the payment of the City's appropriate semi-annual license fees |

It is also recommended that the "fifteen hundred foot rule" be waived in all instances, since that rule was instituted for the protection of existing licensees from destructive competition, and the annexed establishments will continue to offer the same amount of competition to the neighboring City licensees whether they remain in the County or are annexed into the City.

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

- | | | | |
|-------|---|--|--|
| 11:21 | <p>C. BILL NO. 84-42 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE PERSON RESPONSIBLE FOR TAKING CORRECTIVE ACTION UNDER THE CITY'S LITTER ABATEMENT ORDINANCE.
 <u>Committee: Councilmen Lurie and Christensen</u>

 First Publication: SUN - 8/1/84

 <u>Committee Recommendation:</u>

 Adoption at the City Council meeting of 8/15/84.</p> | <p>Lurie -
 Second Reading and
 Bill ADOPTED.
 Unanimous</p> | <p>Clerk to proceed with second publication.</p> |
| 11:21 | <p>D. BILL NO. 84-43 - DESIGNATES THE DIRECTOR OF BUILDING AND SAFETY AS THE "DIRECTOR OF PUBLIC WORKS" FOR PURPOSES OF ENFORCEMENT OF THE CITY'S DANGEROUS BUILDING CODE.
 <u>Committee: Councilmen Lurie and Christensen</u>

 First Publication: SUN - 8/1/84

 <u>Committee Recommendation:</u>

 Adoption at the City Council meeting of 8/15/84.</p> | <p>Lurie -
 Second Reading and
 Bill ADOPTED.
 Unanimous</p> | <p>Clerk to proceed with second publication.</p> |

APPROVED AGENDA ITEM

MP Carr

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 12, 1984

TO: The City Council

FROM: *[Signature]*
CITY ATTORNEY

SUBJECT: Bill No. 84-42 -- Designates Director of Building and Safety as Person Responsible for Taking Corrective Action Under City's Litter Abatement Ordinance

PURPOSE/BACKGROUND

As a result of the departmental reorganization which became effective on July 1, 1984, the responsibility for taking corrective action under the City's Litter Abatement Ordinance has been transferred to the Department of Building and Safety. Accordingly, it is appropriate to designate the Director of Building and Safety as the person who is responsible for taking corrective action under that ordinance, and Bill No. 84-42, if it is adopted, will accomplish that objective.

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

VI - C.

City of Las Vegas

AGENDA DOCUMENTATION

Date: July 12, 1984

TO: The City Council

FROM: *[Signature]*
CITY ATTORNEY

SUBJECT: Bill No. 84-43 -- Designates Director of Building and Safety as
"Director of Public Works" for purposes of enforcement of City's
Dangerous Buildings Code

PURPOSE/BACKGROUND

As a result of the departmental reorganization which became effective on July 1, 1984, the responsibility for the enforcement of the City's Abatement of Dangerous Buildings Code has been transferred to the Department of Building and Safety. Accordingly, it is appropriate to designate the Director of Building and Safety as the "Director of Public Works" for the purposes of the enforcement of that Code, and Bill No. 84-43, if it is adopted, will accomplish that objective.

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

VI - D

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)E. BILL NO. 84-44 - PROVIDES DEFINITION OF
"SADOMASOCHISTIC ABUSE."Committee: Councilmen Lurie and Levy

First Publication: SUN - 8/15/84

Committee Recommendation:Adoption at the City Council meeting
of 9/5/84.NOTE: No action may be taken at the
8/15/84 meeting.Recommendation
Noted

9/5/84 Agenda

F. BILL NO. 84-45 - ANNEXATION NO. A-10-84(A).
PROPERTY LOCATED ON THE SOUTHEAST CORNER
OF CHARLESTON BOULEVARD AND REDWOOD STREET,
PETITIONED BY: K. L. KELTNER, ET AL, ACREAGE:
APPROXIMATELY 5 ACRES, ZONED: R-E (COUNTY
CLASSIFICATION) N-U (CITY EQUIVALENT).Committee: Councilmen Lurie and Levy

First Publication: SUN - 8/15/84

Committee Recommendation:Adoption at the City Council meeting
of 9/5/84.NOTE: No action may be taken at the
8/15/84 meeting.Recommendation
Noted

9/5/84 Agenda

mp Core

AGENDA*City of Las Vegas*

August 15, 1984

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

ITEM	Council Action	Department Action
VII. <u>BOARDS AND COMMISSIONS</u>		
A. <u>PARKS AND RECREATION ADVISORY COMMISSION</u> 3-Year Term	Lurie - APPROVED motion to concur in the Mayor's reappointment of Dr. Donald J. Romeo and James N. Swain to new three-year terms on the Parks and Recreation Advisory Commission and the appointment of Rafael E. Vega, 880 Rancho Circle, Las Vegas, NV 89107, to the Board of Civil Service Trustees. Unanimous	Clerk to notify
1. Dr. Donald J. Romeo - Term Expires 9/7/84 2. James N. Swain - Term Expires 9/7/84		
B. <u>BOARD OF CIVIL SERVICE TRUSTEES</u> 4-Year Term		
1. Don E. Ashworth - (Deceased) - Term Expires 7/1/87	See Item A Above	See Above
	MORNING SESSION ADJOURNED AT 11:27 A.M.	

APPROVED AGENDA ITEM

DP Carr

BIOGRAPHICAL PROFILE

RAFAEL E. VEGA

PERSONAL DATA:

Born August 27th, 1934, San Diego, CA
Residence: 880 Rancho Circle
Las Vegas, Nevada 89107
Telephone: 384-3111
Name of Spouse: Charleen
Names of Children: Kelly 18
Robbie 9
Maria Christina 6

EDUCATION:

St. Catherine Military School, Anaheim, CA
John Burroughs High School, Burbank, CA
San Francisco City College
A.A. in Restaurant Management
San Francisco State College
B.A. in Business Administration

MILITARY:

Served in the United States Army during the period of 1956-1958. Completed Reserve commitment in 1964, and received an Honorable Discharge. 6th Army Food Service School.

U.S. Army Reserve, Van Nuys, CA, 1958-1965
Food Service Officer.

BUSINESS:

1960-1964 Mark Hopkins Hotel
San Francisco, CA. Assistant Banquet Manager.

Founded and is serving as President of Casa Vega, Inc. (Restaurant) 13301 Ventura Blvd., Sherman Oaks, CA, since 1958, and Casa Vega, Inc., 1700 E. Flamingo, Las Vegas, Nevada, since February 1984.

Founded and is serving as President of Vega Food Service, Inc. Food Services contractor for Nellis Air Force Base, Las Vegas, Nevada, since 1972.

Founded and is serving as President of Vega Wholesale, cigarette, tobacco, and candy wholesaler, since 1983.

Founded and is serving as President of Vega Beverage, soft drink company, since 1983.

PAST ACTIVITIES:

Founded and is serving as President of Vega Vending, Inc., which operates Full Line Vending in Clark County, since 1978.

Gibraltar Savings and Loan Association, of California, outside Director and Member of Executive Committee, President - 1983.

Board of Directors, KCET-Channel 28 of Los Angeles. Educational and entertainment television station, 1971-1978.

Member of the Board of Trustees, Pomona College, Claremont, Calif., 1973-1978.

Commissioner of the Los Angeles County Housing Authority 1970. Housing Authority is in charge of low income program for the county, 1970-1977; Chairman, 1972-1976.

Commissioner for the Department of Public Social Services of Los Angeles, 1968-1970.

Commissioner - Human Relations, City of Los Angeles, 1970-1972.

Executive Committee for the California Museum of Science and Industry, 1972-1978.

Chairman of the Van Nuys Boys Club. Maintains and operates Boys Clubs for 200 Mexican-American boys in the Barrio, 1970-1974.

National Advisory Board for Small Business Administration, 1974-1978.

Public Interest Director, Federal Home Loan Bank of San Francisco. Regulates, supervises and loans money to Savings and Loan institutions in California, Arizona and Nevada with assets of 60 billion dollars, 1973-1978.

Guest lecturer on Food Management at U.C.L.A., Extension Division.

Consultant, Head Start Program for San Fernando Valley, 1964-1970.

Member Sister City Committee for City of Los Angeles, California, 1960-1968.

Consultant for Bureau of Indian Affairs, Window Rock Food Services, 1975-1976.

PRESENT NEVADA CIVIC AFFILIATIONS:

Southwest Las Vegas Rotary Club 1983-present.

Las Vegas Executive Association, 1981-present.

Advisory Board for Nevada Economic Development Company, 1980-present.

Latin American Chamber of Commerce, Board of Directors, 1980-present.

Nevada Vending & Amusement Association, President, 1981-present.

Greater Las Vegas Chamber of Commerce, 1982-present.

International Food Service Executives Association, 1981-present.

Sheriff's Citizen Advisory Committee, 1984.

Clark County Cost Efficiency Committee, 1984.

Board of Directors, Nevada Development Authority, 1983-present.

Nevada Association of Latin Americans, 1984.

City of Las Vegas

0160

AGENDA DOCUMENTATION

Date: August 15, 1984

TO: The City Council

FROM: Michael P. Cool
Deputy City ManagerSUBJECT:

DISCUSSION AND POSSIBLE ACTION FILLING VACANCY ON LAS VEGAS CIVIL SERVICE BOARD OF TRUSTEES

PURPOSE/BACKGROUND

The recent death of Don E. Ashworth has created a vacancy on the City's Civil Service Board of Trustees. The remaining term of the vacant position runs until July 1, 1987. Of the other four positions, three terms will expire on July 1, 1985, and one will expire on July 1, 1987.

This Board meets the last Tuesday of each month to review the administration of the City's Civil Service System (promotions, transfers, examination results). Of particular importance are the Board's responsibilities as a hearing body on employee appeals and changes to classification specifications (job descriptions).

This Board and its Trustees are an integral part of the City's Merit Service Program; and, as such, it is important that its membership is reflective of the overall composition of the classified employees. It is with this in mind that the following individual's name is forwarded to you for your consideration and possible action in selecting him to fill the Civil Service Board vacancy:

RAFAEL E. VEGA

Mr. Vega is a resident of the city. He has been contacted and is willing to serve on the Civil Service Board. His resume is attached for your review.

FISCAL IMPACT

None.

RECOMMENDATIONS

Staff recommends that consideration and possible action to fill the unexpired Civil Service Board term of Don E. Ashworth be given to the individual listed above who has voiced a willingness to serve and who has a background that would be useful to the Board.

Agenda Item

VII - B

AGENDA*City of Las Vegas*

August 15, 1984

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

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ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

- A. U-44-84 - Application of STEVE ALLEN, ET AL for a Use Permit to allow a Class III Secondhand Dealer (guns - 25% used - 75% new) on property located at 914 South Valley View Boulevard in Zoning District C-1 (Limited Commercial).

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

1. Conformance to the requirements of the Department of Fire Services.

Staff Recommendation: APPROVAL

PROTESTS: 0

Levy -
APPROVED Use Permit
as recommended.
Unanimous

Clerk to notify
and Planning to
proceed.

No one appeared
in opposition.

APPROVED AGENDA ITEM

mp Core

To: The City Council
Re: Public Hearing Agenda Item
August 15, 1984 City Council Agenda

IX.

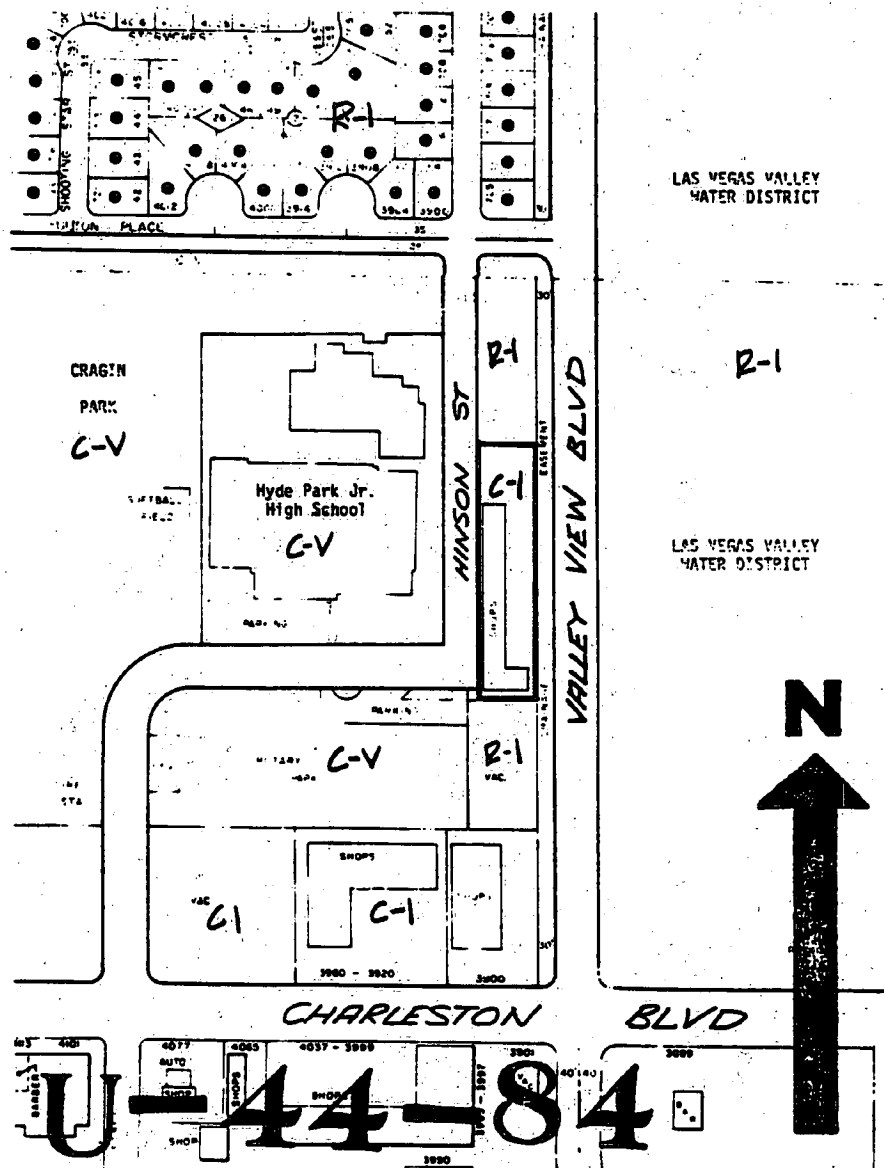
A. USE PERMIT - U-44-84 - STEVE ALLEN, ET AL

The request is for a use permit for a Class III secondhand dealership for the sale of used guns at 914 S. Valley View Boulevard in a C-1 zone. Approximately 75% of the gun sales will be new and 25% used. The operator of this gun shop had a use permit for a Class III secondhand dealership at his prior location and now he is relocating his shop to this new location. The operation will be located in a part of a small shopping center and will be compatible with the surrounding area.

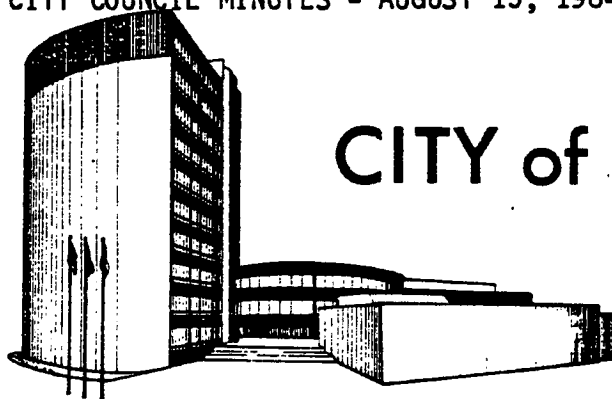
BOARD OF ZONING ADJUSTMENT RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0



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



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

AUGUST 15, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, August 15, 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-44-84

Application of STEVE ALLEN, ET AL, for a Use Permit to allow a Class III Secondhand Dealer (guns - 25% used - 75% new) on property located at 914 South Valley View Boulevard in Zoning District C-1 (Limited Commercial).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4)
OF SECTION 31, 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



AGENDA*City of Las Vegas*

August 15, 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

- B. U-33-84 - Application of PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA for a Use Permit to allow a pre-release restitution center for convicted non-violent felons on property located at 1209 South Commerce Street in Zoning District C-M (Commercial Industrial).

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

1. Install street lighting on Commerce Street and paving in the alleys as required by the Division of Land Development and Flood Control, Department of Community Planning and Development.

Staff Recommendation: APPROVAL

PROTESTS: 93

Nolen -
Motion to approve for one year and subject to review at that time to ascertain any problems, and if within the one-year timeframe any substantial problems occur, this application be brought back immediately before the Council, and subject to BZA and staff's recommendations was APPROVED with Briare and Christensen voting "No."

APPEARANCES IN FAVOR OF APPLICATION:
Vernon Housewright, Director, Nevada Dept. of Prisons, and Al Boreese, owner, Skyline Motel, North Las Vegas.

APPEARANCES IN OPPOSITION:
Atty. George Dickerson, 630 S. 3rd St., on behalf of First Western Savings & Loan; Richard Attesahi, owner, A-1 Office Supply; Robert Tee, 1305 S. Commerce, Mark Sarkas, 1208 S. Main and Terry Ono on behalf of Home Lumber Company; Nancy Williams Baker, 1226 S. 3rd St., and Irwin Bronstein.

SEE VERBATIM TRANSCRIPT MADE PART OF FINAL MINUTES.

APPROVED AGENDA ITEM

mp *Coz*

06
3:20 PM

MINUTE
RE S

To: The City Council
 Re: Public Hearing Agenda Item
 August 15, 1984 City Council Agenda

IX.

B. USE PERMIT - U-33-84 - PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

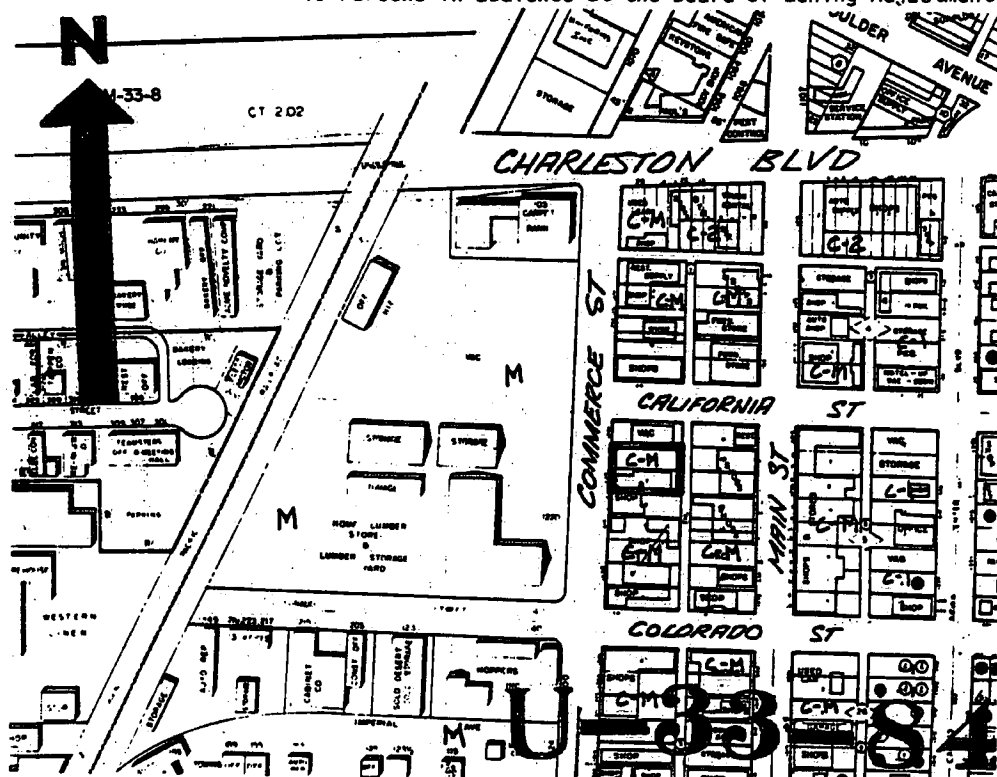
The requested use permit is for a pre-release restitution center for convicted non-violent felons on property located at 1209 S. Commerce Street in a C-M zone. The restitution center is for the State of Nevada which proposes to house approximately 60 male and female adult felons. The property is located across the street from the Home Lumber Company and in an area developed with commercial and industrial uses that is removed from any residential development. The State of Nevada will be operating this facility under rigid regulations and there will be TV cameras to monitor the outside of the building. The inmates pay for their room and board at this facility and they must be employed in the community. All of the inmates will be transported to and from their jobs and there will be a 24-hour staff at the facility. Visitors will be allowed and there will be 28 parking spaces provided. If the use permit is approved, the Director of the State prison intends to establish an office in this facility for his work in the Southern Nevada area.

There was a protest factor from the owners of the businesses in the area who are concerned about burglaries and the safety of their employees. The representative from the State indicated all inmates would be carefully screened and have backgrounds of a non-violent nature and it would be unlikely they would commit a burglary in the immediate area. The protestants also indicated the State should use the Clark Center on Casino Center that will be vacated when the new jail facility is opened rather than locating on Commerce Street. The State representative stated that facility has been explored, but it is not economically feasible.

BOARD OF ZONING ADJUSTMENT RECOMMENDATION: APPROVAL - Compatible use in this area.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 93 - Petition with 60 property owners
 8 Letters
 6 Persons spoke at the Board of Zoning Adjustment meeting
 19 Persons in audience at the Board of Zoning Adjustment meeting



EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 1

IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

MAYOR BRIARE:

The next public hearing is U-33-84, an application of Processed Data, Inc. on behalf of the State of Nevada for a use permit to allow a pre-release restitution center for convicted non-violent felons. This is for a request for property located at 1209 South Commerce Street in a Zoning District C-M (Commercial Industrial). The Board of Zoning Adjustment's recommendation was for approval, subject to a condition. Staff's recommendation was for approval and at that meeting there were 93 protests recorded. Since then, the City Council has received letters and phone calls from various citizens in and around the area, some in favor, some in opposition. I want the record to reflect that we have all had an opportunity to review these items and we will now begin the public hearing. The first to be heard today will be the applicant themselves and then we will hear from representatives of those who wish to protest. So the State, either the Processed Data, Inc., or the State of Nevada or both may now come forward and make their comments to us. Incidentally, I'd like you all to know that the Council has a transcript of that portion of the meeting where this application was considered by the Board of Zoning Adjustment. We have all had an opportunity to read the discussions that were held and I say that only to let you know that we don't need to listen to the whole thing again as it was presented at the Planning Commission meeting -- at the Board of Zoning Adjustment meeting. We only need to hear what else you'd like to add that has not already been covered. Yes, sir.

VERNON HOUSEWRIGHT:

Mr. Mayor, members of the Council, I'm Vernon Housewright, Director of the Department of Prisons for the State of Nevada. I was not at that Zoning Board meeting, sir, so I don't really what was presented at that point.

MAYOR BRIARE:

Okay. Well, Mr. Housewright, you just go right ahead.

VERNON HOUSEWRIGHT:

I do have copies of a presentation -- I have a formal presentation of about two and half pages, if you care to hear that; otherwise I can simply give them to you for filing or review.

MAYOR BRIARE:

You can do that, Mr. Housewright -- whichever you feel would be most effective for your purposes.

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 2

IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

VERNON HOUSEWRIGHT:

Then I think I'm going to present them. Would you give copies to each of the Councilmen and the Mayor (Speaking to the City Clerk)

MAYOR BRIARE:

Go right ahead, Vernon.

VERNON HOUSEWRIGHT:

The Restitution Center program is a community-based residential facility authorized by NRS 209.4827 for incarcerated individuals from the Nevada Department of Prisons. Center residents are employed in the community and returned to the center after work. Residents pay room and board and make monthly restitution payments to the crime victims. The citizens in a community we have found by experience where a residential program is developed are generally divided into two opinion groups. The first and most important and the largest groups are those concerned about the risk associated with such a program. The second smaller groups are those people interested in the economics of community based corrections. In other words, how will this favorably affect the taxpayers. The smaller group of concerned citizens are those who are aware of the cost factors associated with the in-prison housing versus the less expensive community-based housing. It is our experience that public protection in community-based corrections are not inconsistent. The Department of Prisons maintains a highly structured controlled community program that benefits both the residents of the program and the community. House rules are established. Guidelines for conduct, appearance, duties, guest visits and responsibilities are all made explicit. Residents must maintain steady employment in order to participate in the program. Frequent alcohol and drug testing will help to facilitate enforcement of the ban on the use of these substances on or off the premises. In addition, the resident's room are periodically searched for counter-band items. Staff make regular counts and bed checks hourly. Increased emphasis is placed on periodic checks of the inmate at his or her place of work. The Center staff promotes and invites input from the inmate's employers on conduct and work habits. Residents in the new center will have less freedom of movement and flexibility than was afforded at the present center. If there is a violation of the rules, the offender will be returned to the prison. They will be transported to and from work. The Center staff consists of uniformed correctional officers that will maintain around the clock supervision at the Center, a Center manager who will make frequent contacts with area law enforcement and resident employers and oversee the operation of the

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 3

IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

VERNON HOUSEWRIGHT:

Center. A field supervisor will conduct frequent checks of inmates on the job site and maintain contact with employers in regard to the resident's work habits. An employment counselor will also assist the residents in obtaining employment. In addition to these positions, the Restitution Center will make use of support services of agencies in the community. The Center will be staffed with trained professionals who will make the protection of the community their number one priority. Selection requirements for inmates: The Department of Prisons has established the eligibility criteria for offenders participating in the Restitution Center program. Inmates must meet this objective criteria before they can be considered. They must be within six months of their release date. No convictions for sexual offenses. The law clearly prohibits us from placing sex offenders in such a program. They must be serving a sentence for a non-violent crime, have no escape history and have a satisfactory institutional adjustment. It is proposed that the Center will house approximately 60 inmates consisting of 30 men and 30 women. The benefits of the program: It is important to remember that the inmates assigned to the Center will most likely be released from prison within six months with or without this program. Sixty percent of the men committed to the Department of Prisons come from Clark County and 80% of the women committed to the Department of Prisons come from the Clark County area. In all likelihood, these inmates will be returning to the same area when they are released. Allowing an inmate to participate in the Restitution Center program will enhance his or her chance of being successful on parole. Consider the difference between leaving the confines of the prison on parole, simply going to the streets, versus patrolling from a community-based program. The offender in the Restitution Center program is employed, is saving money and interacting with other law abiding citizens. The offender who finishes his/her term in the prison has no transitional period such as this. Often they suffer from a type of culture shock if they have spent much time incarcerated which lessens their chances of succeeding on parole. The prison system benefits by separating non-violent short-term offenders from long-term habitual type offenders. The prison realizes further benefit by way of cost reduction. The room and board charges represent fees paid by the Department of Prisons. These fees provide part of the funding with which the Restitution Center operates. Inmates living at the Restitution Center will cost the State approximately one-half less than if they're housed

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 4

IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

VERNON HOUSEWRIGHT:

in major institutions. The community realizes considerable benefits. The fact that inmates are gainfully employed enhances their chances for success and decreases the chance they will resort to crime. The inmates assigned to the Restitution Center are repaying crime victims and/or debts they owe the Criminal Justice System. Local employers benefit as they are gaining insight as to who they are hiring. They will be advised of the subject's record completely. A Restitution Center Advisory Committee will be established by the Department of Prisons. The Advisory Committee will be composed of 12 members consisting of local law enforcement, prominent citizens and members of special groups. The purpose of the Advisory Committee is to act as a link with the community in establishing a community-based program. It adds integrity to our operation. As you can see, the community based Restitution Center program is much less costly for taxpayers; provides a much needed transition period for the person being released from prison. The risk to the public in opening the prison gates just allowing inmates to return to the community is much greater than allowing them the opportunity to transition back into society under supervision in a community setting. A recent legislative report found Restitution Centers to have provided a unique opportunity for prison inmates to begin reintegration into society; earn money to support themselves and their families and pay restitution to their victims. They leave the prison with a job, money, housing and a sense of worth enhancing the chance they will never return to prison. The other information with us is simply for your information. I would like to say, we went into a Reno about a year ago. We had a great deal of opposition to start with until the people there learned about the program and began to look into the program. They accepted the program. That facility is located on Second Street in the heart of Reno just across the river -- just across whatever river that is that comes down past Second Street. It is a motel that houses 60 inmates. We now have a great deal of support from the large casino hotels and businesses in that area. Even some who opposed us there are now hiring some of our inmates. Some of them are serving as volunteer counselors. The program has more offers of jobs than it can possibly fill. We have operated a Restitution Center in Las Vegas since 1979 with no major incidents.

(AT THIS POINT TAPE DID NOT CHANGE CORRECTLY AND A
VERY SMALL PORTION IS THEREFORE DELETED FROM THIS RECORD)

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

PAGE 5

IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

VERNON HOUSEWRIGHT:

The facility that we're in now is just not suitable any longer for housing of our inmates. We ask simply for a well structured and successful program. That concludes my remarks, Mr. Mayor.

MAYOR BRAIRE:

Mr. Housewright, you have given, I think, a very detailed description of the project you have in mind. However, you didn't address the thing that we're here today to address and that is the zoning. I suppose it's necessary, you know, that we do have questions or comments with respect to the method by which this center would be operated or the need for it and so on and so forth, but actually from the zoning standpoint, that's the important thing that we're here -- would you like to or do you have someone that would like to address why this location is properly -- would be properly located in this particular place with respect to zoning laws? Am I getting across to you what I'm trying to say?

VERNON HOUSEWRIGHT:

I was told by a number of --

MAYOR BRIARE:

In other words, I don't think anybody argues the program's a fine program. I'm little concerned about one thing you mentioned here that you're going to have frequent -- there's frequent alcohol and drug testing. That leads me to believe that when -- there are problems with respect to alcohol and drugs when the people get there. Otherwise, why would you be testing them?

VERNON HOUSEWRIGHT:

They are in the community working for other employers and so on and some people unless -- it's a way of keeping them honest, protecting them and also adding integrity to our own efforts. When they come back into the center from the jobs, we will test them at that point to make certain and any of them who are drinking at that point or who have taken any kind of drugs, whether it be marijuana or whatever, that will show up in the urine analysis that's done. Those people are returned to the prison. There is no tolerance level in other words for misbehavior in this kind of program. That's why I brought it up.

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MAYOR BRIARE: Also, did you make certain editorial changes in this typewritten --

VERNON HOUSEWRIGHT: Yes, I did that.

MAYOR BRIARE: Could you tell me --

VERNON HOUSEWRIGHT: That is the presentation that I made to the Council in Reno.

MAYOR BRIARE: Right. Could you tell me why you crossed off the words, "Nevada State." You say, "if there is a violation of the rules, the offender will be returned to the prison." You scratched out Nevada State Prison which leads me to believe there will be inmates coming from other prisons in other states into this facility.

VERNON HOUSEWRIGHT: The Nevada State Prison, in terms of the Department of Prisons, is simply one prison located in Carson City and it's a maximum security prison. The violators here would be returned to the institution that they came from within the State.

MAYOR BRIARE: Namely, Jean or Indian Springs?

VERNON HOUSEWRIGHT: Jean or Indian Springs are the principal contributors.

MAYOR BRIARE: Do any of the other Council members have any questions at this time of Mr. Housewright?

COUNCILMAN LURIE: The only question I have is, the facility you have in Reno -- what type of problems have you had in Reno -- not so much the location, but the people being returned to prison for violation of some of the things you pointed out in your presentation? Have you had any?

VERNON HOUSEWRIGHT: We've had a few, not a lot. I would say, in the time that the center's been in operation we probably returned four or five inmates to the institution.

COUNCILMAN LEVY: Tell me about your history down here, sir, the one in North Las Vegas. What kind of history of what Councilman Lurie asked?

VERNON HOUSEWRIGHT: There has been a number of people returned over the years to the prison in terms of that kind of behavior. There's been a few who have left their jobs and gone to California and places like that. In one instance, I can remember, they sold their employer's truck. Those

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- VERNON HOUSEWRIGHT: people have been apprehended. They are charged with a felony of escape. They're given additional time and they're placed back in prison. The majority, however, have successfully completed that program. I don't know what else to say to you. There's been no major incidences. There's been no violence reported at all in that center since 1979.
- COUNCILMAN LEVY: You don't have any -- I would have thought to ask if there are any neighbors or people who have operated around you in North Las Vegas -- they wouldn't be here today, would they?
- VERNON HOUSEWRIGHT: We asked and one said he would be here if his wife got back from Los Angeles. He's a member. He owns the motel next door to it. He was here to speak in favor of the program. We've asked some employers and I don't know how many might or might not be here. We do have a list, however, of employers and people that we've worked with.
- COUNCILMAN LEVY: I'm more concerned about your neighborhood.
- COUNCILMAN NOLEN: I have a comment also.
- COUNCILMAN LEVY: Mr. -- the gentleman standing up here-- are they neighbors?
- MAYOR BRIARE: We'll get to all you folks.
- COUNCILMAN LEVY: No, no-- is this the gentleman? Your next door neighbor?
- VERNON HOUSEWRIGHT: Yes, he owns the motel next door.
- COUNCILMAN LEVY: I was wondering if I could --
- MAYOR BRIARE: Sure, would you come forward please, sir, if you'd be willing to respond to a question of Councilman Levy's?
- COUNCILMAN LEVY: Please state your name.
- AL BAREESE: I'm Al Bareese. I have the Skylight Motel out at 3430 North Las Vegas Boulevard.
- COUNCILMAN LEVY: This operation has been next door to you for four or five years?

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AL BAREESE:

I have been at the motel -- I bought it May 19th, 1983. So I've been there about a year and three months, and I've been there steady except for maybe just two or three or four days when I'd have to go back to California and return to the motel. So, I've been there pretty much seven days a week in the past year and three months. As far as the institution Center is concerned, I see the people coming out. I see them get on a bus and go to town. I see them return. I see them go back into the building and I never see them again. It seems as though the security or the people themselves who have gone ahead and accepted whatever they're doing to get back on the streets -- and they're cooperating. The security of the Restitution Center, as far as I'm concerned, is excellent. I've never heard any noise. I've never seen a group of people gather and on Sundays and other days, there'll be a large group of visitors come in and I've never seen any of the visitors getting a little rowdy or carrying on or anything. They seemed to be well disciplined and respect the Restitution Center for what they're trying to do and as far as I'm concerned, I'm 100% for it. I wish every state in the Union had a Restitution Center. I think it's a wonderful program. As far as the Center being beneficial to the inmates, I've had a little opportunity to work with inmates in Tehachapi State Prison in California and I'm interested in it. I think it's a great savings to the taxpayers in having this institution because the success of them staying on the streets after release is much greater because they're not thrown right out into society. They're put in there --

COUNCILMAN LEVY:

We're not --

AL BAREESE:

Pardon me.

COUNCILMAN LEVY:

We're not into the good or bad of the --

AL BAREESE:

Okay. I was just trying to express my opinion on it. Is there anything else?

MAYOR BRIARE:

Thank you, Mr. Bareese. Mr. Housewright, did you have a planned presentation or are you going to call on others to make comments to us?

VERNON HOUSEWRIGHT:

There are a number of people here, Your Honor, who could make comments in favor, but I think that I've covered the waterfront I was told. We've been looking for over a year and I've been literally blown out of

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VERNON HOUSEWRIGHT:

the water every place that we've been previously looking for sites, a lot of opposition here and there. I was told to look for a place where there's no schools, where there's no playgrounds, where there's no people living in neighborhoods and this area -- when the building became for sale and we were contacted on it because it's been in and out of the newspapers and people have known that we're looking for a place. We got a call on it. A number of people that I talked with indicated well, you know, that would be a good location for it. You probably won't get much opposition.

MAYOR BRIARE:

Do you believe that?

VERNON HOUSEWRIGHT:

Yes. It's an excellent building and it's a good location.

MAYOR BRIARE:

I want you tell us -- I want you to tell us why that is such a good location?

VERNON HOUSEWRIGHT:

It's about halfway between the downtown work area and the strip where most of our jobs are. It'll be cheaper for us to transport the inmates back and forth. The building is more than adequate to take care of our needs. We can secure the facility. We can manage a structured program there and I think just if we're given a chance, in just a couple of months they won't even know we're around.

COUNCILMAN LEVY:

When I drive down the street, will I know it's a --

VERNON HOUSEWRIGHT:

Sir?

COUNCILMAN LEVY:

When I drive down the street and look over towards that facility, will I know it's a halfway house?

VERNON HOUSEWRIGHT:

We don't put up a --

COUNCILMAN LEVY:

No fences, no signs?

VERNON HOUSEWRIGHT:

No signs, nothing like that. We just run a program under supervision. We will paint the building and keep the property up and do things of that nature and try to be good neighbors.

MAYOR BRIARE:

The manner and the rules that we follow in public hearings of this nature would be to give you the opportunity to make your presentation and then we ask for persons to come forward that have objections to your application.

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VERNON HOUSEWRIGHT: Yes, sir.

MAYOR BRIARE: And then you'll be given the opportunity to come and back and rebut those items that are brought up by the people who are opposing.

VERNON HOUSEWRIGHT: Thank you, sir.

COUNCILMAN CHRISTENSEN: I'd like to -- I'd like to ask Mr. Housewright a couple of questions. In the transcript of the meeting that we had before, I think it was Mr. Latten who represented the State and he made a comment and I can't find it now, although I thought I'd underlined it, that they have a legislative mandate and that was the exact words he used to expand the program beyond the number that you have in the North Las Vegas facility. Can you explain to me what kind of a legislative mandate --

VERNON HOUSEWRIGHT: Well, the Legislature, in I guess what we call a mandate, you could call it other things, but they were the ones that approved the 60 people. They were the ones that funded the program at that level. They are the ones who support the program up to that point. A Restitution Center operates --

COUNCILMAN CHRISTENSEN: Here it is right here, I found it. It says, "we're looking for a maximum in that center of 60, 30 men and 30 women is what we anticipate. The center that we've been using out on Las Vegas Boulevard North has housed 40 people, but we've been mandated by the Legislature to get another 20 people in the program."

VERNON HOUSEWRIGHT: We've been approved by the Legislature and encouraged by the Legislature to go to 60. I suppose if I'd asked for 100, I would have gotten the same support from the Legislature because of the price involved, but in order for it to be cost-effective, we have to have a minimum of 50 people working all the time, paying \$10 a day room and board. Then it becomes an effective and efficient operation. We can't put 40 in that building out there where we are. We got a total right now -- It's gone from 40 back, back, back. The Fire Department is saying we've got to do a lot of extensive work. The wiring is bad. We've got to get out of that facility whether we can go anywhere else or not.

MAYOR BRIARE: Any other questions?

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- COUNCILMAN CHRISTENSEN: What we're talking about, I guess, is that the Legislature has recognized the need for this kind of a facility and, therefore, gave you the funding to operate it as a way to take care of the prison population of overcrowding and so forth.
- VERNON HOUSEWRIGHT: That's a part of it.
- COUNCILMAN CHRISTENSEN: To give them a better chance to stay on the street.
- VERNON HOUSEWRIGHT: Those beds are for -- we have a number in -- the prison system is just bulging everywhere. I know you've read about those things.
- COUNCILMAN CHRISTENSEN: I know. I'm aware of that.
- VERNON HOUSEWRIGHT: We have a number of what we consider lightweight offenders sentenced to prison. We have DUI's in there. You know --
- COUNCILMAN CHRISTENSEN: I guess what I'm getting at is that the Legislature apparently approves this program or they wouldn't fund it.
- VERNON HOUSEWRIGHT: Yes and I've been trying for more than a year to get a place. They've approved all of the camps that we're putting in, the honor camps at Ely and Wells and other places.
- MAYOR BRIARE: Any other questions?
- COUNCILMAN NOLEN: I have one.
- MAYOR BRIARE: Councilman Nolen.
- COUNCILMAN NOLEN: One -- there was some comment from the Mayor regarding the testing alcohol and drug abuse testing. Is that not a mandatory thing for anybody being paroled out of prison, to sign an agreement when he leaves prison that he'll submit himself to that at anytime when so required by his P.O.?
- VERNON HOUSEWRIGHT: Yes, I think you're correct in terms of parole and probation.
- COUNCILMAN NOLEN: So the fact that -- the fact that you do it at your facility is not unique?
- VERNON HOUSEWRIGHT: Oh, no.

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- COUNCILMAN NOLEN: It happens to everybody unless they flatten their time out and then they're not under parole.
- VERNON HOUSEWRIGHT: Any community trustee status -- we have 120 people or so working in Carson City that work in state offices, that work in the Governor's Mansion, that sort of thing and they come back and forth and we are testing those people the same way with the camps situation. It's just a routine --
- COUNCILMAN NOLEN: I just wanted to clarify that because it seemed to be some concern.
- VERNON HOUSEWRIGHT: It's routine procedure.
- COUNCILMAN LURIE: Mayor, one other question. You say the Legislature approved 60 people. It doesn't necessarily mean that if you get approved at this location, we will allow you to have 60 people, say to start with.
- COUNCILMAN LEVY: Why not?
- VERNON HOUSEWRIGHT: Well, that's true.
- COUNCILMAN LURIE: I mean, the Legislature might in their wisdom think that we need kind of a restitutions center and might approve the 60 people, but I think it's our responsibility to put the number of people in there that we feel might not over impact the area.
- VERNON HOUSEWRIGHT: That's certainly is your decision, whether we go in there or whether we don't go in there and I don't question that authority at all. That's why we're here today requesting your assistance in getting this on. Whether it's 60 or 100, we have thousands of inmates from this area to deal with.
- COUNCILMAN NOLEN: You say, it takes 50 to make it cost-effective to run?
- VERNON HOUSEWRIGHT: Yes, sir.
- COUNCILMAN NOLEN: So you're saying at this point that if we decided we would only give you 30, it would not be cost-effective to the Center and the State?
- VERNON HOUSEWRIGHT: I would not pursue the issue on Commerce Street further if you make that decision.

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COUNCILMAN NOLEN: I understand.

COUNCILMAN CHRISTENSEN: Could you give me one more statistic that you may have and it has to do with something that came up once before in a similar situation. These people, are they going to be totally released after they've served their time here or are they still going to be on parole after they've served their time here?

VERNON HOUSEWRIGHT: They can. There's two ways that they can be released. One is through parole; the other is termination of sentence and our criteria calls for them to be within six months of release, either way.

COUNCILMAN CHRISTENSEN: Either way. Okay, now if a person is released from prison on parole and doesn't go through a restitution center, and I noticed you called it a restitution center and not a halfway house, so there is some payback for the crime out of this apparently. If somebody is released just on parole, can you give me any kind of statistics of how many people we have that have been released from prison on parole that are residing in the community today?

VERNON HOUSEWRIGHT: Now in Las Vegas?

COUNCILMAN CHRISTENSEN: In this area?

VERNON HOUSEWRIGHT: I would suggest to you and these are ballpark figures -- I asked that question several months ago. The comment I got from the individual who works for Parole and Probation -- that department does not fall under my jurisdiction -- indicated about 3,000 that would be in the County/City.

COUNCILMAN CHRISTENSEN: So in effect, we've got 3,000 people that we don't have located as individuals? The Parole Department does --

VERNON HOUSEWRIGHT: They have a Parole Officer.

COUNCILMAN CHRISTENSEN: The Parole Department does, but we don't have them located as individuals?

VERNON HOUSEWRIGHT: No, no, the Parole Agents look after them.

COUNCILMAN NOLEN: I can tell you, Parole and Probation don't know where all of them are either because I've got warrants on a bunch of them down in North Las Vegas.

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COUNCILMAN CHRISTENSEN: Sometimes that happens. That's true. They skip and they don't know where they are. I'm aware of that. Thank you.

MAYOR BRIARE: Mr. Housewright, to follow up Councilman Christensen's question. Another way to ask the same question I think would be to ask do you know what the caseload of current files for probation officers are?

VERNON HOUSEWRIGHT: I can tell you because I know how the budget was figured, having been through the last Legislative session.

MAYOR BRIARE: Three Thousand?

VERNON HOUSEWRIGHT: Seventy-five inmates are the case load standards for one parole agent.

MAYOR BRIARE: And how many agents?

VERNON HOUSEWRIGHT: I don't have any idea how many agents are there. It's one agent for 75 is what they based their budget presentations on.

MAYOR BRIARE: But the total would probably be 3,000?

VERNON HOUSEWRIGHT: That's what I'm told. Now, that could include several probationers as well that are put on probation from the courts, both parole and probation.

MAYOR BRIARE: Mr. Housewright, have you concluded your comments?

VERNON HOUSEWRIGHT: Yes, sir.

MAYOR BRIARE: You will be given the opportunity if you wish to make comment on anyone speaking in opposition to the zoning.

VERNON HOUSEWRIGHT: Thank you, sir.

MAYOR BRIARE: Now, Mr. Dickerson, we know from the transcript of the meeting, you represented a group of people, so since you're sitting right in the front row there, Mr. Dickerson, we would like to welcome you to our meeting.

ATTY. GEORGE DICKERSON: Mr. Mayor and Councilmen, for the record, I am George M. Dickerson, 630 South Third Street, Las Vegas, Nevada. My representation, Mr. Mayor, is First Western Savings and Loan who we've represented for a number of years, and they have the Southwest Data Computer System, that is an immediate adjacency and across the street from this area. I do not represent the rest of the individuals; however, I have been in meetings with them, and there will be four or five who would like to address, and this being the forum upon which any kind of a review will be dependent,

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ATTY. GEORGE DICKERSON:

we would request that you afford them that opportunity of being heard. My comment -- I think you stole my thunder, frankly, what Mr. Housewright indicated to you -- there could be nobody who would object to a program such as this, but that simply is not the issue. The issue is where in fact do you locate a halfway house. Now, a halfway house is already located and the impact has been felt in North Las Vegas, and it's been demonstrated by the gentleman who appeared here from the Sky -- whatever it is -- Skylark Motel. They seem to be accommodating that pretty well in the North Las Vegas area, and I think the Mayor there would confirm that. Why then is not the expenditure made for expansion of that facility where the impact has already been met, rather than go into a virgin territory which has absolutely no housing or habitation and which in all due respects may be zoned for industrial, but it's in fact retail commercial. And what the concerns of these people in this area is is that you are going to have an impact upon their employees, their customers and their investments. With all due respect to statistics and the success, all it takes is one failure. It was demonstrated in Carson City in the Honor Camp -- you can talk all you want to about 24 hour security, tell that woman in Carson City who was raped that that 24 hour security gave her the protection of someone in an honor camp. And the same is true in any halfway house. It can occur. With all due respect, the gentleman indicated he watched them get on the bus and go to town and return. Now, we've had an indication that they're going to be transporting them back and forth to work from this location. He indicated at the time of the hearing that we had before you Board of Zoning Adjustment -- Mr. Housewright did not appear, but Mr. Ladden did. Mr. Ladden, and gentlemen, if I can put this in proper --

COUNCILMAN CHRISTENSEN:

Can I interrupt you just a second, George?

ATTY. GEORGE DICKERSON:

Yes.

COUNCILMAN CHRISTENSEN:

You've got me a little confused, and I -- in this respect, nobody's arguing the merit of the program -- it's just where it is, and yet it sounds like you're arguing that this program's dangerous no matter where it is.

ATTY. GEORGE DICKERSON:

Not at all. I'm just saying that if you're going to put it into areas, don't put it into areas on the basis of an argument that it affords 24 hour protection to those that are in immediate proximity to that area, as Mr. Ladden indicated, and that's my argument.

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COUNCILMAN CHRISTENSEN: Oh, I didn't get that. I'm sorry.

GEORGE DICKERSON: And if that were true -- if you're going to get 24-hour protection by virtue of you having around the clock security, then your best place to put it is in the area of the highest crime that we have in this community because then you're going to have 24-hour surveillance that may cut down on that, rather than in this area that has absolutely no habitation whatsoever. It's strictly commercial and in which they have their millions of dollars as far as investment is concerned. What I was going to point out to you, this matter first was set on an agenda before the Board of Zoning Adjustment on May 24th. We all appeared, but for some reason the State did not appear, but that day they did meet. Mr. Latten did meet with these concerned men. At the meeting of the Board of Zoning Adjustment we attended, Mr. Ono confronted Mr. Latten, "did you not tell us that you would not put this if the residents in that area were not in favor of it?" He says, "well, we said we would prefer not to." I would offer as our first exhibit a letter of June 13, 1984 for Mr. Housewright himself in which Mr. Housewright observed, the concluding paragraphs of this letter: "It is important to our program wherever we go to have an understanding and support of the people in the area. We appoint an advisory board with the representatives from law enforcement, community leaders and concerned citizens who help set the policy and rules for our program. I'm attaching a list of references of people, including employers, some of whom have said that they would be willing to talk to anyone about the experience with the program." Concluding paragraph: "I apologize for the concern we have made cause to you and I'm interested in meeting with anyone who might be interested in talking with me. We are interested in the site on Commerce. I had planned to have my office also in that building, but unless we have understanding, supportive neighbors who will give us a chance, then we are not interested in trying to force our program anywhere." That's what these people were led to believe on May 24th when they came here. Then we come back at the meeting that was held before your Board of Zoning Adjustment on July 26th and notwithstanding the statement which had been made, Mr. Latten indicated, well they would prefer not. Well these people are very vitally concerned, Mr. Mayor and Councilmen, and they have good reason to be concerned

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GEORGE DICKERSON:

because what was pointed out to you in Reno when he could not remember the name of the river. It's the Truckee River and immediately across the street from the motel is the Reno Police Department. Now these are the areas where you locate something of this nature. The same thing is true of the halfway house that they have on the Sparks property which is the -- immediately adjacent to Lakes Crossing and the mental hospital. They have a halfway house on that property. Why not then look for an area such as that? As I indicated in the Board of Zoning Adjustment hearing, you have the old YMCA building which is immediately across from the complex that we have at the State Fair. That might be utilized for a purpose. Secondly and what nobody has indicated from the State is that the facility which was used when we were constructing the Clark County Jail or the Metropolitan Jail. I don't want to give it a name that --

COUNCILMAN CHRISTENSEN:

It's the County Jail, that's very clear.

GEORGE DICKERSON:

Right. But in immediate proximity to that Jail, while they were constructing it, they had a retention facility, with all of the security in, and they have all of the television in, and that facility is available for occupancy.

COUNCILMAN LEVY:

There's no television in it.

GEORGE DICKERSON:

Yes, they have. I gave a picture at the meeting and it will show that there is a television device there.

COUNCILMAN LEVY:

I know the facility. They're still using it. The Clark Center?

COUNCILMAN NOLEN:

No.

COUNCILMAN LEVY:

They're not using the Clark Center?

COUNCILMAN NOLEN:

No.

GEORGE DICKERSON:

And that, Mr. Mayor, is with all due respect to the State and the fact that there is a cost effective measure as far as the program is concerned. Why visit that upon these merchants who's livelihood, who's investments, who's employees and who's customers are concerned about this particular placement. I'll answer and respond to any questions any of you have, but there are some gentlemen here who are the merchants who would like to express their own personal views.

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- MAYOR BRIARE: First, do any of the Councilmen have questions of Mr. Dickerson? (No response.) Thank you, Mr. Dickerson.
- GEORGE DICKERSON: Surely.
- MAYOR BRIARE: Gentlemen, if you wish to be heard on this, please come forward and do so, because I can tell there's a good number of people, and I'd like to have it as briefly as possible.
- GEORGE DICKERSON: There are not that many, Mr. Mayor. That's what we -- we organize for the purpose of limiting so there will not be repetitious matter presented.
- MAYOR BRIARE: Thank you, Mr. Dickerson. Just give us your name and either your business address or your home address.
- RICHARD ATTESANI: Good afternoon. My name is Richard Attesani. I'm probably one of the more concerned people. I share the adjoining wall to them. I'm in the office products business. I also have Lanier Business Products, A-1 Office Machines and Own Your Own Telephone. I've been open to this whole thing. I was almost willing to go along with it until I found out how many loopholes and how many false statements were made to me and in which I'd like for you to verify later on. Number One, they said that they were going to house and take these people and bus them to and from. At the last hearing, they said that they were going to use their own transportation. In other words, busing their own to travel to and from, not there's, and we're talking about just going out to the corner and taking a bus. Okay, so this was never straight. Okay, this is both times, if you take a look at the thing from the last meeting, they said that they were going to use public transportation also. I'd like to verify that. The next thing is that I've been there for 10 years trying to build a business where I can draw clientele and from the outside. As this gentleman said over here that he sees large groups of visitors coming, they do not have parking facility there. If you were to bring your IBM down to get fixed, or your wife, they have to park in front in order to carry this big machine in. There's only four parking spaces in front of my whole building. They said that they would only have one or two people that might stop in at the last meeting. Now, I'm hearing large crowds of visitors. It's just been misled all the way through this whole thing. I don't think all of the people here have really got the right scoop out of this whole thing. That's all I have to say.
- MAYOR BRIARE: Thank you, sir. Yes, sir.

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ROBERT TEE:

My name is Robert Tee, 1307 S. Commerce. I'd like to respond to a couple of Mr. Housewright's points. There are a couple of points that are imminent in this whole thing. I think we need to address the penal system itself, because it's written today that the system itself fails to rehabilitate the majority of felons anyway, and 80% -- and these are facts that are in books -- 80% of all felonies are committed by repeaters, and Nevada has the highest commital rate based on population -- one of the highest in the nation based on population. So how, therefore, is the advent of halfway houses going to solve the problem when we know that this is just the tip of the iceberg coming down. The other part of the question is is that I think there are a lot of halfway houses that hasn't been brought to our attention. We talked about the Carson City; we've not talked about the Talbert House; we've not talked about the problems where the use permit was revoked over there. We've had a business down there for 10 years, and if I can't hire employees because of the stigma attached to this type of a program, I'm out of business, and if I'm out of business, then the system has failed again. And halfway houses, gentlemen, will not work without community support, and we do not have it. Thank you.

MAYOR BRIARE:

Thank you very much, sir.

MIKE SARKAS:

My name is Mike Sarkas, 1208 S. Main Street. The subject property we're talking about is located directly behind our place of business which we've had for 20 years now, and it's a lock and safe company, Frank's Safe & Lock Company. Earlier it was said that the majority of the people that would be housed there were credit card, fraud type felons and burglars. Well, with our type of business and our three trucks located back there with all the lock and safe opening equipment any burglar would need is our main concern for not wanting this there.

COUNCILMAN LURIE:

Do you have an alarm system?

'MIKE' SARKAS:

No, we we don't. We've heavily bolted and locked and whatnot, but that is our major concern having this directly behind our business.

MAYOR BRIARE:

Thank you, Mr. Sarkas.

TERRY ONO:

Good afternoon. My name is Terry Ono. I'm the Manager of Home Lumber Company at 1220 S. Commerce. I'd like to make mention that our company has been in town for 41 years and we have been at our present location at 1220 S. Commerce for 16 years. One thing that I'd like to mention is that we have a multi-million dollar investment in our facility that is primarily dependent upon do it yourself business and we actually spend

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TERRY ONO:

hundreds of thousands of dollars a year in our advertising and promotions to try to draw ladies to come into our facility to shop, because we have everything that's available to them. One of the problems that we're going to have, of course, is this. It's not necessarily the need or the actual fear that people should have because of the facility, but it's a psychological situation. The problem that we're going to have is if you just ask yourself, if you have an alternate place to shop in the city, are you going to send your wife down to Home Lumber to shop when you know the restitution situation is across the street from us. I also have a bunch of employees, a lot of ladies that work for us, that it's absolutely necessary for us to -- the ladies to stay after dark in the wintertime to shut down our computer, etc. I've also had a lot of our ladies already threaten that they will not stay and do the backup in our system and everything else, and we've had again a lot of threats from a lot of people. Along with the million dollar investment we have there, our business is going to be potentially disastrous if this type of a situation goes through.

COUNCILMAN LEVY:

Why are they threatening? I mean, those people come back. They're put right back in their rooms. They're not out. You're not going to see them.

TERRY ONO:

Like I mentioned, I don't necessarily advocate the fact that there is a definite need to have fear. I'm explaining to you that it's a definite psychological situation on the ladies of the community and the ladies who work for me.

COUNCILMAN LEVY:

I think you're the one that's causing it.

TERRY ONO:

Well, I don't think so. There's been a lot of publicity about it. I don't have any immediate fear. Why would I?

COUNCILMAN LEVY:

Well, I think when I say "you," I'm talking about all the people that are protesting. They're the ones that are causing all the -- you know, this facility in North Las Vegas was operating so well, that they didn't even know it was there -- the Sheriff didn't.

TERRY ONO:

I understand your point. Do you send your wife up to North Las Vegas to shop?

COUNCILMAN LEVY:

No. I send my wife wherever she feels like going to shop, sir.

TERRY ONO:

Okay, my point is this --

COUNCILMAN LEVY:

I don't send her. She sends me.

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TERRY ONO: Okay, I appreciate your situation.

COUNCILMAN LEVY: You don't know my wife.

TERRY ONO: You don't know mine either. My point being this -- whether or not there is a definite need for fear, I'm not arguing that point and I'm not arguing against the facility. I'm arguing against the point that we have millions and millions of dollars invested in our businesses in that area and I'm just saying that potentially it's disastrous on the impact of our business, and, you know, you can all say later that if it's approved, and say, "Well, we're sorry. It hurt your business, but it's too late."

COUNCILMAN LEVY: I don't think it's going to hurt your business, I guess is what I'm saying.

TERRY ONO: That's excellent, but unfortunately, you don't have millions of dollars invested in that facility. We do.

COUNCILMAN LEVY: Not in that facility.

COUNCILMAN CHRISTENSEN: Let me clarify one thing that might be interesting here. It's kind of a -- I don't even know if you were even here, Mayor, but you know why this is before us. It's because the State instituted one of these on Highland Drive one time and they didn't have to get a use permit. It wasn't required. And Commissioner Lurie and I found out about it I think two and a half years after it was in there -- nobody knew about it until a guy escaped one time and stole a car -- stole the warden's car, I believe, and took it to California. And at that time we pushed through an ordinance requiring a use permit for these things. I wonder sometimes if we did the community a disservice because I personally am more fearful of the 3,000 felons that are on parole in this community that I don't know where they are or who they are than I'm worried about 60 that I know where they're at. That really scares me.

TERRY ONO: I appreciate your situation, but we're not here to talk about the 3,000. We're here to talk about the 60.

COUNCILMAN CHRISTENSEN: Well, I think we really are. We're talking about a zoning issue.

COUNCILMAN LEVY: He's not worried about zoning. He's worried about the problem.

COUNCILMAN CHRISTENSEN: Theoretically, we're talking about a zoning issue, but it never stays on zoning. It always gets away from zoning. It comes back to "I don't want criminals around."

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- COUNCILMAN CHRISTENSEN: I'll be it you took a vote in this community that the only place that you could satisfy population to put one of these is on a hook hanging from the moon provided it wasn't over the United States.
- TERRY ONO: I understand your point, so where are we to go to afford the situation?
- COUNCILMAN CHRISTENSEN: No, no.
- COUNCILMAN LEVY: You ought to seen the protests when we put the new jail down at Stewart and Mojave.
- COUNCILMAN CHRISTENSEN: What I'm getting at is the gentleman before you, I can appreciate his comments, but it worried me a little because we have the highest incarceration rate per capita of any state in the nation. That's because the public insisted on the judges being tough. So we put more people in prison because we insist that the judges do that, and I can appreciate that. I insist on that too. And then we say that we have the absolutely -- what was the word -- the worse repeat offenders because our system is not rehabilitating people. Why isn't it rehabilitating people? Because we send them to a university to teach them to be better and bigger crooks and don't ever let them get out until the day they're through and we dump them on the streets so that they can go right back to their old business with no halfway. So we're really not talking about zoning. I don't care where you want to put a facility like this, nobody wants it. Mr. Dickerson suggests downtown. I'd have to question what's the difference between the investment the merchants have downtown and the investments the merchants have on Commerce, the investments the merchants have on Sahara, the investments they have on Las Vegas Boulevard, north or wherever.
- TERRY ONO: They're very similar, and they'll all come to fight it.
- COUNCILMAN CHRISTENSEN: They're all the same, right? If you were downtown, would you want the restitution center next to you downtown?
- TERRY ONO: No, I would not.
- COUNCILMAN CHRISTENSEN: Would you want it next to your home?
- TERRY ONO: No, I would not.
- COUNCILMAN CHRISTENSEN: Would you want it next to your church?
- TERRY ONO: No.
- COUNCILMAN CHRISTENSEN: Where would you want it?

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TERRY ONO: I don't want criminals.

COUNCILMAN LEVY: Nobody wants criminals.

TERRY ONO: I agree. My point is this. The only thing I'm trying to explain is this. There is a dramatic risk on our part. We can all sit here and talk about morale and our morals and everything else, but we're talking about a potential risk on our part. We can sit here and say "Well, our business is good." If you approve this situation, a year down the road, if our business is dropped in half or something, what are we going to do then? We're talking about the tax revenues, the potential loss of jobs, and we're talking about dramatic repercussions here. This is not a moral issue. Put them somewhere where they're not going to have an impact on our business.

COUNCILMAN CHRISTENSEN: Would you be able to blame the loss of business on one particular item?

TERRY ONO: I don't know that. The risk is too great for me to know. I can't tell you that. I'm just saying that the risk is there. There's no doubt in my mind. If we can't see that clear, then we have a problem. I'm telling you that the risk is there. It's a great risk. We've been in this town for 41 years and we've been there for 16. What I suggest is to find a facility that is either already existing, that's not going to have the impact on our facility or in the area of businesses.

COUNCILMAN CHRISTENSEN: There's no such place that's not going to have an impact on somebody.

TERRY ONO: Why has this situation been dropped in the past and voted against? All of a sudden now we're expected to be -- they've been fighting it for a year trying to get a location.

COUNCILMAN CHRISTENSEN: Well, every time we've heard a location suggested, they've told us go to an industrial area where we don't have churches, schools, people living in homes.

TERRY ONO: What do they mean by industrial? We are not necessarily all industrial. We are retail oriented. We have ladies, people shopping day in, day out. We have the Carpet Barn who is open from 9 in the morning until 9 o'clock at night.

COUNCILMAN CHRISTENSEN: The property is located at 1209 S. Commerce in Zoning District C-M, which is commercial industrial. It's industrial by the book.

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- TERRY ONO: Fine. I appreciate your situation. We're telling you it's also retail.
- MAYOR BRIARE: Mr. Ono, sometimes zoning is a matter of social issue; sometimes zoning is a matter of economic issue; sometimes zoning is both ways, both social and economic. I think you've presented your feelings on that.
- TERRY ONO: I appreciate your comments.
- MAYOR BRIARE: Maybe we should go to Mr. DeLake from the Carpet Barn.
- TERRY ONO: Sure. I just implore to not pass the zoning. That's all.
- MAYOR BRIARE: Thank you.
- NANCY WILLIAMS BAKER: Good afternoon, Mayor, Members of the Council. My name is Nancy Williams Baker. My business is at 1226 S. Third Street and I've been in business here in Las Vegas and held a license for about 34 years.
- MAYOR BRIARE: You have a lovely costume shop.
- NANCY WILLIAMS BAKER: Yes, and I've fitted several of you for tuxes, right? But besides that, I must speak for the ladies. The prison system is giving equal consideration to the women. They're going to have 30 ladies and 30 men and very few women have been allowed to speak up for this on the other side. So I would like to speak for myself first and for the 10 ladies who work for me, for the many ladies who work for the other businesses here, and another lady who is represented here in the audience, Mrs. Coons -- Kathryn Coons who owns four lots adjacent to this piece of property that you're considering today. My husband and I also own four lots two blocks away. I am very, very interested in everything that happens with this because of the recent targeting of my business and my person by convicts. Happily, it came out well. The men were apprehended. However, as a result, it has cost me \$20,000 is still is ongoing to secure my building to make myself and my employees perfectly safe so that we cannot be approached by strange men lurking in the alleys because the City has not lit our alleys. Now, they're saying that you're going to light the alleys directly behind this facility. But you have done nothing to help the rest of us. If a person leaves a facility such as that --
- COUNCILMAN CHRISTENSEN: We don't light alleys. You're aware of that?
- NANCY WILLIAMS BAKER: I know you don't do anything without us signing all the papers for it. Yes, I have signed everything.
- COUNCILMAN LEVY: Well, your neighbors haven't.

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- NANCY WILLIAMS BAKER: I beg your pardon?
- COUNCILMAN LEVY: Your neighbors haven't.
- NANCY WILLIAMS BAKER: Oh, well, many of them have.
- COUNCILMAN LEVY: Not 51% of your block.
- COUNCILMAN CHRISTENSEN: If there's 51%, then you get lights.
- NANCY WILLIAMS BAKER: As we go, I have installed as many lights as I possibly could around my own business and in the alleys for both the City's behalf and myself. However, I feel that it's very, very urgent that all of you consider the feelings of these women. Now, this kind of a business, I have many, many children and women, and it's difficult to get them into what I term as the "center city." I located my business there because I felt it was centrally located to every part of the town and my business is a specialty business. But I don't believe after dark, which we allude three hours business every day after dark, I don't think you're going to get women shopping in the area if you have that. I've already been told by my insurance company that it's quite likely that our insurance will go up considerably and those are things that I think that -- excuse me --
- COUNCILMAN CHRISTENSEN: Did you tell me who your insurance agent is?
- NANCY WILLIAMS BAKER: Oliver.
- COUNCILMAN CHRISTENSEN: Oliver?
- NANCY WILLIAMS BAKER: And they represent several people here too. But I think any additional burdens on the merchants after recessions and strikes and just every day trying to get along is something that we don't need. Many of these merchants out here have been in business I think before -- I think maybe before one of you Councilmen was born, if you look at some of the faces.
- COUNCILMAN LEVY: I think maybe it's on that side of the --
- NANCY WILLIAMS BAKER: Un-huh, am I right?
- COUNCILMAN LURIE: Maybe on this side.
- NANCY WILLIAMS BAKER: The kid here, and, of course, Mr. Mayor, you have known some of them for well over 40 years that you've been in business here. Please don't give us an additional hard way to go in our every day business. We just don't need it. These are survivors. Small business is what holds this community together. Give us a break and let's see if we can't find a little piece of desert somewhere

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NANCY WILLIAMS BAKER: where these men can be put out. My goodness, some of you are real estate men. There must be a place where we can put them where they're not going to impact on businesses. I can't bear to think of walking out into my parking lot after dark and knowing that there's going to be 30 men convicts, and, of course, the women too. Some of the women are much tougher than the men. We know. But I don't see that it can make our neighborhood any better.

MAYOR BRIARE: Thank you, Mrs. Baker.

NANCY WILLIAMS BAKER: Thank you very much.

COUNCILMAN LEVY: Excuse me. What area do you live in?

NANCY WILLIAMS BAKER: What area do I live in? Greater Las Vegas near Bruce and Bonanza, and we have been located there for over 30 years. Thank you.

MAYOR BRIARE: Okay, now, sir, you're going to speak in opposition to this.

IRWIN BRONSTEIN: Very brief.

MAYOR BRIARE: Yes, thank you very much. I'm going to give Mr. Housewright the opportunity to make some comments in rebuttal to this and then we've got to take this matter -- make up our minds.

IRWIN BRONSTEIN: I just want to say I own the building directly behind the place they're thinking of.

CITY CLERK HAWLEY: Your name, please?

IRWIN BRONSTEIN: Irwin Bronstein. I own the building next to Frank's Lock and Key, which is behind the facility you're talking about. I just want to say my building's going to be vacant very shortly and I'll directly my shot at Mr. Levy. Are you still in the real estate business?

COUNCILMAN LEVY: Sure am.

IRWIN BRONSTEIN: I'd like to make a deal, special for you, that you open an office there. All these things are always good in somebody else's back yard. So you come on and see me.

COUNCILMAN LEVY: Sir, that is in my back yard.

IRWIN BRONSTEIN: No. Pardon me?

COUNCILMAN LEVY: That is in my back yard.

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IRWIN BRONSTEIN: Fine. Then I'll give you a front yard with it.

COUNCILMAN LEVY: Do you have parking?

IRWIN BRONSTEIN: Yes, I've got some parking for you. I'm right next door to Frank's Lock and Key.

MAYOR BRIARE: Listen, while you two guys are negotiating this deal, I'd like to continue on with our --

IRWIN BRONSTEIN: Or any one of you people that are in the business.

MAYOR BRIARE: Thank you, Mr. Bronstein.

IRWIN BRONSTEIN: It's very special. Keep it in mind.

MAYOR BRIARE: Just one second, Mr. Dickerson.

UNIDENTIFIED FROM AUDIENCE: I'm a concerned citizen listening to both sides of this argument and I have a couple of comments.

MAYOR BRIARE: Well, sir, we are extending this a lot longer than what is really warranted here now.

UNIDENTIFIED FROM AUDIENCE: This building will have to be retrofitted, right? I've been in business here 40 years. To retrofit this building, for the figures I heard they could do it, they couldn't put the sprinkler system in for that. So they're way off on their figures. I've gone over the figures, and if Mr. Dickerson knows about a building that's already housing, that's your best go.

ATTY. GEORGE DICKERSON: Mr. Mayor, only -- and I don't want to belabor this at all. I walked away with the exhibits. I would ask also that everyone of the petitions which was submitted at the Board of Zoning Adjustment containing some 300 odd signatures likewise be considered.

MAYOR BRIARE: They will also be a part of the record, right, right. Mr. Housewright.

VERNON HOUSEWRIGHT: Mr. Mayor, I'll try to be very brief. There was a number of questions raised. I couldn't write them down that fast. One statement was made in terms of the letter that I wrote, which I said we were not interested in going where we weren't wanted. That's true. I wrote that letter and I said those things. That was a policy of ours, but whenever you find that you can't go anywhere without opposition, then that policy and that attitude has to change. By the same token, a couple of other comments were made about somebody escaping in Carson City and creating a rape, about us having a halfway house next to Sparks or something. We just don't have those.

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VERNON HOUSEWRIGHT:

We did not run these other Talbert Houses and so on -- had nothing to do with us. We will transport people. I've made that commitment. If we're permitted to go in there, if we decide to go in there after this decision, we will transport the inmates back and forth. In terms of the Clark Center across from the Jail, the cost of that is \$10,500 a month, lease payments. We don't have that kind of money in our budget. We just don't. That's \$60,000 more than what we could afford. So we haven't pursued the Clark Center at all. The estimates in terms of what needs to be done to that building, of course, are in the process of being made, but concrete showers and toilets and a small kitchen dining area is all that's needed in that for us to use the facility, I'm being advised. So \$25,000 would be sufficient to do that.

MAYOR BRIARE:

You know, Mr. Housewright, this is just an observation perhaps, and I'd appreciate it if you could maybe make a comment. You're wanting to go into that area, and again, I want to try to keep this a zoning matter and not an emotional social issue. You want to go in there because you don't have the money to go somewhere else. The objections to your going in there are also for economic reasons. So your economic problem would be solved if you could get in there, but it would create an economic problem in the minds of Mr. Ono and some of the other folks that were here. Address that for a minute, would you?

VERNON HOUSEWRIGHT:

Yes. It's not only economics for us. It's the necessary bed space. Those people are in there like 90 days or 120 space. The bed space turns over quickly, so those 60 beds are continuing to turn over. People are out and in the community living with their families and so on. It's just far cheaper, and we have so many inmates stuffed inside these prisons, we need the bed space.

MAYOR BRIARE:

Sure. Now, you're giving a good case for why you need it because of your economic problem because it's cheaper. They argue -- I shouldn't say "they" -- individuals who have been here have argued before us have argued that they have many hundreds of thousands and in in this one instance millions of dollars invested and they claim an economic problem.

VERNON HOUSEWRIGHT:

I hear that, Mr. Mayor, and in every case around the country, that has not been the case. It has not affected other people's businesses. It has not affected property values. Look at the prison they built in Carson City. The people up there wanted that prison built out in the country so it wouldn't affect property values. Now, they're building \$200,000 homes around the prison looking

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- VERNON HOUSEWRIGHT: right into it. In over the 30 years that I've been in corrections in six different states, and I've put in these restitution centers and work release centers in other locations -- no where has it affected the people. The fear is just from the unknown and so on, and I understand that and I respect these people. I've met some of them; I've talked to some of them; I understand their fears. All I can do is say, "Give us a chance and we'll prove that that won't happen."
- MAYOR BRIARE: Thank you, Mr. Housewright. Any other questions?
- COUNCILMAN LEVY: Can we do that?
- COUNCILMAN LURIE: Well, I have a question on giving you a chance, whether or not you would take approval on a temporary basis -- that if it didn't work, then you relocate someplace else or disband the program.
- VERNON HOUSEWRIGHT: What are you --
- COUNCILMAN LURIE: I guess what I have to say is are you leasing this property, or are you buying this property?
- VERNON HOUSEWRIGHT: No, we're leasing it. There's no way we can buy it. That's a matter for the --
- COUNCILMAN LURIE: Do you have a one-year lease, or a five-year lease, or is it a month-to-month lease?
- VERNON HOUSEWRIGHT: Five years. We generally lease for a period of five years.
- COUNCILMAN NOLEN: Well, I've got a couple of comments. You know, a lot of people keep talking about a halfway house and, you know, I'm quite knowledgeable about the facility in North Las Vegas, and it's not a halfway house. It's a pre-release restitution center. These people are scheduled to hit the streets. They're coming out of that prisons within six months and they're going to be on the streets. Now, this program allows them the opportunity to hit the street with a job, or do we just open the door and throw them out and say, "Go out and hussle for yourself and find a job." These inmates are required within two weeks to find their job. "Get out there and get yourself a job. If you can't do that, you go back to the prison." It's not a thing that we've got a job placement program and we're pulling people out of prisons to come in jobs. In addition to that, they're required to make restitution to their victims. Now, that's something that's kind of new and unique in the prison systems in our country -- prisoners paying back their victims. I personally think that's good.

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COUNCILMAN NOLEN:

I've worked closely with the North Las Vegas Restitution Center. I'll be very candid with you. When they first came around to me, I had problems with it. I believed prisoners belonged in prisons and keep them in the prisons out in the middle of the desert. But we can't keep doing that. It's not working. And once we worked out the problems that I had personally with the restitution centers and what have you, I found a very good relationship and a lot of professionalism from the staff in that North Las Vegas Center. They've worked very closely with me down at the North Las Vegas Marshal's Office -- nothing but total cooperation. Any problems I've ever had, they take care of them immediately. There's been a lot of problems in all of our systems. There's always going to be problems. Prisoners are going to break out of maximum custody prisons; they are going to break out of minimum and medium; they are going to walk away from restitution centers. If we allow this, you'll have walkaways. It's going to happen. But they're also going to break out at Carson City; they are going to break out at Jean; they are going to break out of Indian Springs. That's going to happen. You can't project what's going to happen in somebody's mind. I keep hearing they're good. I listen to the people come and tell how good they are, but not in my neighborhood -- stick them over in somebody else's neighborhood. And those people aren't here to talk about their neighborhoods, so it's okay to talk about centering over there. I disagree with that. I think this is a good location for this program. I think if it's run like they run the one in North Las Vegas, you won't even know it's there. You won't have any problems. I personally in an effort to satisfy some of the fears of the businessmen here, I would like to see some type of one-year trial basis to give you the opportunity that you're asking for, but also give them the protections that they're asking for, because I think you'll prove yourself. I may be wrong, but I think you can prove yourself if we give you that chance.

VERNON HOUSEWRIGHT:

I would add something to that, if I may speak now, Mr. Mayor.

COUNCILMAN NOLEN:

Would you be happy with a year before you say that? I know you want five years. Would you be happy with a year?

VERNON HOUSEWRIGHT:

Well, I'd be happy with almost anything at this point, but whether I can get it on with a year lease, I don't know because of the cost of the structure and everything else. We'll see. What I would ask is in the advisory board that we intent to appoint is that the Mayor or the Councilmen -- Mr. Levy -- someone name a representative

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VERNON HOUSEWRIGHT:

to that advisory board that will report back to the Council in terms of how we are doing to keep you advised as to how we are doing. I would hope that if per chance we're permitted to go in there and make a decision to go in even after your decision, that some of the businesses in that area, some of the business women and some of the businessmen, would agree to serve on that advisory board so they know what's going on and they know the kind of people who are in there and so on. I don't know any way to relieve their fears. They are genuine and they are real whether they are -- there's just no way to be able to relieve those kind of things and I've tried previously in other places, and you just can't do it.

COUNCILMAN NOLEN:

One other comment I'd like to make.

MAYOR BRIARE:

Councilman Nolen asked you a question and now, you've responded to it. Bob, do you have anything further?

COUNCILMAN NOLEN:

Yes. One other point that I think a lot of people may not be aware of -- you know, the fears that they keep talking about -- what kind of people are in these things. You know, here is a -- this is kind of a guideline to what qualifies a person for the prerelease restitution center: non violent offender, no history of assaults, no sexual offenses or even an arrest for a sexual offense. Generally speaking when you're talking about offenses, they talk about convictions. Their requirements are not even an arrest for a sexual offense -- no escape history within the past five years, positive institutional adjustment. By that, they've had no major violations within the prison system, they've not been a disciplinary problem within the system itself, and, of course, no history of psychological disfunction and no medical restrictions on them. So, you know, they're being pretty strick on themselves just by who they select to go into this program, and I wanted that as a part of the record for the people out there to know that they are screening people. They're not just grabbing people out of the joint and throwing them on the street. Thank you, Your Honor.

MAYOR BRIARE:

Thank you, Councilman Nolen. Any other comments by the Council Members? Thank you, Mr. Housewright. You may be seated. Apparently, there are no other questions. The public hearing will be closed and the matter is now before the City Council. What is the pleasure of the Board?

COUNCILMAN NOLEN:

YOUR HONOR, AT THIS TIME I'D MAKE A MOTION THAT WE APPROVE THIS USE PERMIT -- I BELIEVE IT'S A USE PERMIT, IS IT NOT -- A USE PERMIT WITH THE CONDITION OF ONE YEAR, TO BE REVIEWED AT THAT TIME TO SEE IF THERE'S BEEN ANY PROBLEMS. I WOULD ALSO ADD THAT WITHIN THAT YEAR'S TIME FRAME, IF SUBSTANTIAL PROBLEMS OCCUR, IT BE BROUGHT BACK BEFORE THE COMMISSION IMMEDIATELY, AND ANY OTHER CONDITIONS THAT'S SET BY THE

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IX. PUBLIC HEARING

B. U-33-84 - APPLICATION OF PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA

COUNCILMAN NOLEN: BZA AND STAFF.

MAYOR BRIARE: Comments by the Council Members? (No response) Ready to vote? The motion is to allow the use permit. Cast your votes.

COUNCILMAN CHRISTENSEN: Your Honor?

MAYOR BRIARE: Hold your votes. Pardon me. Paul?

COUNCILMAN CHRISTENSEN: I think we've got a situation here that's difficult. I'm going to think out loud for a minute. We don't want any criminals on the streets, so we put them all in jail, and we want them all in jail, so we insist that our judges send everybody up. So we get them all in prison and we want to reduce the taxes so we can't build more prisons, and that's a good program to let them out, but we've got no place to let them out, and so we really are not interested in the communitywide or Statewide situation. We're only interested in our own. And yet, what really troubles me is that I'm very troubled by Mr. Housewright's letter, which says that he won't force this down anybody's throat. I was hoping that they could go sell it.

COUNCILMAN LEVY: So was he.

COUNCILMAN CHRISTENSEN: Apparently, they failed to sell it. It puts us in a precarious position because we're supposed to rehabilitate prisoners and we're supposed to protect the community and we're supposed to do it on reducing revenues and yet, hold everybody in prison the maximum amount of time and shoot them if possible and eliminate all the criminals from the streets. I don't think there's anybody that I appreciate the comments about the amount of money invested and so forth. I probably know as much about criminals that are not known that are on the streets that are stealing from you as anybody because I've certainly been a victim enough times, but I frankly am really troubled because I don't know exactly how you can properly assess this situation. It's supposed to be a zoning issue, but by the admission by all the protestants, it's not really a zoning issue. It's "I'm afraid of criminals" issue, and if I know where they are, I'm more afraid of them than if I don't know where they are. At the time we considered the jail down on Stewart Avenue, a lot of those people had real misgivings about it and I made the statement that if they could get the Water District property and put it behind my house because there were a lot of policemen there, and I don't know of anybody that ever escapes from an institution that stays and commits crimes in the neighborhood of the institution. They normally get as far away from that institution as they can if they're going to commit a crime, and I really don't know

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- COUNCILMAN CHRISTENSEN: the answer. I'm probably going to go against this motion for the simple reason that I think these people were made a promise and it bothers me that the promise isn't kept, and that's unfortunate because I think it's a good location. (Applause from the audience.) I really think it's a good location for this and I think that everybody has to have a little insight and kind of look to themselves and look in the mirror when they get home and figure now, "Now, just where would I approve something like this." Because you've placed us in a position that we must reduce the tax load, reduce the number of criminals on the street, not build any more prisons, and still abide by the federal laws regarding how we treat prisoners, and you've placed us in a situation where there's no way we can comply. We can't.
- COUNCILMAN LEVY: Mr. Mayor?
- MAYOR BRIARE: Councilman Levy.
- COUNCILMAN LEVY: Yes, I'd just like to -- Paul, I agreed with you until your last statement regarding selling this thing. I think that by giving them a year, and I think that's what Councilman Nolen's motion was to give them a year -- I think that will give them an opportunity to sell this, and we're going to know a year from now for sure, if not sooner, where we stand, and I remember the people when our City Manager Russ Dorn presented us the jail at Stewart-Mojave and how much opposition we had and it turned out it was really a lot of fears rather than reality. I'd like to hope that this is the same case here.
- COUNCILMAN CHRISTENSEN: I'm very pessimistic about your ability to sell that.
- COUNCILMAN LURIE: Maybe I'd better make a statement on how I feel about this situation because some of the comments that the business people made -- you know, I agree that there are tremendous fears when anything changes in a particular neighborhood. I think, you know, some of the problems that we have downtown with the bums and the vagrants we have is a serious problem because we don't know where those people, what they're doing. The 3,000 estimated ex-felons that are registered in Clark County, sometimes we know where those people are. One gentleman made a statement about 80% of the criminals on the streets are repeaters and that that could be a true statement of some of the people who have been convicted of a crime and haven't been sentenced, haven't been sent to prison yet, commit crimes. Some of them have been sentenced for five years and get released in two. Some of those people go bad and commit other crimes. But some of the situations that, you know, I see that some of the people that you have working for you. If you ever run police checks on people working for you, some of the crimes that are

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IX. PUBLIC HEARING

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COUNCILMAN LURIE:

committed with DUI's or grand larcenies or petty larcenies or selling drugs -- those types of things -- you probably don't even know half the things that go on with some of your people unless you absolutely take their applications and run police background checks or polygraph your people so that you know what everybody is doing. At least with this type of restitution center, in my estimation, it gives an individual a second chance to be released from prison to be worked back into the main stream of our society. I've spent a lot of time working with the Metropolitan Police Department. I serve on the Police Commission, Fiscal Affairs Committee. I've spent time with the officers. I ride with them. I know what's going on in the street -- a lot more than what you people even want to know and what you're really not concerned with, as long as it doesn't interfere in your daily lives. I think in a case where you have an institution where you can keep track of people and give them an opportunity to go out and find permanent jobs, make restitution to victims that have been involved in a crime, I think they deserve that chance. If they can't abide by the regulations set down by the Department of Prisons, then naturally they have to be sent back to prison. But I think there's a lot more fears than meet the surface, and I'm going to support the one year use permit of Councilman Nolen's motion.

COUNCILMAN NOLEN:

I'D LIKE IT CLEAR THAT THAT MOTION ALSO INCLUDES THAT IF THERE ARE PROBLEMS DURING THAT YEAR -- IT'S NOT JUST A BLANKET ONE YEAR -- IF WE ENCOUNTER SUBSTANTIAL PROBLEMS THAT WE FEEL SHOULD BE TAKEN CARE OF IMMEDIATELY, I'D LIKE IT BROUGHT BACK BEFORE AT THAT TIME. That was part of the motion.

MAYOR BRIARE:

Further comments? Do we even need to take a vote? Maybe somebody might be interested in why I'm going to vote in opposition to the motion because (applause) -- now listen, I'll vote in favor. I don't like to have a cheering section for any of the members or myself either. It was simple. My decision was simple made. Mr. Housewright is a very dedicated official of the system, and he did not convince me that this is the proper zoning and Mr. Dickerson and a few others convinced me that it is absolutely not the property zoning, meeting more from an economical standpoint and social standpoint. But whether you run a business in the place or whether you live in the place, you're still entitled to speak out in opposition to some zoning that you believe is going to be harmful to your business, and they convinced me that they were right and Mr. Housewright did not convince me that they were wrong or that he was right. So cast your votes and let's go on with the meeting. THE MOTION'S APPROVED. The thing is going to be allowed for a year as Councilman Nolen has outlined. (BRIARE & CHRISTENSEN VOTED "No.")

sl/ch

(END OF DISCUSSION ON THIS ITEM)

BENEFITS TO EMPLOYER

Tax Credit up to \$4,000 per year.

J.P.T.A. may match 50% of employee salary first 3 months, 25% the following 3 months.

Readily available Work Force.

Wide variety of skills.

Motivated, dependable employees.

Thorough employee background information available.

Helping your community.

For further information regarding the Restitution Center Program, contact:

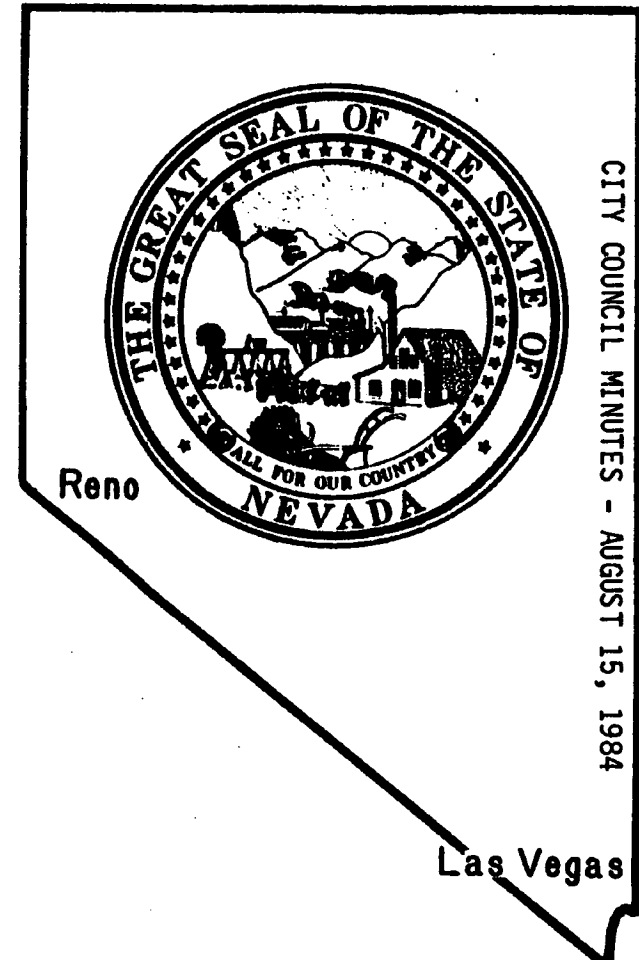
In Reno: Pat Anderson,
Center Manager
~~805-5115~~

789-0140

In Las Vegas: ~~789-0153~~
Center Manager
643-8278

NEVADA DEPARTMENT OF PRISONS RESTITUTION CENTERS

RENO
LAS VEGAS



GENERAL PROGRAM CONCEPT

The Department of Prisons' Restitution Center program provides that restitution be made to the victim while the offender is participating in a structured residential program designed to improve his or her life skills and to develop responsibility. The main thrust of the program is on restitution to the victim through periodic payments, depending on the offender's ability to pay.

The Center provides a highly structured environment. They stress employment, restitution to the victim, academic and vocational education, group and individual counseling, and other advantages for the offender to improve himself or herself.

ADVISORY COMMITTEE

The Advisory Committee was established as a link with the community to advise and assist the Restitution Center staff in maintaining a community-based program.

The Director of the Department of Prisons has appointed a Committee consisting of persons in the local law enforcement agencies, State government, and private citizens.

The Committee will attend meetings quarterly, and will assist in the formulation of policy in the areas of offenders' employment, public relations, volunteer programs, as well as other matters appropriate for their consideration.

RESTITUTION/RESTITUTION

the making good of or giving an equivalent for some injury (as a loss of or damage to property or person)

STATUTE AUTHORITY

Chapter 422 (AB 804) Statutes of Nevada, 1979, effective July 1, 1979. (Revised) NRS 209.4827, extended under SB 29; effective July 1, 1981.

An act relating to the Department of Prisons; authorizing the establishment of restitution centers; providing a procedure for determining restitution and for its payment of offenders to the victims of their crimes; and providing other matters properly relating thereto.

SELECTION REQUIREMENT

The offender must meet eligibility criteria established by the Department of Prisons.

Eligibility is normally limited to selected felons convicted of crimes where no threat of violence was used. There must be no recent history of assaultive behavior. In addition to these requirements, eligibility is also limited to those individuals who have maintained satisfactory institutional adjustment prior to assignment to the Center and who are within six months of release.

BENEFITS OF THE PROGRAM

The Restitution Program provides short-term residence and self-help programs designed for completion in approximately four to six months, leading to graduation into regular community parole supervision and/or expiration of sentence. Some of the benefits of an offender restitution program include:

1. The program is an alternative to long-term incarceration of selected individuals.
2. Restitution provides a visible means of recovery for the victim who was innocently involved.
3. Making regular restitution payments serves a valid purpose in developing responsibility on the part of the offender and stresses the need for him/her to pay other obligations.
4. The program prepares the offender in establishing career goals and obtaining stable employment.

CITY COUNCIL MINUTES - AUGUST 15, 1984

 STATE OF NEVADA DEPARTMENT OF PRISONS ADMINISTRATIVE REGULATIONS	A.R. No. 902	Page 1 of 2
	Attorney General Review Date:	Effective Date:
	Supersedes:	
CHAPTER: COMMUNITY PROGRAMS	Subject: Restitution Center Advisory Committee	

I. PURPOSE

To establish an Advisory Committee as a link with the community, to advise and assist the Restitution Center staff in maintaining available community programs.

II. AUTHORITY

NRS 209.4827.

III. POLICY

The Department of Prisons shall encourage participation by individuals in the private sector and interested public agencies in the formulation of appropriate policy concerning the Restitution Center.

The Director will appoint a Board consisting of persons in the local criminal justice, State government and private citizens who have a legitimate interest in the program.

IV. DEFINITIONS

- A. Committee -- Persons appointed by the Director to participate in an advisory capacity in the Restitution Center program.
- B. Warden -- Warden of the parent institution.
- C. Director -- Director of the Department of Prisons.
- D. Manager -- The Center Manager who will participate in meetings and prepare necessary material.
- E. Chair -- The Warden will serve as Chair at the meeting of the committee.

V. PROCEDURE

A. Composition of Committee:

The committee will consist of persons in local criminal justice, state government and private citizens who have an interest in serving.

The committee will consist of an adequate number of individuals to guarantee the concerns of all segments are addressed.

B. Selection of Committee:

1. Names of persons to be considered for the Committee will be submitted to the Warden.
 - a. Once the initial committee has been selected, the same format will be followed in the event a member resigns.
2. The Warden will make the appropriate selection and forward to the Director who will formally appoint the members of the Committee. The Warden and Manager, or delegates, will be members of the Committee.
3. After appointment has been made, the Warden or Manager will inform the persons selected, in writing, of their appointment to the Committee and the scheduled time and date of the first meeting.

C. Duties of the Committee:

The committee will attend meetings quarterly, and will assist in the formulation of policy in the areas of offender's employment, public relations, volunteer programs, as well as other matters appropriate for their consideration.

D. Meetings:

1. Meetings will be scheduled on a quarterly basis by the Manager, and will be conducted in conformance with the open meeting law.
2. The Warden shall chair the meeting. The Manager will be responsible for the agenda, and forwarding pertinent materials to members of the committee at least ten days prior to the meeting. The Manager will also arrange for accurate minutes to be taken of the meeting.

E. Costs:

No costs may be reimbursed, or travel or per diem reimbursed, by any member of this committee.

VI. REFERENCES

ACA Standard 2-2008.

VERNON G. HOUSEWRIGHT, DIRECTOR
NEVADA DEPARTMENT OF PRISONS

ISSUE DATE

THIS PROCEDURE SUPERCEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.

All inmates classified to the Restitution Center must have community trustee custody, and either be paying restitution or be classified to work release status.

I. Initial Screening of Inmates

The initial screening of inmates being considered for placement at the Restitution Center will be done by the parent institution's Classification Committee.

A. Inmates must meet the following minimum criteria to receive initial placement approval:

1. Within six (6) months of probable release

This date may be either six months to estimated parole eligibility or expiration.

"Probable" release would apply to an inmate whom the parent institution would recommend for parole or work release.

2. Non-violent offender

The offense facts are used to determine eligibility, regardless of conviction offense. In addition, no inmate with convictions for violent offenses within the last ten years will be eligible.

3. No assaultive history

Offense facts and misdemeanor convictions are used in assessment.

4. No sexual offense record or sexual offense arrest history

Offense facts and misdemeanor convictions are used in assessment.

5. No escape history within the past five (5) years

6. Positive institutional adjustment

a. No major violation within last ninety (90) day period

b. No general violation within last sixty (60) day period

7. No history of psychological dysfunction

8. No medical restriction(s)

Recommendation of an inmate with serious physical limitations due to medical problems is not appropriate for the Restitution Center.

9. Restitution

An inmate may pay restitution for any of the following:

- a. Restitution to victim(s) or victim(s) family.
This includes property loss, medical expenses or insurance company's replacement costs.
- b. Court fines
- c. Attorney fees
- d. Child support

B. Work Release inmates are eligible to participate in the Restitution Center program. The condition of restitution is not necessary for these inmates. These inmates may be required to make a donation to a charitable organization.

C. The parent institution counselors will be responsible for completing the Restitution Center Placement Evaluation and the Reclass Instrument. These forms are to be placed in the inmate I-file prior to submitting that individual's name and file to the Restitution Center Classification Committee.

II. Restitution Center Classification Committee

- A. Final approval will be the responsibility of the Restitution Center Classification Committee.
- B. The Restitution Center Classification Committee will consist of the Warden of the Nevada State Prison, the Records Officer of the Department of Prisons and the Manager of the Restitution Center.

III. Restitution Center Placement Responsibilities

- A. The Employment Counselor will be responsible for having SCOPES processed for all inmates who have been approved by the Restitution Center Classification Committee.
- B. The Field Supervisor will coordinate with the parent institution staff to insure that each inmate receives a physical prior to placement. Those inmates who have been identified for an abuse treatment must be physically cleared by the medical department for medication and treatment started prior to physical transfer to the Restitution Center. The Field Supervisor will have these inmates sign the Voluntary Abuse Agreement.
- C. The Field Supervisor will maintain a file of those inmates' names who have been approved and disapproved for placement at the Center.

RESTITUTION CENTER PROGRAM DESCRIPTIONINTRODUCTION

The Restitution Center Program is a community-based residential facility (authorized by NRS 209.4827) for incarcerated individuals from the Nevada Department of Prisons. Center residents are employed in the community and return to the Center after work. Residents pay room and board, and make monthly restitution payments to the crime victim.

The citizens in a community where a residential program is developed are generally divided into two opinion groups. The first, most important, and largest groups, are those concerned about the risks associated with such a program. The second, smaller groups, are those people interested in the economics of community-based corrections. In other words, how will this favorably affect the taxpayer. This smaller group of concerned citizens are those who are aware of the cost factors associated with "in-prison housing" versus the less expensive "community-based housing".

SUPERVISION GUIDELINES

It is our opinion at the Nevada Department of Prisons that public protection and community-based corrections are not necessarily inconsistent. The Department of Prisons will maintain a highly structured, controlled community program that benefits both the residents and the community.

House rules establish guidelines for conduct, appearance duties, guest visits, and responsibilities. Residents must maintain steady employment in order to participate in the program. Frequent alcohol and drug testing will help to facilitate enforcement of the ban on the use of these substances on or off the premises. In addition, residents' rooms will be periodically searched for contraband items.

Staff will make regular counts and bed checks. Increased emphasis will be placed on periodic checks of the inmate at his/her place of work. The Center staff will promote and invite input from the inmates' employer on conduct and work habits.

Residents will have less freedom of movement and flexibility than was afforded at the previous Center. If there is a violation of the rules, the offender will be returned to the ~~State~~ Prison and will have difficulty returning to the Center.

STAFFING PATTERN

They will be transported to and from work.

The Center staff consists of uniformed correctional officers that will maintain around-the-clock supervision; a Center Manager who will make frequent contacts with area law enforcement, and residents' employers, and oversee the operation of the Center; a field supervisor who will conduct frequent checks of inmates on the job site and maintain contact with employers in regards to the residents' work habits; an employment counselor who will assist the residents in obtaining employment. In addition to these positions, the Restitution Center will make use of available support services and agencies in the community.

The Center will be staffed with trained professionals who will make the protection of the community their number one priority.

SELECTION REQUIREMENTS

The Department of Prisons has established the eligibility criteria for offenders participating in the Restitution Center Program. Inmates must meet this objective criteria before they can be considered.

1. Within six (6) months of their release date.
2. No convictions for sexual offenses.
3. Must be serving a sentence for a non-violent crime.
4. No escape history.
5. Satisfactory institutional adjustment. This means six (6) months without a Major Violation of Prison rules, or ninety (90) days without a General Violation of Prison rules.

The Center will house approximately sixty (60) inmates, consisting of ~~forty~~ (30) men and ~~twenty~~ (30) women.

BENEFITS OF THE PROGRAM

It is important to remember that the inmates assigned to the Center will most likely be released from Prison within six (6) months with or without this transitional period.

~~Forty~~ ^{Sixty} (40%) percent of the commitments at the Nevada Department of Prisons come from the ~~Clark~~ County area. In all likelihood these inmates will be returning to the same area when they are released.

Allowing an inmate to participate in the Restitution Center Program will enhance his/her chance of being successful on parole. Consider the difference between leaving the confines of the Prison on parole versus paroling from a community-based program. The offender in the Restitution Center Program is employed, saving money, and interacting with other law-abiding citizens. The offender who finishes his/her term in the Prison has no transitional period such as this. Often, they suffer from a type of culture shock if they have spent much time incarcerated, which lessens their chances of succeeding on parole.

The Prison system benefits by separating non-violent, short-term offenders from long-term, habitual-type offenders. ~~These inmates in the first category are not, therefore, negatively influenced by the habitual, violent offenders.~~

The Prison realizes further benefit by way of cost reduction. The room and board charges represent fees paid to the Department of Prisons. These fees provide part of the funding with which the Restitution Center operates. Inmates living at the Restitution Center will cost the State approximately ~~3/4~~ less than if they were housed at a major institution.

Restitution Center Program Description

0208

The community realizes considerable benefits. The fact that inmates are gainfully employed enhances their chances for success and decreases the chance that they will resort to crime. The inmates assigned to the Restitution Center are repaying crime victims and/or debts they owe the Criminal Justice System. Local employers benefit as they are gaining insight as to whom they are hiring, i.e., they will be aware of the subjects' criminal records. This can be more desirable than hiring an individual they know nothing about.

ADVISORY COMMITTEE

^a ~~The~~ Restitution Center Advisory Committee ^{will be} ~~was~~ established by the Department of Prisons. The Advisory Committee ^{will be} ~~is~~ composed of twelve (12) members consisting of local law enforcement administrators, prominent citizens, and members of special groups. ~~such as the Rape Crisis Center.~~ The purpose of the Advisory Committee is to act as a link with the Community in establishing a community-based program. Their duties are to offer input as to suggestions regarding policy planning and the operation of the Center.

CONCLUSION

As you can see, the community-based Restitution Center Program is much less costly for taxpayers, and provides a much needed transition period for the person being released from prison. The risk to the public in opening the prison gates and just allowing inmates to return to the community is much greater than allowing them the opportunity to transition back into society under supervision in a community setting. A recent Legislative Report found restitution centers to have provided a unique opportunity for prison inmates to begin reintegration into society, earn money to support themselves and their families and pay restitution to their victims. They leave the prison with a job, money, housing, and a sense of worth, enhancing the chance they will never return to prison.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - JULY 26, 1984 PAGE 1
U-33-84 - APPLICATION OF PROCESSED DATE, INC., ON BEHALF OF THE STATE OF NEVADA
FOR A USE PERMIT TO ALLOW A PRE-RELEASE RESTITUTION CENTER FOR CONVICTED
NON-VIOLENT FELONS ON PROPERTY LOCATED AT 1209 SOUTH COMMERCE STREET.

VICE-CHAIRMAN JUNIEL: Public Hearing Item U-33-84. Application of Processed Date, Inc. on behalf of the State of Nevada for a use permit to allow a pre-release institution center for convicted non-violent felons on property located at 1209 South Commerce Street in Zoning District C-M. Is the applicant present?

ROBERT CLEMMER: Yes. The property on the map on the far wall, you'll note that there's -- the dark blue to the west is Industrial Zoning. The light blue is the C-M District and the pink to the east is the C-1 District so there's industrial, commercial-industrial and commercial probably a thousand feet about this property. The restitution centers, I believe, are a program that the State feels are needed in urban areas where transportation systems and facilities for the people that are being helped to get back into the mainstream of society need to be close to their employment. We've had two or three applications for restitution centers and they usually hit resistance when they're in close proximity to residential areas. In this case, it's clearly surrounded by industrial and commercial zones. Staff feels that it is an appropriate use and would recommend APPROVAL, subject to: Standard conditions 1 thru 8; and install street lighting on Commerce Street and paving in the alleys as required by the Flood Control and Land Development Division of the Department of Community Planning and Development. We have 8 protests of record. I might explain about the site. This building is two-story -- contains 10,000 sq. ft. There are 28 parking spaces provided. We have 8 protests of record.

VICE-CHAIRMAN JUNIEL: Please state your name and address.

BILL LATTEN: Yes, ma'am. I'm Bill Latten, Warden at the prison at Jean, Nevada, P.O. Box 100, 89019 and I'm here to answer any questions that might be addressed to the State relative to the use of the property.

VICE-CHAIRMAN JUNIEL: If you will just give us a brief -- of what you intend to do.

BILL LATTEN: Yes, ma'am. It's our intention to use this, if the application is granted, as a restitution center for male and female offenders that are within six months of release eligibility. It is our intent to use it for those that are going to work in the community and pay restitution for the people that they have committed crimes against.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - JULY 26, 1984

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U-33-84 - APPLICATION OF PROCESSED DATE, INC., ON BEHALF OF THE STATE OF NEVADA
FOR A USE PERMIT TO ALLOW A PRE-RELEASE RESTITUTION CENTER FOR CONVICTED
NON-VIOLENT FELONS ON PROPERTY LOCATED AT 1209 SOUTH COMMERCE STREET.

- VICE-CHAIRMAN JUNIEL: They're going to be allowed to work in the community to --
- BILL LATTEN: Yes, ma'am. They pay the State for board and room in addition to paying restitution to the people that they've committed crimes against. Generally speaking, the cost of the State of Nevada on people in a restitution center runs about five to six thousand dollars a year net cost against a figure of fourteen to sixteen thousand dollars a year net cost in our walled-in prisons.
- VICE-CHAIRMAN JUNIEL: They'll be paying room and board at this facility?
- BILL LATTEN: They pay \$10 a day out of what they earn for room and board, yes, ma'am.
- COMMISSIONER MYERS: How does a person earn their way into this program or is it automatic when they only have a short period left to serve?
- BILL LATTEN: No, ma'am. They have to make an application and our criteria is quite strict. They have to be free of any prison disciplinarys for one year prior to application. They have to meet the criteria of being a non-violent offender. There can be nothing in their record to suggest violence or they're automatically screened out.
- COMMISSIONER MYERS: Is there a typical crime they would have committed?
- BILL LATTEN: There are several typical crimes, but primarily they are property offenses, credit card use, burglary, that sort of thing.
- COMMISSIONER MYERS: What kind of security will you have at the premises?
- BILL LATTEN: We have 24 hour a day uniformed staff coverage. We keep one custody officer on duty 24 hours a day, seven days a week. Then during the daytime, we have a center manager, job counselor and a program person in addition to help with any of the problems. We count the inmates every hour regularly when they're working at their job sites. When they're not working, they're in the restitution center. They are not allowed to wander the streets.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - JULY 26, 1984

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U-33-84 - APPLICATION OF PROCESSED DATE, INC., ON BEHALF OF THE STATE OF NEVADA
FOR A USE PERMIT TO ALLOW A PRE-RELEASE RESTITUTION CENTER FOR CONVICTED
NON-VIOLENT FELONS ON PROPERTY LOCATED AT 1209 SOUTH COMMERCE STREET.

VICE-CHAIRMAN JUNIEL: From prior programs, what is the success rate from this type of institution?

BILL LATTEN: This type of institution, figures vary from state to state and community to community, but our figures indicate that the success rate is usually anywhere from 6 to 8 successful releases out of 10 people against maybe 3 or 4 out of the conventional prison. The success rate is much higher on the person that comes through the center. What usually happens and the reason for that is by the time they have been in the center, they've established work habits. They usually have an employer that is perfectly willing to keep on employing them the same job after they're released and they're just in better shape mentally and financially to make it on the street without returning.

COMMISSIONER MYERS: How many -- do you call them inmates, patients, clients?

BILL LATTEN: We're looking for a maximum in that center of 60. Thirty men and thirty women is what we anticipate. The center that we've been using out on Las Vegas Boulevard North has housed 40 people, but we've been mandated by the Legislature to get another 20 people into the program.

COMMISSIONER MYERS: What kind of record of problems have you had at North Las Vegas?

BILL LATTEN: We haven't had any problems insofar as the community is concerned. We watch very closely. If a man or a woman comes to the program, we give them 10 days to find a job. If they haven't found a job in 10 days, we return them to the institution.

VICE-CHAIRMAN JUNIEL: Oh, they don't have to have a job prior to being released?

BILL LATTEN: No, because many of them -- they don't have to have a job prior to coming to the center. They have to have a job prior to release, yes, ma'am, but we give them 10 days to find a job when they get to the center. If they don't have a job in 10 days, why then we return them to the parent institution. What was the rest of the question?

VICE-CHAIRMAN JUNIEL: No, I just wanted to know if they had to have a job prior to coming to this release center from the prison.

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BILL LATTEN: They don't have to. That's not a requirement because some of them don't have the community contacts to get a job. Now many of them do have jobs. Down here in this particular area, most of the people that we have at the Jean facility or the Indian Springs facility are originally from this area anyway and so quite frequently they will have contacts in the community where somebody's made a promise to them before they go to the center.

COMMISSIONER MYERS: How long have you been in the North Las Vegas area?

BILL LATTEN: We've been in there just -- almost an even 5 years now; and now I recall the second part of the question. Other than not being able to find a job or not being able to perform adequately on the job or maybe disciplinary problems within the center, we've had no problems in the community. Absolutely none and the other thing is that if we see someone that's getting shakey, we return them to the parent institution immediately.

COMMISSIONER GILES: What types jobs would these inmates be performing?

BILL LATTEN: What types of jobs?

COMMISSIONER GILES: Describe some of the jobs that the 40 present release inmates are doing?

BILL LATTEN: Well, we've got people working in practically everything in the community. I sent out a letter sometime ago relative to that indicating who had employed inmates, that sort of thing, but they're generally speaking -- most of them will be at entry level jobs, but occasionally we have an inmate that has had a good prior job history and will be a skilled craftsman of some sort and they go right back into their own crafts.

COMMISSIONER GILES: Would you describe for me the type modifications the building will undergo should you receive approval and also what the outward appearance might be -- what we might expect on the outside?

BILL LATTEN: Yes, sir. We will, of course, initially comply with everything relative to State, County and City ordinances and regulations, that sort of thing. We have to comply in all respects with all fire, health and safety codes.

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COMMISSIONER GILES: What's required to do that presently? You've undoubtedly surveyed the building have you not?

BILL LATTEN: We've surveyed the building and our maintenance people have estimated that if we do the labor ourselves, that can be brought up to code for some -- between ten and fifteen thousand dollars. We will paint the outside of the building and we keep our facilities looking good so that they're a credit to the community.

VICE-CHAIRMAN JUNIEL: When is your -- if you were approved, what date do you plan to take occupancy? Are you ready now or --

BILL LATTEN: We have need for the building right now, but we would anticipate that it would take us 30 to 45 days to make the necessary repairs and bring the building up to code, that sort of thing. We have just simply outgrown our present facility and quite frankly, have searched the City over for a place that meets the criteria. Where there are no schools, no parks, no private residences, that sort of thing and following the advice of the people in the community, the responsible people in the community, we settled for this one because we think that it meets the criteria that we have been given to understand we must meet in order to ask for this sort of a facility.

COMMISSIONER GILES: I didn't get a clear image or picture in my mind of what might take place on the exterior of the building. I understand your inward control and your needs to meet the fire and safety and so forth, but say at 8 o'clock on the average workday morning, what might happen at the front door of this facility or at your present facility or a 7:30 as people are preparing to leave for work?

BILL LATTEN: Our people do just pretty much what everyone else in the community does. In other words, they do shift work so that there isn't at any given time, there isn't any tremendous influx. At 8 o'clock, we have two extra people come, that's the program director and the job counselor show up and if at that particular time we have people going to work, they either go to -- right now they go to either the nearest bus stop where they take a bus to work or they are transported with our own vehicle to work. Now our anticipation in this particular location is to do all our own transporting.

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COMMISSIONER GILES: Your vehicles are -- describe one of those. What would a vehicle look like?

BILL LATTEN: Well are -- the vehicles that we use at the restitution center -- we have two station wagons and one sedan and the only thing that differentiates them from any other vehicle is the fact that they've got exempt license plates on them.

COMMISSIONER GILES: Thank you.

VICE-CHAIRMAN JUNIEL: Will you be maintaining a visitor's program? People will be able to come out and visit these people at designated hours?

BILL LATTEN: Yes, ma'am, on designated days and designated hours we encourage visiting, absolutely and part of the building will be modified so that there's a visiting center in it. Now this building is large enough so that we can conduct a recreation inside of the building and we can take care of our culinary needs, our visiting needs, that sort of thing. It's also large enough to house some extra office space and because the prison is growing so dramatically in the south, it's the Director's intention if we get this building, to put his offices in the front part of the building and move his offices down here so that --

COMMISSIONER GILES: Do I understand this correctly, you're the Director? You're going to move your offices in there?

BILL LATTEN: I'm the Warden at the Jean facility and as such, I have been in charge of the restitution center here and the honor camp up at Pioche, but Director Housewright who is currently in Carson City, intends to move an office into the front part of the building if we're granted usage of the building which will then in a sense just provide extra coverage.

COMMISSIONER MYERS: Is there an average length of stay that the inmate has served prior to being released?

BILL LATTEN: Generally speaking, the people that meet the criteria for this particular program are short-termers. Once in awhile, we'll have somebody that meets the criteria that served -- could have served five or ten years, but generally speaking, the people that meet the criteria for this particular program have been with us anywhere from a year to two years. When they're that close to release eligibility that we're able to program them.

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VICE-CHAIRMAN JUNIEL: This is a public hearing. Is there anyone here for or against the applicant? How many here are in opposition to the applicant? (About 19 people in audience raised their hands) Thank you. Those in support of the application? (About 5 people in audience raised their hands) To save time, are you for or against?

GEORGE DICKERSON: I beg your pardon?

VICE-CHAIRMAN JUNIEL: Are you in opposition?

GEORGE DICKERSON: Madam Chairman, I am George Dickerson, Dickerson, Miles, Pico and Mitchell, 630 South Third Street. I'm here for and on behalf of Southwest Data which is the computer complex for First Western Savings and Loan located in that area. Additionally I've been asked to speak for some of the other businesses in that area.

VICE-CHAIRMAN JUNIEL: Opposition?

GEORGE DICKERSON: Yes, in opposition.

VICE-CHAIRMAN JUNIEL: I think, in order to save time and consideration of people who will follow you, we'll have three people speak in opposition and try and have your opposition different so that we'll hear different views of opposition.

GEORGE DICKERSON: Yes, Madam Chairperson and members of this Commission. I've already identified myself for the record. I don't think there's anyone in the audience that takes exception to the good purpose of rehabilitative programs as far as inmates are concerned. I think the concern of everybody is that there are and is a need for a half-way house such as in North Las Vegas where the impact of that has already been established. Why does not the State then expand that facility for the purpose of treating this very problem? Why must they intrude into an area which all of the businesses are located that I have present to present to you a total of 324 petitioners. Many of whom, of course, are the ones who are employees in the area that would be confronted with this being located in immediate proximity to the following establishments: Southwest Data, that I have identified which is directly across the street; Home Lumber, which is directly across the street; Carpet Barn --

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COMMISSIONER GILES: Mr. Dickerson, I'm familiar with the type of people there. Would you just tell us why they don't like it there.

GEORGE DICKERSON: Because they have a very definite fear. You heard that the type of people who are non-violent are burglars. Burglars are the most non-violent of all criminals because they do not want to have a confrontation. You heard the report that 8 of 10 is the success rate. You're throwing 60 people in so at least 12 of those, from his own statistics, could cause a problem.

VICE-CHAIRMAN JUNIEL: Excuse me. I thought I understood the applicant to say the success rate is measured on people after they're released that return eventually to prison, am I mistaken?

GEORGE DICKERSON: That's right.

VICE-CHAIRMAN JUNIEL: Not people who failed in the program while it's in effect.

GEORGE DICKERSON: But they returned because it failed.

VICE-CHAIRMAN JUNIEL: Well no matter where they were institutionalized, they returned, you know --

GEORGE DICKERSON: But those in a half-way house that have been released, his statistics indicate 8 of 10 is the recidivism rate. I mean, 8 of 10 are successful, 2 apparently of 10 have recidivism rate. Now the 6 --

COMMISSIONER GILES: I think we should go on the applicant's data. I'd still like to know why not? The data we're getting from this gentleman, I'd like to know why not? What do you think about it? We've had 5 years of statistics here of no local problem and you're trying to tell us that 40% of the people who come through this are going to be problems in the neighborhood, is that what I'm understanding?

GEORGE DICKERSON: I'm using his statistics.

COMMISSIONER GILES: Answer me, is that what I understand. Forty percent of those coming in are going to be a problem, is that what you're telling me?

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GEORGE DICKERSON:

No, I'm not telling you that at all. I'm telling you, using his statistics 12 people out of 60 are potential problems -- using his own statistics. He tells you that he's going to convert a building that had formerly been a bookkeeping enterprise for 10 to 12 thousand to convert it. We have to put in whatever is going to be required for the culinary as he indicated. There are other locations. There are other locations in this community that are available specifically for this purpose and there will be a gentleman here who has offered it. This is in immediate proximity to the County Jail that is already converted with all of the security features that are available and his offer has been made to the State for the purpose of having this half-way house which is immediately adjacent to the new County Jail and it is certainly a more appropriate location then throwing it right into the area where you have these business people with their large investments vitally concerned about what can happen as far as their business enterprises are concerned, as well as their employees.

VICE-CHAIRMAN JUNIEL:

Do you have any history to prove their fears?

GEORGE DICKERSON:

I only have their feelings. I don't have a history to rely on.

VICE-CHAIRMAN JUNIEL:

Well, I mean from prior programs.

GEORGE DICKERSON:

I know nothing about any prior programs. I'm just telling you what their fears are and is safe going to indemnify these people in that area if it does occur. It'd certainly be located in areas in which this is not a proposition that can occur with frequency as far as their business enterprises are concerned. There are other locations that are available. You have in the northern part of this State the half-way that I'm familiar with is located on the property in Sparks, Nevada which is immediately adjacent to the facility there as well as the Nevada State Hospital. You have immediately across from the State building here in Las Vegas, Nevada, the old YMCA building.

VICE-CHAIRMAN JUNIEL:

I know. I think we're just interested in the specific opposition so that we'll be able to make a determination from that. So --

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GEORGE DICKERSON:

The specific opposition of the people whom I have been asked to represent is that they feel that this is not a location for the purpose of having a half-way house because it introduces into the area where they're conducting daily business the possibility for intrusion into their business affairs and as far as the customers are concerned to these establishments and that is their vital concern is about this being located in their area.

VICE-CHAIRMAN JUNIEL:

Thank you. Please state your name and address.

BOB HELMER:

My name is Bob Helmer. My home address is 3423 West Mardon. My business is at 1070 South Commerce which on the map is -- across the street is the purple zone just north of Charleston.

COMMISSIONER MYERS:

Would you identify your business. I think we can all relate --

BOB HELMER:

It's Uniforms Incorporated.

COMMISSIONER MYERS:

Thank you.

BOB HELMER:

We're in the law enforcement supply business. We sell police uniforms, police equipment. I have in my store, right now, approximately 400 guns for law enforcement use. I have tear gas. I have things for getting into buildings that the law enforcement community needs. I can stand in my property and throw a baseball and hit the subject property. I'm very concerned that I'm going to have convicted felons who are thieves less than a hundred yards from my building. I deal with police officers on a regular basis and they have told me that the things that a convict wants most is an IBM typewriter so that he can sell it and get money and a handgun so that he can go back to work. Now, these thieves are non-violent people, but a gun store this close to prison, so to speak, just scares me terribly.

VICE-CHAIRMAN JUNIEL:

Does it also contain ammunition?

BOB HELMER:

Yes, I have in the neighborhood of 50,000 rounds.

COMMISSIONER GILES:

Do you take any steps for security of those weapons of violence?

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BOB HELMER: I have what is one of the most sophisticated alarm systems in the City, but I'm still very very worried.

COMMISSIONER GILES: I'm worried too. I have a collection of guns but I don't have that sophistication that you talk about.

BOB HELMER: I've spent a lot of money on --

COMMISSIONER GILES: I see. I mean, if yours isn't better than mine we're in trouble.

BOB HELMER: Well mine is an approved system by the Alarmco does and it's their top system, but still you can get into a building and out of a building in three minutes with no trouble. I've called on many uniform stores in my life. I spent 21 years travelling and I know of situations where people have broken into uniform stores and gun shops and been in and out before the police could get there and that's a matter of maybe two or three minutes.

COMMISSIONER MYERS: In the last five years, how many times have you been broken into?

BOB HELMER: I've been in this location two years. I've been broken into twice.

COMMISSIONER MYERS: Successfully?

BOB HELMER: Yes.

COMMISSIONER GILES: Did you lose weapons at the time?

BOB HELMER: Yes, I -- on one location, yes, I did.

VICE-CHAIRMAN JUNIEL: I'll hear from one more person in opposition.

MIKE SARCAS: My name is Mike Sarcas, address is 1208 South Main Street.

VICE-CHAIRMAN JUNIEL: Would you please sign the sign-in.

MIKE SARCAS: I sure will. Okay. We're directly behind the subject property we're talking about. We have a lock and safe company. We have locks, safes, equipment to break into or to open cars, homes. This gentleman from Jean stated

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MIKE SARCAS:

earlier that two types of crimes mostly -- criminals that would be at this facility would be credit card type fraud and burglary. We've got three trucks fully stocked right behind this building with all types of materials. It is fenced in and we are continuously broken into by other people. The facility hasn't been broken into, but we carry a lot of lock and security type products and it's like telling a kid he can't have candy and then stick it out in front of his face and just letting it sit there, you know. It's not -- it's not proper. So that's our main objection. We're directly behind this building.

VICE-CHAIRMAN JUNIEL:

Thank you. Yes, I'll hear one other.

DICK ATTESANI:

I know you only said three, but I'm Dick Attesani.

VICE-CHAIRMAN JUNIEL:

That's okay. I was going to allow one other.

DICK ATTESANI:

Okay. My name is Dick Attesani. I own A-1 Office Machines on the adjoining building and I also adjoin this same wall as they do with over \$100,000 of IBM typewriters. I think the biggest problem we have here is that it's a dark area and everything else -- these folks mislead me. I was almost going along with them until I heard what I heard tonight. They told me that they bus these people to and from their jobs. Now they're telling me that they can take their own bus. Now I would like for your wife or your daughter to walk out at 5 or 6 o'clock at night knowing that these people are walking the same streets. It's wrong. The other thing is that they said -- there's one yard that's next to it, their parking lot. They told me that they were going to go ahead and block it off and make it an outside place where they can have recreation and it's approximately 75 by 150 feet. Now even if they took half of that and made it the recreation yard, they're saying they have 60 inmates. They still have 75 by 75 in the back. Now where do you put the cars. We can't park customers in front and our employees in front now, you know, we're trying to figure out how we're going to park all these cars. Home Lumber doesn't have enough parking. I have four parking spaces in front of my whole building, that's it. Now you're going to tell me that we're going to have people visiting 60 inmates. Where are they going to put these cars? That's all I have to say.

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VICE-CHAIRMAN JUNIEL: Thank you. May I --

NANCY WILLIAMS BAKER: May I speak, please?

VICE-CHAIRMAN JUNIEL: I'd like to hear -- are you in favor?

NANCY WILLIAMS BAKER: No, but I have an object lesson. Please, I think I should be heard. Good afternoon or good evening, Mr. Latten. I don't like to break in like that, but --

VICE-CHAIRMAN JUNIEL: Do you have anything different that --

NANCY WILLIAMS BAKER: Yes, I certainly do. I do have something different.

VICE-CHAIRMAN JUNIEL: Will you state your name, please.

NANCY WILLIAMS BAKER: My name is Nancy Williams Baker and I've been in business here for over 30 years.

VICE-CHAIRMAN JUNIEL: And your address.

NANCY WILLIAMS BAKER: My address is 1226 South Third Street.

VICE-CHAIRMAN JUNIEL: Can this be very brief?

NANCY WILLIAMS BAKER: Yes it can. First of all, I'd like to say that I have employed a convict on one of these programs from Clark Center. There was no checking on this man. In fact, he didn't even have to tell me that he was from Clark Center when he was employed by me. His entire form that he filled out was a lie from beginning to end. His whole thing was to get into my building and steal, which he did soon after arriving there and the only checkup that anyone ever made as to where he was, was when he called in said, "I'm at work." Nobody ever came to my store to see if he was at work or what he was doing and he was on one of these restitution systems. My other thing I'd like to show you is that I was recently targeted in our neighborhood, my business and my person by a gang of convicts. As a result of which, the police thank God and bless their hearts took care of me and my husband and my father and apprehended these convicts who were attempting to rob my business. As a result, Madam Chairman, as a woman I think you will appreciate the fact that I have had to go to the firing range because the police insist from now on that I carry a revolver opening my business, closing my business. My husband should have a revolver opening the business and closing the business which is something I never thought in my life I would have to do. Now I've learned to shoot. Now I brought my target

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NANCY WILLIAMS BAKER: for you to see so that all the ladies in the audience here know that if they have 60 convicts plunked down in our neighborhood, they're all going to have to do the same as I. They're going to have to get a gun and carry it because the police recommend it and the police told me that if there's any way in God's world to keep this out of our neighborhood that we should. That there was no control over Clark Center and there has been no control over these other systems with walkaways and I appreciate very much all of you listening and I'm sorry if I pushed in, but I feel that what I had to say was important.

VICE-CHAIRMAN JUNIEL: Thank you.

NANCY WILLIAMS BAKER: Thank you. (applause)

VICE-CHAIRMAN JUNIEL: At this time, I would like to hear some of the people who are here in support of the program. Please state your name and address and sign the sign-in sheet.

WILLIAM BERRY: My name is William Berry. I live at 3772 Royal Crest, Apartment 16, Las Vegas, 89109. My statement will be quite brief. I probably will reiterate some of the things that Mr. Latten touched on. I hope I don't over-emphasize. I would like to point out, first of all, the inmates that would be housed at the restitution center are carefully screened. As Mr. Latten stated, they're non-violent criminals. As a matter of fact, before they can be housed in a restitution center they must have a clear record of non-violence for the previous ten years. Also, as he stated, the sentences they're now serving are short sentences. We're not talking 20 and 30 years or life sentences. We're talking 5 years, 2 years, 3 years. They also must be within 6 months of parole eligibility before they're allowed to enter the restitution centers. I'd also like to point out due to a lack of funds and overcrowdedness that Nevada prisons have no rehabilitation programs. The restitution centers will provide inmates with a sense of dignity and increase their self-esteem. In other words, it will give them respect for themselves. Now how can you ask an individual to respect someone else's life and property when he does not respect himself? That's really the bottom line. The restitution centers will also introduce the ex-offender, as Mr. Latten has pointed out, to a regular work routine and it would teach them to react

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WILLIAM BERRY:

inter-personally within the limits of the law things that most inmates do not and cannot learn as they are housed, or should I say, warehoused in Nevada's prisons. The restitution centers are used as half-way houses between prison and free society. Non-violent criminals can be salvaged and I feel and at a lot of professional people feel, that study this stuff every day, that society as a whole can reap great benefits from a heretofore untapped human resource. Let's give these kids a chance. Let's give these guys a chance. Give these young ladies a chance. We all make mistakes. I agree some are more severe than others. You ought to hear about victims' rights and rightfully so. Victims should be restituted for crimes. In other words, everyone wants the victims of crimes to receive full justice and full justice includes financial compensation for their losses. How, how can the people of this State insist that inmates repay their victims, yet in the same breath and in the same attitude and the same motion deny them the avenue that they're insisting they must do? That's my ultimate question. Inmates in our prison are paying their debts to society. They are marked and they are easily recognized if need be. Opponents to the restitution center should be more concerned with those criminals who have not yet been captured and branded. For those are the ones who can and will continue to add to their long list of victims. One gentleman says he's afraid because there would be convicted felons less than 100 yards from his place of business. My contention is that I'll guarantee if he opens his business tomorrow, there'll probably be five within his business that he doesn't even know. One gentleman said that he would be appalled because the inmates would be on the bus and walking the streets with his wife and his kids. How many do you think are walking the streets and riding the bus with your wife and kids that you don't know about. One lady mentioned the Clark Center and the way they aren't supervised and they're not counted, etc., etc. The Clark Center is not an entity of the State of Nevada. It is not a part of our prison system which Mr. Latten is representing here tonight. That's a different entity altogether. I suggest she express those opinions and oppositions in a different area. In closing I can only reiterate and say that I am fully in support of the restitution center. I am fully in support of any human being given a second chance and that society utilize the human resources that they are now attempting to just throw down the gutter. Thank you.

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VICE-CHAIRMAN JUNIEL: Thank you. Is there anyone else in support of
of this program.

GEORGE DICKERSON: May I submit these petitions?

VICE-CHAIRMAN JUNIEL: Yes, she'll pass them up.

COMMISSIONER MYERS: I'd like to go back and ask some questions now
from -- based on what some of the people have
said. To follow up on Mr. Dickerson's question.
Of the people when they are in the program, what
is the failure rate?

BILL LATTEN: Oh, it's probably less than 10%. I would have to
send you that statistic because I haven't been --
oh, I haven't been asked that particular question,
but it's one that would be relatively easy to come
up with.

COMMISSIONER MYERS: Possibly less than 10% of the people that are assigned
there?

BILL LATTEN: That would have to be returned to the parent institution.
It would be well under 10%.

VICE-CHAIRMAN JUNIEL: Are we talking about failure rate while they're in
the center?

COMMISSIONER MYERS: While they're in the restitution center.

BILL LATTEN: Because they can't successfully maintain a job or
whatever the case may be.

VICE-CHAIRMAN JUNIEL: You include that in your failure rate, whether or not
they can secure jobs, not whether they've actually done
something to cause them --

BILL LATTEN: We haven't had any commit any crimes against society.
They get into trouble occasionally in the center in
inter-personal relationships or whatever the case may
be. Occasionally there's personality conflicts in which
case we have to separate some people and bring them
back. Once in awhile we get a person that is an alcoholic
that will take a drink and when we take the urinalysis
and find out that he's had alcohol, we return him to the
institution. That's what we call a failure rate in the
program.

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VICE-CHAIRMAN JUNIEL: Do you have the support of the Police Department? Are they aware of what you're doing and are they in support of this program? I heard someone say something differently, I believe.

BILL LATTEN: They're very much in favor of it. We -- before we ever make application in a given area, we contact the law enforcement people, the District Attorney, anyone that might have an interest in it, we contact them.

VICE-CHAIRMAN JUNIEL: Is all your security inside, there's none surrounding the buildings or do the security frequently walk around the buildings or outside of the building?

BILL LATTEN: For the most part, it's inside the building, but I made a note to comment on that and it's been traditional all over the United States that generally speaking, there is less crime in the community where these centers are. It's just human nature not to go around where there's 24 hour uniformed surveillance and I would suggest that the businesses around this community will have less trouble after we move in than they're having right now because generally speaking, offenders do not like to operate right next to a facility that's opened 24 hours a day, 7 days a week and got uniformed personnel in it and that's been the history of the thing throughout the United States. I would also submit that this building that we're asking for -- I sent our business manager through it yesterday to tour the Public Works Board and he reported to me that it had been broken into and had been slept in and used recently by vandals. In other words, it's been vandalized on a continuing basis just since we started negotiating and so I would submit to you that we will help the community rather than hurt it and that's been the history of it. You asked and I would like to submit for the record, who employed our people and I would just leave this with you. There's quite a list of people there and they have been very very loyal supporters and have many times come back, time after time when people leave and hired more people.

VICE-CHAIRMAN JUNIEL: Just one other question. You might have answered it earlier. Will these people be working 24 hours a day shifts? If they had a job going to work at midnight, they'd be allowed to do that?

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BILL LATTEN:

Yes, ma'am, they will be, but what we're going to do in this new location and I would respond to Mr. Dickerson on that. Out at Las Vegas Boulevard North, up until very recently, we relied on public transportation, in other words, the bus. Then the buses changed their schedules a little bit and we had to start transporting some of our own people. What we have promised the community is when we move into this new area, we will not use public transportation and we will transport all of the people ourselves. In other words, when they leave the center, we will transport them.

VICE-CHAIRMAN JUNIEL:

That's a little different from what you said earlier. Now, you're saying that you will be transporting these people to and from jobs at all times?

BILL LATTEN:

That's correct.

VICE-CHAIRMAN JUNIEL:

With no exceptions?

BILL LATTEN:

Yes and I'm sorry if I misled you because in the old center we did not always do that. In the new center, we will do that.

COMMISSIONER MYERS:

I had understood you to say that you would be transporting only. I'd like to go back and ask another question. You indicated that your recreation would be only inside and there was a suggestion that you might be putting in an outside recreation. Would you clarify that?

BILL LATTEN:

Yes, ma'am. What I meant to suggest was that there was plenty of room inside for recreation. We would like to also put some outside recreation back there in the shade on the backside of the building and we would do whatever fencing is necessary that sort of thing so that we have our people under control and under surveillance. I might add relative to this for some of the concerned people that we anticipate using television cameras on the outside of the building so that our security people inside will have some idea as to what is going on around the adjacent neighborhood.

VICE-CHAIRMAN JUNIEL:

Mr. Clemmer, you said in the conditions that street lighting would be required by the --

ROBERT CLEMMER:

That's correct. Install street lighting on Commerce and paving in the alleys.

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- COMMISSIONER MYERS: I'd like to catch up on a couple of other questions that were asked. One was concerning the parking. Do you have a regularly scheduled visiting time such as Sunday afternoon when those businesses are closed or is it --
- BILL LATTEN: Well, what we do with the people on the restitution center, we schedule the visiting for them according to when they work and where they work and what their days off are and quite frankly, we never have a heavy concentration of vehicles around at any one time ever. Our current restitution center, it's almost never that there's over three or four vehicles parked there and a very busy day would be five or six vehicles parked there. That would -- with the increased population, that might go up another vehicle or two but we feel that quite frankly, that this is going to be so much better and so much more room than anything we've had before that we are really enthused about it.
- COMMISSIONER MYERS: I have two more questions I wanted to ask. One is if there were no restitution centers, where would these people go to? Would they be kept at Jean or is there a possibility that they would go out on early parole with no supervision?
- BILL LATTEN: There are no provisions in the State of Nevada for anything except court ordered releases, expiration of sentence or parole. We do not have the authority to turn people loose just because we're overcrowded.
- COMMISSIONER MYERS: Okay and my final question and I would like to get back to the one that Mr. Dickerson raised. If you were offered another facility by Clark County Jail, why did you not accept it or what were the conditions?
- BILL LATTEN: It was a matter of economics just purely and simply. We have -- we have a set amount of money that we have that we can utilize and we have to look down the road, this year, next year, next biennium and plan accordingly. So many of our decisions are based on economics.
- COMMISSIONER GILES: Are you saying for six months, you can rehabilitate prisoners cheaper than you can house them in the new Clark County Jail, is that what I just heard you say?
- BILL LATTEN: We can't house people at the new Clark County Jail.

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COMMISSIONER GILES: Well I thought that was an alternative that you had to look at or have you looked at?

BILL LATTEN: No, no, the alternative is to keep them in the institution. I don't have an alternative to house people in the Clark County Jail, no, sir.

COMMISSIONER GILES: That's not been offered you?

BILL LATTEN: Well, we have been offered a chance to talk about the Clark County, not the jail, the -- what do they call it, but they're currently using it -- Clark Center.

COMMISSIONER GILES: Okay.

BILL LATTEN: No, we don't access to the jail, no, sir.

COMMISSIONER GILES: Thank you. I misunderstood.

COMMISSIONER EMMETT: Just some general information -- general information. Something that Helen said. Is it true that Nevada has the highest incarceration of every country or any other state in the Union?

BILL LATTEN: That's what -- the figures have been told to us by the various groups that have studied. That we have the highest incarceration rate of any State in the Union. We're also very close to the top at the amount of time that the inmate served that sort of thing.

COMMISSIONER EMMETT: And we also then at the other extreme, we have the fewest facilities such as this or mental health centers or half-way houses or whatever in the nation?

BILL LATTEN: Well let me put to you this way. The Jean facility, of which I'm the Warden currently, was built for 350 inmates. I have been up as far as 591. Currently today I'm at 520 and the statistics that we're looking at on the number of people that are in the Clark County Jail awaiting sentence, that sort of thing, have just got us terrified. We are going to have to find some place to put some of our lightweight offenders so that we have room to keep the violent offenders inside the institution. The State of Nevada, frankly, has got some very very serious decisions to make this next session of the legislature because the situation just cannot go on the way it is and that's why the legislature this last time around mandated that we get going on restitution centers and honor camps. We're doing the same thing with honor

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BILL LATTEN: camps. We're expanding. We're currently building an honor camp in Ely, one in Wells. We're expanding the camp in Pioche from 40 to 120 people and even with that expansion, we're going to be crowded to the point that it's dangerous to run these institutions.

COMMISSIONER MYERS: I'd like to get just one more thing. The terminology we're using is non-violent.

BILL LATTEN: Yes, ma'am.

COMMISSIONER MYERS: Does that mean that if some guy goes in with a gun and holds up a liquor store, but doesn't shoot anyone it's non-violent?

BILL LATTEN: No, no, no, absolutely not. If he's got a weapon he isn't going to a restitution center.

COMMISSIONER MYERS: It's not considered non-violent. I consider that pretty violent.

BILL LATTEN: I consider that violent too because the very fact that you have one indicates that you would be prone to use it if something goes wrong.

COMMISSIONER MYERS: That means that he has not beaten up on anyone or --

BILL LATTEN: Absolutely he will not line up for the restitution center. I would read to you what I said in the letter that we sent out. DUI is something that we're seeing more and more of now and we're going to see more of that. Fraud, bad checks, arson, car thefts and other property offenses is what we're talking about.

COMMISSIONER MYERS: Arson to me seems a rather violent act.

BILL LATTEN: But I would tend to agree and I would also add that when we do our psychological screening, even though we listed that as a possibility, I don't recall a single arsonist being in a camp because usually when we do our psychological screening, we screen out arsonists, but that's just a little technical thing.

VICE-CHAIRMAN JUNIEL: Thank you. Anymore questions?

COMMISSIONER GILES: I have another question or a couple of questions. Mrs. Williams made a comment I found rather disturbing. Would you address yourself to this no checking that she feels happened to the release participant at her business. She didn't feel like there was any checking at all with him and as I recall that even after he come to work

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COMMISSIONER GILES: he called. He could call from anyplace in town.
How do you prevent that?

BILL LATTEN: We prevent that by checking. We've got one person
on the staff that that's his job and he's out all day
long checking.

COMMISSIONER GILES: How does he check?

BILL LATTEN: He goes to the place of business. Now, she was not
dealing with one of our restitution center inmates
or she would have been checked and moreover, she would
have known right out in front that she was dealing
with an inmate from the center. We don't ever hide
that. We don't ever try to fool an employer. When we
go to an employer, we're absolutely honest right down
the line.

COMMISSIONER GILES: How often would you say one would be checked, one
of your released recipients?

BILL LATTEN: On the job?

COMMISSIONER GILES: Yes.

BILL LATTEN: Well, right now we're down to just 20 people in the
center, so they're checked almost every day. If we
had 60 people in the center, they'd probably be checked
at least -- there would be a contact with the employer
at least once a week and there might be a drive-by
contact to make sure he was there more often than that.

COMMISSIONER GILES: If he's not there, then what?

BILL LATTEN: One of the agreements that the employer signs when
they hire one of our release inmates, is that if he
late for work, they will call us immediately because
to us that means if he doesn't show up to work, that
he may be thinking about running off.

COMMISSIONER GILES: Didn't you just say you're going to take them to work,
did I misunderstand that? So if he's late for work,
you've made him late for work, is that right? You'll
take him to the place of work.

BILL LATTEN: We'll take him to work.

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COMMISSIONER GILES: But if he works in the front door of the hotel and walks out the back, you want to know. I understand then.

BILL LATTEN: If he goes out on a break at 10 o'clock in the morning, we want to know it if he doesn't come back. Our employers have been good about that, but on the other hand, we have a service to the employers. Our people generally speaking and this is 99 - 199 times out of 1,000 show up on time. They show up sober, that sort of thing. We have under the institutional environment -- we generally speaking get people to work in pretty good shape to do a day's work.

VICE-CHAIRMAN JUNIEL: In the event that one of the inmates would commit a theft in one of the businesses nearby, does your facility or the Nevada Prison System provide any type of compensation in that these are your property -- these people, I guess, your property or people in your care or concern at the time? Any type of restitution be made from the State?

BILL LATTEN: The State is insured for certain things, but generally speaking that would have to take place. What would happen if they would commit another crime is that we would take them back to court. We would prefer charges. We would get another sentence and the judge then would make a determination as to what was going to happen.

VICE-CHAIRMAN JUNIEL: In other words, he'd just be treated -- this situation would be treated as any other theft or burglary? There's no specific --

BILL LATTEN: It would be treated as any other felony, yes, ma'am.

VICE-CHAIRMAN JUNIEL: Do you deal with any incentive to the surrounding business people for cooperating with you and being in support of your program being in their immediate area?

BILL LATTEN: Well, we do community services. We're perfectly willing to use --

VICE-CHAIRMAN JUNIEL: No, I mean in a sense that they can say, well if we allow this here, I know these people are going to do this in the event that something bad occurs.

BILL LATTEN: I'm not sure --

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VICE-CHAIRMAN JUNIEL: Well it would be an incentive to, I think, a business person if he knew that one of your inmates committed some type of crime on his property that you'd be directly responsible in compensation or repairing the building or the window or whatever happens.

BILL LATTEN: Well, certainly -- certainly we would do everything we could within our resources. There's no question about that. We just haven't had that happened. We just haven't had it happen. It's been our experience that the guys on this program what to make it and like the other gentleman said, it's the other people that aren't on this program that you really have to watch out for.

COMMISSIONER GILES: Mr. Berry used the word parole. Would you describe the inmate at this proposed facility? Is he six months from parole or six months from release or both?

BILL LATTEN: He's six months from parole eligibility. That means that he can go to the Parole Board and if his record is good, why then they can parole him immediately. We've had a very high rate proportionately of the people at the restitution center in getting paroles. The Parole Board is quite comfortable with looking favorably at a man if he's been at the restitution center for six months, he's gone to work, he's got a steady job, he's made restitution. He's got a couple thousand dollars in his pocket to go out on the streets with. The Parole Department looks at those people as being better risks than the people that we've kept at the institution.

COMMISSIONER GILES: Has he met with the Parole Board prior to his work release?

BILL LATTEN: He may have. That's not necessarily a criteria. He may have. If we get somebody in that's sentenced for one year, you see, he can't meet with the Parole Board until he's been there 10 months. We might put him out after he's been there 6 months, you see. Then he would go to the Parole Board 10 months -- they could kick him out immediately or he'd shortly expire his sentence, but generally speaking, the Parole Board has really, with very few exceptions, looked kindly upon our people that have done well for 6 months in the community. That tells us something.

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COMMISSIONER MYERS: It also seems to me to say that there is a very great incentive for them to behave while they're there.

BILL LATTEN: Oh, there's a great incentive for them to behave while they're there and you wouldn't believe the incentive there is in the institution to behave so that they can get there. It's one of the best management tools we've got as far as running the institution. We've got any number of people that really and truly make sure they don't have any disciplinaries. They do everything right so that they can get out on these programs. Tremendous management tool.

VICE-CHAIRMAN JUNIEL: Any more questions from the Commissioners?

COMMISSIONER MYERS: I just have one more. If you had your druthers and optimum and could get a facility which would house the maximum number you would like in a restitution center, how many people would you be able to let out in Jean into a restitution center?

BILL LATTEN: I can let -- if I get this facility, under the current guidelines from the legislature, I can put 60 people out.

COMMISSIONER MYERS: No, I understand that, but how many are there that there won't be room for at Jean today?

BILL LATTEN: There might be another 40 or 50. We screen -- we screen so carefully that really and truly, there are times when we look hard for people that we feel secure in sending to a restitution center or sending to a camp and quite frankly, the judges, contrary to what a lot of people say, the judges are doing a pretty doggone job in this State of using probation where they can. So a lot of people that we have at Jean and at Indian Springs and up in Carson City would never meet the criteria for going to an honor camp or a restitution center. That's unfortunate, but it's true.

VICE-CHAIRMAN JUNIEL: Any more questions?

GEORGE DICKERSON: May I submit this? What this is is a response -- you asked about this Clark Center Detention facility. This is a brochure that indicates all the security features already in place with the cameras that are available. This is a holding -- was the holding tank for the Clark

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GEORGE DICKERSON: County until the new jail was created. This is the facility that's available of which I was speaking and which he says, they don't have the funding for purpose of acquiring at this time. That can be negotiated with the owner of those properties.

VICE-CHAIRMAN JUNIEL: Was that your main opposition to that place was the cost factor?

BILL LATTEN: My understanding is that the Director and the Assistant Director up in Carson City have explored that possibility at length and they feel that we just simply cannot afford it.

VICE-CHAIRMAN JUNIEL: Otherwise the building is suitable?

BILL LATTEN: Well, I'm not sure. I would think so. I would certainly think so, but see we are -- we are given guidelines by the legislature as to what we can spend and quite frankly, we have looked at many facilities that we could talk to you about, but we can't afford them.

VICE-CHAIRMAN JUNIEL: Thank you.

BILL LATTEN: Thank you.

TERRY ONO: May I?

VICE-CHAIRMAN JUNIEL: Only if it's something -- absolutely has not been said before. We've heard this at length.

TERRY ONO: Could I just make one comment?

VICE-CHAIRMAN JUNIEL: Absolutely one because this hearing has gone on for over an hour.

TERRY ONO: Fine. My name is Terry Ono. I'm the General Manager at Home Lumber Company and I would like to make one comment to Mr. Latten. That on May 24th, we had a meeting with he and one of his other people and at that point in time, Mr. Latten made a comment to us and promised us that if they were not wanted in our area, that they were not going to push this through. Now is that true, Mr. Latten, or not? Did you make that promise and did you make that comment?

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BILL LATTEN: We made the comment that we didn't want to.

TERRY ONO: Thank you very much and you also told us that if you were not wanted there, that you were not going to push this through the Planning Commission. You told us that to our face and we took you at your word and I'm just going to explain something to the folks here that you made that comment to us and you led us astray.

BILL LATTEN: We made the comment that we did not want to move into any area that we were not wanted.

TERRY ONO: No, no. We have witnesses that you said that if you were not wanted in our area that you would not push this issue and we were led astray.

VICE-CHAIRMAN JUNIEL: Thank you, sir.

TERRY ONO: Thank you.

VICE-CHAIRMAN JUNIEL: The public hearing is closed. May I have a motion?

COMMISSIONER GILES: We've heard this issue many times, pro and con, and we have denied on other occasions. There's the opportunity for others to be heard farther on so I personally find this is what I consider good land use. I'M GOING TO MOVE FOR APPROVAL WITH STAFF'S RECOMMENDATIONS.

VICE-CHAIRMAN JUNIEL: This will go to the City Commission on August 15th. (Motion carried unanimously with Bugbee excused)

ROBERT CLEMMER: August 1st to set for public hearing and it'll be heard August the 15th.

END OF EXCERPT

 STATE OF NEVADA DEPARTMENT OF PRISONS ADMINISTRATIVE REGULATIONS	A.R. No. 902	Page <u>1</u> of <u>2</u>
	Attorney General Review Date:	Effective Date:
	Supersedes:	
CHAPTER: COMMUNITY PROGRAMS	Subject: Restitution Center Advisory Committee	

I. PURPOSE

To establish an Advisory Committee as a link with the community, to advise and assist the Restitution Center staff in maintaining available community programs.

II. AUTHORITY

NRS 209.4827.

III. POLICY

The Department of Prisons shall encourage participation by individuals in the private sector and interested public agencies in the formulation of appropriate policy concerning the Restitution Center.

The Director will appoint a Board consisting of persons in the local criminal justice, State government and private citizens who have a legitimate interest in the program.

IV. DEFINITIONS

- A. Committee -- Persons appointed by the Director to participate in an advisory capacity in the Restitution Center program.
- B. Warden -- Warden of the parent institution.
- C. Director -- Director of the Department of Prisons.
- D. Manager -- The Center Manager who will participate in meetings and prepare necessary material.
- E. Chair -- The Warden will serve as Chair at the meeting of the committee.

V. PROCEDURE

- A. Composition of Committee:

The committee will consist of persons in local criminal justice, state government and private citizens who have an interest in serving:

SUBJECT: Restitution Center Advisory Committee

The committee will consist of an adequate number of individuals to guarantee the concerns of all segments are addressed.

B. Selection of Committee:

1. Names of persons to be considered for the Committee will be submitted to the Warden.
 - a. Once the initial committee has been selected, the same format will be followed in the event a member resigns.
2. The Warden will make the appropriate selection and forward to the Director who will formally appoint the members of the Committee. The Warden and Manager, or delegates, will be members of the Committee.
3. After appointment has been made, the Warden or Manager will inform the persons selected, in writing, of their appointment to the Committee and the scheduled time and date of the first meeting.

C. Duties of the Committee:

The committee will attend meetings quarterly, and will assist in the formulation of policy in the areas of offender's employment, public relations, volunteer programs, as well as other matters appropriate for their consideration.

D. Meetings:

1. Meetings will be scheduled on a quarterly basis by the Manager, and will be conducted in conformance with the open meeting law.
2. The Warden shall chair the meeting. The Manager will be responsible for the agenda, and forwarding pertinent materials to members of the committee at least ten days prior to the meeting. The Manager will also arrange for accurate minutes to be taken of the meeting.

E. Costs:

No costs may be reimbursed, or travel or per diem reimbursed, by any member of this committee.

VI. REFERENCES

ACA Standard 2-2008.

VERNON G. HOUSEWRIGHT, DIRECTOR
NEVADA DEPARTMENT OF PRISONS

ISSUE DATE

THIS PROCEDURE SUPERCEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.

All inmates classified to the Restitution Center must have community trustee custody, and either be paying restitution or be classified to work release status.

I. Initial Screening of Inmates

The initial screening of inmates being considered for placement at the Restitution Center will be done by the parent institution's Classification Committee.

A. Inmates must meet the following minimum criteria to receive initial placement approval:

1. Within six (6) months of probable release

This date may be either six months to estimated parole eligibility or expiration.

"Probable" release would apply to an inmate whom the parent institution would recommend for parole or work release.

2. Non-violent offender

The offense facts are used to determine eligibility, regardless of conviction offense. In addition, no inmate with convictions for violent offenses within the last ten years will be eligible.

3. No assaultive history

Offense facts and misdemeanor convictions are used in assessment.

4. No sexual offense record or sexual offense arrest history

Offense facts and misdemeanor convictions are used in assessment.

5. No escape history within the past five (5) years

6. Positive institutional adjustment

a. No major violation within last ninety (90) day period

b. No general violation within last sixty (60) day period

7. No history of psychological dysfunction

8. No medical restriction(s)

Recommendation of an inmate with serious physical limitations due to medical problems is not appropriate for the Restitution Center.

9. Restitution

An inmate may pay restitution for any of the following:

- a. Restitution to victim(s) or victim(s) family.
This includes property loss, medical expenses or insurance company's replacement costs.
- b. Court fines
- c. Attorney fees
- d. Child support

- B. Work Release inmates are eligible to participate in the Restitution Center program. The condition of restitution is not necessary for these inmates. These inmates may be required to make a donation to a charitable organization.
- C. The parent institution counselors will be responsible for completing the Restitution Center Placement Evaluation and the Reclass Instrument. These forms are to be placed in the inmate I-file prior to submitting that individual's name and file to the Restitution Center Classification Committee.

II. Restitution Center Classification Committee

- A. Final approval will be the responsibility of the Restitution Center Classification Committee.
- B. The Restitution Center Classification Committee will consist of the Warden of the Nevada State Prison, the Records Officer of the Department of Prisons and the Manager of the Restitution Center.

III. Restitution Center Placement Responsibilities

- A. The Employment Counselor will be responsible for having SCOPES processed for all inmates who have been approved by the Restitution Center Classification Committee.
- B. The Field Supervisor will coordinate with the parent institution staff to insure that each inmate receives a physical prior to placement. Those inmates who have been identified for an abuse treatment must be physically cleared by the medical department for medication and treatment started prior to physical transfer to the Restitution Center. The Field Supervisor will have these inmates sign the Voluntary Abuse Agreement.
- C. The Field Supervisor will maintain a file of those inmates' names who have been approved and disapproved for placement at the Center.

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RESTITUTION CENTER PROGRAM DESCRIPTIONINTRODUCTION

The Restitution Center Program is a community-based residential facility (authorized by NRS 209.4827) for incarcerated individuals from the Nevada Department of Prisons. Center residents are employed in the community and return to the Center after work. Residents pay room and board, and make monthly restitution payments to the crime victim.

The citizens in a community where a residential program is developed are generally divided into two opinion groups. The first, most important, and largest groups, are those concerned about the risks associated with such a program. The second, smaller groups, are those people interested in the economics of community-based corrections. In other words, how will this favorably affect the taxpayer. This smaller group of concerned citizens are those who are aware of the cost factors associated with "in-prison housing" versus the less expensive "community-based housing".

SUPERVISION GUIDELINES

It is our opinion at the Nevada Department of Prisons that public protection and community-based corrections are not ~~mutually~~ inconsistent. The Department of Prisons will maintain a highly structured, controlled community program that benefits both the residents and the community.

House rules establish guidelines for conduct, appearance duties, guest visits, and responsibilities. Residents must maintain steady employment in order to participate in the program. Frequent alcohol and drug testing will help to facilitate enforcement of the ban on the use of these substances on or off the premises. In addition, residents' rooms will be periodically searched for contraband items. *DO they need?*

Staff will make regular counts and bed checks. Increased emphasis will be placed on periodic checks of the inmate at his/her place of work. The Center staff will promote and invite input from the inmates' employer on conduct and work habits. *on this bar*

Residents will have less freedom of movement and flexibility than was afforded at the previous Center. If there is a violation of the rules, the offender will be returned to the Nevada State Prison and will have difficulty returning to the Center.

STAFFING PATTERN

Route out
The Center staff consists of uniformed correctional officers that will maintain around-the-clock supervision; a Center Manager who will make frequent contacts with area law enforcement, and residents' employers, and oversee the operation of the Center; a field supervisor who will conduct frequent checks of inmates on the job site and maintain contact with employers in regards to the residents' work habits; an employment counselor who will assist the residents in obtaining employment. In addition to these positions, the Restitution Center will make use of available support services and agencies in the community.

They will be transported to & from work.

The Center will be staffed with trained professionals who will make the protection of the community their number one priority.

SELECTION REQUIREMENTS

The Department of Prisons has established the eligibility criteria for offenders participating in the Restitution Center Program. Inmates must meet this objective criteria before they can be considered.

1. Within six (6) months of their release date.
2. No convictions for sexual offenses.
3. Must be serving a sentence for a non-violent crime.
4. No escape history.
5. Satisfactory institutional adjustment. This means six (6) months without a Major Violation of Prison rules, or ninety (90) days without a General Violation of Prison rules.

The Center will house approximately sixty (60) inmates, consisting of ~~forty~~ ³⁰ men and ~~twenty~~ ³⁰ women.

BENEFITS OF THE PROGRAM

It is important to remember that the inmates assigned to the Center will most likely be released from Prison within six (6) months with or without this transitional period.

^{Sixty} ~~forty~~ (60) percent of the commitments at the Nevada Department of Prisons come from the ~~Clark~~ ^{Washoe} County area. In all likelihood these inmates will be returning to the same area when they are released.

Allowing an inmate to participate in the Restitution Center Program will enhance his/her chance of being successful on parole. Consider the difference between leaving the confines of the Prison on parole versus paroling from a community-based program. The offender in the Restitution Center Program is employed, saving money, and interacting with other law-abiding citizens. The offender who finishes his/her term in the Prison has no transitional period such as this. Often, they suffer from a type of culture shock if they have spent much time incarcerated, which lessens their chances of succeeding on parole.

The Prison system benefits by separating non-violent, short-term offenders from long-term, habitual-type offenders. ~~These inmates in the first category are not, therefore, negatively influenced by the habitual, violent offenders.~~

The Prison realizes further benefit by way of cost reduction. The room and board charges represent fees paid to the Department of Prisons. These fees provide part of the funding with which the Restitution Center operates. Inmates living at the Restitution Center will cost the State approximately ~~1/2~~ less than if they were housed at a major institution.

Restitution Center Program Description

0242

The community realizes considerable benefits. The fact that inmates are gainfully employed enhances their chances for success and decreases the chance that they will resort to crime. The inmates assigned to the Restitution Center are repaying crime victims and/or debts they owe the Criminal Justice System. Local employers benefit as they are gaining insight as to whom they are hiring, i.e., they will be aware of the subjects' criminal records. This can be more desirable than hiring an individual they know nothing about.

ADVISORY COMMITTEE

^{Will be}
~~a~~ Restitution Center Advisory Committee ~~is~~ established by the Department of Prisons. The Advisory Committee ^{will be} composed of twelve (12) members consisting of local law enforcement, ~~administrators~~, prominent citizens, and members of special groups, ~~such as the State Prisoners' Association~~. The purpose of the Advisory Committee is to act as a link with the Community in establishing a community-based program. Their duties are to offer input as to suggestions regarding policy planning and the operation of the Center.

CONCLUSION

As you can see, the community-based Restitution Center Program is much less costly for taxpayers, and provides a much needed transition period for the person being released from prison. The risk to the public in opening the prison gates and just allowing inmates to return to the community is much greater than allowing them the opportunity to transition back into society under supervision in a community setting. A recent Legislative Report found restitution centers to have provided a unique opportunity for prison inmates to begin reintegration into society, earn money to support themselves and their families and pay restitution to their victims. They leave the prison with a job, money, housing, and a sense of worth, enhancing the chance they will never return to prison.

July 27, 1984

Attn: Mayor Bill Briare
 Mayor and City Council
 Council Chambers
 City Hall
 400 E. Stewart Avenue
 Las Vegas, Nevada 89101

Re: Notice of Appeal from Action of Board of
 Zoning Adjustment on Application U-33-84.

Dear Mayor and Councilmen:

We, the undersigned, being owners and/or operators of business establishments in which we have invested millions of dollars in structures, sophisticated equipment and merchandise, on behalf of ourselves, our employees, and our customers, hereby appeal from the action taken by the Board of Zoning Adjustment at its regular meeting held at 7:30 P.M. on July 26, 1984, in granting the application of Processed Data, Inc., on behalf of the State of Nevada, Department of Prisons, for a use permit to allow a restitution center (half way house) for the housing of convicted felons on property located at 1209 South Commerce Street in an entirely commercial district devoid of any habitation.

James O. Roberts V.P. Service Corp.
 Southwest Data Computer Center for
 First Western Savings and Loan

Terry One Gen. Mgr.
 Home Lumber

[Signature] BWH Jr.
 Carpet Barn

William E. Krummel Vice Pres. Genl. Mgr.
 Best Glass

[Signature]
 A-1 Office Machines

August 6, 1984

0244

Carol Ann Hawley
City Clerk

City Councilmen:

My name is Kathryn Coon and I own four buildings on South Main Street. Buildings at 1212, 1214, 1216 and building 1218.

I am a sixty-seven year old widow and my sole support is the income from the rent of these buildings..

The application to allow a pre-release restitution center for convicted felons at 1209 South Commerce Street that was approved by the Zoning Board fills me with dismay.

My buildings are directly across the alley from the proposed site.

The area in question already has inadequate parking facilities for the existing businesses without the added influx of visitors to these inmates.

It is my feeling that these buildings will be more difficult to keep rented and that the resale value of them will be substantially reduced by the centers presence.

Everyone agrees that a restitution center is a good and worthwhile project but not at the expense of the property owners and businessmen of the area.

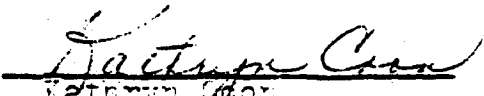
Business is tough enough without having to combat the public's fear of a concentration of convicted felons.

Whether or not that fear is grounded in fact or fancy is not germane to the problem.

My late husband and I have lived here for thirty-nine years and worked long and hard to provide for a secure old age. I feel that that security is in jeopardy if the council approves this action.

Most respectfully I ask that the council deny this permit.

Very truly yours,


Kathryn Coon

4335 Smoke Ranch Rd.
Las Vegas, Nevada 89109

U-33-89

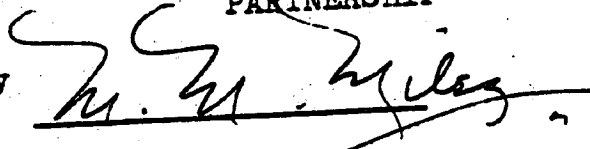
0245

OFFICE OF THE CITY CLERK
10th FLOOR
CITY HALL, LAS VEGAS, NEVADA 89101

WE ARE OPPOSED TO GRANTING A USE PERMIT
TO PROCESSED DATA, INC. TO ALLOW A PRE-
RELEASE RESTITUTION CENTER ON PROPERTY
LOCATED AT 1209 SOUTH COMMERCE STREET
WHICH PROPERTY IS LEGALLY DESCRIBED AS
LOTS TWO (2) and THREE (3) IN BLOCK TWO
(2) OF BOULDER ADDITION.

MILES, RAY & MILES TRUST
PARTNERSHIP

By



August 6, 1984

Miles, Ray & Miles
1301 South Eleventh St.
Las Vegas, Nevada 89104

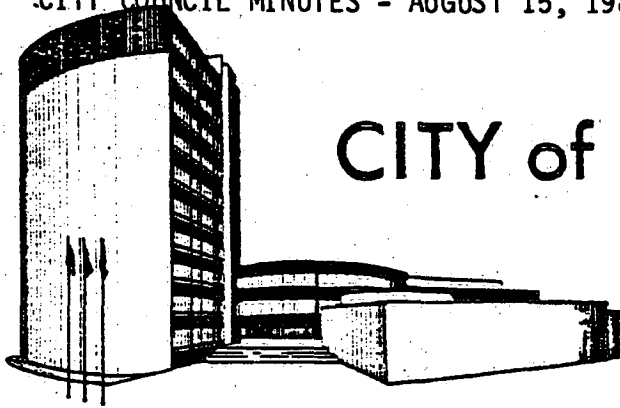
Of:

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La

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

AUGUST 15, 1984

NOTICE IS HEREBY GIVEN THAT on Wednesday, August 15, 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-33-84

Application of PROCESSED DATA, INC., ON BEHALF OF THE STATE OF NEVADA for a Use Permit to allow a pre-release restitution center for convicted non-violent felons on property located at 1209 South Commerce Street in Zoning District C-M (Commercial Industrial).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOTS TWO (2) AND THREE (3) IN BLOCK TWO (2) OF BOULDER ADDITION.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 10th Floor, City Hall.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK



AGENDA*City of Las Vegas*

August 15, 1984

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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ITEM

Commission Action

Department Action

**X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR**

The items listed below, where appropriate, have been reviewed by the various City departments including sanitary sewer, storm drainage, Department of Design and Development, 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

mp Cool

AGENDA*City of Las Vegas* August 15, 1984

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

7. Repair any damage to the existing street improvements resulting from this development as required by the Department of Design and Development.
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

mp Cool

AGENDA*City of Las Vegas*

August 15, 1984

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Commission Action

Department Action

X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR (CONTINUED)

2. Conformance to code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.

All Variances and/or Use Permits shall conform to the following general conditions:

1. Conformance to the plot plan and elevations;
2. Satisfaction of City Code requirements and design standards of all City departments.

APPROVED AGENDA ITEM

mp Cool

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0250

City of Las Vegas

August 15, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

- * CONSENT ITEMS - A, B, AND C may be acted upon in one motion.

Staff recommends approval of all items. The Planning Commission has recommended approval on Items A and B (subdivision maps). Any item may be discussed at the Council's discretion.

*A. TENTATIVE MAP

1. ABEYANCE ITEM - RAINBOW EXPRESSWAY CENTER
(COMMERCIAL CONDOMINIUM)

Property generally located on the southwest corner of Westcliff Drive and Rainbow Boulevard, C-1 Zone.

Owner/Subdivider: Rainbow-Fremont Limited Partnership

No. of Acres: 2.36 No. of Units: 38

CONDITION:

1. Conformance to the conditions of approval for Z-5-69.

Lurie -
APPROVED Items A-1, A-2, B-1, B-2, C-1 and C-2 as recommended.

Unanimous with the exception that Levy abstained from voting on B-2.

(Christensen excused)

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

mp Core

CITY COUNCIL MINUTES - AUGUST 15, 1984

0251

TO: THE CITY COUNCIL
RE: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

A. 1. ABEYANCE ITEM - RAINBOW EXPRESSWAY CENTER (COMMERCIAL CONDOMINIUM)

This item was held in abeyance because the applicant was not present at the August 1, 1984 City Council meeting. This is a commercial condominium subdivision for a proposed office complex southwest of Westcliff and Rainbow. The map conforms to the Subdivision Regulations and the zoning action.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT
A. TENTATIVE MAP
ITEMS A-1, A-2, B-1, B-2, C-1 & C-2

Page 1

MAYOR BRIARE:

Roman Numeral X are Consent Items that we show as A, B & C could be acted upon in one motion. Tentative Map for Rainbow Expressway Center, a Grant Estates. Number B are Final Maps. Number C, Acceptance of routine Subdivision Improvements. All subject to conditions.

COUNCILMAN LURIE:

Mayor, I MOVE FOR APPROVAL OF A, B & C AS RECOMMENDED.

COUNCILMAN LEVY:

You know, just so that I -- B-2, I abstain.

MAYOR BRIARE:

Let the record reflect, Mrs. Hawley. Any other comments? Cast your votes. Post. Motion's APPROVED. (Motion carried unanimously with Levy abstaining on Item B-2.)

END OF EXCERPT

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

City of Las Vegas

0253

August 15, 1984

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) TENTATIVE MAPS

A. 2. GRANT ESTATES

Property generally located on the northwest corner of Cory Place and Mohawk Street, R-1 Zone (a portion under Resolution of Intent to R-CL).

Owner: Dell R. Nielson and Penny Nielson
Subdivider: George Grant and John Hayner
No. of Acres: 2.51 No. of Lots: 12

CONDITIONS:

1. Conformance to conditions of approval for Z-39-84.
2. Conformance to the Flood Hazard Reduction Ordinance.
3. Vacation of the U. S. Government Patent Reservation.

Lurie -
APPROVED Items A-1, A-2, B-1, B-2, C-1 and C-2 as recommended.
Unanimous with the exception that Levy abstained from voting on B-2.
(Christensen excused)

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

mp Coe

TO: The City Council
RE: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

A. 2. GRANT ESTATES

This tentative map conforms to the Subdivision Regulations and the approved zoning action.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0255

City of Las Vegas August 15, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

*B. FINAL MAPS

1. GRANT ESTATES

Property generally located on the northwest corner of Cory Place and Mohawk Street, R-1 Zone (a portion under Resolution of Intent to R-CL).

Owner: Dell R. Nielson and Penny Nielson
Subdivider: George Grant and John Hayner
No. of Acres: 2.51 No. of Lots: 12

CONDITIONS:

1. Approval of the tentative map.
2. Conformance with the tentative map.
3. Conformance to the conditions of approval of the tentative map.

Lurie -
APPROVED Items A-1,
A-2, B-1, B-2, C-1
and C-2 as recom-
mended.
Unanimous with the
exception that Levy
abstained from
voting on B-2.
(Christensen excused)

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM

MP Cool

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

B. 1. GRANT ESTATES

The final map is for all of the lots on the tentative map under Item A of this agenda. If that map is approved, this map can also be approved.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0257

City of Las Vegas

August 15, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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PHONE 386-6011

ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) - FINAL MAPS

*B. 2. CHELSEA PLACE

Property generally located on the north side of Cory Place, east of Upland Boulevard, R-1 Zone (a portion under Resolution of Intent to R-CL).

Owner: Dell R. Nielson, Et Al

Subdivider: National Heritage Corp. of Nevada

No. of Acres: 10 No. of Lots: 58

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.

Lurie -
APPROVED Items A-1, A-2, B-1, B-2, C-1 and C-2 as recommended.

Unanimous with the exception that Levy abstained from voting on B-2.
(Christensen excused)

Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

mp Coe

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

B. 2. CHELSEA PLACE

This final map conforms to the approved tentative map and is in order to be approved also.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0259

City of Las Vegas

August 15, 1984

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

*C. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS.

All offsite improvements on the following subdivisions have been completed in accordance with agreements and City standards. All work has been inspected and it is recommended that the improvements be accepted subject to the completion of the improvement correction lists.

1. Atrium Gardens V - Bivins Construction

Property generally located south of
Washington Avenue, east of Pecos Road.
No. of Acres: 3.6
No. of Lots: 40
Zoned R-PD12

2. Cimarron Heights Unit No. 2 - American
Asphalt

Property generally located south of
Ducharme Avenue, west of Cimarron Road.
No. of Acres: 5.0
No. of Lots: 36
Zoned R-CL

Lurie -
APPROVED Items A-1,
A-2, B-1, B-2, C-1
and C-2 as recom-
mended.
Unanimous with the
exception that Levy
abstained from
voting on B-2.
(Christensen excused)
APPROVED
See Above

Clerk to notify
and Planning to
proceed.

See Above

APPROVED AGENDA ITEM

mp Core

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

C. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

1. Atrium Gardens V - Bivins Construction
2. Cimarron Heights Unit No. 2 - American Asphalt

All of the off-site improvements have been installed on the above two subdivisions in accordance with City standards. Therefore, acceptance of these subdivision improvements is in order.

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0261

City of Las Vegas

August 15, 1984

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

D. ANNEXATION REPORTS

1. ANNEXATION REPORT - A-8-84 - FARLEY M.
ANDERSON, JR., ET AL

Report for annexation of property generally
located on the east side of Torrey Pines
Drive, north and south of Lake Mead
Boulevard, containing approximately 33.0 acres.

Staff Recommendation: Adoption of Report

Lurie -
ADOPTED Report.
Unanimous
(Christensen excused)

Planning to
proceed.

APPROVED AGENDA ITEM

mp Cool

3:40

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

D. 1. ANNEXATION REPORT - A-8-84 - FARLEY M. ANDERSON, JR., ET AL

The annexation report is a required step in the process to annex this 33 acre area. The report indicates the City will provide its normal services to the annexation area and the property owners will bear the cost of all utility extensions and other improvements.

STAFF RECOMMENDATION: Adoption of report

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984
X. COMMUNITY PLANNING & DEVELOPMENT
ITEM D.1. ANNEXATION REPORTS - A-8-84

Page 1

MAYOR BRIARE: Item D, an Annexation Report. Staff's recommendation is to adopt it.

COUNCILMAN LURIE: MOVE TO APPROVE IT.

DEPUTY CITY MANAGER
SAYLOR:

This is one of the procedure steps in an annexation. The report sets forth various pieces of information relative to the area and indicates that the City will provide its normal services to the annexation area and that the property owners will bear the cost of all utility extension and other improvements.

MAYOR BRIARE: And your recommendation is to adopt?

DEPUTY CITY MANAGER
SAYLOR:

Yes.

COUNCILMAN LURIE: MOVE FOR APPROVAL.

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

END OF EXCERPT

AGENDA

0264

City of Las Vegas August 15, 1984

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) - ANNEXATION REPORTSD. 2. ANNEXATION REPORT - A-13-84 - CITY OF
LAS VEGAS

Report for annexation of property generally located north of Charleston Boulevard and east of Durango Drive, containing approximately 365 acres.

Staff Recommendation: Adoption of Report

Lurie -
ADOPTED Report.
Unanimous
(Christensen excused)

Planning to
proceed.

APPROVED AGENDA ITEM

mp Carr

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

D. 2. ANNEXATION REPORT - A-13-84 - CITY OF LAS VEGAS

The annexation report is a required step in the process to annex this 365 acre area. The report indicates the City will provide its normal services to the annexation area and the property owners will bear the cost of all utility extensions and other improvements.

STAFF RECOMMENDATION: Adoption of report

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984
X. COMMUNITY PLANNING & DEVELOPMENT
ITEM D.2. ANNEXATION REPORTS - A-13-84

Page 1

MAYOR BRIARE: The next is the Annexation Report, A-13-84.
 Same thing, Mr. Saylor?

DEPUTY CITY MANAGER
SAYLOR: Same comments, yes, Mayor.

COUNCILMAN LURIE: MOVE FOR APPROVAL.

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

END OF EXCERPT

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

0267

City of Las Vegas

August 15, 1984

CITY COUNCIL

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) - ANNEXATION REPORTS

D. 3. ANNEXATION REPORT - A-14-84 - THOMAS BEAM,
ET AL

Report for annexation of property generally located north of Washington Avenue and east of Durango Drive, containing approximately 805 acres.

Staff Recommendation: Adoption of Report

Lurie -
ADOPTED Report.
Unanimous
(Christensen excused)

Planning to
proceed.

APPROVED AGENDA ITEM

mp *Coor*

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

D. 3. ANNEXATION REPORT - A-14-84 - THOMAS BEAM, ET AL

The annexation report is a required step in the process to annex this 805 acre area. The report indicates the City will provide its normal services to the annexation area and the property owners will bear the cost of all utility extensions and other improvements.

STAFF RECOMMENDATION: Adoption of report

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984
X. COMMUNITY PLANNING & DEVELOPMENT
ITEM D.3. ANNEXATION REPORTS - A-14-84

Page 1

MAYOR BRIARE: Item 3, Annexation Report for Thomas Beam.

COUNCILMAN LURIE: MOVE FOR APPROVAL.

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

END OF EXCERPT

AGENDA*City of Las Vegas*

0270

August 15, 1984

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) - ANNEXATION REPORTSD. 4. ANNEXATION REPORT - A-15-84 - JAMES B.
MCCALL, ET AL

Report for annexation of property generally located west of Lorenzi Boulevard and south of Cheyenne Avenue, containing approximately 987 acres.

Staff Recommendation: Adoption of Report

Lurie -
ADOPTED Report.
Unanimous
(Christensen excused)

Planning to
proceed.

APPROVED AGENDA ITEM

mp Carr

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

D. 4. ANNEXATION REPORT - A-15-84 - JAMES B. MCCALL, ET AL

The annexation report is a required step in the process to annex this 987 acre area. The report indicates the City will provide its normal services to the annexation area and the property owners will bear the cost of all utility extensions and other improvements.

STAFF RECOMMENDATION: Adoption of report

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984
X. COMMUNITY PLANNING & DEVELOPMENT
ITEM D.4. ANNEXATION REPORTS - A-15-84

Page 1

MAYOR BRIARE: Item 4, Annexation Report with the adoption
recommendation.

COUNCILMAN LURIE: MOVE FOR APPROVAL.

MAYOR BRAIRE: Comments? Questions? Cast your votes. Post.
Motion's APPROVED. (Motion carried unanimously
with Christensen excused)

END OF EXCERPT

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

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City of Las Vegas August 15, 1984

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

E. REQUEST FOR JOINT ACCESS DRIVEWAY - CONGREGA-
TION SHAAREI TEFILLA

For a joint access driveway for an existing
synagogue at 1331 S. Maryland Parkway in
Zoning District R-1.

Board of Zoning Adjustment unanimously
recommends APPROVAL.

Staff Recommendation: APPROVAL

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

Clerk to notify
and Planning to
proceed.

Jack Super,
1909 Cochran St.,
appeared and
represented the
application.

APPROVED AGENDA ITEM

mp Core

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

E. REQUEST FOR JOINT ACCESS DRIVEWAY - CONGREGATION SHAAREI TEFILLA

The request is for a joint driveway along the south side of the property for access to the rear parking area. The property is being used as a synagogue for a small religious group. The applicant has an agreement with the adjoining property owner for this joint use.

BOARD OF ZONING ADJUSTMENT RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

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City of Las Vegas

August 15, 1984

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

3:42

F. PLOT PLAN REVIEWS

1. Z-100-64(119) - ILAN SILBERTEIN

To construct an additional floor to the existing 10 floor office building and to convert the 5th Floor from parking to office use on property located at 330 S. Third Street, R-4 Zone (under Resolution of Intent to C-2).

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

1. Conformance to the plot plan and amended elevations.

Staff Recommendation: APPROVAL

Lurie -
APPROVED as recommended.
Unanimous

Clerk to notify and Planning to proceed.

Doug Vineyard,
9111 Vineyard Rd.
appeared and represented the applicant.

APPROVED AGENDA ITEM

mp *Coel*

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

F. 1. Z-100-64(119) - ILAN SILBERTEIN

The request is a plot plan review for a change to the approved office building at 330 S. 3rd Street in a C-2 zone. Most of the structure has been completed, however, construction stopped over a year ago. The structure was approved for ten floors that included five floors of parking. The review is to allow one additional floor for office use and to convert the fifth floor from parking to offices.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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CITY COUNCIL MINUTES - AUGUST 15, 1984

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) - PLOT PLAN REVIEWS

3:45

F. 2. Z-17-83 - PALACE STATION CASINO

For a parking structure on property located at 2411 W. Sahara Avenue, C-1 Zone.

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

1. Conformance to the plot plan and elevations.

Staff Recommendation: APPROVAL

Lurie -
APPROVED
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM

mp Carr

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

F. 2. Z-17-83 - PALACE STATION CASINO

This involves a review to allow a four-story parking structure to the rear of the Palace Station Casino at 2411 W. Sahara Avenue in a C-1 zone. The parking structure will have 400 parking spaces to supplement the parking for this facility.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)G. ZONE CHANGE1. Z-54-84 - WEST SAHARA INVESTMENT CO.

Reclassification of property generally bounded by Sahara Avenue on the north, Durango Drive on the east, Desert Inn Road on the south and Fort Apache Way on the west.

From: N-U (Non-Urban)

To: R-1 (Single Family Residence),
R-PD3 (Residential Planned Development),
R-PD4 (Residential Planned Development),
R-PD7 (Residential Planned Development),
R-PD12 (Residential Planned Development),
R-PD23 (Residential Planned Development),
P-R (Professional Offices & Parking),
C-1 (Limited Commercial), and
C-V (Civic)

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

1. Resolution of Intent.
2. Approval of the plot plans and elevations of each phase of development by the Planning Commission, except the 44 acre C-1 site for which there are plans.
3. Standard conditions 2-8 shall apply to the C-1, P-R and R-PD23, and R-PD12 portions of the development.
4. Provisions of CC&R's for the maintenance of the lake as required by the Clark County Health Department.
5. Standard conditions 5-8 shall apply to the R-1, R-PD3, R-PD4 and R-PD7 portions of the development.

Nolen -
APPROVED Items G-1
and G-2 as recommended by the
Planning Commission.
Unanimous

Clerk to notify
and Planning to
proceed.

A. E. Collins,
Collins Bros.,
5195 S. Las
Vegas Blvd.,
appeared and
represented
the applicant.

Richard Bobertz,
4241 Park Court,
appeared in
opposition.

VERBATIM TRANSCRIPT MADE A PART
OF THE FINAL MINUTES.

APPROVED AGENDA

MP Carl

3:30

to

3:39

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AGENDA*City of Las Vegas*

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ITEM

Council Action

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

G. ZONE CHANGE

1. Z-54-84 - WEST SAHARA INVESTMENT CO.
(CONTINUED)

APPROVED
See Page 45

See Page 45

6. Amendment of the Major Street Plan to include the major streets proposed.
7. Dedicate 75 feet of right-of-way for Sahara Avenue and 50 feet right-of-way for Durango Drive, Desert Inn Road and Fort Apache Road and the radius corners at the intersection of the above-cited streets as required by the Department of Design and Development as related to each phase of development.
8. Install street improvements on Sahara Avenue, Durango Drive, Desert Inn Road and Fort Apache Road as required by the Division of Land Development and Flood Control of the Department of Community Planning and Development as related to each phase of development.
9. Submit a hydrology study to the Division of Land Development and Flood Control of the Department of Community Planning and Development as related to each phase of development.
10. Provide CC& R's for the maintenance of the landscaping in the dedicated public right-of-way.
11. The C-V site in the southeast portion of the development shall be amended to R-PD12 and the southerly 700 feet of the easterly 700 feet of the R-PD23 site in the northwest corner of the project shall

APPROVED AGENDA ITEM

mp *Car*

AGENDA*City of Las Vegas*

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CITY COUNCIL
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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)G. ZONE CHANGE1. Z-54-84 - WEST SAHARA INVESTMENT CO.
(CONTINUED)APPROVED
See Page 45

See Page 45

11. (continued)

be amended to C-V for a net area of 10
acres.12. Provide conduits for installation of
street lights in the future.13. Close the north driveway of the employee
parking area of the Citicorp site as
required by the Traffic Engineer.

PROTESTS: 1

STAFF RECOMMENDATION: APPROVAL

APPROVED AGENDA ITEM

mp Cool

To: The City Council
 Re: Community Planning and Development Agenda Item
 August 15, 1984 City Council Agenda

G. 1. ZONE CHANGE - Z-54-84 - WEST SAHARA INVESTMENT COMPANY

The request involves one section of land containing approximately 659 acres southwest of Durango Drive and Sahara Avenue that was annexed into the City recently. The applicant is requesting the property be rezoned from N-U (Non-Urban) to the following:

<u>ZONE</u>	<u>NUMBER OF ACRES</u>
R-1 (Single Family Residence)	65.2
R-PD3 (Residential Planned Development)	27.9
R-PD4 (Residential Planned Development)	20.8
R-PD7 (Residential Planned Development)	168.7
R-PD12 (Residential Planned Development)	46.0
R-PD23 (Residential Planned Development)	124.6
P-R (Professional Offices and Parking)	76.8
C-1 (Limited Commercial)	112.1
C-V (Civic)	17.1

This application is the east half of a large planned community for this area to be named The Lakes at West Sahara. The zoning application for the west half will be submitted in the near future and that development will tie into the street system on this parcel and will have a similar zoning pattern. Each half section will have a 25 acre lake in the central portion as a focal point. The zoning requested on this application proposes lower density residential around the lake with higher density residential, commercial and professional proposed on the north (Sahara Avenue) and south (Desert Inn Road) sides. There will be a joint elementary school/park site in the C-V zone on the southeast portion of the development. The C-1 zoning requested for the Citicorp site on this property contains 44.3 acres and is located south of W. Sahara approximately 1,000' west of Durango Drive. The overall density for this section averages 7.74 units per acre, whereas the General Plan recommends 7.4 units per acre for this suburban neighborhood. The density for the entire development is essentially the same as that approved on the Peccole property to the north. Also, due to the size of this project, there are no plans submitted on the individual parcels and each phase of development will be subject to Planning Commission review or subdivision approval. Further, the Resolution of Intent is recommended to have no time limit due to the duration of this project. The zoning was handled in the same manner on the Peccole property.

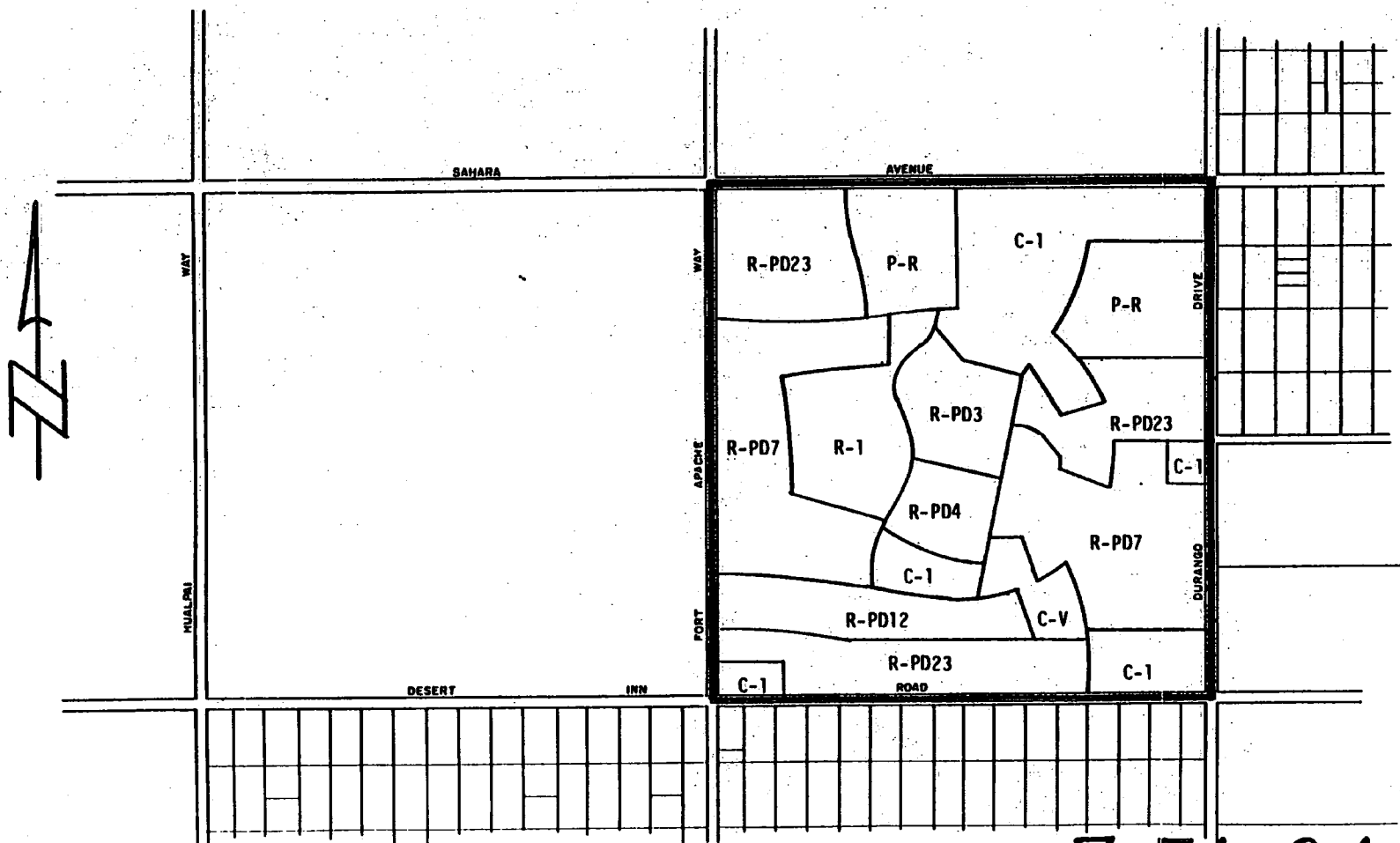
PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL - With the R-PD23 parcel on the southwest portion being amended to R-PD7 which will be increased in density to the extent any of the other parcels are developed with a lesser density than allowed.

PROTESTS: 1

SEE ATTACHED LOCATION MAP

6. 1. LOCATION MAP - Z-54-84



Z-54-84

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

G. ZONE CHANGE - Z-54-84 - WEST SAHARA INVESTMENT CO. & G.2 - MAP

PAGE 1

MAYOR BRIARE:

Due to the length of time that was spent on the public hearing that we just concluded and because of some scheduling problems, normally, we would probably be through the entire agenda at this time, but that's not the case and a matter later on the agenda -- we're going to take up now because I'm confident that anybody that wanted to be present for this particular item on the agenda would be here before now and so if it meets with the approval of the Board, we're going to go right immediately to Item G which is zone change request Z-54-84 for the West Sahara Investment Company; and there being no objections, we will then proceed with Item G and then we will return to the other parts of the agenda. Your West Sahara Investment Company?

AL COLLINS:

Yes. My name is Al Collins, E. A. Collins, partner in West Sahara Investment.

MAYOR BRIARE:

There was one protest at the Planning meeting. Do you know if that one protestor is represented here today?

AL COLLINS:

I have no idea.

DEPUTY CITY MGR. SAYLOR: Yes, he is I believe, Mayor.

MAYOR BRIARE:

Did you wish to add anything to the application we have before us?

AL COLLINS:

No, we'll go with the recommendations of Planning.

MAYOR BRIARE:

The procedure was explained on a little earlier item. Your the applicant. We will hear from the protestant and then you will be given an opportunity to make comment on his, but you will not be allowed, Mr. Collins, you will not be allowed to go back and represent an application. You can only address your remarks to the rebuttal to anyone protesting this application. Is there anyone in the audience that's here to protest this application?

DICK BOBERTZ:

Mr. Mayor and members of the Council. My name is Dick Bobertz. I live at 4241 Park Court in Las Vegas. I represent only myself as a City of Las Vegas taxpayer. I must protest this application because I believe it will cause inefficient and expenditure tax funds and I really believe that a positive action on this appli-

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

G. ZONE CHANGE - Z-54-84 - WEST SAHARA INVESTMENT CO. & G.2 - MAP

PAGE 2

DICK BOBERTZ:

cation will really commit the taxpayers of this City to about 20 years of inefficient expenditures. By way of illustration, I'd like to give you the example of Sahara Avenue. To accommodate for proposed development, Sahara Avenue will require two miles of major improvements to reach the site, that's from Rainbow Boulevard. It's now a two-lane paved road. I expect and I think that almost anyone will agree that road will have to be expanded to four lanes at approximately a million dollars a mile, that's a rule of thumb, but I think it's fairly close. As will, probably either Spring Mountain or Desert Inn or Carlestone to accommodate 20,000 people two miles out from Rainbow. This is at a time when we're 100 million dollars plus behind in the original highway improvements for the already urbanized area. I can't help but wonder where the millions of dollars for those road improvements will come from and I wonder which area of the community will suffer when their project is moved down the list to make way for the extension of Sahara. The highway costs are just the tip of the iceberg. All services are much more expensive to provide and maintain when growth occurs that far from existing urban development. So I must protest this application. I think it constitutes leapfrog development. There are volumes of information to substantiate the fact that leapfrog development is most inefficient. It's the most inefficient possible way to accommodate future growth. I sincerely hope you will give consideration to these factors in your deliberation today. Thank you.

MAYOR BRIARE:

Thank you, Mr. Bobertz. Is there anyone else that's here today that wishes to protest this request? Then, Mr. Collins, for rebuttal purposes if you wish, the microphone is yours.

AL COLLINS:

I have nothing to say other than, as a developer, I've never yet developed anything that didn't have to, at a later date have some improvements installed, but it's a normal part of progress in the County and the City.

COUNCILMAN LURIE:

I have a question that you said you would agree to the Planning Commission's recommendations. Staff's recommendation has the R-PD to R-PD7 on the southwest portion. Was that agreeable also?

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

G. ZONE CHANGE - Z-54-84 - WEST SAHARA INVESTMENT CO. & G.2 - MAP

PAGE 3

AL COLLINS:

Oh, that. I would go with Planning Commission's recommendation which was to restore the R-PD23 and we would install conduits in Sahara Avenue for future traffic lights so that those streets wouldn't have to be cut.

MAYOR BRIARE:

Any other questions or comments? Councilman Nolen.

COUNCILMAN NOLEN:

I have a question that was --

MAYOR BRIARE:

Mr. Saylor, how -- I guess that's all. There's no more questions from the Council. Mr. Collins didn't address the comment about the length of improvements that would have to be made on West Sahara from Rainbow west. Do you have any comments on that?

DEPUTY CITY MGR. SAYLOR:

Well, except to say, yes, improvements will have to be made and that's been the history of the whole growth of Las Vegas. We try to anticipate growth hoping that the growth will take place and pay for the improvements. Some 40 years ago when I was in graduate school in planning taking my graduate degree one of the philosophies of planning that was expounded at that time was that a city should grow by a series of concentric circles with the heaviest density the core area and then expanding out with lower densities, but from a practical viewpoint, working in the realm of democratic processes, the realm of economics of supply and demand and what it takes to provide development, we know that cities don't grow that way. The fingers extend out, either because of transportation corridors, because of natural features, rivers, whatever and then gradually growth fills it all in again; and, as as I said, historically that's been the pattern. This, is as you can see on the wall up there, immediately to the north of this is two miles of City area and extending a mile to the west is City. This is an integral part of the overall growth pattern and sure these things have to be paid for, but no matter where growth takes place, you have these costs and the growth then takes care of the cost.

COUNCILMAN LEVY:

Mr. Mayor.

MAYOR BRIARE:

Councilman Levy.

EXCERPT - CITY COUNCIL MEETING - AUGUST 15, 1984

X. COMMUNITY PLANNING & DEVELOPMENT

G. ZONE CHANGE - Z-54-84 - WEST SAHARA INVESTMENT CO. & G.2 - MAP

PAGE 4

COUNCILMAN LEVY:

I don't know -- Mr. Bobertz is his name -- realized that just a few years ago this board zoned on the north side of Sahara between Charleston and Sahara, almost -- well, two miles of property to be residential and if this property had been developed and the developer had been probably a little more successful, then we probably wouldn't be talking today about this south side of Sahara and the fact that it's been annexed into the City. I can't see how this differs from any other parcel of land within the City limits that we are analyzing and to be developed. I think sometimes these people get carried away and I feel that we're doing the right thing here today.

MAYOR BRIARE:

Any other comments by the Council meembers? We have two parts to Item G. There's part 1 and part 2. What's the pleasure of the Council?

COUNCILMAN NOLEN:

Your Honor, I MAKE A MOTION THAT WE FOLLOW THE RECOMMENDATION OF THE PLANNING COMMISSION ON G-1 -- let me find part 2.

MAYOR BRIARE:

G-2 is on page 46.

COUNCILMAN LEVY:

That's just the tentative map.

COUNCILMAN NOLEN:

THEN MOVE FOR APPROVAL ON G-2.

MAYOR BRAIRE:

Comments by the Council? All subject to the recommendations?

COUNCILMAN NOLEN:

RECOMMENDATIONS OF THE PLANNING COMMISSION.

MAYOR BRIARE:

Comments by the Council? Cast your votes. Post. Motion's APPROVED. (Motion carried unanimously)

END OF EXCERPT

AGENDA

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED) - ZONE CHANGEG. TENTATIVE MAP RELATED TO ZONE CHANGE Z-54-84
(Item F.1)2. THE LAKES AT WEST SAHARA PHASE I

Property generally located west of Durango Drive and south of Sahara Avenue, N-U Zone (proposed R-PD3, R-PD4 and R-PD7).

Owner: West Sahara Investment Co.

Subdivider: E.L. Collins

No. of Acres: 79.5 No. of Lots: 169

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

1. Approval of zoning application Z-54-84.
2. Conformance to the conditions of approval for Z-54-84.
3. No vehicular access from the abutting residential lots to any street which has a width of 80 feet or greater and is located within the perimeter of the development.
4. A waiver be permitted for the length of the cul-de-sac streets.
5. Approval of the hammerhead cul-de-sac design for the private streets in the R-PD3 and R-PD4 areas.
6. Provide emergency access to each residential area as required by the Dept. of Fire Services with final design to be approved by the Dept. of Community Planning and Development.

Nolen -
APPROVED Items G-1
and G-2 as recom-
mended by the
Planning Commission.
Unanimous

Clerk to notify
and Planning to
proceed.

A. E. Collins,
Collins Bros.,
5195 S. Las
Vegas Blvd.,
appeared and
represented
the applicant.

Richard Bobertz,
4241 Park Court,
appeared in
opposition.

APPROVED AGENDA ITEM

mp Cole

AGENDA

CITY COUNCIL MINUTES - AUGUST 15, 1984

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City of Las Vegas

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED - ZONE CHANGE)

G. TENTATIVE MAP RELATED TO ZONE CHANGE Z-54-84
(Item F.1)

APPROVED
See Page 46

See Page 46

2. THE LAKES AT WEST SAHARA PHASE I

Conditions (continued)

7. Provide paved access along Sahara Avenue from Durango Drive to the most westerly north/south street and on both north/south streets from Sahara Avenue to the interior loop street as required by the Department of Community Planning and Development.

8. If a wall is constructed on an exterior boundary street, the CC&R's 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.

APPROVED AGENDA ITEM

mp Cool

To: The City Council
Re: Community Planning and Development Agenda Item
August 15, 1984 City Council Agenda

X.

G. 2. TENTATIVE MAP - THE LAKES AT WEST SAHARA PHASE I

This tentative map is related to the zone change under Item G. 1. The map is for residential development on the east and west sides of the lake. A portion of the subdivision will have private streets. The map conforms to the Subdivision Regulations and to the zoning plan submitted under the rezoning application. If the zoning application is approved, this map may also be approved.

PLANNING COMMISSION RECOMMENDATION : APPROVAL (Unanimous)

STAFF RECOMMENDATION: APPROVAL

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ITEM

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X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)H. SET DATE FOR PUBLIC HEARING ON ANY ITEM
REQUIRING A PUBLIC HEARING THAT WAS ACTED
UPON BY THE CITY PLANNING COMMISSION AT
ITS AUGUST 9, 1984 MEETING.

VAC-14-84

9/5/84 Agenda

I. SET DATE ON ANY APPEALS FILED OR REQUIRED
PUBLIC HEARINGS FROM THE BOARD OF ZONING
ADJUSTMENT MEETING HELD JULY 26, 1984.

NONE

NONE

APPROVED AGENDA ITEM

mp Cool

AGENDA*City of Las Vegas*

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XI. ADDENDUM ITEMS

NONE

NONE

APPROVED AGENDA ITEM

mp Carr

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August 15, 1984

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CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
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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 3:45 P.M.

APPROVED AGENDA ITEM

mp Carr

STATE OF NEVADA)
)
COUNTY OF CLARK) ss

Joanne Perez, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 22nd day of August, 1984, at the hour of 11am there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an SPECIAL MEETING of the CITY COUNCIL, of the CITY OF LAS VEGAS, NEVADA, to be held on the 27th, day of August, 1984, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

1. In the Bradley Building, State of Nevada, 2501 E. Sahara Avenue;
2. In the Senior Citizens Center, 450 East Bonanza Road;
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 Perez
SIGNATURE

City Clerk
DEPARTMENT

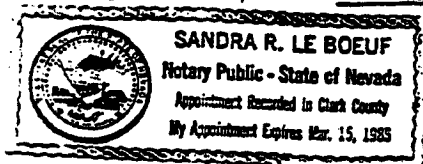
Subscribed and sworn to before me this

22nd day of August, 1984

Sandra R. Le Boeuf
NOTARY PUBLIC in and for said County

and State.

My Commission expires: 3-15-86



City of Las Vegas

0295

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

THE LAS VEGAS CITY COUNCIL WILL MEET ON MONDAY, AUGUST 27, 1984, AT THE HOUR OF 2:00 P.M. IN THE CITY COUNCIL CHAMBERS, PLAZA LEVEL, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA, TO CONSIDER THE FOLLOWING MATTER.

AGENDA

IV.(a) ADMINISTRATIVE AGENDA

- A. DISCUSSION OF ITEMS EFFECTING THE CITY OF LAS VEGAS WITH U. S. SENATOR CHIC HECHT AS SET FORTH ON THE ATTACHED AGENDA DOCUMENTATION.

AGENDA DOCUMENTATION

TO: The City Council

FROM:

Ashley Hall
City ManagerSUBJECT: DISCUSSION OF ITEMS EFFECTING THE CITY OF LAS VEGAS WITH U. S. SENATOR CHIC HECHT
AS SET FORTH BELOW:PURPOSE/BACKGROUND

United States Senator Chic Hecht wishes to meet with the City Council members on August 27, 1984, at 2:00 P.M. to update us personally on events in Washington. He is also interested in discussing matters of importance in the City and would like to hear your concerns on matters, be it community, state or national in scope.

In Senator Hecht's letter to me he indicated he wanted to meet with the entire Council at the same time. Therefore, compliance with the Open Meeting Law is necessary.

Listed below are the items I believe are of concern to the City of Las Vegas:

1. Assist us in identifying Federal resources for the purpose of acquiring computer hardware components and software training for improving economic development programs.
2. Assist local groups in applying for SBA 503 certification.
3. Assist us in working with UMTA, EDA, and HUD in obtaining resources for special community and infrastructure projects.
4. Assist us in identifying Federal programs which will assist the City in improving flood control, fire prevention, and municipal court operations.
5. Assist us in identifying funds available for dislocated workers through Department of Labor and Education.
6. Assist in identifying grants which will allow the City to use local institutions (UNLV, non-profit research institutions) in developing local economic development plans.
7. Discussion of BLM paying their share of improvements to streets that they own in Special Improvement Districts.
8. Other matters which may be of concern to the City Council with respect to which Senator Hecht may be able to provide assistance.

AFFIDAVIT OF MAILING
CITY COUNCIL MINUTES - AUGUST 15, 1984

0297

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
COUNTY OF CLARK) ss

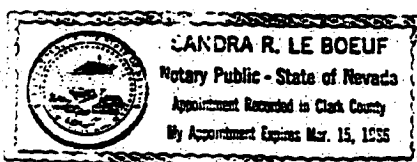
Donna Chen, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 22nd day of August, 1984, a copy of an AGENDA (NOTICE), the attached of which is a true and correct copy, of a SPECIAL MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on the 27th of August, 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).

Donna Chen
SIGNATURE (an employee in the Office of
the CITY CLERK)

Subscribed and sworn to before me this

22nd day of August 1984

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



AGENDA*City of Las Vegas*August 27, 1984
2:00 P.M.

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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**

- A. DISCUSSION OF ITEMS AFFECTING
THE CITY OF LAS VEGAS WITH
U. S. SENATOR CHIC HECHT AS
SET FORTH ON THE ATTACHED
AGENDA DOCUMENTATION.

PRESENT: COUNCILMEN LURIE, LEVY,
CHRISTENSEN, NOLEN AND
SENATOR CHIC HECHT.
EXCUSED: MAYOR BRIARE

DISCUSSION WAS HELD ON THE ITEMS
LISTED ON THE AGENDA DOCUMENTATION
REGARDING OBTAINING FEDERAL FUNDING
FOR VARIOUS LOCAL PROJECTS.

A VERBATIM TAPE IS ON FILE IN THE
CITY CLERK'S OFFICE.

MEETING ADJOURNED AT 2:45 P.M.

AGENDA DOCUMENTATION

Date: August 21, 1984

TO:
The City CouncilFROM:
Ashley Hall
City ManagerSUBJECT: DISCUSSION OF ITEMS AFFECTING THE CITY OF LAS VEGAS WITH U. S. SENATOR CHIC HECHT
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RECOMMENDATIONS

Agenda Item

IV.(a) A.