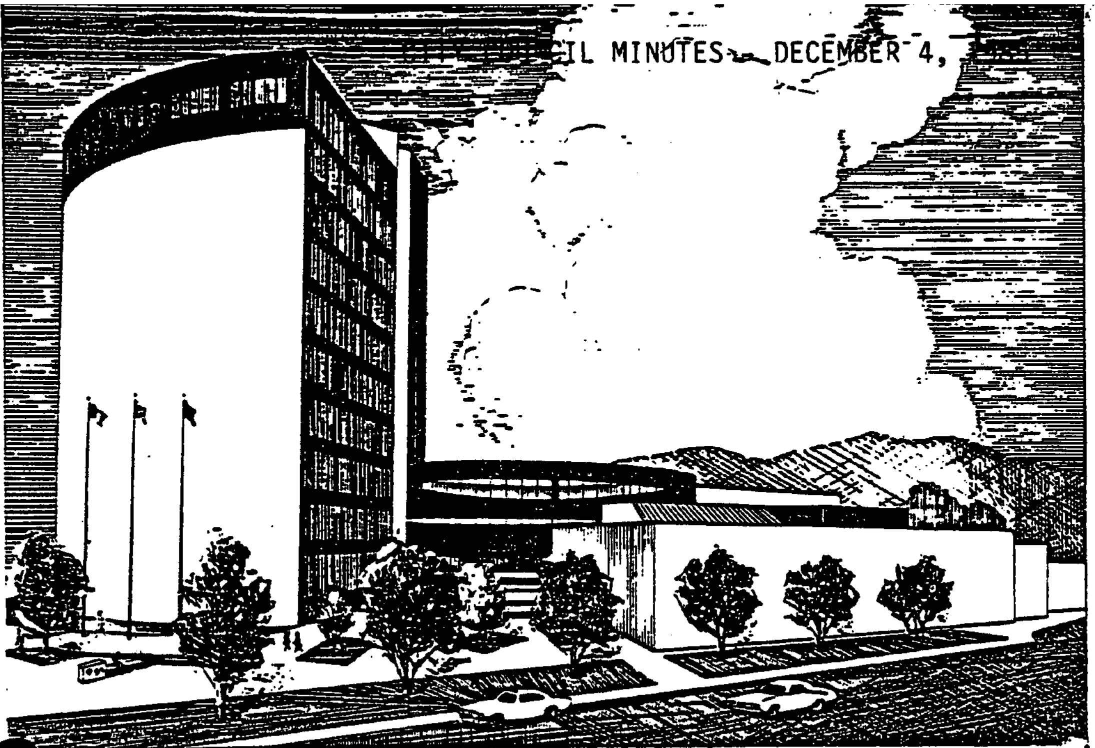

MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: Dec. 4, 1985

TIME: 9:45 A.M.

INVOCATION: Dr. Tommy Starkes - Church on the Strip

PLEDGE OF ALLEGIANCE: Mayor Led Audience in Pledge

CITY COUNCIL	PRESENT	ABSENT	EXCUSED
MAYOR BILL BRIARE	☒	☐	☐
COUNCILMAN RON LURIE MAYOR PRO-TEM	☒	☐	☐
COUNCILMAN AL LEVY	☒	☐	☐
COUNCILMAN BOB NOLEN	☒	☐	☐
COUNCILMAN W. WAYNE BUNKER	☒	☐	☐
CITY ATTORNEY			
GEORGE F. OGILVIE	☒	☐	☐

APPROVED BY REFERENCE February 5, 1986

ATTEST:

Carol A. Hawley
CITY CLERK

William H. Briare
MAYOR

This Meeting Contains some page(s) that are illegible/poor quality

AGENDA

City of Las Vegas

December 4, 1985

Page 1

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

ITEM	Council Action	Department Action
I. 9:45 A.M.	FULL COUNCIL PRESENT	
A. COMMUNITY RELATIONS National Finals Rodeo Presentation by Chuck Ruthe to the City of Las Vegas.	Belt Buckles commemorating the first National Finals Rodeo were given to the Mayor and Councilmen. Mayor noted City employees would be attired in western wear to warmly welcome this significant event in Las Vegas.	
B. SPECIAL EVENTS United Way Presentations	Special awards were presented to the Warehouse Division for 100% participation; the Mayor's office for highest per capita contribution and the Fire Services Department for being the No. 1 contributor.	
II. 10:00 A.M.		
A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW	ANNOUNCEMENT MADE	
B. INVOCATION Dr. Tommy Starkes Church on the Strip	INVOCATION GIVEN BY DR. STARKES	
C. PLEDGE OF ALLEGIANCE	MAYOR LED AUDIENCE IN PLEDGE	
	Mayor Briare announced that the first City Council meeting in January would be held on Thursday, January 2, 1986.	

APPROVED AGENDA ITEM

[signature]

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Joanne Geary, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 26th day of November, 1985, a copy of the AGENDA (NOTICE), of Regular MEETING of the CITY COUNCIL of the CITY OF LAS VEGAS, NEVADA, to be held on the 4th day of December, 1985 was deposited in the United States Mail, Postage prepaid, First Class Mail, Postage prepaid, First Class Mail, to each 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 Geary
SIGNATURE (an employee in the Office of the City Clerk)

Subscribed and sworn to before me this

27th day of November, 1985

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

My Commission expires: 3-15-86

SANDRA R. LE BOEUF
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Mar. 15, 1986

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 26th day of November, 1985 at the hour of 9 am there were posted copies of the attached AGENDA (NOTICE), of a Regular Meeting of the CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, to be held on the 4th day of December, 1985, 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 East Sahara Avenue;
2. In the Senior Citizens Center, 450 East Bonanza;
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 Office
DEPARTMENT

Subscribed and sworn to before me this 27th day of November, 1985

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

My Commission expires: 3-15-86

SANDRA R. LE BOEUF
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AGENDA

City of Las Vegas

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

December 4, 1985

ITEM		Council Action	Department Action
	III. DEPARTMENT OF BUSINESS ACTIVITY JERRY J. CAHILL, DIRECTOR		
	*CONSENT AGENDA All matters listed under Item A are considered to be routine by the City Council and may be enacted by one motion. However, any item may be discussed if a Councilman or citizen so requests.		
0:05	*A. GAMING -- Additional 1. JDG, INC. Sundance Hotel & Casino 301 East Fremont 9 slots	Lurie - APPROVED Items 1 thru 4. Unanimous	Staff to proceed
	2. EXBER, INC. Western Hotel & Casino 899 East Fremont 3 slots	APPROVED See Above	See Above
	3. J.J. PARKER COMPANY Fremont Mini Market 1404 East Fremont 3 slots	APPROVED See Above	See Above
	4. NEVADA COIN MACHINE COMPANY B & P's Getaway 1111 South Decatur 7 slots	APPROVED See Above	See Above

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
0:06	B. LIQUOR -- Request for Preliminary Approval on Transfer of License 1. From: Leandrew Lamar McDaniel dba Henry's Liquor 632 North "H" Street Leandrew Lamar McDaniel, 100% TO: LOUNELL MC DANIEL, 100% General On-Off Sale	Nolen - APPROVED, subject to conditions as recommended by Staff. Unanimous	Staff to proceed
0:06	C. LIQUOR -- Change of Ownership 1. From: P-K Corporation Paul W. Weiner, Sole Officer, Dir TO: *PANDA, INC. dba BLACK FOREST WINE CELLAR RESTAURANT 2513 Teddy Drive, #1 Beer/Wine On-Sale License Laurice Joy Resci, Pres, V.P., Secy, Treas, Dir, 100% *Subject to the provisions of the Fire codes and Health Department regulations	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed

AGENDA DOCUMENTATION

Date: November 22, 1985

TO: The City Council

FROM: GRANVILLE M. BOWMAN
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- DECEMBER 4, 1985 CITY COUNCIL AGENDA
LIQUOR -- Request for Preliminary Approval on Transfer of License

PURPOSE/BACKGROUND

Appearing on the agenda is a request from Lounell McDaniel for preliminary approval on the transfer of the general on-off sale liquor license currently issued to Leandrew McDaniel for prior operation at Henry's Liquor, 632 North "H" Street.

Following is a synopsis outlining actions taken by the City Council regarding this license:

Date	Item	Action
4/9/84	Complaint to Show Cause	License Revoked
6/6/84	Rehearing regarding the Revocation	Revocation action rescinded; license suspended for 90 day period with condition that license be sold or transferred within said 90 day period or revocation shall be reimposed. Sale or transfer shall not be to person under the control of licensee.
9/5/84	Request for transfer of license to Sidney Rudich	Motion to extend the time for automatic revocation of license (as established on 6/6/84) until 9/19/84.
9/19/84	Request for transfer of license to Sidney Rudich	Abeyance until such time as license has been released by bankruptcy and divorce courts.

Copies of documents filed with the Department of Business Activity in recent months reveal:

1) Thru a divorce decree dated May 3, 1985, Lounell McDaniel was granted the liquor license for Henry's Liquor as her sole and separate property.

2) Prior applicant Sidney Rudich was notified on August 16, 1985 by the McDaniels bankruptcy attorney that his purchase agreement for the license was deemed to be in no force or effect. Subsequently, the Department of Business Activity notified Mr. Rudich that his application was moot.

3) The bankruptcy of Leandrew and Lounell McDaniel was dismissed on September 13, 1985.

Attached is a copy of a letter dated October 25, 1985, from Lounell McDaniel requesting preliminary approval of her application for transfer of this license. If approval is granted, the following conditions are recommended:

1) That preliminary approval be granted for a one-year period.
2) That upon securing a location, the applicant submit the necessary application and documentation to staff for investigation and subsequent presentation to the City Council for approval of said location and business name.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III B 1

October 25, 1985

Mayor and City Council
Las Vegas, Nevada

Attention: Jerry J. Cahill, Director
Department of Business Activity

Gentlemen:

This letter is to request preliminary approval of the transfer of the liquor license currently issued under Henry's Liquors, 632 North "H" Street.

This license has been granted to the undersigned thru a divorce decree. I am requesting preliminary approval for a one-year period in order to give me sufficient time to relocate the license to a new location.

Lounell McDaniel

Lounell McDaniel

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
10:06	D. LIQUOR & GAMING -- Approval of Additional Corporate Principals 1. VRANESH AND VRANESH, INC. dba BROTHERS MARKET 1221 East Sahara General Off-Sale License Restricted Gaming: 15 slots Michael Allen Vranesh, Dir, V.P., 18% David Marko Vranesh, Dir, Secy, Treas, 19% Anthony Hyatt Loring, Dir, V.P., 15%	Lurie - APPROVED, subject to staff's conditions. Unanimous	Staff to proceed
10:07	E. AUCTIONEER LICENSE -- Change of Ownership 1. From: James M. Watson (deceased) TO: DANIEL CLAY WATSON dba LAS VEGAS AUCTION CENTER 734 North Nellis Blvd. Daniel Clay Watson, 100%	Lurie - APPROVED Unanimous	Staff to proceed

AGENDA

City of Las Vegas

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

December 4, 1985

	ITEM	Council Action	Department Action
	III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
10:07	F. LOCKSMITH LICENSE -- New 1. *THOMAS ENO dba VALLEY LOCK & KEY 2220 East Bonanza Thomas Francis Eno, 100% *Subject to the provisions of the Planning and Fire codes	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed
10:07	G. SECONDHAND DEALERS LICENSE -- New 1. *MICHEL ELMALEM dba ACE RESTAURANT EQUIPMENT & SUPPLY 1805 Western Avenue Class II Michel Meir Elmalem, 100% *Subject to the provisions of the Fire codes	Lurie - APPROVED, subject to the provisions. Unanimous	Staff to proceed
10:08	2. *SELLERS MARKET, A PARTNERSHIP dba SELLERS MARKET 3053 Valley View Boulevard Class II Jeffrey Kogan, Partner, 50% Theodore Thorp, Partner, 25% Charles Finnegan, Jr., Partner, 25% *Subject to the provisions of the Fire codes	Lurie - APPROVED with a six-month review and subject to staff's conditions and to the provisions. Motion carried with Briare voting "No."	Staff to proceed APPEARANCES: Lt. Hash Hanief, Metro Jerry Cahill, Bus. Activity Marge Love, Metro Jeffrey Kogan, Applicant

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

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 10:00 A.M. - PAGE 1
III. DEPARTMENT OF BUSINESS ACTIVITY - G. 2. SECONDHAND DEALERS LICENSE - NEW - SELLERS MARKET

MAYOR BRIARE: Number two on that secondhand dealers license is for Sellers Market. There is a favorable police report. However, there is a condition with respect to doing business out of state. Officer, did you want to make further comment on that at this time?

LT. HASH HANIEF: Just if the owners understand the conditions. We are concerned. I also have the Metro personnel in charge of our pawn detail if there's questions in regard to the area there.

MAYOR BRIARE: Is Mr. Kogan present?

JEFFREY KOGAN: Yes.

MAYOR BRIARE: Mr. Kogan, you're the -- I guess you're the managing -- are you the managing partner?

JEFFREY KOGAN: That's correct.

MAYOR BRIARE: Are you -- are you familiar with what Lt. Hanief has just mentioned?

JEFFREY KOGAN: Yes, I am. I've been in discussion with the City Business Department and the Metropolitan Police Department.

MAYOR BRIARE: How do you police this?

LT. HASH HANIEF: We would treat it just like our --

MAYOR BRIARE: I mean as far as your computers and --

LT. HASH HANIEF: -- our pawn shops. Well, that's part of the problem is if we don't get to physically see the property on an inspection basis or if they don't get to physically see the property, there is no way to judge that the proper serial number has been recorded. We really need it to be run like our other secondhand and pawn detail so we can accurately keep information on the property that's being transacted.

COUNCILMAN LEVY: Do you have any problem with that?

JEFFREY KOGAN: I have no problem at all with any of that, no.

MAYOR BRIARE: I was -- I am trying to elicit a statement of some sort from you indicating that you're not going to

MAYOR BRIARE:	be --
JEFFREY KOGAN:	The business is broken into two distinct entities. The first entity is a computerized listing service, very similar to that of what say the Nifty Nickel or the newspaper, as far as that goes. The only difference is we utilize computers to be able to match a potential buyer with a potential seller a lot quicker than going through standard pieces of paper. The secondary portion of it is the consignment or the warehousing of it to showroom, which is, of course, open to all investigation.
MAYOR BRIARE:	In other words, it comes to you. The merchandise comes from somewhere else to you and into your warehouse.
JEFFREY KOGAN:	That is correct.
MAYOR BRIARE:	I see.
COUNCILMAN NOLEN:	What concerns me is how can you verify anything on the listing. How can Metropolitan Police Department verify anything on your computer listing?
JEFFREY KOGAN:	All of the material that is brought into our consignment center is complete description of the product. It's actually greater than what the Metropolitan Police Department is.
COUNCILMAN NOLEN:	Where is your consignment center?
JEFFREY KOGAN:	It's located at 3050 Valley View Boulevard in the new Golden Showcase Shopping Center.
COUNCILMAN NOLEN:	Is that in Las Vegas?
JEFFREY KOGAN:	That is in Las Vegas, yes.
COUNCILMAN NOLEN:	Or in Clark County?
JEFFREY KOGAN:	No, it's in Las Vegas. And we report to the Metropolitan Police Department every single day with complete computer print outs that I've already provided to the Metropolitan Police Department.
LT. HASH HANIEF:	A computer printout doesn't work. We need something we can file. We can't file a computer printout.
COUNCILMAN LEVY:	What would you like to have?
LT. HASH HANIEF:	The secondhand slips just like they're provided to the pawn dealers and the secondhand stores.

COUNCILMAN NOLEN: Basically, what you're saying, the same thing that everybody else provides you with.

LT. HASH HANIEF: Correct.

JEFFREY KOGAN: There's no problem. We just thought that we would make it easier for the Police Department by doing it in a computerized format than a hand-written receipt method, which is what's presently being done. There is no problem with compliance in the latter.

LT. HASH HANIEF: And our concern is also that they don't accept out-of-state items. That was originally one of their plans to make this a nationwide situation. We need to verify that the information, the serial number, has been seen by somebody and written down, versus somebody over a telephone or some other method saying the serial number of the gun is. There's no way to verify that.

JEFFREY KOGAN: No product is ever sold through Sellers Market that doesn't physically come within the facility and verify it at that time as far as the listing goes. We never had intention of ever selling a product from another state. What our intentions were to expand the facility to make it an out-of-state facility, open up as many as possible, but they're still localized; that is, that each separate entity would have to deal with its own Business Licensing Department and its own Police Department. The only thing that we would combine is the communications via computers that a product does exist if somebody still wanted it out of state, but it would have to come through a Sellers Market there and that's in the future, that's not today. It's just what hopefully our plans will be.

COUNCILMAN NOLEN: That's the part that concerns me, quite frankly, is you know, somebody in Phoenix wants to -- has a particular weapon that somebody here wants, how can we -- how can our Police Department here verify that that weapon is not hot?

JEFFREY KOGAN: Well, number one, there would be no way to acquire the weapon because we are not purchasing products from out of state. What the situation would be if there was a Sellers Market in Phoenix, for example, that product would be consigned in Phoenix, Arizona. That product would never be transferred in the mail or any other means. They would have to --

COUNCILMAN NOLEN: You mean the individual would have to go to Phoenix to purchase it?

JEFFREY KOGAN: Certainly, sure, of course.

MAYOR BRIARE: Mr. Cahill, do you know offhand what is the license fee for a license such as this?

BUSINESS LICENSE DIRECTOR JERRY CAHILL: The license fee is $75 semi-annually.

MAYOR BRIARE: And Metro has to go out every day, or every couple of days, and -- Mr. Kogan, this really doesn't have anything to do with your -- it's just general information. Is that -- do you have to send men out every day or every other day or how frequently does Metro have to go out to these places?

LT. HASH HANIEF: To pick up the transaction slips? Marge can answer that.

COUNCILMAN LURIE: I thought they said that they deliver the slips to us.

JEFFERY KOGAN: That's what I understood.

MAYOR BRIARE: Oh, is that what they do?

MARGE LOVE: No. The tickets are mailed in on a daily basis.

MAYOR BRIARE: Mailed in.

MARGE LOVE: Uh hah. And then from this point we have ten days that they have to hold it.

MAYOR BRIARE: Sometime, not now, sometime it might be interesting to do a cost analysis of doing business this way because there is no question about it, this is a very sensitive type business and I'm not trying to raise your license fee, Mr. Kogan. Thank you, Mr. Cahill. Thank you. I just have one other question I need which has apparently, Mr. Kogan and Mr. Thorp and Mr. Finnegan are certainly clean as a whistle as far as the business, but my question is the business itself. Apparently, a secondhand store or a -- no pawn, it is not a pawn shop, just secondhand.

JEFFREY KOGAN: That's -- it's strictly consignment, yes.

MAYOR BRIARE: It can be located anywhere in the city as long as it is -- do you know how the property is zoned?

JEFFREY KOGAN: It's zoned M-1.

MAYOR BRIARE: Are you already zoned? Have we already approved this from a zoning standpoint?

JEFFREY KOGAN: Yes. It's zoned M-1, which is the required.

COUNCILMAN LEVY: It's a warehouse.

BUSINESS DIRECTOR JERRY CAHILL: M, M zone.

MAYOR BRIARE: Yes. You can conduct -- you can conduct a secondhand retail business out of an M-1 zone.

BUSINESS DIRECTOR JERRY CAHILL: That's correct.

MAYOR BRIARE: Mr. Kogan, I have -- I have a rather consistent record, only one vote on this board. I have a consistent record of being opposed to the establishment of certain kinds of businesses in certain areas. It doesn't do much good sometimes, but I'm -- I don't like to see -- I have a feeling that your business is going to be a different class of business than some of the other secondhand stores that are in existence.

COUNCILMAN LURIE: Mayor, there has been a lot of discussion this morning. I'D LIKE TO MOVE FOR APPROVAL OF THE APPLICANT WITH A SIX-MONTHS REVIEW OF THE APPLICATION, SUBJECT TO THE CONDITIONS, because this is kind of new and we don't have any kind of track record on it, but I think we'll give you six months to see what type of business you operate and how you keep your records and then you come back and possibly it will be permanent.

MAYOR BRIARE: Any comments on the motion? Cast your vote. Post. Motion is APPROVED.

(Motion carried with Briare voting "No.")

END OF DISCUSSION

/lo

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	III. DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
10:16	H. GAMING -- New 1. MIGHTY MART, INC. dba MIGHTY MART 515 East Oakey Blvd. Restricted Gaming: 4 slots Michael Zarvian, Dir, Pres Lauretta Dawn Zarvian, Dir, Secy, Treas, 100% jointly as husband and wife	Lurie - APPROVED Unanimous	Staff to proceed
10:16	I. LIQUOR -- Request for Approval of Nonoperational Status 1. LEANDREW MCDANIEL dba CLUB ROUGE 900 West Bonanza General On-Off Sale License Leandrew L. McDaniel, 100% (Nonoperational status for period 6/13/85 to 9/13/85 approved 6/5/85. Nonoperational status for period 9/13/85 to 12/13/85 approved 9/4/85. Request for approval of extension for additional three-month period: 12/13/85 to 3/13/86.)	Lurie - APPROVED , subject to staff's conditions. Unanimous	Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 22, 1985

TO:
The City Council

FROM:
GRANVILLE M. BOWMAN
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- DECEMBER 4, 1985 CITY COUNCIL AGENDA
LIQUOR -- Request for Approval of Nonoperational Status

PURPOSE/BACKGROUND

Item, "I", 1.

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

1. Leandrew McDaniel, dba Club Rouge.

Copy of letter requesting extension is attached.

Jerry J. Cahill
Jerry J. Cahill, Director
Department of Business Activity

FISCAL IMPACT

RECOMMENDATIONS

Agenda Item

III I 1

November 21, 1985

City Council
City of Las Vegas

Attention: Jerry J. Cahill, Director
Department of Business Activity

Gentlemen:

Please let this constitute my request for another extension of the inactive status of the liquor license held and previously used at Club Rouge, 900 West Bonanza, Las Vegas, Nevada, under license #L04-128-4-00178.

This extension is necessary in order to allow me additional time to find a suitable location and resources to reactivate the license.

Sincerely,

Leandrew McDaniel

Leandrew McDaniel

1985 NOV 21 P 1:55
RECEIVED
BUSINESS ACTIVITY

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM		Council Action	Department Action
	III.	DEPARTMENT OF BUSINESS ACTIVITY (cont'd)		
:16	J.	Review of the conditions placed on the business operation at the Pit Spot, 1451 West Owens. (Per Councilman Nolen)	Lurie - Motion APPROVED allowing Pat Ginn to be on premises and cook on behalf of the business. Motion carried with Nolen voting "No."	Staff to proceed Atty. Neil Beller and Mrs. Ginn appeared and represented the Pit Spot.

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

Carr Lawman

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 22, 1985

TO: The City Council

FROM: GRANVILLE M. BOWMAN
DEPUTY CITY MANAGER

SUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- December 4, 1985 CITY COUNCIL AGENDA
Review of Conditions placed on Liquor License

PURPOSE/BACKGROUND

Item, "J".

The Pit Spot, 1451 West Owens, was approved by the City Council on August 21, 1985, for a new beer/wine off-sale license. Licensee of record is:

The Pit Spot (a Nevada Corporation)
Wai Chun Ginn, Pres, Secy, Treas, Dir, 100%

Attached is a copy of the transcript from the August 21st meeting. Also, a copy of the confidential police report previously submitted will be furnished to the City Council prior to the December 4th meeting.

Jerry J. Cahill
Jerry J. Cahill, Director
Department of Business Activity

FISCAL IMPACT

RECOMMENDATIONS

Agenda Item

III J

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 10:00 A.M. - PAGE 1
III. DEPARTMENT OF BUSINESS ACTIVITY. J. REVIEW OF THE CONDITIONS PLACED ON THE BUSINESS OPERATION AT THE PIT SPOT, 1451 WEST OWENS.

MAYOR BRIARE: Item J is a request to review the conditions that were placed on the original application of the Pit Spot.

COUNCILMAN NOLEN: Yes, Your Honor, I asked that this be placed on the agenda. I have been receiving numerous complaints from residents in the area regarding Mr. Ginn's involvement in the operation of the business. As I recall when we originally approved this license it was subject to certain conditions and in reviewing the minutes we have in our backup material, Councilman Lurie moved for approval and in that motion he said that the applicant's husband would have no part in the business. The motion was approved based on that. Mr. Beller asked on the record if he could do some cooking in the back room and I said I would personally object to that and I would ask that he not be involved in any way; let them hire a cook. That was part of the record. Based on that, the motion passed. Now it is my feeling that they accepted the license based on those conditions and I feel that if he is actively involved in the operation of the business, they are violating the terms and conditions under which the license was issued. If that's the case, then I would suggest that we have a show-cause hearing. If it's not the case, if it's strictly a matter where he's there to be with his family and he's not involved in the operation of the business, I would have no objection to that, but I think we have to clarify it and make sure it's clearly understood how the business license was issued and the subject and conditions of the license.

ATTY. NEIL BELLER: Good morning. Neil Beller representing Candy Ginn. First of all, if I may make this statement prior to going into what Councilman Nolen has said. Candy Ginn is the sole licensee of the Chinese Kitchen on Sahara off of Paradise. She is currently working approximately from 5 P.M. to 2 A.M. in the morning between both locations. They have three children, one of whom is a freshman in the University of San Diego. She has another boy fourteen years old that goes to Gorman and another child that goes to St. Anne's. She has invested through a trust over $200,000 into the business. She has had a cancer operation in 1983, in addition to which she has had two aneurysms in 1984 requiring a seven hour operation and the doctor has advised her that if she continues working at this pace

ATTY. NEIL BELLER: conceivably she could have a stroke. As it relates to the license at hand, in reading what Councilman Lurie stated and that is there was a concern in this report concerning the husband that he has no part in the business, that he has no active part in the business. The Mayor said "good morning." I indicated that Mr. Ginn had proposed to do some cooking in the back room in the kitchen and we would request that if there is a motion that it wouldn't be without prohibition. Councilman Nolen objected to that and stated, "I would ask that he not be involved in any way. Let him hire a cook." And I indicated that that is the motion, that he will not be involved as far as the operation is concerned. I would represent to this body that the only thing that Mr. Ginn does, in light of the fact that Mrs. Ginn has the two locations, is that he brings the boys there to do their homework and to be with his family. With her work schedule being the way it is physically they have no home life and the home life has to revolve around the Pit Spot and/or the Chinese Kitchen. I had asked Councilman Nolen to put this back on for a review to see whether or not we could have some very limiting conditions as it relates to Mr. Ginn and the only involvement that he would propose to have, subject to your approval, would be literally cooking in the kitchen area. This establishment is on Highland and Owens. They cannot get oriental people to work there. The few people that they have work there have left and it really requires an oriental who has expertise in cooking oriental food because that's in essence what they have there. It's a converted gas station and they specialize in Chinese food. I have with me here today Bishop Eden Webb and his nephew, who Mr. Webb is the Bishop in the Church of God in Christ in the immediate area and Mr. Webb's nephew is an elder in that same church, has known Mr. Ginn for approximately 15 or 20 years and he would be prepared, if the Council would be inclined to hear him, or both of them, that they have no objection as it relates to Mr. Ginn working in a very limited area and that is the kitchen. I recognize that Mr. Ginn had a problem going back now in excess of 8 years. Mrs. Ginn is always on the premises, unless she is commuting to and from, and I would literally request that Mr. Ginn be allowed to work there with the condition that he not be allowed to ring up any sales insofar as the general store is concerned and just limit his involvement to the kitchen area and just around the inner area of the establishment without any customer contact

ATTY. NEIL BELLER: and that would be our request this morning.

MAYOR BRIARE: Mr. Beller, I can understand that you made the request for clarification here. What I don't understand is why it's even here in the first place. Mr. Ogilvie.

CITY ATTORNEY GEORGE OGILVIE: Yes, Mr. Mayor.

MAYOR BRIARE: What right has a governing board got, for heavens sake, after a man has made a mistake and paid a penalty and was subject to community embarrassment and his family, and everything, how long does it have to go before a man has paid his price, paid his penalty?

CITY ATTORNEY GEORGE OGILVIE: Well, --

MAYOR BRIARE: Does he have to come before a board of five elected officials to even wash dishes?

CITY ATTORNEY GEORGE OGILVIE: No, not to wash dishes. It depends on what type of activity the person wishes to engage in. Certainly washing dishes does not require the Board approval. If he is going to be a manager of a privileged license business, then he would have to come before this Board for approval. I would point out that in the original police report on Mrs.Ginn's application it was recommended that the license be granted subject to the condition that Mr. Ginn take no active part in dispensing of or sale of alcoholic beverages at this location. I think that's a perfectly legitimate condition to be placed on the license because it is a privileged license. One of the provisions in the City's Liquor Code is that a person who has had a previous license denial or revocation cannot be licensed to carry on a privileged business. As I understand it Mr. Ginn had had a previous license revoked and so I think the condition which the Police Department had recommended is perfectly a legitimate concern of this Board. On the other hand, you mentioned dishwashers in restaurants. I would like to point out that our work card ordinances do not require cooks to have work cards in order to work in kitchens of a privileged license business. I think that is what Mr. Beller is requesting at this time, and all that he is requesting, and I just advise you that that is not -- your approval for that type of work is not required by our ordinances.

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 10:00 A.M. - PAGE 4
III. DEPARTMENT OF BUSINESS ACTIVITY. J. REVIEW OF THE CONDITIONS PLACED ON THE BUSINESS OPERATION AT THE PIT SPOT, 1451 WEST OWENS.

COUNCILMAN LEVY: Can I ask a question? Is Mr. Ginn still on probation?

PAT GINN: Sir?

COUNCILMAN LEVY: Are you still on probation?

PAT GIN: No, sir. It ended about four or five years ago.

COUNCILMAN LEVY: I agree with the Mayor.

COUNCILMAN NOLEN: Well, I have to personally disagree. This license was accepted under certain conditions. You took the license, you walk away, and then you try to violate it and you come back in here and try to ram this back down the citizens throats. This is wrong!

MAYOR BRIARE: Do you think Mr. Beller is ramming something?

COUNCILMAN NOLEN: This body has sat here many times and had people stand up here that have had violations that go back much further than his and denied them work cards, denied them license, and denied things to them. Now because you want to try to bring him forth to me and tell me this is the pillor of the community who made a mistake eight years ago, you want to rewrite the rules. They accepted the license under those conditions and that's the conditions and I think they should stick.

MAYOR BRIARE: You know, I'll say this, Councilman Nolen, I sure don't agree with you and Mr. Beller, I'm making your job easy here. I would just love -- I'm not going to ask Mrs. Hawley to read back the invocation this morning, but, boy, if the Reverend was here, he'd probably blush at those kind of comments where you talk about he wants this board to have the wisdom of Solomon, the patience of Job, and the compassion of Jesus. Boy, we don't have any of those three with that kind of attitude.

COUNCILMAN NOLEN: No, I certainly don't when you --

MAYOR BRIARE: But you're entitled to your opinion, the same as I'm entitled to mine.

COUNCILMAN NOLEN: I certainly am and when you come in and you want to change the rules to fit a circumstance and a situation, I object to it. A license was accepted under those conditions and I think they ought to stay.

III. DEPARTMENT OF BUSINESS ACTIVITY. J. REVIEW OF THE CONDITIONS PLACED ON THE BUSINESS OPERATION AT THE PIT SPOT, 1451 WEST OWENS.

ATTY. NEIL BELLER: I might add that from my conversation with Mr. Hanief, and please correct me if I'm saying something that is not your understanding, that he had no objection to Mr. Ginn doing cooking there.

COUNCILMAN LEVY: He doesn't have that decision to make.

MAYOR BRIARE: Staff.

COUNCILMAN BUNKER: Well, the recommendation did not include cooking. It included the dispensing of liquor and so forth. Metro's recommendation did not include cooking.

COUNCILMAN LURIE: What the recommendation was is that he have no active part in the business.

COUNCILMAN BUNKER: No.

COUNCILMAN LEVY: No.

COUNCILMAN LURIE: The motion that's going to be -- the part of the motion was, no active part in the business, and that was Metro's concern, which means, in my opinion, hiring and firing, making the daily decisions of the business. It had nothing to do with cooking. I mean, if the man wants to cook, or wash dishes, it has nothing to do with the active part of the business because the active part of the business is what Mrs. Ginn has to do.

COUNCILMAN LEVY: The recommendation says that "he will take no active part in the dispensing of, or sale of, alcoholic beverages at this location." That's what the recommendation says.

COUNCILMAN LURIE: It says nothing about cooking.

COUNCILMAN LEVY: That was the recommendation of Metro, to be no part of the liquor, period. We agreed.

COUNCILMAN LURIE: I think we agreed. If he wanted to cook or if he wanted to take the kids there and be with his family, I don't think that motion prohibits him from doing this.

COUNCILMAN NOLEN: Being there with his family or being in the establishment, I don't see that's prohibited at all, but the exact wording was he had proposed to do some cooking in the back room. I said that I would object to that and I would ask that he not be involved in any way. Mr. Beller said if that's the motion, then he will not be involved insofar as the operation is concerned;

COUNCILMAN NOLEN:	that's very clear.
MAYOR BRIARE:	Any other comments by the Council members? Councilman Nolen, you were, I guess you were abiding by Mr. Beller's request to put this on the agenda. Did you wish to make a motion?
COUNCILMAN NOLEN:	I don't see how we need a motion. Everything is clear. He is not to be involved in the operation of the business and as far as being on the premises, I don't see that we have any right to deny the right to be involved or to be on the premises, but it's very clear here that he's not to be involved in the operation of the business in any way.
MAYOR BRIARE:	Well, maybe what you need is a clarification then. I think there's got to be a motion somewhere because I think the minutes that you referred to, Mr. Beller, I think they are clear and my last comment was, "Is the motion clear to Council members?" The motion, unless it has not been transcribed correctly and we know that couldn't happen. I think that if this Board were to say "of course, let Mr. Ginn prepare food and do whatever he has to do in the kitchen, but stay away from cashiering --
COUNCILMAN NOLEN:	If we're going to do that --
MAYOR BRIARE:	May I finish, Mr. Nolen?
COUNCILMAN NOLEN:	Go right ahead, sir.
MAYOR BRIARE:	but by all means that he doesn't do any cashiering, that he doesn't get involved in the liquor part of the business.
ATTY. NEIL BELLER:	That is all that we are requesting, Mayor.
COUNCILMAN NOLEN:	I would ask then that we notify the people that have been calling me on a weekly basis and have a public hearing and let them come before this Board and air their complaints.
MAYOR BRIARE:	That's nonsense.
COUNCILMAN NOLEN:	It's not nonsense when you get the calls.
MAYOR BRIARE:	Give us a list of the names of all these people who have called you.

III. DEPARTMENT OF BUSINESS ACTIVITY. J. REVIEW OF THE CONDITIONS PLACED ON THE BUSINESS OPERATION AT THE PIT SPOT, 1451 WEST OWENS.

COUNCILMAN NOLEN: You can check with Roni, my secretary, she'll have those for you.

MAYOR BRIARE: You don't have them.

COUNCILMAN NOLEN: No, sir, I don't.

MAYOR BRIARE: I think that's nonsense.

COUNCILMAN LURIE: I think the motion is clear; I mean, what it was before, that no active part in the business and based on Metro's recommendation that the dispensing or sale of alcoholic beverages. It doesn't specify that he can't go back in the back and spend the time in the kitchen and cook, I mean, that's clear.

ATTY. NEIL BELLER: If that is the understanding, we appreciate it.

COUNCILMAN LURIE: I agreed with Metro on that point. That's why we put it into the motion. I didn't object to that, but I have no problem with him being with his family and if he wants to cook, so if we need a motion to allow him to be on the premises to cook, I'll make that motion.

MAYOR BRIARE: Comments on the motion?

COUNCILMAN BUNKER: I think we need that motion because the motion as it was before was that he was not to be involved in any way. "Let him hire a cook," and then Mr. Beller said "Well, if that's the motion, that will be the wish," so I think we really do need a motion to clarify this.

MAYOR BRIARE: Are you -- is it clear in your mind, Councilman Bunker, about Mr. Lurie's motion?

COUNCILMAN BUNKER: Well, I think so. It's to permit him to cook.

MAYOR BRIARE: Is there any question in anybody's mind? Are there comments on the motion? Cast your vote. Post. Motion is APPROVED. (Motion carried with Nolen voting "No.")

END OF DISCUSSION

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TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - AUGUST 21, 1985
III. DEPARTMENT OF BUSINESS ACTIVITY. ITEM B. LIQUOR - NEW - 1. THE PIT SPOT dba THE PIT SPOT, 1451 West Owens, Beer/Wine Off-Sale, Wai Chun Ginn, Pres., Secy., Treas., Dir., 100% PAGE 1.

MAYOR BRIARE: The next item is a liquor license request for The Pit Spot, Wai Chun Ginn, President.

COUNCILMAN LURIE: Mayor, I'D MOVE FOR APPROVAL. ALSO, THERE WAS A CONCERN IN THIS REPORT CONCERNING THE HUSBAND, THAT HE HAS NO PART IN THE BUSINESS. THAT'S GOING TO BE PART OF THE MOTION THAT HE HAS NO ACTIVE PART IN THE BUSINESS.

MAYOR BRIARE: Good morning, folks.

ATTY. NEIL BELLER: Good morning. Neil Beller on behalf of the applicant, Chin Ginn, here. Commissioner, or Councilman Lurie, Mr. Ginn had proposed to do some cooking in the back room in the kitchen area and we would request that if there is a motion that it wouldn't be with that prohibition.

COUNCILMAN NOLEN: I would personally object to that, Mr. Beller. I would ask that he not be involved in any way. Let him hire a cook.

ATTY. NEIL BELLER: Well, if that is the motion, then he will not be involved insofar as the operation is concerned.

MAYOR BRIARE: Is the motion clear to the Council members? Any other comments? Cast your votes. Post. Motion is APPROVED. (Motion carried unanimously)

END OF DISCUSSION

COPY OF THESE TWO PAGES
GIVEN TO MR [illegible] AT [illegible]
IN RESPONSE TO REQUEST AT NOON
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AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	IV(a) ADMINISTRATIVE AGENDA ASHLEY HALL, CITY MANAGER		
10:32	A. DISCUSSION/ACTION ON REALIGNMENT OF THE PROPOSED EXTENSION OF ORAN GRAGSON EXPRESSWAY WEST OF RAINBOW BLVD	Lurie - APPROVED realignment as recommended by City Manager. Unanimous	Staff to proceed

TRANSCRIPT - ADMINISTRATIVE AGENDA - ITEM IV. (a) A. - DISCUSSION/ACTION ON REALIGNMENT OF THE PROPOSED EXTENSION OF ORAN GRAGSON EXPRESSWAY WEST OF RAINBOW BLVD.

MAYOR BRIARE: The next on Council Page 8. Mr. Hall.

CITY MANAGER HALL: Yes, Your Honor, one item, Item A., Discussion/Action on Realignment of the Proposed Extension of the Oran Gragson Expressway West of Rainbow. Mr. Saylor.

MAYOR BRIARE: We have the recommendation. Is there any comments? Questions?

COUNCILMAN LURIE: Mayor, I would move that we follow the recommendation of the City Manager on the right-of-way for necessary public interchange at Buffalo.

MAYOR BRIARE: Do you need more? Is there something more to add than what we already have?

SPECIAL PROJECTS MANAGER SAYLOR: No.

MAYOR BRIARE: Do you want to make a comment, sir?

(   ) I just want to be able to see what's going on. It's a little hard to see in the back of somebody.

SPECIAL PROJECTS MANAGER SAYLOR: The part, the part in yellow is the application we filed several years ago to insure right-of-way for the section --

COUNCILMAN LURIE: Why don't you use the hand-mike, Don, so people can hear what you're saying. You got the hand-mike there?

SPECIAL PROJECTS MANAGER SAYLOR: The part outlined in yellow reflects the area that we had filed an application on several years ago to allow for the possible extension of the Freeway system westerly from the Oran Gragson Expressway Interchange. Since that time and much more recently certain sophistication of the engineering data has become available in conjunction with the potential development of properties further west which indicate the feasibility of providing sufficient right-of-way for a possible interchange at Buffalo and some type of a overpass or underpass at Durango and another interchange further west. In order to accommodate that possibility we are asking permission from the Council to amend our application with BLM to include additional right-of-way as shown in the red which would allow those accommodations. We have to move the Freeway a little bit further north to have the interchange there.

MAYOR BRIARE: Any comments by anyone?

COUNCILMAN LURIE: We have a motion.

MAYOR BRIARE: We have a motion to follow the recommendation. Comments on the motion? Cast your vote. Post. The motion's approved.

(End of discussion)

/cmp

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 27, 1985

TO: The Board of City Commissioners

FROM: ASHLEY HALL, CITY MANAGER

SUBJECT: DISCUSSION/ACTION ON REALIGNMENT OF THE PROPOSED EXTENSION OF ORAN GRAGSON EXPRESSWAY WEST OF RAINBOW BOULEVARD

PURPOSE/BACKGROUND

The City presently has on file with the BLM a right-of-way withdrawal application for a corridor to allow the extension of the Oran Gragson Expressway westerly from Rainbow Boulevard to Angel Park. Recent refinements of the proposed extension indicate the desirability of providing adequate right-of-way for the future possibility of an interchange at the intersection with Buffalo Drive. In order to accommodate the right-of-way requirements for the future interchange, we should amend our application to provide the additional right-of-way.

FISCAL IMPACT

None.

RECOMMENDATIONS

City Manager recommends that staff be authorized to amend the right-of-way application to include the additional right-of-way necessary to accommodate an interchange at Buffalo Drive.

Agenda Item

IV.(a) A.

AGENDA

City of Las Vegas

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

December 4, 1985

	ITEM	Council Action	Department Action
	IV(b) DEPARTMENT OF FINANCE & 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.		
10:35	A. SERVICE AND MATERIAL WARRANTS/PAYROLL WARRANTS/OTHER WARRANTS AND INVESTMENTS 1. Service and Material Warrants In the amount of $1,674,856.62 2. Payroll Warrants In the amount of $1,425,354.48 3. Other Warrants and Investments In the amount of $4,320,369.24	Lurie - APPROVED Items 1, 2 and 3 as recommended. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

[signature]

Warrant Register Summaries Recap

SERVICE & MATERIAL WARRANTS AND OTHER WARRANTS

No.	Thru	AMT. $	DESCRIPTION:
K810782		(177.94)	VOID
K811002		(119.80)	VOID
K215150		(126.72)	VOID SNETP
K215195		(208.48)	VOID SNETP
K215236	K215315	42,435.94	SNETP
K215316	K215344	19,360.50	SNETP
K810893	K810894	29,104.00	Service & Materials
K811213	K811219	25,639.63	Service & Materials
K811220	K811221	4,258,908.00	Investment
L811222	L811609	1,620,410.73	Service & Materials

Total Service & Material $ 1,674,856.62

Total Other $ 4,320,369.24

PAYROLL WARRANTS

No.	Thru	AMT. $	DESCRIPTION:
107756	108757	682,405.61	P/R 11/16/85
108758	108764	742,948.87	Miscellaneous P/R

Total Payroll $ 1,425,354.48

TOTAL NET AMOUNT $ 7,420,580.34

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

DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED: Ashley Hall
CITY MANAGER

On December 4, 19 85 The Board of City Commissioners ordered the above warrants paid and the City Treasurer is hereby ordered to disperse the warrants as presented.

William H. Briare
MAYOR

ATTEST: Carol A. Hawley
CITY CLERK

2/82

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
IV. (c) DEPARTMENT OF PERSONNEL & EMPLOYEE RELATIONS DAVID M. SANCHEZ, ACTING DIRECTOR PERSONNEL & EMPLOYEE RELATIONS <u>NO ITEMS FOR CONSIDERATION</u>	REPORT NOTED	

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 26, 1985

TO:
The City Council

FROM:
DAVID M. SANCHEZ, ACTING DIRECTOR
PERSONNEL & EMPLOYEE RELATIONS

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

PURPOSE/BACKGROUND

As indicated on the attached Staffing Summary, the vacancy factor is 9.30%, based on 287 vacancies (or 139.555 full-time equivalent) of the 1691 positions in the City's 1985-86 Fiscal Budget.

FISCAL IMPACT

The total dollar savings realized through vacancies thus far in fiscal year 1985-'86 is $309,227. If the positions that are currently vacant were to remain vacant for the remainder of the fiscal year 1985-'86 the estimated total savings for the year would be $1,078,493.

RECOMMENDATION

Staff is not recommending the filling of any positions at this time.

RECOMMENDED

David M. Sanchez, Acting Director
Personnel & Employee Relations

Agenda Item

IV. (c)

STAFFING SUMMARY
As of
November 16, 1985

GENERAL FUND

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	142	142.000	132	10	10.000	7.000	45,165	148,433
Classified	996	995.640	940	56	56.000	5.600	119,441	282,738
Contract	3	2.475	3	0	.000	.000	(1,085)	(4,665)
Elective	9	9.000	9	0	.000	.000	0	(3)
Hourly	146	45.015	15	131	35.905	79.800	(49,558)	125,281
Total	1296	1194.130	1099	197	101.905	8.533	113,964	551,784

INTERNAL SERVICE FUNDS

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	2	2.000	2	0	.000	.000	8,404	9,896
Classified	66	66.000	64	2	2.000	3.000	16,478	61,910
Contract	8	8.000	4	4	4.000	50.000	22,988	42,904
Elective	0	0.000	0	0	.000	.000	0	0
Hourly	0	0.000	0	0	.000	.000	0	0
Total	76	76.000	70	6	6.000	7.890	47,870	114,710

ENTERPRISE & EXPENDABLE TRUST FUNDS

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	9	9.000	9	0	.000	.000	(1,283)	(12,451)
Classified	127	126.500	122	5	5.000	3.952	46,232	104,115
Contract	1	.500	0	1	.500	100.000	2,981	9,791
Elective	0	.000	0	0	.000	.000	0	0
Hourly	130	44.310	58	72	20.900	47.200	65,914	228,772
Total	267	180.310	189	78	26.400	14.641	113,844	330,227

SPECIAL REVENUE FUNDS

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	16	16.000	16	0	.000	.000	(2,386)	(17,158)
Classified	19	19.000	19	0	.000	.000	10,580	29,726
Contract	4	3.250	3	1	.750	23.100	2,625	6,719
Elective	0	0.000	0	0	.000	.000	0	0
Hourly	13	11.500	8	5	4.500	39.100	22,730	62,485
Total	52	49.750	46	6	5.250	10.552	33,549	81,772

CITY TOTAL

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	169	169.000	159	10	10.000	5.900	49,900	128,720
Classified	1208	1207.140	1145	63	63.000	5.200	192,731	478,489
Contract	16	14.225	10	6	5.250	36.900	27,510	54,749
Elective	9	9.000	9	0	.000	.000	0	(3)
Hourly	289	100.825	81	208	61.305	60.800	39,086	416,538
Total	1691	1500.190	1404	287	139.555	9.302	309,227	1,078,493

(1) VACANCY FACTOR IS BASED ON FTE (FULL-TIME EQUIVALENT).
TOTAL FTE/VACANT FTE = VACANCY FACTOR %

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	IV(d) DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT JACK THOMASON, DIRECTOR		
10:36	A. CONSIDERATION OF A MOTION APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AGENCY.	Levy - APPROVED Cooperative Agreement as recommended. Unanimous	Staff to proceed

APPROVED AGENDA ITEM

[signature]

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985
IV(d) DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT
ITEM A - CONSIDERATION OF A MOTION APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AGENCY.

MAYOR BRIARE: On page 11, Department of Economic & Urban Development, we have a proposed agreement between the City of Las Vegas and the City of Las Vegas Downtown Redevelopment Agency. Will this be taken up now or --

CITY MANAGER ASHLEY HALL: No, it's going to be taken up now, Your Honor.

MAYOR BRIARE: Taken up now.

COUNICLMAN LEVY: Move to follow the recommendations, Your Honor.

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

END OF DISCUSSION

/sl

City of Las Vegas

AGENDA DOCUMENTATION

Date: December 4, 1985

TO:
The City Council

FROM:
RANDALL H. WALKER
DEPUTY CITY MANAGER

SUBJECT: Consideration of a motion approving a Cooperation Agreement between the City of Las Vegas and the Las Vegas Downtown Redevelopment Agency

PURPOSE/BACKGROUND

At the City Council Meeting of November 6, 1985, you enpowered the City of Las Vegas Downtown Redevelopment Agency and declared the City Council to be that Agency.

Under Nevada law, a redevelopment agency can operate in essentially two ways. It can hire a separate staff, independent of the city to carry out the agency's activities, or it can, for the most part, make use of existing city staff and services.

Since the latter approach is far and away the least costly, and since the City has staff persons capable of carrying out various activities associated with the operation of a redevelopment agency (e.g., administrators, accountants, planners, etc.), staff is recommending that the latter approach be taken by the City and Redevelopment Agency.

The Cooperation Agreement before you would provide the framework for City staff to carry out work for the Redevelopment Agency.

FISCAL IMPACT

Adoption of the agreement will in itself involve little additional cost to the City. It will permit the City to bill the Agency for staff time and other costs associated with Redevelopment work.

RECOMMENDATIONS

It is the recommendation of the City Manager that the Mayor be authorized to sign the attached agreement.

JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT

Agenda Item

IV. (d) A

COOPERATION AGREEMENT

THIS AGREEMENT is entered into as of the 4th day of December, 1985, by and between the CITY OF LAS VEGAS (herein the "City") and the CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AGENCY (herein the "Agency").

Recitals

A. The City Council of the City of Las Vegas, acting pursuant to the provisions of the Nevada Community Redevelopment Law (NRS 279.382 to 279.680, inclusive), has activated the Agency and has declared itself to constitute the Agency, by a Resolution adopted on November 6, 1985.

B. Pursuant to the Community Redevelopment Law, the Agency is performing a public function of the City and may have access to services and facilities of the City.

C. The City and the Agency desire to enter into this Agreement:

(1) To set forth activities, services and facilities which the City will render for and make available to the Agency in furtherance of the activities and functions of the Agency under the Community Redevelopment Law; and

(2) To provide that the Agency will reimburse the City for actions undertaken and costs and expenses incurred by it for and on behalf of the Agency.

Agreements

1. The City agrees to provide for the Agency such staff assistance, supplies, technical services and other services and facilities of the City as the Agency may require in carrying out its functions under the Community Redevelopment Law and which are approved by the City Manager. Such

assistance and services may include the services of officers and employees and special consultants.

2. The City may, but is not required to, advance necessary funds to the Agency or to expend funds on behalf of the Agency for the preparation and implementation of a redevelopment plan, including, but not limited to, the costs of surveys, planning and studies for the adoption of a redevelopment plan, the costs of acquisition of property within the project area, demolition and clearance of properties acquired, building and site preparation and public improvements.

3. The City will keep records of activities and services undertaken pursuant to this Agreement and the costs thereof in order that an accurate record of the Agency's liability to the City can be ascertained. The City shall periodically, but not less than annually, submit to the Agency a statement of the costs incurred by the City in rendering activities and services of the City to the Agency pursuant to this Agreement. Such statement of costs may include a proration of the City's administrative and salary expense attributable to services of City officials, employees and departments rendered for the Agency.

4. Pursuant to NRS Section 279.680, the Agency hereby agrees to reimburse the City for all costs incurred for services by the City pursuant to this Agreement from and to the extent that funds are available to the Agency for such purpose pursuant to NRS Section 279.676 or from other sources; provided, however, that the Agency shall have the sole and exclusive right to pledge any such sources of funds to the repayment of other indebtedness incurred by the Agency in carrying out the redevelopment project. The costs of the City under this Agreement will be shown on statements submitted to the Agency pursuant to Section 3 above. Although the parties recognize that payment may not occur for a few years and that repayment may also occur over a period of

time, it is the express intent of the parties that the City shall be entitled to repayment of the expenses incurred by the City under this Agreement, consistent with the Agency's financial ability, in order to make the City whole as soon as practically possible.

5. The obligations of the Agency under this Agreement shall constitute an indebtedness of the Agency within the meaning of NRS Section 279.676.1(b) of the Community Redevelopment Law, to be repaid to the City by the Agency with interest at twelve percent (12%) per annum.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ATTEST: CITY OF LAS VEGAS

Carol Ann Hawley
City Clerk

By William H. Briare
Mayor

"CITY"

12-13-85

CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AGENCY

ATTEST:

Carol Ann Hawley
Secretary

By William H. Briare
Chairman

"AGENCY"

APPROVED:

City Attorney

AGENDA

City of Las Vegas

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

ITEM	Council Action	Department Action
IV (f) DEPARTMENT OF GENERAL SERVICES DAN R. PILKINGTON, DIRECTOR No items for consideration at this time.		

APPROVED AGENDA ITEM

Ald H. Wl

AGENDA

City of Las Vegas

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

	ITEM	Council Action	Department Action
	IV.(g). DEPARTMENT OF PUBLIC WORKS RICHARD D. GOECKE, DIRECTOR *CONSENT AGENDA All matters listed under Item(s) 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.		
10:36	*A. ACCEPTANCE OF RIGHT OF WAY ITEMS: 1. Grant Deed From: Joseph A. Welch To: City of Las Vegas For: Portion of the NW 1/4 of the NE 1/4 of Section 30, T20S, R62E, M.D.M., for half street dedication, the West 25.5' on Gateway Road (11-20-85). 2. Right of Way Grant for Sewer Purposes: From: Joe A. Welch and Sharon Irene Welch, as joint tenants, husband and wife To: City of Las Vegas For: Portion of the NW 1/4 of the NE 1/4 of Section 30, T20S, R62E, M.D.M., for a twenty foot (20') Sewer Easement south of Owens Ave. east of Sandhill Road (3-6-81). 3. Right of Way Grant for Drainage Purposes: From: California Hotel and Casino, a Nevada Corporation To: City of Las Vegas For: Portion of the SE 1/4 of Section 27, T20S, R61E, M.D.M., for a Storm Drain Easement for Casino Center Blvd. (11-12-85).	Lurie - APPROVED Items A-1, A-2 and A-3. Unanimous	Staff to proceed

AGENDA

City of Las Vegas

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

	ITEM	Council Action	Department Action
	IV.(g). DEPARTMENT OF PUBLIC WORKS (continued)		
	B. REPORTS/ACTION:		
10:37	1. Reimbursement for Sanitary Sewer Oversizing - Lewis Homes Lakeside No. 11. Recommendation: That the City Council authorize payment to the developer upon completion of construction.	Levy - APPROVED as recommended. Unanimous	Staff to proceed
10:38	2. Permission to hire Consulting Engineer to do the engineering for the infrastructure for Section 15 Technology Center.	Levy - APPROVED as recommended (Staff authorized to negotiate a contract not to exceed $50,000). Unanimous	Staff to proceed

Carol Ann Hawley

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 19, 1985

TO:
The City Council

FROM:
GRANVILLE M. BOWMAN
DEPUTY CITY MANAGER

SUBJECT: REIMBURSEMENT FOR SANITARY SEWER OVERSIZING - LEWIS HOMES LAKESIDE NO. 11

PURPOSE/BACKGROUND

Lewis Homes of Nevada is currently developing their "Lewis Homes - Lakeside No. 11" Subdivision. In order to serve this area and anticipated development to the West, it is necessary that they oversize 839 feet of sewer (from 8" to 24") as required by the City.

The Uniform Plumbing Code and City policy allows the City to reimburse the developer 100% of the additional cost of oversizing the line (in this case $24,956.00) from the City Sanitation Fund.

Lewis Homes has agreed to install the larger pipe at no cost to the City except for the actual material cost increase as per the attached letter and material quotation.

The Director of Public Works has reviewed the material costs and finds them acceptable.

FISCAL IMPACT

Up to $24,956.00 to the developer after construction (anticipated within three months). Funds are available in the FY 1985-86 Sanitation Budget.

RECOMMENDATIONS

The Director of Public Works recommends the City Council authorize payment to the developer upon completion of construction.

RICHARD D. GOECKE
Director of Public Works

Agenda Item 12/4/85

IV.(g). 8. 1.

LEWIS HOMES
5240 South Polaris / P.O. Box 19297 / Las Vegas, Nevada 89132 / (702) 736-8960

November 15, 1985

City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

Attn: Mr. Carl Malone
City Engineer

RE: Lewis Homes - Lakeside No. 11
Oversizing 839 L. F. 8" Sewer Pipe to 24" Sewer Pipe

Gentlemen:

Our sewer contractor, Longley Construction Co., Inc., has informed us that they will oversize approximately 839 L. F. of 8" sewer line to 24" R.C.P. as requested by the City of Las Vegas for the above referenced project, including four 5' diameter manholes at no additional cost except for the actual material price of the 24" pipe and 5' manhole components. As per the attached Hydro Conduit Corporation quotation this amount would be $24,956.00.

If you desire to proceed with this oversizing, please prepare the necessary papers agreeing to reimburse us for this additional cost of $24,956.00.

Sincerely,

LEWIS HOMES OF NEVADA

Nick Dane

Nick Dane
Agent

/ls

N(a)R.1

QUOTATION

LAS 85-39

HYDRO CONDUIT CORPORATION
2100 Burns Road, Henderson, Nevada 89015 (702) 565-8721

Date of Quotation: November 13, 1985

Longley Construction
P.O. Box 1960
Las Vegas, Nevada 89125

Plant: Las Vegas

Project: Lewis Homes Lakeside No. 11

Bid Opening:

This quotation is an offer by Hydro Conduit Corporation ("Seller") to sell construction materials, is made subject to all terms and conditions on both sides hereof and, if accepted by the Purchaser specified below in writing within thirty (30) days from date of quotation hereon, shall constitute a binding Contract between Seller and Purchaser upon the terms and conditions contained on both sides hereof.

ITEM NO.	APPROX. UNITS	DESCRIPTION & SPECIFICATIONS	UNIT PRICE	EXTENSION
1.	840 L.F.	24" x 12' Rubber Gasketed RCP-AZ	27.00	22,680.00
2.	4 ea.	48" x 3' Eccentric Man-Hole Cone	136.00	544.00
3.	4 ea.	60" x 48" x 2' Eccentric Adapter	127.00	508.00
4.	4 ea.	60" x 1' Shaft Pipe	84.00	336.00
5.	3 ea.	60" x 2' Shaft Pipe	127.00	381.00
6.	3 ea.	60" x 3' Shaft Pipe	169.00	507.00
		Approx Total		$24,956.00

Appropriate Taxes Included

TERMS OF PAYMENT: Net 10th prox   DELIVERY POINT: Accessible jobsite   DELIVERY DATE: 2-4 weeks

ACCEPTED this ________ day of ____________ 19___.
Upon the terms and conditions contained on both sides hereof.

FIRM: ____________________

BY: ____________________

TITLE: ____________________
Purchaser

Respectfully submitted:
HYDRO CONDUIT CORPORATION

BY: Charles L. Spradlin

TITLE: Sr. Sales Representative
Seller

LOCATION MAP

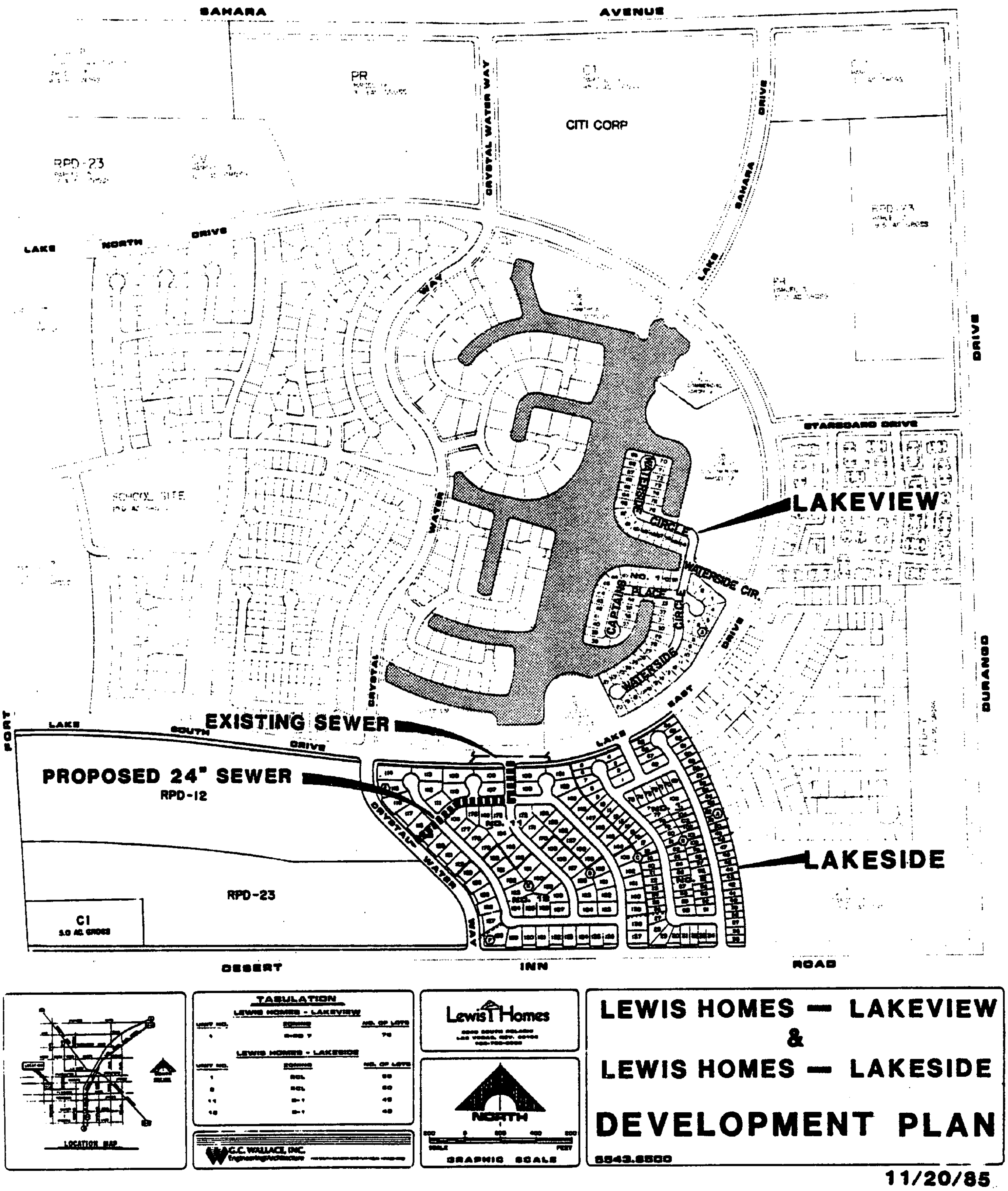


EXHIBIT "A"

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 26, 1985

TO:
The City Council

FROM:
GRANVILLE M. BOWMAN
DEPUTY CITY MANAGER

SUBJECT: APPROVAL TO NEGOTIATE AND RETAIN ENGINEERING SERVICES FOR THE DEVELOPMENT OF SECTION 1 TECHNOLOGY PARK INFRASTRUCTURE

PURPOSE/BACKGROUND

The development of the City's Technology Park Infrastructure will require the services of an Engineering Consultant. This Consultant will prepare plans and specifications for the construction of offsite improvements and the extension of utilities to the park site.

This work is required to make ready for the park site's first tenant, Ford Aerospace.

FISCAL IMPACT

Not to exceed $50,000. Funds are available from the short-term financing proceeds for this project.

RECOMMENDATIONS

It is recommended that Staff be authorized to negotiate a Contract for engineering services and that the Mayor be authorized to execute the Agreement.

RICHARD D. GOECKE
DIRECTOR OF PUBLIC WORKS

Agenda Item 12/4/85

IV. (g). B. 2.

CONTRACTING ENGINEER'S AGREEMENT

THIS AGREEMENT, made and entered into this 30th day of December, 1985, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (hereinafter referred to as the "City") and ENGINEERS AND SURVEYORS, INCORPORATED, a Nevada corporation (hereinafter referred to as the "Consultant").

W I T N E S S E T H:

WHEREAS, the City desires to have engineering services for the design of off-site road improvements and extension of water and sanitary sewer utilities to the project site called Ford Aerospace Off-sites and Utilities; and

WHEREAS, the Consultant is fully qualified to provide such services and is ready, willing and able to do so; and

WHEREAS, the City desires to retain the Consultant to provide the following services:

(1) Perform topographical survey and mapping

(2) Prepare design drawings; construction quantities

(3) Coordinate with utility companies

NOW, THEREFORE, for and in consideration of the premises, of the mutual promises and agreements which are hereinafter set forth and of other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged by each of the parties hereto, said parties do hereby agree to the terms, conditions and covenants which are set forth in Sections I through VI hereof and to the Supplemental Terms, Sections I to XXI, as set forth in Exhibit "A" which is attached hereto and by this reference as a part hereof. As used hereinafter the term "Agreement" refers both to said Sections I through VI and to said Supplemental Terms.

SECTION I: CONSULTANT SERVICES

THE CONSULTANT, in consideration of the compensation which is provided for herein, agrees to perform the following services:

(A) Provide a survey crew, under the direction of a registered land surveyor, to establish the survey control and to provide the topographic surveying which is needed for the preparation of the design plans.

(B) Prepare design plans for the construction of:

(1) Full half-street improvements on the east side of Tenaya Way, plus ten (10) feet of over-paving west of the roadway centerline. The length of the roadway improvements will be from the centerline of Smoke Ranch Road northerly the depth of the Ford Aerospace project site - approximately 500 feet.

(2) Full half-street improvement on the north side of Smoke Ranch Road between Tenaya Way and Nevada Department of Transporation right-of-way on Smoke Ranch Road immediately west of the Oran K. Gragson Highway.

(3) Median islands on Smoke Ranch Road between Tenaya Way and the Oran K. Gragson Highway. Median islands are to be paved with concrete adjacent to left turn storage lanes and unpaved elsewhere in order to allow for future landscaping. The design plans must require the installation of water meters for future irrigation needs. The plans must also provide for the installation of conduit sleeves under the roadway pavement between the median islands and between the median islands and the north sidewalk area on Smoke Ranch Road. The conduit sleeves are to be used for the routing of irrigation piping and control electrical wiring between the median islands and the routing of electrical power service from the power line on the north side of Smoke Ranch Road to the median islands.

(4) The widening of the pavement on Smoke Ranch Road within the Nevada Department of Transportation right-of-way in order to provide for two west-bound lanes, an exclusive left turn lane and a combination east bound/right turn lane. Transitions are to be provided as necessary in order to join these improvements with the proposed street improvements west of the Nevada Department of Transportation right-of-way.

(5) The installation of pavement fourteen (14) feet in width south of the proposed Smoke Ranch Road median island in those areas in which no half-street improvements exist. The design plans must be prepared in such a manner as to permit this item and the median

islands (above Item 3) can be bid as an option in lieu of full half-street improvements without median islands.

(6) The extension of the water mains in Rock Springs Road and Smoke Ranch Road, as required by the Las Vegas Valley Water District and as required in order to provide fire protection and potable water to the Ford Aerospace project site, including the installation of service laterals to the property lines and fire hydrants.

(7) The extension of the sanitary sewer mains as required in order to provide sewer service to the Ford Aerospace project site and the surrounding area, including a service lateral to the property line of the Ford Aerospace project site and two other sewer laterals to the property line north of Smoke Ranch Road and west of the Ford Aerospace project site.

(C) Provide project coordination as required in order to coordinate the preparation of the design plans with:

(1) Architectural/engineering consultants which are retained to prepare developmental plans for Ford Aerospace project on-site improvements.

(2) Las Vegas Valley Water District's conditions and requirements

(3) Nevada Department of Transportation's conditions and requirements

(D) Provide an estimate of the construction quantities, as shown in the following examples:

Asphaltic concrete paving, in tons
Type I aggregate base, in cubic yards
Type II aggregate base, in cubic yards
Prime coat, in gallons
Fog seal, in gallons
Concrete sidewalk, in square feet
Curb and gutter, in linear feet
Median island paving, in square feet
Median curbing, in linear feet
Excavation costs, in cubic yards
Embankment, in cubic yards

SECTION II: COMPENSATION AND MANNER OF PAYMENT

(A) As consideration for providing the CONSULTANT SERVICES which are described in Section I hereof, the City agrees to pay the Consultant a fee not to exceed Ten Thousand Dollars ($10,000), in the manner which is provided in Paragraph (B) of this Section II.

It is understood and agreed that the Consultant will be obligated to complete the performance of this agreement despite having reached the payment limits set forth herein.

(B) The Consultant, as a prerequisite to the obligation on the part of the City to pay any compensation or expenses as herein provided, shall submit to the City, on a monthly basis, invoices for the services which the Consultant performed during the preceding month. Each invoice shall specify the number of hours which were worked by each employee for whom the Consultant seeks compensation as a salary expense. The payment of the fees which are provided for in this Paragraph (B) shall be due and payable within thirty (30) calendar days after the date on which each monthly invoice is received by the City.

(C) It is understood and agreed that the Consultant shall be obligated to complete its performance of this Agreement, notwithstanding the fact that the aggregate of the payments which the City makes pursuant to Paragraph (B) of this Section II may reach Ten Thousand Dollars ($10,000) before full performance is effected.

SECTION III: TIME OF PERFORMANCE

The execution of this Agreement by the City constitutes authorization, as of the date of such execution, for the Consultant to proceed with the services under Section I hereof. The Consultant agrees to submit tentative design plans which are required in Section I hereof to the City within nineteen (19) calendar days after such execution and to revise those plans in accordance with the comments of the City and complete the performance of this Agreement within twenty-six (26) calendar days after the date of such execution.

SECTION IV: INSURANCE

(A) The Consultant shall provide and maintain during the existence of this Agreement, for the protection of the Consultant and the City, the following insurance coverages:

(1) State Industrial Insurance System insurance covering its full liability under the State Industrial Insurance laws of the State of Nevada, as required by the State Industrial Insurance Commission, or equivalent coverage which is approved by the City.

(2) Professional Liability Insurance or Errors and Omissions Insurance in the amount of Five Hundred Thousand ($500,000) Dollars ~~One Million Dollars ($1,000,000)~~ insuring against any negligent error or omission which may be committed by the Consultant in the performance of this Agreement. W.N.B.

(B) Prior to the commencement of this Agreement, and as a condition precedent thereto, the Consultant will obtain the insurance coverages which are required hereunder and will furnish certificates of insurance to the City which demonstrate the procurement of such coverages.

(C) The insurance coverages which are required herein must be written by a company or companies which are acceptable to the City and which are licensed to do business in the State of Nevada. The certificates of insurance must contain a clause to the effect that any cancellation, reduction or restriction shall not become effective until thirty (30) days after written notice of such cancellation, reduction or restriction is forwarded to the City. In the event that any of the insurance coverages which are required hereunder is cancelled, reduced or restricted, the City shall have the right to terminate this Agreement.

SECTION V: NOTICES

Any notice which is appropriate or required to be given under this Agreement shall be sent to the party to whom it is intended, addressed as follows:

If to the City:	CITY OF LAS VEGAS c/o City Engineer 400 East Stewart Avenue Las Vegas, Nevada 89101
If to the Consultant:	Engineers and Surveyors, Incorporated 7022 West Charleston Boulevard Las Vegas, Nevada 89117

SECTION VI: ENTIRE AGREEMENT

The foregoing Sections I to VII, inclusive, and Sections I to XXI, inclusive, of the Supplemental Terms (Exhibit "A") and any other exhibit hereto constitute the entire Agreement between the parties hereto with respect to the matters covered therein.

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

CITY OF LAS VEGAS

By William H. Briare
WILLIAM H. BRIARE, Mayor

12-23-85

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY, City Clerk

ENGINEERS AND SURVEYORS INCORPORATED

By Paul E. Valentine
PAUL E. VALENTINE
Project Engineer

ATTEST:

AGENDA

City of Las Vegas

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

December 4, 1985

	ITEM	Council Action	Department Action
	V. GEORGE F. OGILVIE - CITY ATTORNEY		
10:39	A. Approval of Resolution Authorizing Purchase of Surety Bond in Connection with Self-Insured Workmen's Compensation Program	Lurie - ABEYANCE Unanimous NOTE: Marvin Leavitt to meet with Mayor to explore possibility of City issuing its own bond for Workmen's Compensation Program.	12/18/85 Agenda
10:43	B. License disciplinary action against Rulean Corp. dba Ruben Bullock's Westside Story	Nolen - APPROVED Complaint and 1/2/86 public hearing date. Unanimous	1/2/86 Agenda 3:00 P.M.

City of Las Vegas

AGENDA DOCUMENTATION

Date: November 27, 198

TO:
The City Council

FROM: Robert Yeargin
Robert Yeargin
Deputy City Attorney

SUBJECT: License disciplinary action against Rulean Corp. dba Ruben Bullock's Westside Story

PURPOSE/BACKGROUND

This agenda item is a complaint for license disciplinary action against Rulean Corp., which does business as Ruben Bullock's Westside Story at 901 West Owens Avenue. The complaint arises out of numerous incidents since February of this year in which police officers have made drug-related arrests and found controlled substances abandoned on the premises of the Westside Story. The attached memorandum to the Director of Business Activity summarizes the police activity of the last nine months. If the Council approves the complaint and schedules a hearing, the Department of Business Activity will present evidence regarding drug-related activity on the licensed premises, involvement by employees of the licensee, and awareness and condonation by one of the license's principals, Vera Bullock.

FISCAL IMPACT

None

RECOMMENDATIONS

That the Council approve the attached complaint and order a disciplinary hearing either before the Council or before a hearing examiner appointed by the Council.

Agenda Item

V-B

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of

The Department of Business Activity on behalf of the City of Las Vegas,

Petitioner,

v.

Rulean Corp. dba Ruben Bullock's Westside Story,

Respondent.

ORDER APPROVING COMPLAINT AND NOTICE OF HEARING

TO: Rulean Corp. dba Ruben Bullock's Westside Story
901 West Owens Avenue
Las Vegas, Nevada

The Complaint of the Department of Business Activity of the City of Las Vegas, Nevada, against the above-named Respondent, dated November 27, 1985, a copy of which is attached hereto, having come before the City Council of the City of Las Vegas, Nevada, at its regular meeting held on the 4th day of December, 1985, and the Council being satisfied that probable grounds exist for disciplinary action against the Respondent as alleged in said Complaint.

IT IS HEREBY ORDERED that the issuance of said Complaint and hearing thereon is hereby approved.

YOU ARE HEREBY NOTIFIED that said hearing will be held before the City Council of the City of Las Vegas, Nevada, at the Council Chambers, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada on the 2nd day of January, 1986, beginning at the hour of 3 o'clock p.m., upon the charges in the Complaint served upon you. You may present any relevant evidence and you will be given full opportunity to cross-examine all witnesses testifying against you.

YOU ARE FURTHER NOTIFIED that you must, not later than five (5) days prior to said hearing date, file with the City

Clerk and serve a copy of the same upon the City Attorney, your answer to the charges made in the Complaint and set forth any affirmative defenses you intend to raise.

YOU ARE ALSO NOTIFIED that your failure to file an answer or to appear at the hearing shall constitute an admission of all matters and facts contained in the Complaint as provided by Las Vegas Municipal Code 6.88.100.

DATED this 4th day of December, 1985.

THE CITY COUNCIL OF THE
CITY OF LAS VEGAS

By Ron Lurie
RON LURIE, MAYOR PRO-TEM

12-5-85

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY, City Clerk

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of

The Department of Business Activity on behalf of the City of Las Vegas,

Petitioner,

v.

Rulean Corp. dba Ruben Bullock's Westside Story,

Respondent.

COMPLAINT FOR DISCIPLINARY ACTION

COMES NOW the Petitioner, The Department of Business Activity of the City of Las Vegas, Nevada, and makes this Complaint for Disciplinary Action against Respondent Rulean Corp. dba Ruben Bullock's Westside Story, as follows:

1. That the Respondent is the holder of an alcoholic beverage license, L04-234-4-00547, issued by the City of Las Vegas, which permits the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant. The Respondent also holds a restaurant license, R06-072-6-06523, issued by the City.

2. That said licenses are issued to the premises at 901 West Owens Avenue, Las Vegas, Nevada.

3. That since February 17, 1985, officers of the Las Vegas Metropolitan Police Department have repeatedly observed evidence of trafficking in controlled substances and have made numerous arrests relating to the possession and sale of controlled substances on the licensed premises.

4. That since March 9, 1985, officers of the Las Vegas Metropolitan Police Department have repeatedly found on the licensed premises controlled substances lying about in areas to which the public has access.

5. That since June 16, 1985, security guards

employed by the licensee have required sellers of controlled substances to pay them a certain amount of money to sell on the licensed premises during the security guard's shift.

6. That on November 22, 1985, a security guard employed by the licensee cooperated with persons selling controlled substances in warning persons with controlled substances to conceal or dispose of them because the police were coming.

7. That since March 24, 1985, a principal of the licensee, Vera Bullock, has been aware of the trafficking in controlled substances on the licensed premises and has condoned such trafficking.

8. That the activities set forth above constitute a public nuisance as defined by LVMC §10.47.010(B) in that they endanger the health of persons in a place to which the public is invited.

9. That the activities set forth above constitute good cause for disciplinary action pursuant to LVMC §6.02.330(I).

WHEREFORE, the Department of Business Activity respectfully requests the City Council as follows:

1. To approve this Complaint and order a disciplinary hearing held either before said Council or before a Hearing Examiner appointed by said Council to take disciplinary action against the Respondent.

2. Following such disciplinary hearing, to suspend or revoke the Respondent's licenses.

3. For such other relief as the Council deems proper.

DATED this 27th day of November, 1985.

Jerry J. Cahill (MH)
JERRY J. CAHILL, Director
Department of Business Activity

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: November 5, 1985

TO:
JERRY J. CAHILL, DIRECTOR
DEPARTMENT OF BUSINESS ACTIVITY

FROM:
JD JIM DIFIORE
LICENSE INVESTIGATOR II

SUBJECT:
RUBEN BULLOCK'S WESTSIDE STORY
L04-234-4-00547
REQUEST FOR SHOW CAUSE HEARING

COPIES TO:

Ruben Bullock's Westside Story, holders of a privilege license for sale of alcoholic beverages; and located at 901 West Owens Avenue have been the subjects of extensive police work over the last several months, that which warrants review for proceedings to commence to request a show cause hearing on the liquor license.

The business is owned by:

Rulean Corporation --
*Ruben Bullock, Jr. - President, Director 50%
*Vera Maxine Bullock - Vice President, Treasurer, Director 50%
Anise LaRue Bullock - Secretary, Director

Other principals involved have included:

Kenroy Cooper, Manager
Approved by City Council 12-15-82
Resigned 3-1-83

Murray Kenneth Robinson, Jr., Manager
Approved by City Council 2-1-84
Resigned 4-1-84

On record, the City of Las Vegas had taken previous disciplinary action against the licensee on December 16, 1981, at a meeting of the Las Vegas City Council (then known as Commissioners). The basis for council action at that time included complaints that the following acts took place on the premises:

1) Live performance or exhibitions by two female entertainers in which such entertainers exposed their pubic hair and pubic hair regions.

2) Two separate sales of marijuana to an officer of the LVMPD by a person who was acting as a bartender for the licensee, and

3) The employment by the licensee of several persons as bartenders and waitresses without notifying the LVMPD of the employment of such persons.

Ruben Bullock's Westside Story
November 5, 1985
Page 2

Although, no formal show cause hearing was held, the City Council on March 3, 1982, approved the recommendation that a fine of $1,000 be imposed upon the licensee with the condition that the fine be placed in an interest bearing account and if at the end of six months no complaints which could have been prevented by reasonable diligence on the part of the licensee could be found then the proceeds of the fine and accrued interest would be returned to the licensee. The return of this fine was authorized December 3, 1982.

Over the past several months, several police reports have been filed on the illegal activity occurring at the business location known as Ruben Bullock's Westside Story. The following is a synopsis of those reports:

Document ID	Date	Description
DR 85-43023	2-17-85	Arrest of Leslie Eugene Brown for PCS (Possession of Controlled Substance) with intent to sell. No charges filed. (See Exhibit A)
ID/DR 435614	2-17-85	Arrest of Vernon Lavon Hewing for Strong Arm Robbery and PCS. Convicted; sentencing set for 12-17-85. (See Exhibit B)
DR 85-46384	3-09-85	Arrest of Tim Harden for PCS; arraignment set for 11-04-85 in District Court X. (See Exhibit C)
DR 85-47582	3-16-85	Arrest of Tim Harden for PCS; trial set for 1-15-86 in District Court IV. (See Exhibit D)
DR 85-48980	3-24-85	Arrest of Angelo Earl for conspiracy to distribute a controlled substance and PCS with intent to sell. Arrest of Slyvia Green for conspiracy to distribute a controlled substance and false information to a police officer. No charges were filed on both suspects. (See Exhibit E)
DR 85-50963	4-05-85	Arrest of James Edward Sanders for PCS with intent to sell. No charges filed. (See Exhibit F)
DR 85-51065	4-06-85	Arrest of Gary Hewing and Vincent Mayo with intent to sell. The case is presently being screened for possible prosecution. (See Exhibit G)
DR 85-56906	5-10-85	Arrested Melvin Stephon Johnson for PCS with intent to sell; resisting arrest; battery on a police officer, no charges filed. (See Exhibit H)
DR 85-60193	5-31-85	Arrest of Willie Thompson, Jr., for PCS; no charges filed. (See Exhibit I)

Ruben Bullock's Westside Story
November 5, 1985
Page 3

Document ID	Date	Description
DR 85-60363	6-01-85	Arrest of James Edward Sanders for PCS with intent to sell (2 counts of marijuana and cocaine). A preliminary hearing has been set for 12-18-85 in Justice Court, Dept. 5. (See Exhibit J)
DR 85-61354	6-07-85	Arrest of John L. Coleman for PCS with intent to sell (cocaine). A preliminary hearing has been set for 1-2-86 in Justice Court, Dept. 1. (See Exhibit K)
DR 85-61494	6-08-85	Arrests of Gary Jackson, Ray Jefferson, and Gary Jacobs for PCS with intent to sell and conspiracy to distribute a controlled substance. No charges filed on Jackson and Jefferson. (See Exhibit L) Jacobs is being screened for prosecution.
DR 85-61708	6-09-85	Officer's Report from Richard Staley and David Kallas who work the area where the business is located. Within their report confidential information that they receive indicates Mrs. Bullock receives a minimum of $100 on a sale of cocaine (as her cut from the sale). Mrs. Bullock has denied any knowledge of cocaine sales on the premises. Information also has revealed that individuals are stationed as spotters for alerting dealers when Metro has arrived on the property. "Rollers" or "Police" are used to tip-off dealers so a sale can be halted, completed, or discontinued. The report details several of the arrests as referred to in the previous DR's listed prior. Officers Staley and Kallas believe that Mrs. Bullock has more involvement in the narcotic sales than she leads on. (See Exhibit M)
DR 85-62072	6-12-85	Statements from Louis Hiner and Harold Thomas on a suspected sale of rock cocaine. Hiner contending that he detained Thomas for the sale until Metro arrived. Thomas contending that Hiner demanded $100 for giving Thomas the right to make the sale on the premises. (See Exhibit N)
DR 85-62086	6-12-85	Statement from William P. Cayce on an alleged drug deal for sale of cocaine in which he was the buyer. A warrant has been issued for the arrest of the subject; ordered by Judge Slade, on 8-2-85. (See Exhibit O)

Ruben Bullock's Westside Story
November 5, 1985
Page 4

Document ID	Date	Description
DR 85-62856	6-16-85	In an Officer's Report, information provided from a suspect that security officers of Ruben Bullock's Westside Story were requesting $100 from sellers' profits to allow selling during their (security guards) shift; and security guards would act as lookouts to notify drug dealers when Metro was approaching the business. (See Exhibit P)
DR 85-65233	7-01-85	A property report where Officer Kallas had found one small baggie containing white powder cocaine, at Ruben Bullock's Westside Story Bar. (See Exhibit Q)
DR 85-65960	7-05-85	Arrest of George Luster for PCS with intent to sell (cocaine); a preliminary hearing has been set for 1-13-86 in Justice Court, Dept. 3. (See Exhibit R)
DR 85-66171	7-08-85	Arrest of Danny Poole for PCS with intent to sell (cocaine) and false information to a police officer. No charges filed. (See Exhibit S)
DR 85-71937	8-09-85	A Property Report where Officer Kallas had found one clear bag of white powder cocaine at Ruben Bullock's Westside Story. (See Exhibit T)
DR 85-80351	9-23-85	Arrest of Gary Jackson for PCS with intent to sell (cocaine). No charges filed. (See Exhibit U).
DR 85-80997	9-27-85	Arrest of William M. Fountain for PCS with intent to sell (cocaine). No charges filed (See Exhibit V)
DR 85-81680	9-30-85	Property Report where Officer Kallas found one clear bag with small white rock (cocaine); one clear bag with three small white rocks (cocaine); and two clear bags with marijuana at Ruben Bullock's Westside Story. (See Exhibit W)
DR 85-82805	10-07-85	Property Report where Officer Staley found one baggie containing cocaine chips; one baggie containing three rocks of cocaine; one "Realistic" four channel pocket scanner with serial number and model number rubbed off. (See Exhibit X)
DR 85-85414	10-22-85	Arrest of George Luster for PCS with intent to sell and resisting arrest. The charges have been ~~dismissed~~ active. (See Exhibit Y)

Ruben Bullock's Westside Story
November 5, 1985
Page 5

Document ID	Date	Description
DR 85-85672	10-23-85	Property Report where Officers Staley and Kallas found two clear bags of white cocaine at Ruben Bullock's Westside Story. (See Exhibit Z)

Las Vegas Municipal Code 6.02.330 entitled,"Disciplinary Action - Good cause designated." states:

"The licensee may be subject to disciplinary action by the Board of Commissioners for good cause, which may include, but is not limited to: ...

(I) The actual business activity constitutes a public or private nuisance, or will be or is conducted in an unlawful, illegal or improper manner;"

Based upon this evidence, a review is in order for requesting a show cause hearing on License No. L04-234-4-00547.

JD:vh

*Ruben and Vera Bullock, as debtors, filed Chapter 11 (reorganization) in U.S. Bankruptcy Court; Case No. 84-00499 on April 18, 1984. Ruben Bullock's Westside Story is listed as property of the debtors valued at $450,000.00. The City of Las Vegas filed a claim for unpaid sewer fees totalling $5,018.85. The bankruptcy is still an open case.

AGENDA

City of Las Vegas

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

December 4, 1985

	ITEM	Council Action	Department Action
	VI. REPORTS FROM RECOMMENDING COMMITTEES		
10:45	A. BILL NO. 85-53 - AMENDS CHILD CARE FACILITIES ORDINANCE BY REQUIRING FINGERPRINTING THROUGH THE FEDERAL BUREAU OF INVESTIGATION OF ANY PERSON WHO OWNS, OPERATES, IS EMPLOYED BY OR IS A RESIDENT OF A CHILD CARE FACILITY. Committee: Councilmen Lurie and Nolen First Publication: SUN - 11/21/85 Committee Recommendation: Adoption at 12/4/85 City Council meeting.	Lurie - Second Reading and Bill ADOPTED. Unanimous	Clerk to proceed with second publication.
10:46	B. BILL NO. 85-54 - ANNEXATION NO. A-8-85(A), PROPERTY LOCATED ON THE NORTHEAST CORNER OF JONES BOULEVARD AND OAKEY BOULEVARD; PETITIONED BY: DESERT LAWN, INC.; ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT). Committee: Councilmen Lurie and Nolen First Publication: SUN - 11/21/85 Committee Recommendation: Adoption at 12/4/85 City Council meeting.	Lurie - Second Reading and Bill ADOPTED. Unanimous	Clerk to proceed with second publication. Atty. Herb Jones was present.

APPROVED AGENDA ITEM

City of Las Vegas

AGENDA DOCUMENTATION

Date: October 28, 1985

TO:
The City Council

Bill No. 85-53

FROM: Teresita L. Labastida
Teresita L. Labastida
Deputy City Attorney

SUBJECT: Amends Child Care Facilities Ordinance By Requiring Fingerprinting Through The Federal Bureau Of Investigation Of Any Person Who Owns, Operates, Is Employed By Or Is A Resident Of A Child Care Facility

PURPOSE/BACKGROUND

The State Legislature recently passed Chapter 482, 1985 Statutes of Nevada (A.B. 211). The new state law requires fingerprinting through the Federal Bureau of Investigation of any person who owns, operates, or is employed by a child care facility or is a resident of such facility. This bill amends Chapter 6.24, Child Care Facilities, of the Code to comply with the legislative scheme contained in the new state law. Pursuant to NAC 432A.180, which requires that any proposed local ordinance be reviewed by the State Bureau of Services for Child Care prior to any public hearings, this bill has been submitted to the State Bureau for review and has been approved.

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 - A

City of Las Vegas
AGENDA DOCUMENTATION

Date: October 11, 1985

TO:
The City Council

FROM:
Val Steed
Deputy City Attorney
Val Steed

SUBJECT: Bill No. 85-54
Annexation No. A-8-85(A)

PURPOSE/BACKGROUND

The proposed ordinance annexes certain real property located on the northeast corner of Jones Boulevard and Oakey Boulevard. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 1985) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-8-85(A)
Property Located:	On the northeast corner of Jones Boulevard and Oakey Boulevard
Petitioned By:	Desert Lawn, Inc. 1325 North Main Las Vegas, Nevada 89101
Acreage:	Approximately 5.15 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACT

RECOMMENDATIONS

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

Agenda Item
VI - B

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 13th day of November, 1985, 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, November 18, 1985 in the City Manager's Conference Room, City Hall, 400 East Stewart Avenue, 10th Floor, 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
13th day of November, 1985

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

My Commission expires: 3-15, 86

SANDRA R. LE BOEUF
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Mar. 15, 1986

AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 12th day of November, 1985, at the hour of 9:15 AM there were posted copies of a NOTICE, the attached of which is a true and correct copy, of an INFORMATION MEETING before various RECOMMENDING COMMITTEES relative to proposed ordinances, to be held at the hour of 4 PM on Monday, November 18th, 1985, in the City Manager's Conference Room, City Hall, 400 East Stewart Avenue, 10th Floor, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

1. In the Bradley Building, State of Nevada, 2501 East Sahara Avenue;
2. In the Senior Citizens Center, 450 East Bonanza;
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's Office
DEPARTMENT

Subscribed and sworn to before me this
12th day of November, 1985

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

SANDRA R. LE BOEUF
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Mar. 15, 1986

November 6, 1985

NOTICE

The following Bills proposed for adoption by the City Council of the City of Las Vegas will be the subject of PUBLIC COMMENT before their respective committees at the hour of 4:00 P.M., Monday, November 18, 1985, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

A. BILL NO. 85-53 - AMENDS CHILD CARE FACILITIES ORDINANCE BY REQUIRING FINGERPRINTING THROUGH THE FEDERAL BUREAU OF INVESTIGATION OF ANY PERSON WHO OWNS, OPERATES, IS EMPLOYED BY OR IS A RESIDENT OF A CHILD CARE FACILITY.
Committee: Councilmen Lurie and Nolen

B. BILL NO. 85-54 - ANNEXATION NO. A-8-85(A), PROPERTY LOCATED ON THE NORTHEAST CORNER OF JONES BOULEVARD AND OAKEY BOULEVARD; PETITIONED BY: DESERT LAWN, INC.; ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).
Committee: Councilmen Lurie and Nolen

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Attendance will be noted and a tape recording of all the proceedings will be kept on file in the office of the City Clerk until final disposition. A copy of the above Bills may be obtained through the office of the City Clerk, Monday through Friday, 8 A.M. to 5 P.M.

ITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 0071

November 21, 1985

TO:

FILE

FROM: CH

CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

Recommending Committee Meeting
November 18, 1985

COPIES TO:
Agenda Blue Books 11/20/85 and 12/4/85
City Attorney
Community Planning and Development
Fire Services
Public Works
Building & Safety
Business Activity

MEETING HELD:	City Manager's Conference Room, City Hall, Las Vegas, Nevada, beginning at 4:07 P.M. and adjourning at 4:20 P.M. on Monday, November 18, 1985.
ATTENDANCE:	Councilman Ron Lurie Councilman Bob Nolen City Manager Ashley Hall Deputy City Manager Randall Walker Deputy City Manager Granville Bowman City Clerk Carol Ann Hawley Deputy City Clerk Linda Owens Marge Hether, Business Activity Ron Bradshaw, S.I.D., Metro Atty. Herb Jones Marjorie Henze, Child Care Connie Morman, Child Care

A. BILL NO. 85-53 - AMENDS CHILD CARE FACILITIES ORDINANCE BY REQUIRING FINGERPRINTING THROUGH THE FEDERAL BUREAU OF INVESTIGATION OF ANY PERSON WHO OWNS, OPERATES, IS EMPLOYED BY OR IS A RESIDENT OF A CHILD CARE FACILITY.
Committee: Councilmen Lurie and Nolen

Councilman Lurie stated this bill meets the State's requirement that was recently passed in Chapter 482, 1985 Statute, A.B. 211. Persons involved in child care will have to be fingerprinted and have a work card. Previously, they just had to have a work card by going through a background investigation, appearing before the Child Welfare Board and City Council. Committee directed staff to refer the background investigation through Metro, as well as the fingerprinting process. Committee recommends adoption at the 12/4/85 City Council meeting.

RECOMMENDING COMMITTEE MEETING
NOVEMBER 18, 1985
PAGE 2

B. BILL NO. 85-54 - ANNEXATION NO. A-8-85(A), PROPERTY LOCATED ON THE NORTHEAST CORNER OF JONES BOULEVARD AND OAKEY BOULEVARD: PETITIONED BY: DESERT LAWN, INC.; ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Councilmen Lurie and Nolen

Atty. Herb Jones appeared and stated there will be a rezoning application forthcoming so a mortuary can be constructed on this property. No one appeared in opposition. Committee recommended adoption at the 12/4/85 City Council meeting.

CAH/lmo

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date December 2, 1985

TO: FILE

FROM: CAROL ANN HAWLEY
CITY CLERK

SUBJECT: RECOMMENDING COMMITTEE MEETING
DECEMBER 2, 1985

COPIES TO: Agenda Blue Books 12/4/85 & 12/18/8
City Attorney
Community Planning & Development
Fire Services
Public Works
Building & Safety
Business Activity

MEETING HELD:	City Manager's Conference Room, City Hall, Las Vegas, Nevada, beginning at 4:00 P.M. and adjourning at 4:05 P.M. on Monday, December 2, 1985.
ATTENDANCE:	Councilman Wayne Bunker City Manager Ashley Hall City Attorney George Ogilvie Executive Assistant to City Manager Richard Blue City Clerk Carol Ann Hawley Deputy City Clerk Sandra LeBoeuf
EXCUSED:	Councilman Bob Nolen

A. BILL NO. 85-55 - CREATES SPECIAL IMPROVEMENT DISTRICT NO. 459 (RIGEL AVENUE).
Committee: Councilmen Bunker and Nolen

No one appeared in opposition to this Bill. Committee recommended adoption at the 12/18/85 City Council meeting.

B. BILL NO. 85-56 - LEVIES ASSESSMENTS IN SPECIAL IMPROVEMENT DISTRICT NO. 441 (BONANZA ROAD PHASE II).
Committee: Councilmen Bunker and Nolen

No one appeared in opposition to this Bill. Committee recommended adoption at the 12/18/85 City Council meeting.

C. BILL NO. 85-57 - LEVIES ASSESSMENTS IN SPECIAL IMPROVEMENT DISTRICT NO. 449 (BONANZA ROAD SEWERS).
Committee: Councilmen Bunker and Nolen

No one appeared in opposition to this Bill. Committee recommended adoption at the 12/18/85 City Council meeting.

CAH/sl

AGENDA

City of Las Vegas

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

December 4, 1985

ITEM	Council Action	Department Action
VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)		
C. BILL NO. 85-55 - CREATES SPECIAL IMPROVEMENT DISTRICT NO. 459 (RIGEL AVENUE). Committee: Councilmen Bunker and Nolen First Publication: SUN - 12/5/85 Committee Recommendation: Adoption at 12/18/85 City Council meeting.	Recommendation Noted	12/18/85 Agenda
D. BILL NO. 85-56 - LEVIES ASSESSMENTS IN SPECIAL IMPROVEMENT DISTRICT NO. 441 (BONANZA ROAD PHASE II). Committee: Councilmen Bunker and Nolen First Publication: SUN - 12/5/85 Committtte Recommendation: Adoption at 12/18/85 City Council meeting.	Recommendation Noted	12/18/85 Agenda

APPROVED AGENDA ITEM

[signature]

AGENDA

City of Las Vegas

December 4, 1985

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. 85-57 - LEVIES ASSESSMENTS IN SPECIAL IMPROVEMENT DISTRICT NO. 449 (BONANZA ROAD SEWERS). Committee: Councilmen Bunker and Nolen First Publication: SUN - 12/5/85 Committee Recommendation: Adoption at 12/18/85 City Council meeting.	Recommendation Noted	12/18/85 Agenda

APPROVED AGENDA ITEM

AGENDA

City of Las Vegas

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

December 4, 1985

	ITEM	Council Action	Department Action
	VII BOARDS AND COMMISSIONS		
10:47	A. SENIOR CITIZENS LAW PROJECT ADVISORY BOARD 3-Year Term 1. Marion B. Earl - Term Expired 11/1/85 2. Gilda Johnstone - Term Expires 11/1/87 (RESIGNED)	Levy - Motion to concur with Mayor's appointment of Carla Sloan, 6247 Barnsdale Court, Las Vegas, NV 89115 to a three-year term to expire 12/4/88 and Elizabeth Louise Juhas, 3765 Central Park Circle, Apt. 4, Las Vegas, NV 89109 to fill the unexpired term of Gilda Johnstone to 11/1/87 carried unanimously.	Clerk to notify

APPROVED AGENDA ITEM

[signature]

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 0077
November 26, 1985

TO:	FROM: SCU file RED.
CAROL ANN HAWLEY CITY CLERK	RICHARD E. DONALDSON, ESQ SENIOR CITIZENS LAW PROJ.
SUBJECT: SENIOR CITIZENS LAW PROJECT ADVISORY BOARD	COPIES TO: CITY COUNCIL ASHLEY HALL, CITY MGR. RANDALL WALKER DAVID SANCHEZ, PERSONNEL MARGARET GAVILLET

The Senior Citizens Law Project Advisory Board recommends that the City Council consider the following individuals to be appointed to the Senior Citizens Law Project Advisory Board to replace Gilda Johnstone and Marion Earl:

CARLA SLOAN
6247 Barnsdale Court
Las Vegas, Nevada 89115
438-5152

ELIZABETH LOUISE JUHAS
3765 Central Park Circle, Apt. #4
Las Vegas, Nevada 89109
731-2434

RED:sk

VII. A.

AGENDA

City of Las Vegas

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

	ITEM	Council Action	Department Action
	VIII. NEW BILLS TO BE REFERRED TO A STUDY COMMITTEE OR RECOMMENDING COMMITTEE		
:48	A. Bill No. 85-58 -- Excludes country/western music from definition of rock concerts; permits Director of Business Activity to issue permits for certain indoor rock concerts Sponsored by: Councilman Ron Lurie	First Reading and Referred - Lurie and Levy	12/16/85 Agenda Recommending Committee Meeting
	B. Bill No. 85-59 -- Adopts the Uniform Mechanical Code, 1985 Edition, providing regulations for the installation, repair, service, maintenance and improvement of heating and air conditioning equipment and ductwork and the inspection thereof and provides for the licensing of persons doing air conditioning work Sponsored by: Councilman Ron Lurie	First Reading and Referred - Levy and Lurie	12/16/85 Agenda Recommending Committee Meeting
	C. Bill No. 85-60 -- Adopts the 1984 National Electrical Code, together with a supplemental document providing amendments thereof, deletions therefrom and additions thereto, as the City's Electrical Code Sponsored by: Councilman Al Levy	First Reading and Referred - Levy and Lurie	12/16/85 Agenda Recommending Committee Meeting

MORNING SESSION RECESSED AT 10:52 A.M.

AGENDA

City of Las Vegas

December 4, 1985

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

	ITEM	Council Action	Department Action
	IX 2:00 P.M. - PUBLIC HEARINGS	PUBLIC HEARING HELD	
2:03	A. PUBLIC HEARING TO CONSIDER AMENDING THE CITY'S FY 85-86 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.	Nolen - APPROVED as recommended (award of $23,334 to The Nevada Black Chamber of Commerce for a new activity). Unanimous	Staff to proceed Gwen Coleman, Executive Dir., The Nevada Black Chamber of Commerce, appeared. No one appeared in opposition.

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

APPROVED AGENDA ITEM

Rdf H. Walker

City of Las Vegas

AGENDA DOCUMENTATION

Date: December 4, 1985

TO: The City Council

FROM: RANDALL H. WALKER
DEPUTY CITY MANAGER

SUBJECT: PUBLIC HEARING TO CONSIDER AMENDING THE CITY OF LAS VEGAS' FY 1985-86 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PURPOSE/BACKGROUND

The Department of Economic and Urban Development requested on November 18, 1985, that a Public Hearing be scheduled for December 4, 1985 at 2 p.m. to take action on amending the City's FY 1985-86 Community Development Block Grant Program to include, as a new activity, providing matching funds to Las Vegas' Overall Economic Development Committee's planning arm, the Nevada Black Chamber of Commerce. The CDBG funds requested are to support an Economic Development Administration (EDA) planning grant for implementation of "Phase II" of the Overall Economic Development PLan (OEDP).

In October, 1985, the U. S. Department of Commerce's Economic Development Administration (EDA) approved the Las Vegas OEDP for the Special Impact Area (SIA). The Nevada Black Chamber of Commerce will remain the implementing arm for the OEDP Plan in the Special Impact Area (SIA).

HUD regulations allow for the use of CDBG funds to be used for special economic development activities (HUD Regulation Section 570.203). The Nevada Black Chamber of Commerce is a neighborhood based non-profit organization located at 900 West Owens (the City's Light Industrial Facility in Nucleus Plaza). Their mission under their EDA grant is to coordinate with the local resources such as Nevada Development Authority and the City's Department of Economic and Urban Development, to implant the projects listed in the EDA approved OEDP. They provide "direct technical assistance" to businesses interested in locating in the Special Impact Area. The Chamber will use its staff to work with other local entities attempting to foster economic development projects/activities appropriate for the Special Impact Area. They will assist in providing such services as advocacy, marketing, analysis of business needs, and the linking of low and moderate income persons to new business opportunities and jobs.

FISCAL IMPACT

$23,334.00 in unobligated City FY 1984-85 Community Development Block Grant funds to be expended in the City's FY 1985-86 program.

RECOMMENDATIONS

It is the recommendation of the Office of the City Manager that Council approve this action.

JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT

Agenda Item

IX. A

THE NEVADA BLACK
CHAMBER OF COMMERCE

October 2, 1985

Mr. Jack Thomason, Director
Department of Economic
and Urban Development
City of Las Vegas - City Hall
400 E. Stewart Avenue, 5th Floor
Las Vegas, Nevada 89101

Dear Jack:

As per our meeting yesterday, attached please find a copy of our approved Economic Development Administration's planning grant for fiscal year 85-86 beginning September 1, 1985.

Please note, this unity is our formal request for matching funds of $23,334.00 to implement the attached scope of work.

We look forward to another year of success, yielding fruitful economic development benefits for the Special Impact Area.

Sincerely,

Gwyn Brown-Coleman,
Executive Director

GBC:jch

P.O. Box 4850 • Las Vegas, Nevada 89106
(702) 648-6222 • 648-6223

U.S. DEPARTMENT OF COMMERCE
Economic Development Administration
1700 Westlake Avenue North
Seattle, Washington 98109

Project No. 07-05-15083-61

August 19, 1985

Mr. William H. Bailey, President
The Nevada Black
Chamber of Commerce, Inc.
Post Office Box 4850
Las Vegas, Nevada 89106

Dear Mr. Bailey:

This is to advise you that the Economic Development Administration has approved your planning grant in the amount of $70,000. The grant is for administrative expenses and is made to your organization in accordance with Section 301(b) of the Public Works and Economic Development Act of 1965, as amended.

We are enclosing three copies of the Grant Offer. Please note the terms and conditions under this grant. Two executed copies of the Grant Offer must be returned to this office. The original is for your files.

Sincerely,

John D. Woodward

John D. Woodward
Regional Director

Enclosures

Form ED-352-B (Rev. 6/26/85)	U. S. Department of Commerce Economic Development Administration	Project Number 07-05-15083-61
AMENDMENT TO GRANT		Amendment Number: One

The Regional Director, acting pursuant to Title III, Section 301(b), of the Public Works a: Economic Development Act of 1965, as amended, and under EDA Directive 13.01-1. 10d, effect: date March 1, 1985, SN551, hereby offers to

The Nevada Black Chamber of Commerce, Inc.

an amendment to the Offer of Grant No. 07-05-15083 in the amount of $70,000

The Special Terms and Conditions of the Grant Offer are revised as follows:

I. The grant will extend from September 1, 1984 through August 31, 1986 EDA will make additional payments on or near the beginning of each of the periods listed b and in the corresponding amounts:

Date	Amount
September 1, 1985 to December 31, 1985	$23,333
January 1, 1986 to April 30, 1986	23,333
May 1, 1986 to August 31, 1986	23,334
	$70,000

II. A. Under the terms of this agreement, the ratio of Federal and non-Federal contributic to the total budget is 75 percent and 25 percent, respectively. The same ratio w: be used to determine Federal and non-Federal shares of total allowable costs, in accordanc with provisions of OMB Circular A-87, at the conclusion of the grant period. The Federal share of total allowable costs shall not exceed the dollar amount in the approved budget (the original grant and subsequent amendments.

B. State and local government recipients are responsible for arranging for audit services in accordance with the Single Audit Act of 1984 (P.L. 98-502) and OMB Circular No. A-128 and Attachment G of OMB Circular No. A-102. Section 5.i. of OMB Circular No. A-128 includes "special district","intrastate district," and "council of governments" within the definition of "local government." Districts organized as (1) public organizat through intergovernmental agreements for the joint exercise of local government powers, o: (2) as public organizations established under State enabling legislation for the creatic of multijurisdictional areawide planning organizations are considered, for purposes of applying OMB Circular No. A-128, to be "local governments." Districts organized as nonprofit organizations under the generally applicable incorporation statutes of the Stat in which they are located are responsible for arranging for audit services in accordance with OMB Circular No. A-110, Attachment F. Grantees shall have an audit made for each of their fiscal years in which Federal funds are received, as stipulated in the appropriate circular.

C. In addition to the audit report, the grantee must provide comments on the findings and recommendations of the report, including a plan for corrective action taken or plann and comments on the status of corrective action taken on prior findings. If corrective action is not necessary, the grantee should provide a statement explaining why.

III. Additional Performance and Financial Reports are required as indicated below:

A. PERFORMANCE

	Due Date
September 1, 1985 to February 28, 1986	March 15, 1986
March 1, 1986 to August 31, 1986	September 15, 1986

B. FINANCIAL

Submit the Financial Status Report (SF-269) and Report of Federal Cash Transactions (CD-286) according to the schedule below:

Period	Due Date
September 1, 1985 to November 30, 1985	December 15, 1985
December 1, 1985 to February 28, 1986	March 15, 1986
March 1, 1986 to May 31, 1986	June 15, 1986
June 1, 1986 to August 31, 1986	September 15, 1986

IV. A. Under the terms of this Grant the approved budget is:

	PREVIOUS	AMENDMENT	TOTAL
Federal Cash Contribution	$ 70,000	$ 70,000	$ 140,000
Grantee Contribution	$ 23,334	$ 23,334	$ 46,668
Total	$ 93,334	$ 93,334	$ 186,668

B. Budget Categories	Total
Direct Charges:	
1. Personnel	$ 99,600
2. Fringe Benefits	23,898
3. Travel	13,900
4. Equipment	6,720
5. Supplies	4,658
6. Contractual	15,900
7. Other	21,992
Total Direct Charges	186,668
8. Indirect Charges	
Total	186,668

V. Additional Special Terms:

A. See Attached Scope of Work

B. Authorized professional staff positions chargeable to the grant:

Position/Employee Name	Annual Salary	% Time on Grant	$ Amount on Grant
Executive Director Gwynetta U. Brown-Coleman	$30,000	16%	$ 4,800
Economic Dev. Specialist Glynda White	26,500	75%	19,875
Sec./Admin. Aide Bettie McRae	18,500	75%	13,875

C. The grantee hereby agrees that this award is subject to OMB Circular A-122 and any subsequent amendments as published by OMB in final fo[rm] in the Federal Register.

All other terms and conditions of the Grant remain unchanged and continue in full force a[nd] effect.

Date this 19th day of August, 198_

John D. Woodward

John D. Woodward, Regional Director

The foregoing amendment to the Offer of Grant assistance is hereby accepted and it is agreed that all assurances provided in connection with the Offer of Grant and all other Terms and Conditions of the basic grant and the General Terms and Conditions attached thereto remain unchanged.

Dated this 27th day of September, 1985

Grantee THE NEVADA BLACK CHAMBER OF COMMERCE

By (William H. "Bob" Bailey)

Title President

THE NEVADA BLACK CHAMBER OF COMMERCE, INC.,
NOV 17, 1985

SCOPE OF WORK

GOAL 1: DEVELOP AND MAINTAIN JOBS AND EMPLOYMENT OPPORTUNITIES WITHIN THE SPECIAL IMPACT AREA.

Objectives:

(1) To encourage and increase business location.

(2) To provide and encourage more active participation in the Special Impact Area from majority community, whereby business patronage is increased.

(3) To increase the number of minority-owned business establishments and thereby increase gross receipts, career job opportunities and payrolls of minority businesses.

(4) To increase per capita income in the Special Impact Area.

(5) To increase private and public sector employment consistent with need.

GOAL 2: DEVELOP AND MAINTAIN ECONOMIC VITALITY OF THE SPECIAL IMPACT AREA.

Objectives:

(1) To increase the development, location of, and expansion of industrial sites and parks which will attract dollars generated outside the area into the local economy.

(2) To increase the development, location of, and expansion of public facilities (such as city, state, and federal offices), in the Special Impact Area.

(3) To provide and encourage those businesses, projects and activities which contribute to the development and use of the SIA on a 16-hour basis, (i.e., commercial entertainment or labor intensive/factories).

(4) To encourage the inclusion of housing development within the SIA, suitable and standard housing is imperative for residents if economic development is to thrive.

(5) To provide a more effective basis for coordinated efforts to retain existing firms and attract new ones to the area.

GOAL 3: ESTABLISH PROGRAMS AND DEVELOP PROJECTS TO REDUCE UNEMPLOYMENT IN THE SPECIAL IMPACT AREA.

Objectives:

(1) To provide, encourage and promote programs to reduce unemployment among the SIA's residents or sectors experiencing relatively high rates of unemployment.

(2) To provide, encourage and promote training programs involving local businesses and industries to develop a more skilled labor force.

(3) To improve employment opportunities with private sector.

(4) To improve employment opportunities within the Special Impact Area.

GOAL 4: INCREASE MINORITY PARTICIPATION IN THE ECONOMIC GROWTH OF GREATER LAS VEGAS.

Objectives:

(1) To increase the capability of minority businesses headquartered in the SIA to do business with the government.

(2) To increase minority participation in the planning, policy-making process for future growth and development for the City of Las Vegas.

(3) To develop an economic plan that interrelates or is concomitant with the Master Plan of the local (City) government.

V. AUDITS

A. An Audit Report of this Grant shall be performed in accordance with the instructions and procedures specified in the GAO audit guideline and Attachments G and P of the OMB Circular No. A-102.

B. As required by Department of Commerce Administrative Order 213-5, Audit Followup and Resolution, the Grantee is expected to respond to any questioned costs and other audit findings and provide additional documentation to support such response within 30 days after the receipt of an Audit Report from the Office of Inspector General.

EDA will consider any response or documentation received during this 30-day period in reaching its final determination concerning eligibility of costs. Any Grantee response or documentation received by EDA more than 30 days after Grantee receipt of the Audit Report, and before EDA's final determination, may be considered. EDA's final determination shall be in writing and furnished to the Grantee.

Actions that result from EDA's final determination, such as the establishment of a debt or claim against the Grantee, are not subject to appeal within EDA.

VI. PROHIBITION AGAINST RELOCATION

No part of the total budgeted funds, whether in cash or in kind, shall be used, either directly or indirectly, to assist, solicit, or encourage the relocation of any establishment from one area to another, or to assist, solicit, or encourage the transfer of contract or subcontract work, which would result in a transfer of jobs causing unemployment at the location where such work was previously performed. Nor may the Grantee pay out of such budgeted funds any part of the compensation or expense of employees who may at any time engage in such activities.

VII. AVAILABILITY OF INFORMATION

The Grantee agrees that all technical nonconfidential information resulting from its activities shall be made freely available to the general public on an equal basis.

VIII. CONGRESS MEMBERS NOT TO BENEFIT

No Member of Congress or resident Federal Commissioner shall be admitted to any share or part of this Grant, or to any benefit that may arise therefrom; but this provision shall not be construed to bar as a contractor under the Grant a publicly held corporation whose ownership might include a Member of Congress.

The Grantee therefore shall ensure that its primary use of Grant funds is to maintain a full-time staff of persons who are professionally competent to carry out the program for which EDA assistance is given.

The Grantee shall follow generally accepted personnel standards for the selection and performance evaluation of its personnel.

B. The Grantee shall immediately notify the Grantor of any changes in the Grantee's Bylaws or Articles of Incorporation.

IV. FINANCIAL MATTERS

A. The Grantee will comply with Office of Management and Budget Circular No. A-102 (Revised). The Federal share and non-Federal share of allowable project costs will be determined by EDA in accordance with the Special Terms and Conditions of the Grant and in accordance with allowable and allocable Grant costs as described in OMB Circular No. A-87.

B. The Grant will not cover the cost of work already performed nor of services already provided prior to the project starting date established in the Grant Offer.

C. The Grantee shall be paid for this project whichever is the lessor of (1) the amount of the Federal Grant Award indicated on the attached Special Terms and Conditions or (2) 75 percent of the accepted costs of the project as determined by the Government.

The Grantee shall contribute at least 25 percent of the total project cost from non-Federal sources. Such match may include applicant funds or in-kind contributions. Where a Federal program provides that funds may be used to provide the local share under other Federal programs, such funds will be considered as deriving from a "non-Federal source."

D. Grantee agrees that refunds of FICA/FUTA taxes received during or after the Grant period will be refunded or credited to the Federal government if such payments were financed by Federal funds under this Grant. Refunds should be mailed to the Grant Administrator, but made payable to the Treasurer of the United States.

E. Upon written notice to the Grantee, the Grantor reserves the right to withhold, suspend, or terminate the financial assistance herein offered when, at any time in its opinion, the Grantee is in violation of the terms of this Grant Offer or if the purposes of the program would not be achieved by continuance of the existing Grant. Termination of the Grant will not invalidate noncancellable commitments or obligations properly incurred by the Grantee prior to the date of termination. The decision of the Grantor in interpreting the Terms and Conditions of the Grant shall be final.

8B/Las Vegas Review-Journal/Wednesday, November 20, 1985

Opinion

An economic plan for city's Westside

Even a cursory examination of the city's Westside will indicate the area is in dire need of an economic boost.

The area, whose population is 80 percent black, suffers from high unemployment, a very low median family income and inadequate educational levels.

Within the depressed, 24-square-mile area known as the Westside, there is not a single bank, not a single savings and loan, not a single insurance company, no high school, no training center, no major food chain, no drug store, no utility service station — this in an area where about 36,000 people live.

Past redevelopment efforts, obviously, have brought little change to the depressed, neglected area.

There have been some recent positive developments: A Maryland-based aviation company, Rowe Inc., hopes to establish an aircraft repair facility in the heart of the Westside; the Moulin Rouge's Club Rouge has competent new managers who have renovated the facility and who hope to return the complex to its former grandeur.

But, generally, the area remains one of the most depressed communities — not just in Nevada but in the United States. The U.S. Commerce Department recognized it as such by designating it as a "special impact area." Now the Westside is eligible for development seed money which would be used for projects designed to bring economic life to the community.

After months of effort, there has emerged something called the overall economic development plan for the Westside. This plan, financed by the Commerce Department and put together under the auspicies of the Nevada Black Chamber of Commerce, offers a raft of proposals aimed at revivifying the area.

Some of the proposals sound like solid ideas.

One of the best ideas involves an $800,000 grant for the proposed Rowe Inc. project. The company plans to build a hangar and machine shop at McCarran International Airport. There military jets would be stripped down to component parts and trucked to the proposed Westside repair facility, where they would be refurbished. The $800,000 from the Commerce Department could give the project the boost it needs to move off the drawing boards. If it does, Rowe Inc. — a company owned by blacks — could eventually employ hundreds on the Westside.

The plan also calls for Commerce money to set up an entrepreneurship training program at Clark County Community College and finance construction of a Small Business Assistance Center to provide technical help for small businessmen. Both these programs would be welcome developments — especially because they would focus on what must be the heart of any real, sustained economic redevelopment — the private sector.

The plan also proposes an industrial park at the North Las Vegas Airport, another move aimed at bringing more private enterprise to the area. Further renovation of the Moulin Rouge on West Bonanza is also among the plan's proposals and also is a good idea. Perhaps the Moulin Rouge can regain its former opulence and serve as the main entertainment center on the Westside.

The actual writing of the 279-page plan was the work of Glynda White, a young black lawyer and former teacher who spent months preparing the document. It was a commendable effort.

The plan was approved by the Overall Economic Development Program Committee, a blue-ribbon panel of Nevadans from all walks of life. The committee and the black chamber devoted many hours to the creation of this mostly solid proposal.

We hope the U.S. Commerce Department sees its way clear to finance the best of the proposals. The Westside is long overdue for development.

P U B L I C   N O T I C E

PUBLIC HEARING TO CONSIDER AMENDING THE

CITY OF LAS VEGAS' FY 1985-86

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:

WEDNESDAY, DECEMBER 4, 1985

AT 2:00 P.M.

IN THE

COUNCIL CHAMBERS

OF

CITY HALL

400 EAST STEWART

LAS VEGAS, NEVADA 89101

INTERESTED PARTIES ARE URGED TO ATTEND AND PUBLIC COMMENTS ARE INVITED. FOR FURTHER INFORMATION, CONTACT:

JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
(702) 386-6462

NEVADA DEVELOPMENT AUTHORITY
McCARRAN INTERNATIONAL AIRPORT
P.O. Box 11128 • Las Vegas, Nevada 89111
Area Code (702) 739-8222
Toll-Free 1-800-634-6858

November 15, 1985

Mr. Jack Thomason, Director
Department of Economic & Urban Development
City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

Dear Mr. Thomason,

The Nevada Development Authority and the Nevada Black Chamber of Commerce have an established, cooperative working relationship. NBCC and NDA continue to coordinate our efforts to bring business and industry into the Special Impact Area. Formal presentations to potential firms help encourage these businesses to locate in Southern Nevada, after available site selection has been provided and pinpointed.

Once a firm has located here and opens for business, the NBCC offers follow-up to assist in areas requested by the firm, i.e., communications, permits, start-up needs, etc. and acts as an ambassador for economic development in the Special Impact Area.

NBCC and NDA share resource tools and information to maximize our effectiveness when dealing with potential clients.

Sincerely,

Robert Culp
President

RC:kdm

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 2:00 P.M. - PAGE 1
IX. PUBLIC HEARINGS. ITEM A. PUBLIC HEARING TO CONSIDER AMENDING THE CITY'S FY 85-86 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

MAYOR BRIARE: The first order of business are public hearings for today, the first of which is one To Consider Amending the City's FY 85-86 Community Development Block Grant Program. Mr. Hall, are you or Mr. Thomason going to present this?

CITY MANAGER ASHLEY HALL: Mr. Thomason is, Your Honor.

JACK THOMASON: Yes, Mr. Mayor, the purpose of this public hearing is to take action on amending the City's FY 85-86 Community Development Block Grant Program to include, as a new activity, to provide matching funds to the Las Vegas Overall Economic Development Committees planning arm, the Nevada Black Chamber of Commerce. The CDBG funds requested are to support an Economic Development Administration (EDA) planning grant of $70,000 for implementation of "Phase II" of the Overall Economic Development Plan (OEDP). HUD regulations allow for the use of CDBG funds to be used for special economic development activities, and I can give you the HUD regulation on that, it's Section 570.203 for the record. The Nevada Black Chamber of Commerce is a neighborhood based non-profit organization located at 900 West Owens. Their mission under their EDA grant is to coordinate with the local economic development people to implement the projects in the EDA approved OEDP. They provide "direct technical assistance" to the businesses interested in locating in the Special Impact Area. They will assist in the provision of services such as information, processing, marketing, business development assistance and the linking of low and moderate income persons to new business opportunites in the job targeted for the Special Impact Area recommend approval.

MAYOR BRIARE: Are there any, first of all, before I call for a public comment, is there any comments by the Council at this time? Ladies and gentlemen, this is a public hearing. First let me ask if there's anyone in the Chambers this afternoon who is here to speak in opposition to the awarding of this Community Development Block Grant money? Is there anyone here that wishes to speak in favor? Good afternoon.

GWEN COLEMAN: Good afternoon, Mayor.

MAYOR BRIARE: I had a hunch you were going to speak in favor.

GWEN COLEMAN: Your Honor, and City Councilmen, my name is Gwen Brown Coleman. I'm the Executive Director for the Nevada Black Chamber of Commerce and on the 19th of November we had received responding telephone calls from both Councilman Lurie and Councilman Nolen that they

IX. PUBLIC HEARINGS. ITEM A. PUBLIC HEARING TO CONSIDER AMENDING THE CITY'S FY 85-86 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

GWEN COLEMAN: were going to be in attendance of a formal presentation that we did for the Governor, elected officials, and other dignitaries within the State, the City of Las Vegas, and the State of Nevada. This is the end product in terms of what your funds went for last year and from this I just want to pass out a few handouts (passed out handouts). For the continuation of Phase II of this program and working very closely with the Nevada Development Authority we are proposing to bring out in the open and tell our stories to the various entities in relationship to economic development. We will be giving formal presentations to most of the entities in reference to their staff and department heads as well as the local community and anybody else that might be interested, as well as assisting coordinated efforts with the NDA to help bring industry and businesses into the Special Impact Area , which is the West Las Vegas area. And I guess, unless you have any questions, --

MAYOR BRIARE: I think you've done a very good job. These are interesting exhibits you have to go through and we also have in our files letters of recommendation that you get this money. Was there anyone else that was going to speak today on this public hearing, one way or the other, whatever you have in mind? Last call.

GWEN COLEMAN: Mayor, I would just like to add that the technical assistance that we have received from your staff, from the Department of Urban and Economic Development, has been second to none and we really appreciate it.

MAYOR BRIARE: We appreciate your saying that. The public hearing is closed. Comments from the Council?

COUNCILMAN NOLEN: Your Honor, I MOVE THAT WE FOLLOW THE RECOMMENDATION OF STAFF.

MAYOR BRIARE: Are there any comments on the motion? Cast your votes. Post. Motion is APPROVED. (Motion carried UNANIMOUSLY.)

END OF DISCUSSION

/lo

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
IX 2:00 P.M. - PUBLIC HEARINGS		
2:08 B. VAC-16-85 - Petition of Vacation submitted by the SECOND BAPTIST CHURCH, INC., to vacate public right-of-way on portions of Monroe Avenue between "D" and "E" Streets, Madison Avenue, between "E" AND "F" Streets and "E" Street between Monroe Avenue and Jefferson Avenue. Planning Commission unanimously voted to recommend APPROVAL, subject to the following conditions: 1. The vacation being amended to 5 feet on each street with the retention of all applicable property line radii as required by the Department of Public Works. 2. Standard conditions 1-4. Staff Recommendation: APPROVAL, subject to the application being amended from 11.5 feet to 5 feet. PROTESTS: 0	Levy - APPROVED as recommended by Planning Commission and Staff. Unanimous	Clerk to notify and Planning to proceed. Willis Warren, Trustee/Treas., Second Baptist Church, appeared and represented the application. No one appeared in opposition.

IX.

To: The City Council
Re: Public Hearing Agenda Item
December 4, 1985 City Council Agenda

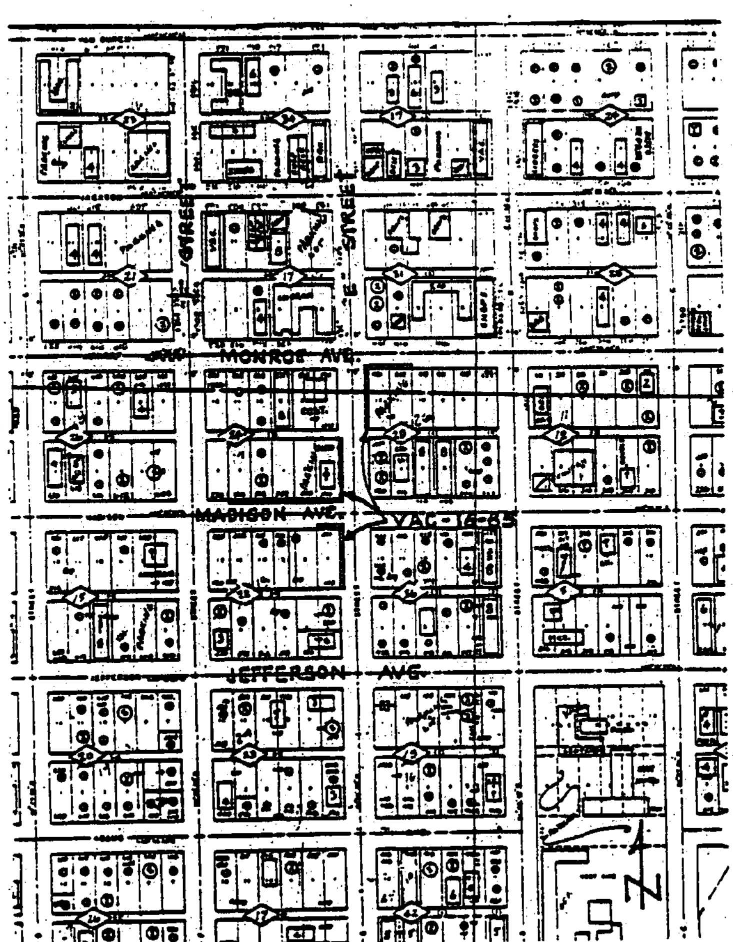
B. VAC-16-85 - SECOND BAPTIST CHURCH

The request is to vacate 11.5 feet adjacent to three parcels of land on Monroe, Madison Avenue and "E" Street. The applicant is proposing an expansion program for its church facility at "E" and Monroe and it will have two satellite parking lots, one on Madison Avenue to the south, and one on "E" Street to the northeast. If the existing 70 foot right-of-way was reduced by 11.5 feet on each side, it would reduce the street widths to 47 feet, which is the existing improved section on these streets. The applicant felt the streets would never be widened in the future and they would like to utilize the area for additional parking. Staff recommended the vacation be amended to 5 feet on each side of the street at the Planning Commission meeting because the zoning pattern in the area warrants a minimum street width of 60 feet to provide adequate traffic circulation. The applicant does not need the right-of-way to satisfy any required parking for the proposed church expansion. The Planning Commission also felt the 60' minimum street width should be retained and pointed out an encroachment request could be pursued with the City to utilize the unimproved right-of-way on a temporary basis for additional off-street parking.

Planning Commission Recommendation: APPROVAL - subject to the application being amended from 11.5 feet to 5 feet

Staff Recommendation: APPROVAL, subject to the application being amended from 11.5 feet to 5 feet

PROTESTS: 0



NOTICE

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

Portions of Monroe Avenue between "D" and "E" Streets, Madison Avenue between "E" and "F" Streets and "E" Street between Monroe Avenue and Jefferson Avenue

SUBJECT TO

1. The vacation be amended to 5 feet on each street with the retention of all applicable property line radii as required by the Department of Public Works;
2. Reservation of easements for the facilities of the various utility companies, together with reasonable ingress thereto and egress therefrom;
3. Conformance to code requirements and design standards of all City departments;
4. Vacation shall not be recorded until all of the above conditions have been met;
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

A PUBLIC HEARING on said petition and recommendation of the Planning Commission will be held on the 4th day of December, 1985, at the hour of 2:00 p.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, County of Clark, State of Nevada.

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

THIS NOTICE is given pursuant to an Order made by the City Council of the City of Las Vegas, Nevada, at a regular meeting thereof held on the 20th day of November, 1985.

VAC-16-85

AGENDA

City of Las Vegas

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

December 4, 1985

ITEM		Council Action	Department Action
	IX 2:00 P.M. - PUBLIC HEARINGS		
2:10	C. V-100-85 - APPEAL filed by KEITH E. GALLIHER, JR., on behalf of BECKY WELLS DBA SUGAR CAKE RANCH to the action of the Board of Zoning Adjustment in DENYING her application for a Variance to allow a commercial child care facility on property located at 1254 Vista Drive in Zoning District R-E. Board of Zoning Adjustment unanimously voted to DENY. If approved, the following conditions are recommended: 1. Conformance to the plot plan. 2. A limit be set forth on the number of children allowed in connection with this operation. 3. A specified maximum number of children to be allowed outdoors at any one time. 4. The hours of operation be indicated. 5. Standard conditions 2-8. Staff Recommendation: DENIAL - insufficient justification for this request. PROTESTS: 29	Lurie - DENIED Appeal (Application denied). Unanimous	Clerk to notify Appellant was not present 10 protestors present in audience.

[signature]

IX.

To: The City Council
Re: Public Hearing Agenda Item
December 4, 1985 City Council Agenda

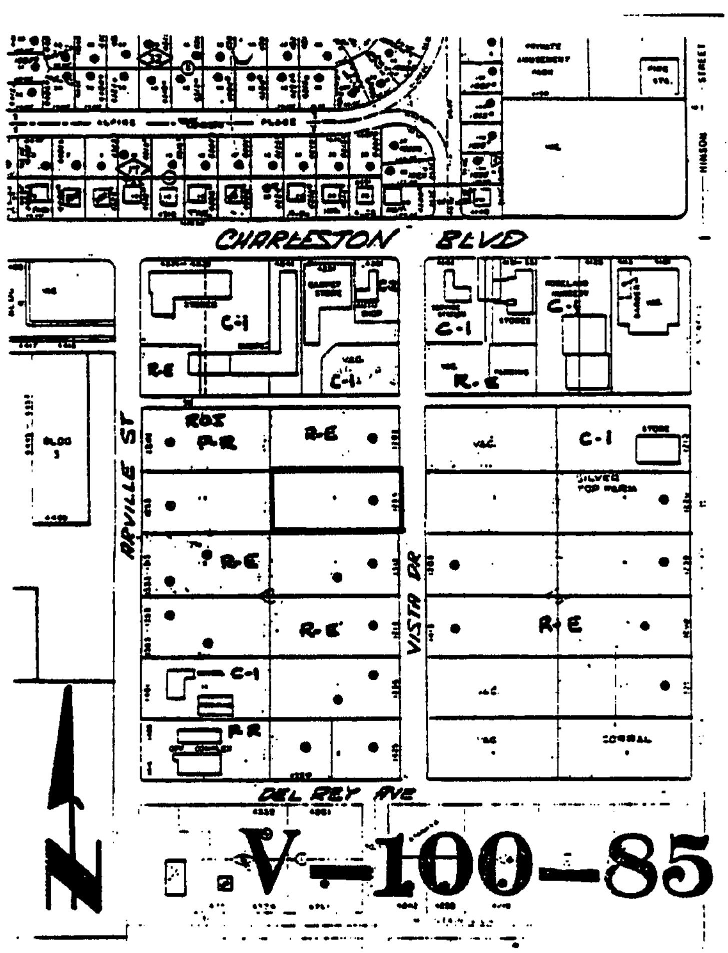
C. V-100-85 - BECKY WELLS DBA SUGAR CAKE RANCH

This item is an appeal by the applicant to the action of the Board of Zoning Adjustment in denying her variance application to allow a commercial child care facility at 1244 Vista Drive in an R-E Zone. The property is located in an area that is relatively developed with single family homes. To the west the lots fronting on Arville Street are transitioning to P-R and a commercial child care nursery was denied on a property to the northwest several years ago. The applicant proposes to convert the existing 3,500 square foot home to this use and is proposing several additions which would result in a 4,000 square foot structure. The home is set back 190 feet from Vista and, consequently, the play area for the children will be in front of the residence. There was a protest factor from the residents in the area who felt the commercial use would adversely affect the low density residential area.

Board of Zoning Adjustment Recommendation: DENIAL, insufficient justification for this commercial use in a residential area.

Staff Recommendation: DENIAL - insufficient justification for this request

PROTESTS: 29 (1 letter, petition with 20 signatures, 8 at meeting)



LAW OFFICES
of
KEITH E. GALLIHER, JR., CHARTERED
1850 E. SAHARA AVENUE, SUITE 100
LAS VEGAS, NEVADA 89104

KEITH E. GALLIHER, JR.
JEFFREY R. ALBREGTS

TELEPHONE
(702) 735-0049

November 7, 1985

RECEIVED
NOV 7 4 0 PM '85
CITY CLERK

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

Re: V-100-85
Sugar Cake Ranch

Dear Ms. Halley:

A request for variance to allow a commercial child care facility on property located at 1254 Vista Drive, Las Vegas, Nevada, was heard by the Board of Zoning Adjustment on October 24, 1985. Please be advised that my client, Becky Wells dba Sugar Cake Ranch, desires to appeal the decision of the Board of Zoning Adjustment with respect to the hearing of October 24, 1985.

Should you have any questions, please feel free to call.

Very truly yours,

Keith E. Galliher, Jr.

KEG/j
cc: Richard L. Williams, Chief
Current Planning Division

TRANSCRIPT - BOARD OF ZONING ADJUSTMENT MEETING - OCTOBER 24, 1985
ITEM 4 - V-100-85 - BECKY WELLS DBA SUGAR CAKE RANCH

CHAIRMAN JUNIEL: Item Number 4, Becky Wells. The application of Becky Wells doing business as Sugar Cake Ranch for a variance to allow a commercial child care facility on property located at 1254 Vista Drive in Zoning District R-E.

RICK WILLIAMS: Yes, this variance is to allow a commerical child care operation on one of the one acre lots in this existing R-E subdivision. This site includes an existing house which is approximately 3600 square feet in size and they propose several additions which would take the building well over 4,000 square feet. The home is set back about 190 feet from this drive. It is just in this front yard area which is to be used as a play area. They propose to pave along the south property line. In that area, provide the paved parking for their customers. The lots to the north and the area to the east and the south is zoned R-E and contains many well maintained large homes. A similar request for a child care use was denied on the property located over on Arville Street in 1980. At that time, it was felt that child care facilities were an inappropriate use in this area. Staff continues to feel that the proposed use is not consistent with the R-E Zoning designation. That the existing land use patterns in this area is low-density residential. Feels that the increased traffic in the front play area would be disruptive to the single-family homes that surround this property and feels that this use is more appropriately located in a commercially zoned area. Therefore, we would recommend DENIAL. We do have 21 protests on record. There was one letter and then a petition with 20 signatures. They cite increased commercial traffic and the noise generated by an activity such as this and being generally disruptive to their residential area. We did receive a couple of complaints lately. I believe it was yesterday because a rather large sign has been installed on the front of the property announcing the business is now open.

CHAIRMAN JUNIEL: For what type of business?

RICK WILLIAMS: For child care.

COMMISSIONER SORENSEN: Child care.

CHAIRMAN JUNIEL: Please state your name and address and sign in.

BECKY WELLS: Becky Wells, 1254 Vista Drive.

CHAIRMAN JUNIEL: Is this child care in operation?

BECKY WELLS: We're in-home care right now and no one could find us because we look just like a home, not a child care facility.

COMMISSIONER MYERS: You are now licensed to --

BECKY WELLS: Yes.

COMMISSIONER MYERS: How many?

BECKY WELLS: Six.

COMMISSIONER MYERS: Six.

BECKY WELLS: Twenty-four hours. They put up a sign.

COMMISSIONER MYERS: How many do you intend to handle if -- after the license is granted for commercial?

BECKY WELLS: Well, they have to come out and measure and we haven't started construction or anything.

COMMISSIONER MYERS: You're going to build a house or just modify?

BECKY WELLS: No, just modify the garage and the patio.

COMMISSIONER MYERS: So you have no idea -- no idea how many to anticipate?

BECKY WELLS: The house -- our intent is to make it look like a home and keep it a home and which is -- there isn't another facility up here in Las Vegas like this and I went and visited seven of the, you know, day care centers and what we're offering is a home atomsphere for the kids and our intent is not to make it a commercial site.

COMMISSIONER MYERS: No, my question is, it's a little hard to evaluate the impact on the neighborhood if we have no idea whether it's going to be 20 children or 120 children.

BECKY WELLS: Okay. Liz Newborn at Child Welfare that said that the square footage there right now is 22, but they allow you 36 as the facility stands right now.

COMMISSIONER MYERS: Do you intend to increase the size of the facility?

BECKY WELLS: Yes.

COMMISSIONER MYERS: So it could be doubled?

BECKY WELLS: I don't know that because they have to come out and measure and it takes awhile to fill a facility, but I don't really know how long it would take either.

CHAIRMAN JUNIEL: What's the restrictions on this -- excuse me, on the signs out there?

BECKY WELLS: The sign does not say child care facility. The reason we put it up and -- was just because everyone would drive by and not find it.

CHAIRMAN JUNIEL: It doesn't say child care. It says nursery.

BECKY WELLS: It says Sugar Cake Ranch which is the name of the ranch.

CHAIRMAN JUNIEL: That sign's way too big, I'm sure of that for a commercial or anything else.

COMMISSIONER BUGBEE: You said too this was a 24-hour operation?

BECKY WELLS: I am licensed to be open 24 hours right now.

COMMISSIONER BUGBEE: For six children?

BECKY WELLS: Yes and five at night.

CHAIRMAN JUNIEL: Is it on the intent to P-R? It isn't is it?

COMMISSIONER MYERS: No, it's just the other street.

CHAIRMAN JUNIEL: Well, it's right next to Arville there.

COMMISSIONER MYERS: You have no idea how many eventually you would -- you would expect to handle?

BECKY WELLS: Well it's 35 on square foot per child, but they have to come out and I don't really know if they count the kitchen, the bathrooms, or what. So they do have to come out and measure.

COMMISSIONER MYERS: But you have no goal in mind of 100 children?

BECKY WELLS: No, no. I don't know. I mean, right now I don't even have 6 kids in there.

COMMISSIONER SORENSEN: So you really have 24-hour care, is that correct?

BECKY WELLS: I'm licensed right now for in-home care for 24 hours.

COMMISSIONER SORENSEN: So people could --

BECKY WELLS: Right now we're open 7:30 to 5 and I don't even have 6 kids period.

COMMISSIONER SORENSEN: Okay, but what I'm getting at is people can drop off their children at any hour and pick them up at any hour?

BECKY WELLS: If we get licensed for 24 hours.

COMMISSIONER BUGBEE: You said you were licensed for 24 hours.

BECKY WELLS: I am licensed for 24 hours right now for in-home care for 6 children and 5 at night.

COMMISSIONER ASHWORTH: But in-home care is different than child --

BECKY WELLS: Yes, sir.

COMMISSIONER MYERS: Would you be operating --

COMMISSIONER ASHWORTH: Do you own the property?

BECKY WELLS: Yes.

COMMISSIONER MYERS: Will you be operating it?

BECKY WELLS: Yes.

COMMISSIONER MYERS: You will not be living there?

BECKY WELLS: I don't believe they allow you to live there if your facility gets to be too large. Right now, I'm living there.

CHAIRMAN JUNIEL: Okay. This is a public hearing. Is there anyone here in opposition to the applicant?

COMMISSIONER BUGBEE: If you folks are all there, why don't you stand up so we can get a count. Six, seven, eight.

CHAIRMAN JUNIEL: Please state your name and address and sign in.

ROBERT VAUGHN: I've already signed in earlier. My name is Robert Vaugh I live at 1312 Vista Drive which is immediately to the south of this proposed development; and if it were granted, these children will be playing approximately 20 feet from my bedroom. The driveway area will be about 20 feet, the parking area. It would be very disturbing to have cars coming and going and I know a lot of people think the squeal of little children is pretty, but when you get 8 or 10 or 20 of them, it is quite disturbing. We already have within a half a mile, three-quarter of a mile of our place at least four child care centers. I don't see the economic need

ROBERT VAUGHN: in another one. We already have a school that is quite disturbing to the area on Arville Street there where Brower Printing is and to -- some of you folks are new. We have been fighting this for some four years. Some of you are familiar with us. They have turned it down on the piece of property that was up for zoning earlier tonight. The lady tried three times there. In the last six months, they have turned it down on another piece of property two lots to the south of that, I believe, two or three lots. The Commissioners always felt that this was not the area for this type of development and without going into a lot of detail, we would hope that you would still feel the same and grant us the opportunity to keep this as a residential area. And we would like to see the sign taken down. It's a commercial type sign in a residential area and there has been some feeling it could even be construed with the notorious ranches we have here in Nevada. (laughter) The Sugar Cake Ranch might -- people might feel it was something other than a day care center, but we would like to see it taken down too.

COMMISSIONER BUGBEE: How long have you lived there, Mr. Vaughn?

ROBERT VAUGHN: I've lived there about 18 years this last August, I believe.

COMMISSIONER MYERS: Mr. Vaughn.

ROBERT VAUGHN: Yes.

COMMISSIONER MYERS: I find it a little interesting that there was so little protest on a 10,000 square foot printing shop, yet -- I've been here for 8 years I think -- child care does not seem to be welcome in your neighborhood?

ROBERT VAUGHN: No. That is true. We have tried to work with the City. We realize Arville behind us is in a transition period and as long as they stay in a P-R, single-story type of development, we have no complaints. Stanton Brothers put a beautiful development up on Arville there and we have no complaints with that, but the New Horizons School that's already in our area has caused a lot of noise and problems -- various problems in the neighborhood and if you have like my bedroom 20 feet away and if you have cars coming in and out, I have two dogs and they think that every driveway, mine and my neighbors, is something to be patrolled. If you have cars coming and going at all hours, it becomes very detrimental to the neighborhood, plus the noise of children at play. A lot of people think that's great. I did when my children were little, but right now I just as soon not have 10, 20 or 30 kids. And

ROBERT VAUGHN: had we known that she was putting in -- they do not have to notify you for this home care of 6 kids. Anyone can put that in. We would have protested that had we known, but it was in and that before we knew anything about it, but we would sure like to see it held to whatever she's got now and not be expanded.

COMMISSIONER MYERS: Thank you, Mr. Vaughn.

ROBERT VAUGHN: Thank you.

CHAIRMAN JUNIEL: Please state your name and address.

MERTON SAWDY: Yes, ma'am. Merton Sawdy, 1236 Vista Drive. Just to add a little more bearing to the fact of what damage can occur. I've occurred since -- by the Horizon School, and the insurance company will substantiate the facts, $8,000 damage. I put up -- I personally went to the expense of putting a wall up, a cement block wall up, which they literally tore down. You think they can't do it? They can, with holes and so forth. The tennis court -- by throwing over the wall in hot period of time, they had to resurface the tennis court. This is all substantiated by insurance claims which states that, in effect, if this happens again, we'll cancel your insurance. It did happen again and I had to incur for the expense this last time of $1800. So they literally -- it is a factor and expense wise -- I have even made efforts to go over each year and talk to them personally and I know they have problems.and I would shake hands and every year it's a new group coming in and I guess, they get sick looking at me, and they don't ask me to come over. I'm kind of fed up with it too, fighting a losing battle. They have -- I know supervision is a problem, but that is not my problem, that's their problem to incur. And they always say there'll be supervision, but it's always lacking. Always somebody not showing up or something to that effect. And the noise factor is there. And I just -- it's just unrealistic to go under those conditions when expenses do -- and this is actual hard case expense that I have incurred too. That's all I --

COMMISSIONER SORENSEN: How large is the student body at New Horizon?

MERTON SAWDY: Pardon me, ma'am.

COMMISSIONER SORENSEN: How large is the student body at New Horizon?

ROBERT VAUGHN: Twenty, forty, that area. Anywhere's from 6 to 12 and like I say, it is insurance and it's typically subject and it's a nuisance and my insurance went up because of this -- even I had to add a claim to it.

CHAIRMAN JUNIEL: Thank you.

ROBERT VAUGHN: Thank you, ma'am.

CHAIRMAN JUNIEL: Rick, is there any other conforming -- non-conforming use on Vista other than the R-E?

RICK WILLIAMS: I'm not quite sure what the question is.

CHAIRMAN JUNIEL: Is there anything other than residential?

RICK WILLIAMS: The south of the properties that front onto Charleston --

CHAIRMAN JUNIEL: I mean on Vista.

RICK WILLIAMS: No.

CHAIRMAN JUNIEL: It's all residential?

RICK WILLIAMS: Yes.

BECKY WELLS: What about the gymnastics, it's one door over?

RICK WILLIAMS: Right, it's just south of -- yes.

BECKY WELLS: One door away.

RICK WILLIAMS: Right behind the Carpeteria there's another.

CHAIRMAN JUNIEL: In the shaded color, the grey color.

COMMISSIONER SORENSEN: On the north side of the alley there.

RICK WILLIAMS: Right, it's north of the alley. You're right.

CHAIRMAN JUNIEL: Please state your name and address and sign in.

LYNN PROVANT: Lynn Provant, 1214 Vista Drive. I'd like to add that the Merluzzi Gymnastic place went in under the assumption it was to be a dance studio, so a lot of the neighbors did not come down and fight against that. Instead they built this big warehouse down there that is very unpleasant and there's many many cars parked along Vista Drive because of that. A lot of children

LYNN PROVANT: running out. Small children going into the gymnastics place and it's made our quiet residential area very unbecoming, which I believe that this child care center -- there's a house in between the gymnastics place and the child -- proposed child care center that she wants to put in that is up for sale. I think that anyone trying to buy that it's going to be a problem. It is a residential home. It has a pool in front and it's -- there's no one that's going to want that home with two businesses on either side and I think that the 24-hour child care center is going to be bad for all the residents along that street. It's a very quiet street. It's a very residential area. There is no other business other than the Merluzzi there and everyone is opposed to that being in already, but there's nothing we can do about it because it's there.

CHAIRMAN JUNIEL: Tnank you. Unless somebody has anything different to say in the opposition, we'll hear from the applicant or her representative?

ATTY. KEITH GALLIHER: Actually I'm not being heard in opposition. My name is Keith Galliher. I'm an attorney located at 1850 East Sahara Avenue. I represent Becky on a regular basis. I wasn't retained to be here obviously, as you can see from my attire, but I did want to address a couple of concerns which this group has voiced which I really don't think are very valid. First of all, the gentleman that spoke first is the next door neighbor. I find his concern somewhat interesting. He's concerned that the children will make noise and apparently, because they're close to his bedroom, they will somehow prevent him from sleeping. The only time that the children would ever be out would be in the summer during the day. They're not out at night, obviously, because they're young children. In the winter, they're not out at all because it's cold. I don't see that we're going to have any tremendous noise problem as a result of that. Now, I find it interesting and I don't know whether or not the gentleman has a permit to operate the business he apparently operates, but we've heard a lot of talk about the residential character of this lot next door and the area and my client, Miss Wells, took some photographs of next door and it appears either that we have some type of old automobile refurbishing business that's being operated or in the alternative, there's just a whole lot of junk cars that are next door, but I have photographs here of probably 10 or 15 junk automobiles that I would be happy to show the Board although I admit it has limited revelance.

CHAIRMAN JUNIEL: Yes, but that doesn't have any revelance from changing the neighborhood from one use to another.

ATTY. KEITH GALLIHER: Except -- well, the point that was made was that it's going to be noisy. It would seem to me that if the gentleman is repairing and refurbishing automobiles and as a result -- well, if he's not then there's certainly -- then the automobiles are just sitting there. Certainly that would create quite a noise problem. The problem that I have with the complaint about the noise is that children, of course, they make noise, but when they're playing outside four hours a day in the summer only, I can't see how that's going to disrupt the quiet character of this neighborhood. First of all, we're only a couple of lots off of Charleston. We have the gymnastics center which is two doors down. The Conrad's Western store is kitty corner across the street. I'm not talking about opening something in the middle of a residential area that's surrounded on all sides by residential homes. I just don't think that the concerns are valid. The next concern is traffic. The people who come to the child care center will in all likelihood exit off of West Charleston. If they do that, they will exit off of West Charleston, pick up their child and presumably go back to West Charleston, which means that they would not pass in front of this gentleman's home at all. I think these are straw man conditions. I don't think that these people are genuinely concerned about noise and traffic. I think that they're concerned about having a child care facility next door because they've always been concerned about having a child care facility next door. They have one now. The only difference now would be in the scope of the child care facility. I understand your question earlier. You asked her how many children she would have there. That is a very difficult question to answer because it would depend on the size of the structure. Now, it's my information -- Becky, you can correct me if I'm wrong that the size of the structure after construction will be approximately 3500 square feet, is that correct?

BECKY WELLS: Yes.

ATTY. KEITH GALLIHER: So I don't know where the information came from in the Zoning Department, but this is not going to be a monstrosity. This is going to be a 3500 square foot structure and right now it's 2500 square feet. So we're talking about expanding this structure approximately 1,000 square feet. It's not going to be a large facility.

COMMISSIONER BUGBEE: I think the entire judgment of the argument -- what was presented to us and that was they do not want break the residential integrity of Vista Drive period. I mean they can have -- anybody can bring six kids into the house. There's no law -- we can't stop that.

ATTY. KEITH GALLIHER: I understand that, but it's my understanding that with Merluzzi Gymnastics and with Conrad's Western store that's already occured.

BECKY WELLS: All of the homes along that street have got two and three buildings besides the homes.

COMMISSIONER BUGBEE: Those people bought those lots 15, 20, 25, 30 years ago. They did what they wanted with them with the condolences of their neighbors. I know about the used cars in the back there. I happen to know Mr. Vaughn for many years and he rebuilds them. It's a hobby. There are several other people that do werid things. (laughter)

ATTY. KEITH GALLIHER: We're not saying they're werid at all.

COMMISSIONER BUGBEE: But they get along with their neighbors.

ATTY. KEITH GALLIHER: We're not saying they're werid at all. All we're saying there, certainly that there's a certain amount of noise that would accompany that and it's not -- we're not even focusing on this gentleman. All we're saying is that when we're talking about child care and we're hearing general complaints about noise and traffic, I think there should be some validity behind them and when you -- go ahead, Becky.

BECKY WELLS: If you could see these kids when they pull in and they've got some ground to play in instead of some blacktop on some corner, you can't -- I mean, I've only got four or five kids in there right now, but you can't believe it. My kids are 21 and 22 and they always had some ground to play in. I got awards for my home -- Tilavor (sic) and Sunset magazine. I don't intend to make the neighborhood -- I've done nothing but improve it so far and these little kids -- they've got a place to run. There's trees and lawn.

ATTY. KEITH GALLIHER: Not only that, but --

CHAIRMAN JUNIEL: Well I think that two very important things have come out. You've stated that the neighbors are concerned and -- about noise and all that, yet there are two other business and I think what they're trying to prevent is another one coming there. That's why we have to be careful in granting these variances because everybody

CHAIRMAN JUNIEL: says, there's one here so now I want one. So what's going to happen tomorrow when somebody else says we got a child care facility. We have the gymnastics place and whatever else you say is there and then there goes the neighborhood. So you have to give some consideration to what the neighbors want to preserve what's left.

ATTY. KEITH GALLIHER: We understand your concern. The thing that we also point out as far as the noise concern is that these children, of course, because they are children and assuming that the child care facility accepts them on a 24-hour basis will be asleep in bed long before any of the neighbors are asleep in bed.

CHAIRMAN JUNIEL: Well I think preservation of the neighborhood's first, alright, so dwell on that. Keeping the neighborhood residential.

ATTY. KEITH GALLIHER: Okay. Well obviously, we've had some encroachment. Now, I don't know whether that's good or bad, that's the judgment that this commission makes. The problem that we have, as been pointed out earlier, we saw approval of a printing shop which --

CHAIRMAN JUNIEL: That's a total different thing though.

ATTY. KEITH GALLIHER: Well it's still a matter of infringing upon the character of the neighborhood and I just cannot understand --

CHAIRMAN JUNIEL: It's under intent for P-R. It's going to go. We know that.

ATTY. KEITH GALLIHER: Okay. I cannot understand though why a child care facility would be equated with a printing shop, or for that matter any other really commercial enterprise because of the nature of it.

CHAIRMAN JUNIEL: But you're not understanding. On Arville, there's an intent for P-R already. We cannot avoid that so the people are trying to live and control what's happening over there, but now they have complete control of these and if we keep allowing things, then it's going to be an intent for something else.

ATTY. KEITH GALLIHER: I understand your concern. All we're saying --

CHAIRMAN JUNIEL: And that's what they're trying to avoid.

ATTY. KEITH GALLIHER: Alright. I understand that. What I'm saying is that there has been some encroachment and if there is going to be encroachment in this area, and it's been allowed before --

CHAIRMAN JUNIEL: Let it be a day care center.

ATTY. KEITH GALLIHER: Then it should be something like this rather than a business that's far more obnoxious and when we have a situation like this where the concerns as announced are strictly noise and traffic and if those concerns can be abated as we're saying, we don't think they're valid concerns. Then I can't see the objection. Now the gentleman did point out -- apparently he talked about damage which was done to his premises and naturally, we're sorry that sort of thing occurred, but it seems to me that's not a very fair analogy. Obviously, if there was damage done to his fence, then it was in all likelihood done by unsupervised children who were returning from school. That does not equate to children who are fully supervised in a fenced yard and who are not allowed to leave. That's what we point out.

COMMISSIONER ASHWORTH: May I ask, Madam Chairman? Let me understand. At the present time, you're allowed six live-in children, is that correct?

ATTY. KEITH GALLIHER: Well, as I understand, there's --

BECKY WELLS: Well not live-in.

COMMISSIONER ASHWORTH: What are they? What does your license --

BECKY WELLS: They can be --

CHAIRMAN JUNIEL: Just six kids.

COMMISSIONER ASHWORTH: Just six kids and you're wishing now to convert that to a day --

CHAIRMAN JUNIEL: Commercial.

COMMISSIONER ASHWORTH: To a child care facility where you can have up to 36 children on a 24-hour basis. So you're trying to change what you're doing now to increase it to a commercial child care facility, is that correct?

BECKY WELLS: Yes.

ATTY. KEITH GALLIHER: Yes, that's correct except the six --

COMMISSIONER BUGBEE: How long have you been there?

BECKY WELLS Since August.

COMMISSIONER BUGBEE: Since August.

ATTY. KEITH GALLIHER: It should be explained that the six children are six children per shift. In other words, she can have 18 total during the day.

COMMISSIONER ASHWORTH: I understand that.

ATTY. KEITH GALLIHER: Okay.

COMMISSIONER ASHWORTH: But she can only have six.

COMMISSIONER BUGBEE: She's been there since August and already we've got a 4 x 8 sign up there, I assume the size there or something like that.

CHAIRMAN JUNIEL: 4 x 8.

BECKY WELLS: The sign -- the sign was ordered over the phone. I will be happy to take the sign down. I didn't realize myself it was going to be that big. I'll be happy to take it down.

CHAIRMAN JUNIEL: Okay. Let's hear from this gentleman and then we're going to try and close the hearing. If he has something different to say then your neighbors.

DR. PROVANT: Dr. Provant. I live at 1214 Vista Drive. First off, she says she's improved the neighborhood. I don't call that sign an improvment. She talks about noise. That isn't the issue. The issue is residential compared to commercial. We are residential, just as you said prior when you voted on another issue. We want to keep it residential. We're not talking about another street which is commercial or P-R or anything else. We're talking about a residential area. Now she brings in an individual that doesn't live there. That's fine. He wants to worry about his neighborhood, let him worry about his neighborhood. I want him to tell about mine.

COMMISSIONER BUGBEE: Then I assume you're opposed.

DR. PROVANT: Damn right.

ROBERT VAUGHN: I would just like to explain the car a bit. They made an issue of that. All except one of those cars does belong to a friend of mine who is in the car restoring. He was buying a lot and going to build around the corner from me. Before he could get it done, he discovered he had cancer. Unfortunately, we buried him about two weeks ago. I'm helping his widow dispose of those cars. I think I have two of them sold. It's the old story of what's one man's junk is another man's treasure. There's about $30,000 in value in these '28 Chev's and '36 LaSalles and all of this, but they are being disposed of and will be removed.

CHAIRMAN JUNIEL: Thank you. Unless we're going to talk about something different than what's been said, then I'm going to --

ATTY. KEITH GALLIHER: I understand. I just have one further observation.

CHAIRMAN JUNIEL: Okay.

ATTY. KEITH GALLIHER: I would surmise that the Commission, should it decide to allow the facility that Miss Wells seeks, could probably condition it upon limitation on the number of children who could be --

FROM THE AUDIENCE: No, no.

ATTY. KEITH GALLIHER: At the child care facility inside. Right now we know she's approved for six. That's something which has happened and it's an irreversible situation. You could approve her conditioned upon a certain number of children who could be in the child care facility at any one time. I think you would have the jurisidiction to do that. So I would make that suggestion as a middle ground. Perhaps we could satisfy the others -- the opposition.

CHAIRMAN JUNIEL: Thank you. Thank you. I'm going to close the hearing and ask for a motion.

COMMISSIONER BUGBEE: I'M GOING TO MOVE FOR DENIAL. I appreciate Counsel's last remarks and I think perhaps maybe if the applicant could live with her neighbors for a year or two without trying to -- she might get along better.

BECKY WELLS: I haven't met anyone.

COMMISSIONER MYERS: You did tonight.

CHAIRMAN JUNIEL: Please cast your votes. The application has been DENIED. (Motion carried unanimously.)

END OF DISCUSSION

/sl

11-25-85

City of Las Vegas
City Clerk.

I object to the Sugarcake Ranch
application for a Variance to allow
a Commercial Child Care facility on
property located at 1254 Vista Dr.
in zoning district R-E - Lot 4, Block 2
of Hinson Heights.

I am the owner of Lot 09, Blk. 1
and Lot 10, Blk 1

Paul L. Schow

NOTE: This concerned property owner states that signs soliciting the business, playground equipment is in the front yard of this property.

CITY COUNCIL MINUTES - DECEMBER 4, 1985

We, the undersigned, are in protest of reclassifying the property located at 1254 Vista Drive from: R-E (Residence Estates) to: Commercial Child Care Facility. It is legally described as Lot 4, Block 2 of Hinson Heights.

1. Joan Vaughn 1312 Vista Drive
2. [illegible] 1425 Vista Drive
3. Michelle Stewart 1425 Vista Drive
4. Susan Bunker 4220 Del Rey Avenue
5. Carma Stewart 4220 Del Rey Avenue
6. [illegible] 4220 Del Rey
7. Caroline P. Sagdey 1236 Vista Drive
8. Merton E. Sawdy 1236 Vista Drive
9. Josephine G. Bruns 1313 Arville
10. Al J. Bruns 1313 Arville
11. [illegible] 4101 Del Monte Ave
12. Loni Allen 4101 Del Monte Ave 89102
13. Tom Bingham 1209 Vista Dr. 89102
14. [illegible] 1333 Arville St. 89102.
15. Jeanne Hahn 1333 Arville.
16. John E. Saling 1253 Arville
17. Ruth C. Saling 1253 Arville
18. Robert D. Vaughn 1312 Vista
19. [illegible] 1214 Vista Drive
20. [illegible] 1214 Vista Drive

2 pages

0117

We, the undersigned, are in protest of reclassifying the property located at 1254 Vista Drive from: (R-E Residence Estates) to Commercial Child Care Facility. It is legally described as Lot 4, Block 2 of Hinson Heights.

(2)

21. Juvele Bingham 1209 Vista Dr L.V.

22. Stanley H Smith 1413 VISTA DR L.V

23. RayMona D. Smith 1413 Vista Drive L.V.

24. Gene Bott ———— 1240 HINSON - L.V.

25. Shara Bott 1240 Henson L.V.

26. Lillian Musser. 4300 Mt. View Blvd.

27. Joyce Musser 4310 Mt. View Blvd.

28. Russell Edmonds 4710 Mt View Bl.

29. Clos Musser 4310 Mt View Dr

30. Marion W Fay Vista Dr

DR. REGINALD K. PROFANT
CHIROPRACTIC PHYSICIAN

October 20, 1985

REFERENCE: V-100-85 1254 Vista Drive
Child Care Facility

To whom it may concern:

It was understood when we purchased our home that it was in an area zoned residential and was purchased with that in mind. For someone to come into a residential area with the idea of disturbing an established neighborhood, which also has two established Day Care Centers in close approximation, shows lack of fore-thought. It has always been considered good practice, when purchasing a piece of property, to have a contingency of zoning before finalization of sale.

The purchase of noted property shows little concern for the other people in the neighborhood and obvious self interest. We are not about to allow our neighborhood, as well as the high value of our homes, to be destroyed by someone with lack of fore-thought or concern for others. We are definitely against her setting up any form of Child Care Center and will proceed in any, and all, legal avenues necessary to prevent her from destroying our neighborhood.

Sincerely,

Dr. Reginald K. Profant

Lynn Profant

1214 Vista Drive

2525 SOUTH BRUCE LAS VEGAS, NEVADA 89109 PHONE (702) 735-1118

V-100-85

Brent & Michelle Stewart
1425 Vista Drive
Las Vegas, Nevada
89102

Dear Sirs:

We are writing this letter in objection to the zone varience proposed by Becky Wells DBA Sugar Cake Ranch.

Being a neighbor to this property we feel it should not go Commercial Child Care Facility. This property is in a residencial neighborhood and we would like it to remain strictly residential. As neighbors we enjoy our peace and quiet. Which is one reason we chose to live in this area. This property going commercial will increase the traffic on our street and since the yard to this home is in front of it and not in the rear of the home it will greatly increase the coming and going of people and the noise level.

There is a child care facility and a school not two blocks from the above propety. We feel this is more then enough for the area.

This is quite a concern to all our neighbors that live on Vista, Arville and Del Rey.

We would strongly urge you to not approve this rezoning. Thank you for your consideration and understanding.

Sincerely yours,

Brent Stewart

Michelle Stewart

Brent & Michelle Stewart

REFERENCE: 1254 Vista Drive---proposed COMMERCIAL Child Care Facility.

To whom it may concern:

We are opposed to a Child Care Facility in our residential area. Our home is located 15 feet from the property line of 1254 Vista Drive. It would be as if the children were playing inside our home. We can hear the New Horizons school and they are 150 feet away.

As this is a COMMERCIAL venture we would have COMMERCIAL TRAFFIC, COMMERCIAL NOISE, AND COMMERCIAL HOURS in a residential area.

There have been four or five attempts to zone homes on Arville for child care centers and they have all been turned down. Since this was never approved in a transitional area on Arville why should it be approved in R-E zoned area on Vista Drive?

The Choo-Choo Child care facility is commercial and is within ½ mile of 1254 Vista Drive. There are two Church child care facilities on Oakey within ½ mile. WE DO NOT NEED ANY MORE IN THIS AREA.

We have lived in this quiet residential area for 17 years. Let us keep it that way.

Sincerely,

Robert D. Vaughn

Joan Vaughn 1312 Vista Drive

Board of Zoning
and/or City Commissioners

I, Tom Brigham, (1209 Vista Drive) object to the establishment of a commercial child care center at 1254 Vista Drive known as Sugar Cake Ranch.

My reasons are as follows: 1) I object to changing the zoning in the middle of a quiet residential neighborhood from residential to commercial property with the resulting increase in noise, traffic, and altering of the aesthetic qualities which comprise a neighborhood 2) If a need for a child care center exists there are already plenty of locations in more suitable commercial locations throughout the city and also within a short distance of Vista Drive

Thank you.

October 20, 1985

REFERENCE: V-100-85 1254 Vista Drive
Child Care Facility

To whom it may concern:

I am a businessman who owns and operates several businesses in Las Vegas. I have also purchased a residential home, in which I have lived for several years, and bought it with the idea it would stay residential. I would not, as a conscientious businessman, consider disturbing or devaluating other peoples neighborhoods with one of my businesses.

In the past I have had extensive monetary damage done to my tennis court by the children in the child care center behind my home. Now you ask me to accept another three houses down. As we already have two child care facilities within a two block radius, I think that imposing another within our block is ridiculous.

This woman moves into a residential neighborhood, purchasing a home before verifying her needed zone change, and expects the longtime residents to relinquish their home equity to satisfy her inconsiderate desires.

Our family, as well as our neighbors, are definitely against this child care center being forced upon us, and ruining our neighborhood as well as devaluating our property.

Sincerely,

Merton Sawdey

Caroline Sawdey

1236 Vista Drive

10-18-85

To whom it may concern:

We object to a child care facility being located at 1254 Vista Drive.

Loni Allen

[illegible]

4101 Del Monte Ave.

Las Vegas, NV 89102

BOARD OF ZONING ADJUSTMENT
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA

RE: V-100-85

WE WISH TO PROTEST THE APPLICATION OF BECKY WELLS DBA SUGAR CAKE RANCH FOR A VARIANCE TO ALLOW A COMMERCIAL CHILD CARE FACILITY ON PROPERTY LOCATED AT 1254 VISTA DRIVE IN ZONING DISTRICT R-E, WHICH YOU ARE TO CONSIDER ON OCTOBER 24, 1985.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT 4, BLOCK 2 of HINSON HEIGHTS.

Josephine C. Brune — 1313 ARVILLE

Al Brune — 1313 ARVILLE

CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

DECEMBER 4, 1985

NOTICE IS HEREBY GIVEN THAT on Wednesday, December 4, 1985, at the hour of 2:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following:

V-100-85 APPEAL filed by KEITH E. GALLIHER, JR., on behalf of BECKY WELLS DBA SUGAR CAKE RANCH to the action of the Board of Zoning Adjustment in DENYING her application for a Variance to allow a commercial child care facility on property located at 1254 Vista Drive in Zoning District R-E.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS LOT 4, BLOCK 2 OF HINSON HEIGHTS.

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

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101 • (702) 386-6011

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND 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, whichever occurs first;
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.

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT HAROLD P. FOSTER, DIRECTOR (CONTINUED)		
7. Repair any damage to the existing street improvements resulting from this development as required by the Division of Land Development and Flood Control of the Department of Community Planning 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.		

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT HAROLD P. FOSTER, DIRECTOR (CONTINUED) 2. Conformance to code requirements and design standards of all City departments. 3. Vacation shall not be recorded until all of the above conditions have been met. 4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an extension is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted. 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.		

AGENDA

City of Las Vegas

CITY COUNCIL
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
* CONSENT ITEM - ITEMS A, B AND C may be voted upon in one motion. Staff recommends APPROVAL of all items. The Planning Commission has recommended approval of Item A (subdivision map).		
*A. FINAL MAP 1. Bayside, Unit No. 2 Property generally located north of Desert Inn Road and west of Durango Drive. Owner/Subdivider: American West Development No. of Acres: 7.07 No. of Lots: 52 Subject to the following conditions: 1. Conformance with the Tentative Map and to conditions of approval for the Tentative Map. 2. Conformance to Condition No. 2 for the approved Final Map of Bayside Unit No. 1.	Lurie - APPROVED Items A-1, B-1, B-2, B-3 and C-1 as recommended. Motion carried with Levy abstaining from voting on Item B-1.	Clerk to notify and Planning to proceed.

[signature]

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

X.

*A. FINAL MAP

1. BAYSIDE, UNIT NO. 2

The map conforms to the approved Tentative Map and to the Subdivision Regulations.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

AGENDA

City of Las Vegas December 4, 1985

CITY COUNCIL
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
*B. RELEASE OF BOND	Lurie - APPROVED Items A-1, B-1, B-2, B-3 and C-1 as recommended. Motion carried with Levy abstaining from voting on Item B-1.	Clerk to notify and Staff to proceed.
1. Location: 720 S. Fourth Street Use: Offsite Improvements Builder: Fourth Street Place Office Building Surety Co.: Safeco Ins. Co. of America Amount: $800.00 Bond No. 4689142 (CLV 30-83)		
2. Location: 330 S. Seventh Street Use: Offsite Improvements Builder: Bronze Construction Surety Co.: Safeco Ins. Co. of America Amount: $5,300.00 Bond No.: 4152666	APPROVED See Above	Clerk to notify and Staff to proceed.
3. Location: 3055-3099 S. Valley View Use: Offsite Improvements Builder: Golden Showcase Ltd. (a Nevada Partnership) Surety Co.: American Bank of Commerce (cash deposit) Amount: $26,630.51 Bond No.: CLV 20-85	APPROVED See Above	Clerk to notify and Staff to proceed.

[illegible signature]

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

*B. RELEASE OF BOND

1. Fourth Street Place - 720 S. Fourth Street

2. Bronze Construction - 330 S. Seventh Street

3. Golden Showcase, Ltd. - 3055-3099 S. Valley View Boulevard

The offsite improvements at these locations have been completed, inspected and accepted. Therefore, it is in order to release these bonds.

Staff Recommendation: APPROVAL

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
*C. SUBSTITUTION OF SUBDIVISION BOND 1. Tenaya II - Unit 1 - Plaster Development Request to post a substitute subdivision bond to replace the original bond posted; and a request for the City to release the original bond. Amount: $123,650.00 cash deposit with Lomas & Nettleton Company	Lurie - APPROVED Items A-1, B-1, B-2, B-3 and C-1 as recommended. Motion carried with Levy abstaining from voting on Item B-1	Planning to proceed. NOTE: This item pertains to Tenaya II and not Tenaya III.

Cinn Lauman

X.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

*C. SUBSTITUTION OF SUBDIVISION BOND

The request has been received from Plaster Development Company, Inc. to allow it to post a substitute subdivision bond for Tenaya III, Unit 1 and then for the City to release the original bond. The original bond is a cash deposit agreement with Nevada National Bank in the amount of $123,650. The proposed substitute bond is also a cash deposit agreement for the same amount with the Lomas and Nettleton Company.

Staff Recommendation: APPROVAL

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:13 D. ENCROACHMENT REQUEST 1. Tom Pappas - La Solana Way Request for an Encroachment to allow reinforcement of a structurally deficient block wall located at 2300, 2301, 2304, 2308, and 2400 La Solana Way. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by Staff. Unanimous	Staff to proceed

[signature]

To: The City Council X.
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

D. <u>ENCROACHMENT REQUEST</u>

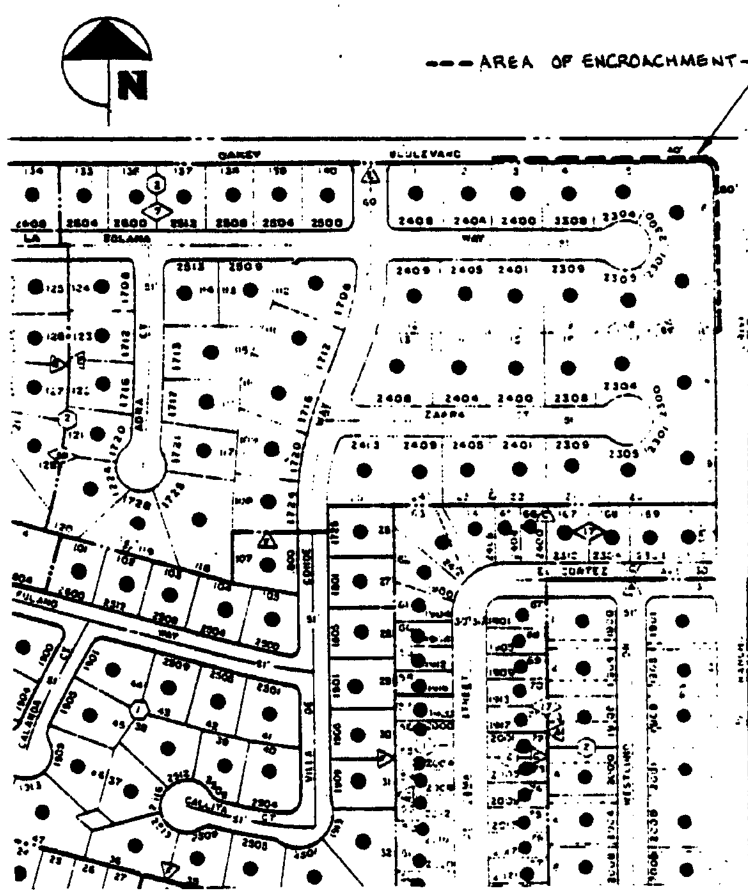
1. <u>TOM PAPPAS - 2300, 2301, 2304, 2308 and 2400 La Solana Way</u>

The request is by Tom Pappas, a structural engineer, on behalf of five property owners who wish to reinforce the existing block wall at the southwest corner of Oakey and Rancho Drive and will need block pilasters to encroach eight inches into the public right-of-way. The existing wall is on the rear property line of these properties, two along Rancho and three along Oakey. It has been determined the fence is structurally deficient and the only way the existing wall can be reinforced is through this method. The pilasters will be eight inches by 24 inches. A section of the fence further south along Rancho was damaged last year by flood water.

Staff Recommendation: APPROVAL

EXHIBIT "A"

ENCROACHMENT MAP FOR
TOM PAPPAS AND OWNERS AT
2300, 2301, 2304, 2308, 2400 LA SOLANA WY.



AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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	ITEM	Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:13	E. REQUEST FOR SEWER CONNECTION 1. A. Gary Reddick - 5500 W. Sahara Avenue Request for connection to City sewer for land located outside City limits at the northwest corner of Sahara Avenue and Lindell Road. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended. Unanimous	Staff to proceed

Ann Bauman

X.

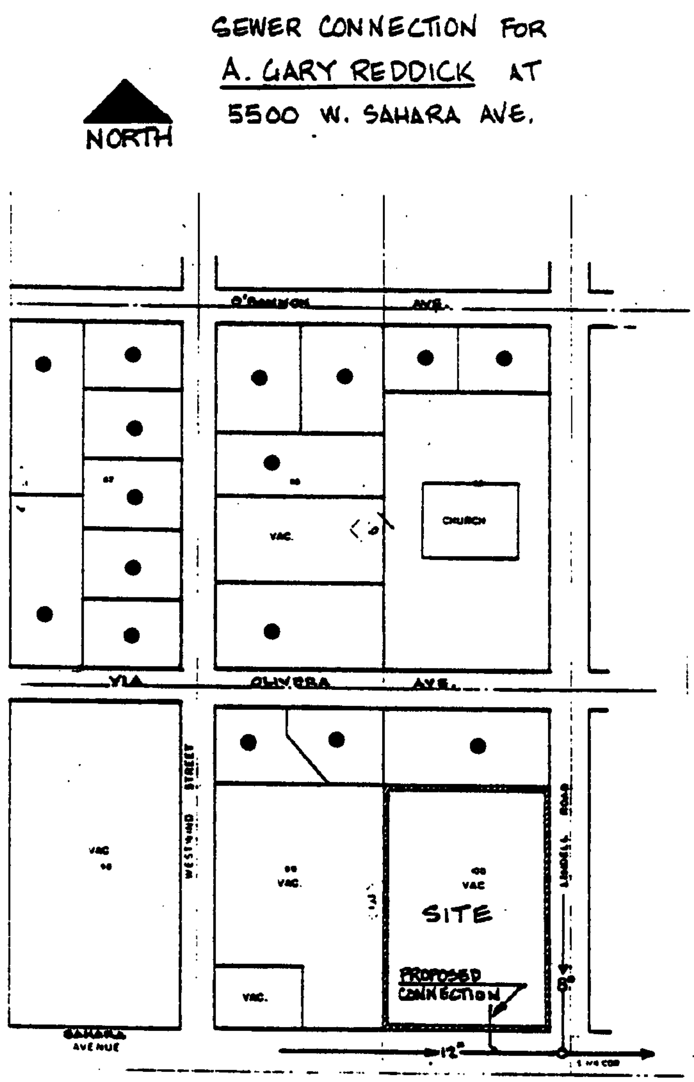
To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

E. REQUEST FOR SEWER CONNECTION

1. A. GARY REDDICK - 5500 W. Sahara Avenue

The request is to connect a commercial parcel of land located in the County to City sewer at the northwest corner of West Sahara and Lindell Road. The property is specifically located at 5500 W. Sahara and is not contiguous to the City at this time. There is no County sewer available, however, an eight inch City line exists in Lindell Road and a twelve inch line exists on Sahara. The applicant has signed the sewer connection agreement and an annexation petition.

Staff Recommendation: APPROVAL



AGENDA

City of Las Vegas December 4, 1985

CITY COUNCIL
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ITEM		Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
:14	F. AESTHETIC REVIEW 1. AR-8-80 - MARNELL CORRAO ASSOCIATES Request for an Aesthetic Review of the Lady Luck Casino located on the northeast corner of Third Street and Ogden Avenue, C-2 Zone. Planning Commission unanimously voted to recommend APPROVAL, subject to the following conditions: 1. Conformance to the plot plan and elevations for Phase I. 2. Provide landscaping along the sidewalk on Third Street and Stewart Avenue as required by the Department of Community Planning and Development. 3. Approval and execution of an encroachment permit for landscaping in the right-of-way along Third Street and Stewart Avenue. 4. The building elevations for all future phases of construction (beyond Phase I) shall be reviewed by the Planning Commission and City Council. Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by Planning Commission and Staff, subject to the conditions. Unanimous	Clerk to notify and Planning to proceed. John Sparer, Marnell Corrao Associates, appeared and represented the application.

Arnesteinman

To: The City Council X.
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

F. AESTHETIC REVIEW

1. AR-8-80 - MARNELL CORRAO & ASSOCIATES

The request is for an aesthetic review for the Lady Luck Casino for its first phase of expansion and its overall development plan. The overall plan proposes three 21-story structures forming a u-shape on the site. The first phase of construction will be a 21-story 360 unit hotel tower with expanded casino area on the ground floor that will be constructed immediately north of the existing casino. The elevations of the proposed tower are aesthetically compatible and landscaping is proposed in the sidewalk area which will require encroachment approval. Staff pointed out at the Planning Commission meeting it preferred to have each additional phase of construction reviewed by the Planning Commission and City Council because there was some concern on how the delivery area at the north end of the development would be aesthetically treated. The delivery area is oriented toward Stewart Avenue across from the City's Civic Center Plaza. The applicant was in agreement to submit each phase of development prior to construction.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

AGENDA City of Las Vegas December 4, 1985

CITY COUNCIL
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	ITEM	Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:15	G. SATELLITE PARKING 1. Z-66-64(25) - DATA SET CABLE CO. Request for Satellite Parking on property located at 58 North 30th Street, C-1 Zone (under Resolution of Intent to M). Planning Commission unanimously voted to recommend APPROVAL, subject to: 1. Conformance to the plot plan and elevations. 2. The satellite parking be approved by the City Council. Staff Recommendation: APPROVAL	Lurie - APPROVED, subject to the conditions. Unanimous	Clerk to notify and Planning to proceed. Gordon Paulson, General Manager, Data Set Cable Company, appeared and represented the application.

X.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

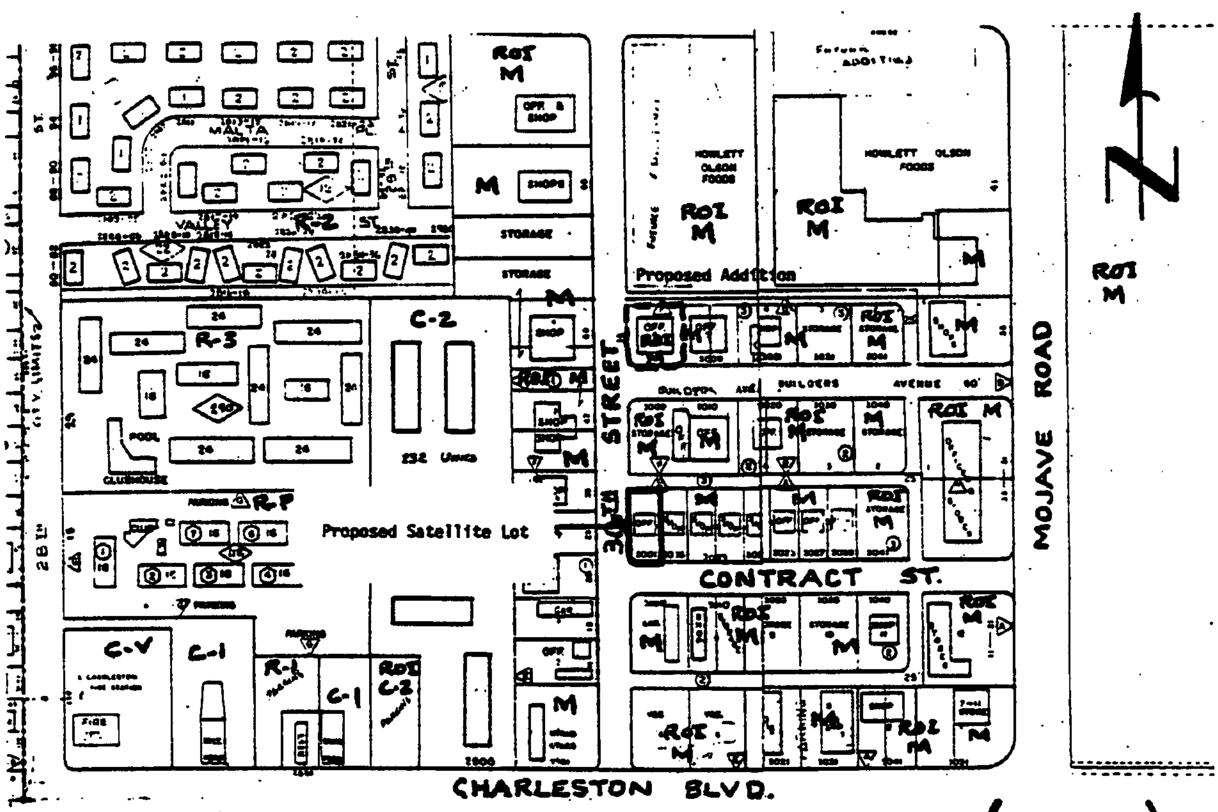
G. SATELLITE PARKING

1. Z-66-64(25) - DATASET CABLE CO.

The request is to allow a satellite parking lot approximately one block south of 58 N. 30th Street to provide additional required parking. The applicant is proposing an addition to their existing parking as there will not be sufficient parking on-site. The satellite lot is at 30th and Contract Avenue and is used for storage purposes in connection with this operation. There are no employees at this site and 8 parking spaces exist. Six spaces are needed as required parking at this site along with the 12 existing at 58 N. 30th Street. The distance to the satellite lot is approximately 220 feet which is an acceptable situation.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL



Z-66-64(25)

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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PHONE 386-6011

	ITEM	Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:16	H. EXTENSION OF TIME 1. Z-73-84 - CHARLESTON HEIGHTS DEVELOPMENT Request for an Extension of Time on property generally located north of Gowan Road between Tenaya Way and Oran K. Gragson Highway, N-U Zone (under Resolution of Intent to R-PD18). Planning Commission unanimously voted to recommend APPROVAL of removing the time limit on the Resolution of Intent, subject to: 1. The Resolutions of Intent on zoning applications Z-16-83 and Z-133-77 are hereby expunged for the area involved in this zoning application (Z-73-84). Staff Recommendation: APPROVAL - without any time limit on the Resolution of Intent	Levy - APPROVED as recommended. Unanimous	Clerk to notify and Planning to proceed.

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL

Page 35

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:17 I. TENTATIVE MAP 1. Glenview Landing Property generally located on the northwest corner of Lake East Drive and Waterside Circle, N-U Zone (under Resolution of Intent to R-PD23). Owner: West Sahara Investment Co. Subdivider: B. G. Dickstein No. of Acres: 10 No. of Lots: 91 Planning Commission unanimously voted to recommend APPROVAL, subject to the following conditions: 1. Conformance to the conditions of approval for Z-54-84. 2. This action constitutes Plot Plan Review under Z-54-84. 3. Property owner to apply for rezoning of the area involved in this tentative map from R-PD23 to R-PD9, prior to recording any final map. Applicant shall not withdraw application once it is filed. 4. CC&R's are to be provided prior to the recordation of a Final Map for any portion of this development and must include a provision that the carports and garages cannot be converted to living area. (continued)	Levy - APPROVED as recommended by Planning Commission without additional parking at the recreation sites. Unanimous	Clerk to notify and Planning to proceed. B. G. Dickstein, 3863 Valley View, appeared and represented the application.

Ann Bauman

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
I. TENTATIVE MAP (continued)	APPROVED See Page 35	See Page 35
5. Amend the Final Map of The Lakes at West Sahara, Phase I, to remove that portion of common area Lot W shown on Lot 1, Block 1, of this Tentative Map.		
6. If a wall is constructed along an exterior boundary street, the CC&Rs shall contain wording to the effect that each property owner of a lot backing up to said wall or the homeowners' association shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.		
Staff Recommendation: APPROVAL, subject to providing parking spaces at each recreation site		

X.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

I. TENTATIVE MAP

1. GLENVIEW LANDING

The tentative map is for a planned development on a parcel of land that is under Resolution of Intent to R-PD23 in The Lakes at West Sahara development. The density will be 9 units per acre rather than the approved 23. The applicant is proposing to subdivide the area for detached single family units on separate lots which will have the front yards as common area.There will be three recreation sites in the subdivision, two will be with tennis courts and the other will have a swimming pool. All access to the lots will be from 30 foot wide private drives.There is no on-street parking and the only parking available will be in the driveways in front of the proposed residences. Approximately half of the lots will have two parking spaces in the driveway in front of the garage. The other half will also have two spaces but one will be a parallel space in front of the garage because there is only an 8' setback and the other will be beside the garage. At the Planning Commission meeting, staff recommended that the developer provide a minimum of two parking spaces at each of the two tennis court sites and six parking spaces adjacent to the swimming pool area. It was felt due to the distance of almost a quarter mile from the farthest residence, that persons would be driving to some of these sites and there would be no parking available. The developer felt that persons would be walking to these complexes and the Planning Commission concurred. The developer indicated he would be agreeable to a condition of not allowing the residents to convert their garage or carport areas to living space. In all other respects, the map conforms to the Subdivision Regulations. The Tentative Map also constitutes a Plot Plan Review under the zoning application Z-54-84.

Planning Commission Recommendation: APPROVAL, without additional parking at the recreation sites

Staff Recommendation: APPROVAL, subject to providing parking spaces at each of the recreation sites.

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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	ITEM	Council Action	Department Action
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:20	J. REQUEST TO INITIATE VACATION - CITY OF LAS VEGAS Request to initiate vacation of 10 feet of right-of-way on the west side of Decatur Boulevard between Cheyenne Avenue and Craig Road Staff Recommendation: APPROVAL	Lurie - APPROVED as recommended by Staff. Unanimous	Planning to proceed.

[illegible signature]

To: The City Council X.
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

J. REQUEST TO INITIATE VACATION - CITY OF LAS VEGAS

The request is for the City to initiate a vacation on the west ten feet of Decatur Boulevard between Cheyenne Avenue and Craig Road. Recent action by the City Council amended the right-of-way width on Decatur from 120' to 100' on the Master Plan of Streets and Highways. The west ten feet was dedicated by various subdivisions and parcel maps over the years and can now be vacated.

Staff Recommendation: APPROVAL, to initiate vacation proceedings

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL
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PHONE 386-6011

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:21 K. ZONE CHANGE 1. Z-71-85 - SCOTT BINDRUP ET AL Request for reclassification of property located at 1613 E. Sahara Avenue. From: R-2 (Two Family Residence) To: C-1 (Limited Commercial) Proposed Use: Offices 1. Resolution of Intent with a twelve month time limit. 2. Conformance to the plot plan and elevations amended to revise the parking layout as required by the Department of Community Planning and Development. 3. Installation of a six foot high wall along the north property line. Staff Recommendation: APPROVAL PROTESTS: 0	Levy - APPROVED Unanimous	Clerk to notify and Planning to proceed. Atty. Scott Bindrup appeared and represented the application. No one appeared in opposition.

X.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

K. <u>ZONE CHANGE</u>

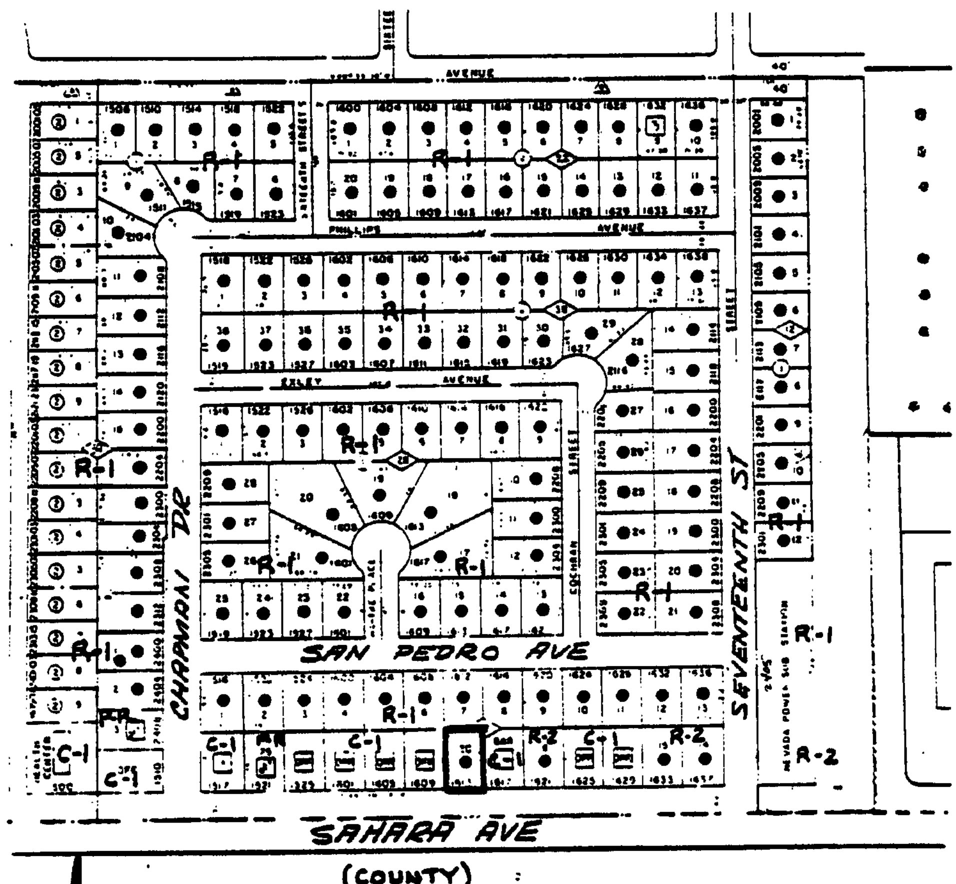
1. <u>Z-71-85 - SCOTT BINDRUP ET AL</u>

The request is to rezone the property at 1613 E. Sahara Avenue, from R-2 to C-1. The request is in accordance with the transitioning pattern to commercial on this segment of Sahara. The applicant proposes to convert the existing house to office and possibly commercial use. There is adequate parking and landscaping proposed. A 6 foot block wall will be required along the north property line.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 0



Z-71-85

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELDPMENT DEPARTMENT (CONTINUED)		
2:23 K. ZONE CHANGE 2. Z-72-85 - CHARLENE GAUGER Request for reclassification of property generally located at 507 S. Decatur Boulevard From: R-1 (Single Family Residence) To: P-R (Professional Offices & Parking) Proposed Use: Office Planning Commission unanimously voted to recommend APPROVAL, subject to: 1. Resolution of Intent with a twelve month time limit. 2. Conformance to the plot plan. Staff Recommendation: APPROVAL PROTESTS: 0	Levy - APPROVED as recommended. Unanimous	Clerk to notify and Planning to proceed. Charlene Gauger and Phyllis Shaler appeared and represented the application. No one appeared in opposition.

Carol Fasmean

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

K. <u>ZONE CHANGE</u>

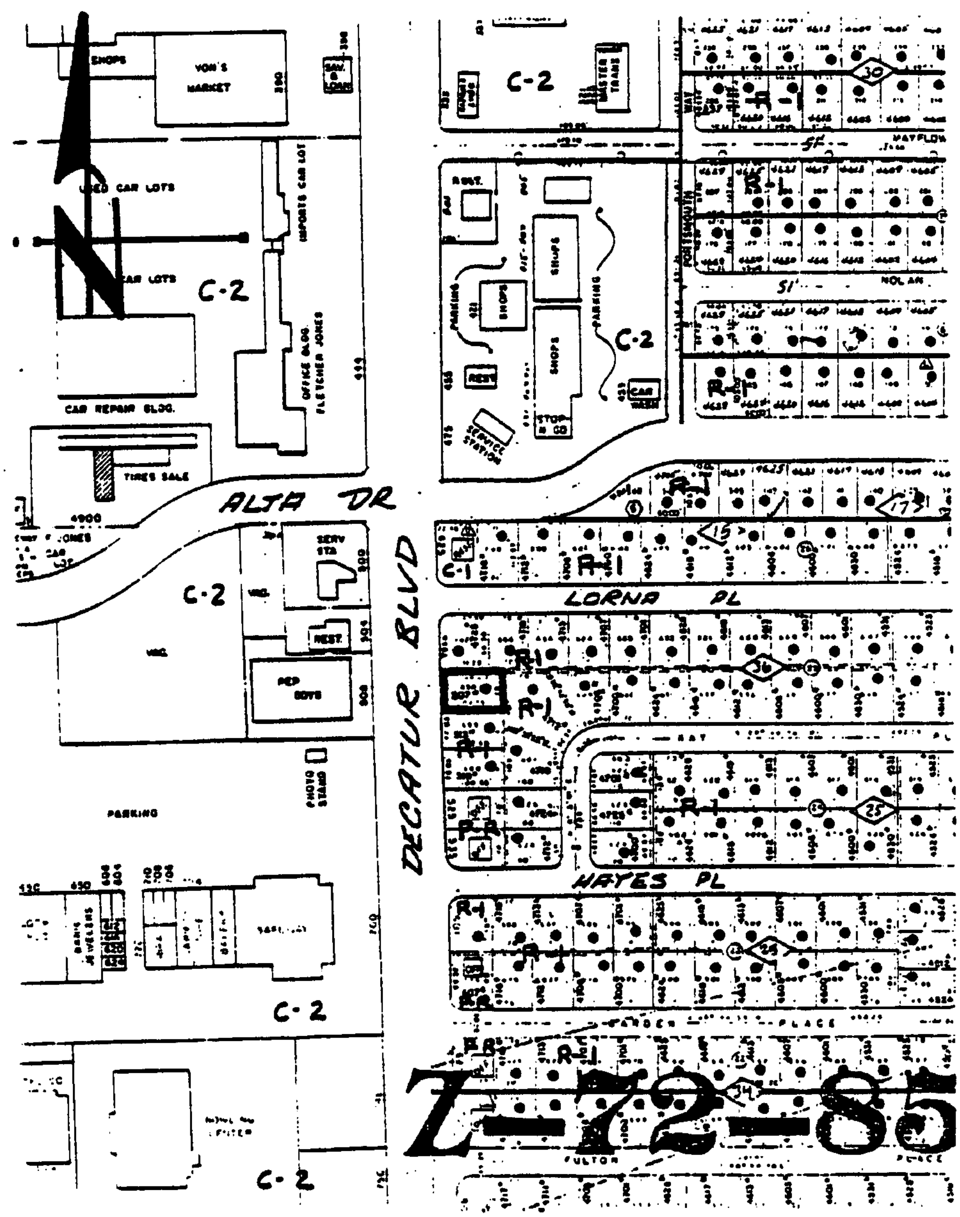
<u>2. Z-72-85 - CHARLENE GAUGER</u>

The request is to rezone the property at 507 S. Decatur Boulevard, from R-1 to P-R, for a proposed office. The properties are on the east side of Decatur in the Hyde Park subdivision and are transitioning to P-R. The required parking and landscaping will be provided on this site.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 0



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AGENDA City of Las Vegas December 4, 1985

CITY COUNCIL
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PHONE 386-6011

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
2:25 K. ZONE CHANGE 3. Z-73-85 - LEON H. ROCKWELL Request for reclassification of property generally located on the northwest corner of Bonanza Road and Highland Drive. From: R-E (Residence Estates) and C-2 (General Commercial) To: C-1 (Limited Commercial) Proposed Use: Gas Station and Mini-Mart Planning Commission unanimously voted to recommend APPROVAL, subject to: 1. Resolution of Intent with a twelve month time limit. 2. Install half-street off-site improvements on Sunny Place and sidewalk on Bonanza Road. 3. Approval and execution of an encroachment permit for Bonanza Road right-of-way. Staff Recommendation: APPROVAL PROTESTS: 0	Levy - APPROVED as recommended. Unanimous	Clerk to notify and Planning to proceed. Atty. Chris Kempher and Sharon Douglas, Arco, appeared and represented the application. No one appeared in opposition.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

K. <u>ZONE CHANGE</u>

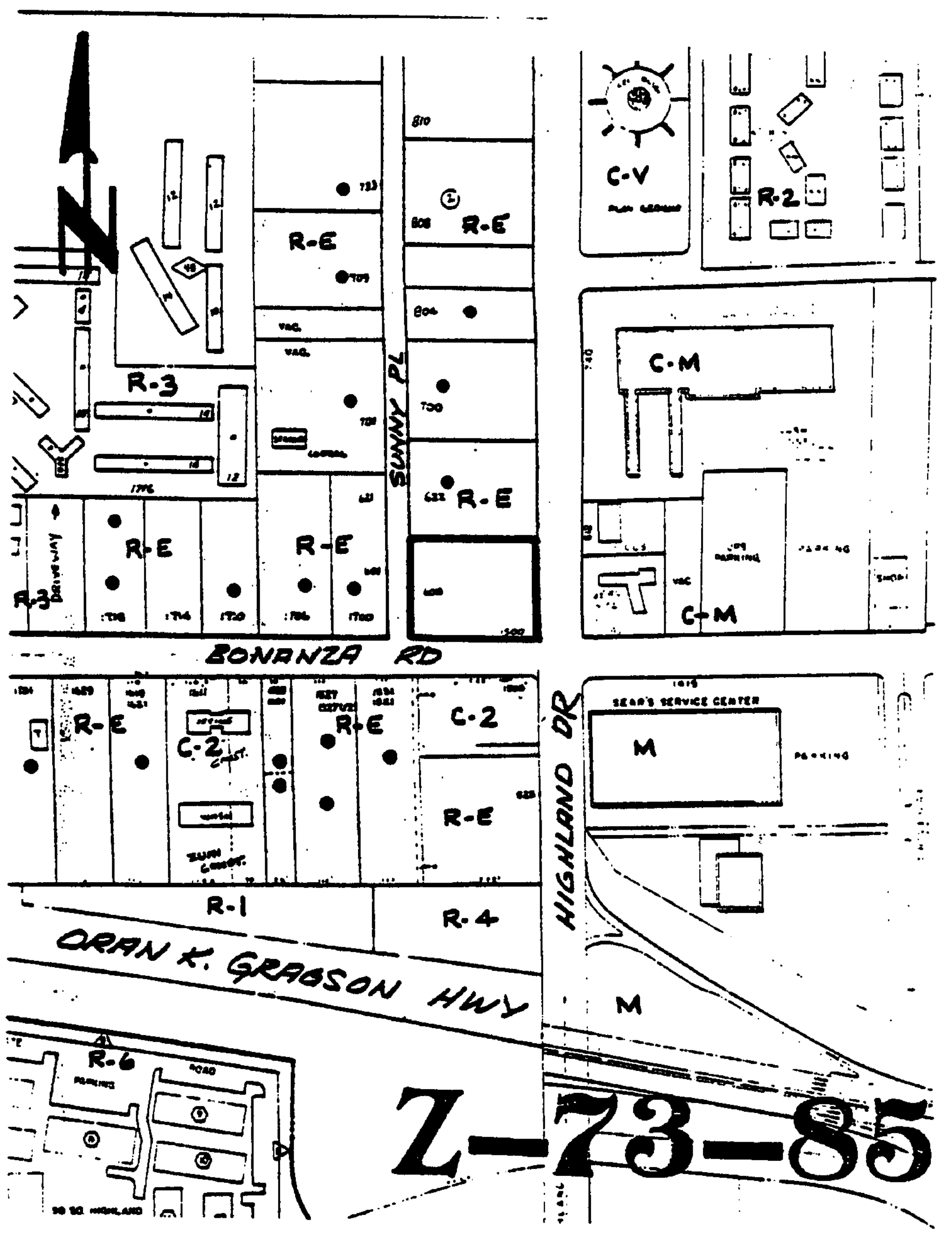
3. Z-73-85 - LEON H. ROCKWELL

The request is to rezone the property at the northwest corner of Bonanza and Highland from R-E and C-2 to C-1 for a gas station and mini-mart. This will be an ARCO AM/PM facility which will be the same as constructed in various other areas of the City. The use and the requested zoning is compatible with this location. There will be substantial landscaping provided along the Bonanza Road frontage, which will require an encroachment approval.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 0



AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)

:26 K. ZONE CHANGE

4. Z-74-85 - SIERRA HEALTH SERVICES & VER-LEN, INC.

Request for reclassification of property located at 2450 West Charleston Boulevard.

From: R-E (Residence Estates)

To: C-D (Designed Commercial) and
P-R (Professional Offices & Parking)

Proposed Use: Offices

Planning Commission unanimously voted to recommend APPROVAL, subject to:

1. Resolution of Intent with a twelve month time limit.
2. Conformance to a plot plan revised to provide a minimum ten foot wide landscaped planter along the north property line and the planter shall consist of an elevated berm with trees a minimum of 24" box size installed on top.
3. Conformance to the elevations.
4. Record a copy of the joint use agreement for permanent access on the proposed driveway as required by the Department of Community Planning and Development.

Staff Recommendation: APPROVAL

PROTESTS: 0

Council Action:

Lurie - APPROVED, subject to conditions recommended by the Planning Commission and subject to additional conditions 2, 3, 4, 5 and 6 as requested in letter from Temple Realty dated 12/4/85 and made part of minutes which are:

2. The architectural design of the rear of the building be as appealing as the front of the building.
3. No night services shall be permitted.
4. Ten foot wide landscaped area along north property line.
5. Said landscaped area to be densely planted with huge evergreen trees for sound absorbency.
6. Building to have a rear setback of a minimum of 143 feet from rear property line.

Unanimous

NOTE: Dick Taylor indicated he would meet with the developer in regard to the request that no windows be allowed on the north side of the building.

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

Department Action:

Clerk to notify and Planning to proceed.

Dick Taylor and Lawrence C. Temple appeared as adjacent property owners to request additional conditions.

No one appeared in opposition.

X.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

K. ZONE CHANGE

4. Z-74-85 - SIERRA HEALTH SERVICES & VER-LEN, INC.

The request is to rezone the property from R-E to P-R and C-D at 2450 W. Charleston Boulevard. The south portion of the property along Charleston Boulevard is proposed for C-D and the north portion is proposed for P-R. The site is approximately 2.3 acres in size and a two-story office building is proposed on the C-D portion and the P-R area would be used for off-street parking. The office building will be used in connection with a health maintenance organization (HMO) which has its medical facilities to the east at Rancho. Only administrative paperwork will be handled in this office and it will not be used for medical office use. The applicant proposes 205 parking spaces where 218 are required, based on 145 employees that will occupy the building. The Zoning Ordinance allows for a reduction of parking spaces if there is justification and this was recommended by the Planning Commission because it was felt there would be adequate parking for the employees as there would be no visitors or customers coming to the property.

Previously, there was C-D zoning requested on this entire site that was amended to P-R on the north 178 feet to match the depth of the C-O zoning that exists to the east. This application proposes P-R on the north 143 feet so the entire building can be in the C-D zone. There is a 67 foot front setback for the office building which contains 53,900 square feet. The front setback area will be landscaped and provide an attractive setting from Charleston Boulevard. If the building was moved forward to conform to the previous 178 foot rear setback it would reduce the amenities on the front of the property. The Planning Commission and staff felt the 143 foot setback was acceptable and requested the planter along the rear property line be increased to 10 feet in width and contain a raised landscaped berm with large trees to buffer the R-PD2 area to the north. To the west, C-D zoning was approved many years ago that extends to the north R-PD2 property. The proposed development has a 27% building coverage which is under the 30% maximum. There will be a joint driveway that will be recorded in perpetuity, with the east side property owner.

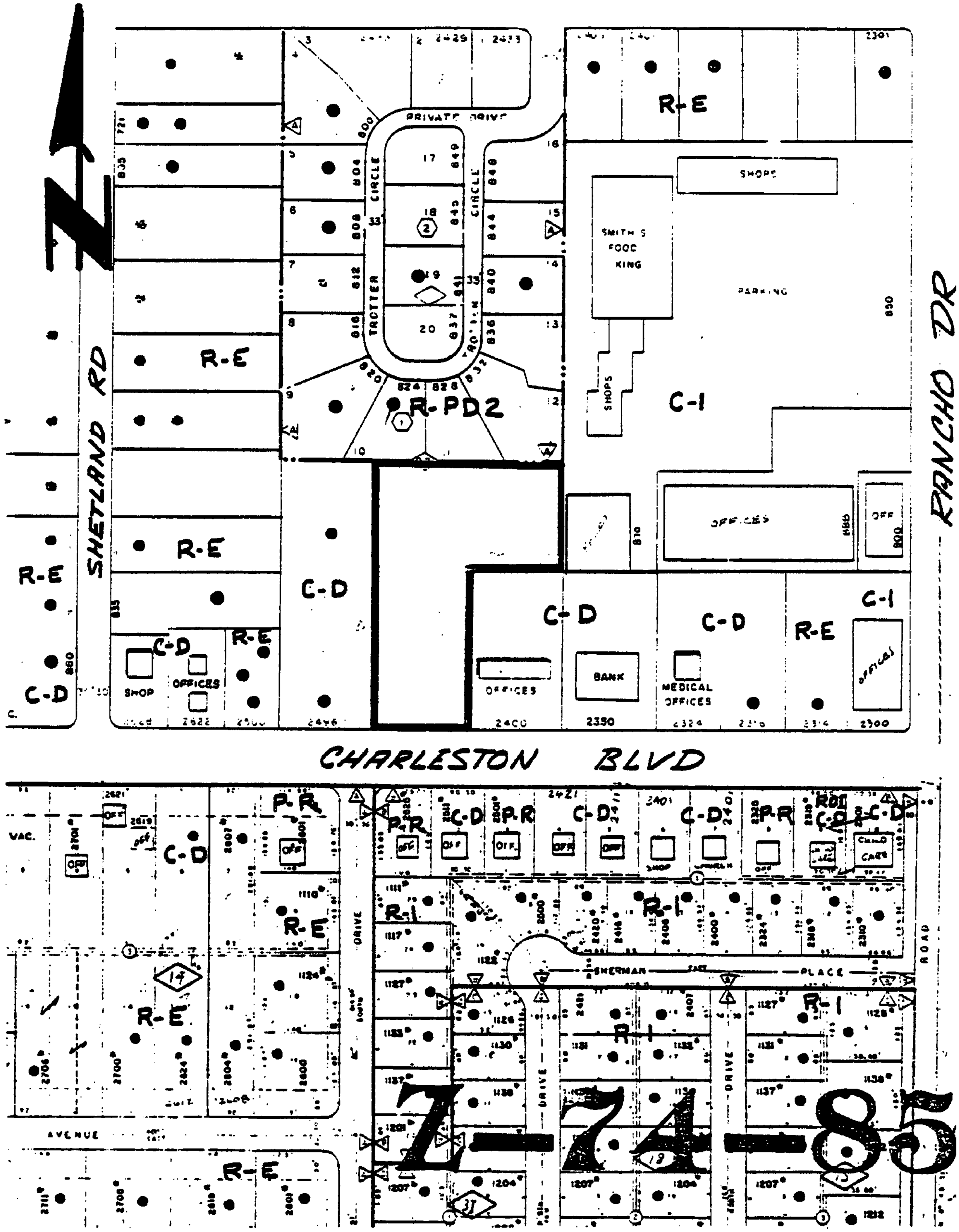
Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 0

SEE ATTACHED LOCATION MAP

LOCATION MAP - ITEM X. K. 4. - Z-74-85 - SIERRA HEALTH SERVICES & VER-LEN, INC.



Temple REALTY, INC.
Tempo DEVELOPERS, INC.

3017 West Charleston Blvd.
Temple Plaza Suite 90
Las Vegas, Nevada 89102
(702) 870-8222

December 4, 1985

Mayor Bill Briare and City Council
Department of Community Planning & Development
City of Las Vegas
400 East Stewart Avenue
Las Vegas, Nevada 89101

Re: Z-74-85 Commercial building backing up to Palomino Gardens.

Your Honor and Distinguished Councilmen:

I own a beautiful home immediately to the rear of the proposed construction. Should you decide to approve the above referenced application I strongly request the following conditions be included:

1. No windows be allowed on the north side of the building.
2. The architectural design of the rear of the building be as appealing as the front of the building.
3. No night services shall be permitted.
4. Ten foot wide landscaped area along north property line.
5. Said landscaped area to be densely planted with huge evergreen trees for sound absorbency.
6. Building to have a rear set back of a minimum of 143' from rear property line.

By approving this application subject to these conditions you will be preserving the beauty and integrity of a nice residential area in the City of Las Vegas. Thank you for your sincere cooperation in this matter.

Very truly yours,

Lawrence C. Temple

Lawrence C. Temple

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 2:00 P.M. - PAGE 1
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT. K. 4. ZONE CHANGE. Z-74-85.
SIERRA HEALTH SERVICES AND VERLEN, INC.

MAYOR BRIARE: We have the Sierra Health Services for reclassification of property at 2450 West Charleston Boulevard. This is to change from Residential Estates to Designed Commercial and P-R for Professional Offices and Parking. The purpose of the project is to have some offices built. The Planning Commission's recommendation was for approval, subject to certain conditions. Staff recommendation was for approval. There were no protests.

COUNCILMAN LURIE: Mayor, I WOULD MOVE FOR APPROVAL, SUBJECT TO THE CONDITIONS.

MAYOR BRIARE: Do you wish to make some comments? Which condition don't you like?

COUNCILMEN LEVY: And some conditions they'd like.

MAYOR BRIARE: Unless there are persons here in opposition to this.

MR. JONES: We want to be heard.

MAYOR BRIARE: You may be seated because you were here to speak in favor of the application. Why don't you be seated while these folks tell us what they have on their mind. Good afternoon, Mr. Taylor.

DICK TAYLOR: Mayor, do you want us to speak first that may have a protest. It's actually not a protest, it a request for --

MAYOR BRIARE: They've had that opportunity but we jumped right in with a motion and there was no explanation that he wanted to give so you can make your comments and then what we do is we listen to -- he can rebut, if he wishes, whatever you have to say, and then that's the end. There's no cross rebuttal or surrebuttal.

DICK TAYLOR: Okay, very good. My name is Dick Taylor and I'm with Mr. Larry Temple. I built a home for my permanent residence directly behind and it doesn't show --

MAYOR BRIARE: What's your address?

DICK TAYLOR: I'm at 820 Trotter Circle.

COUNCILMAN LEVY: We have it.

MAYOR BRIARE: Yes, we have a map and it shows exactly where you live.

DICK TAYLOR: Mr. Temple has a home right next to mine which is --

COUNCILMAN LEVY: 824?

LARRY TEMPLE: Yes, it is.

COUNCILMAN LEVY: Alright.

DICK TAYLOR: Now Mr. Temple has lived there. He is not living there now, but he may have it as his home, but it is my permanent home and I don't claim that I didn't know that there was this possibility that there would be a development directly behind us. I understood that when I bought this piece of property. My only request is that there be a couple little restrictions that might help put a buffer between my dream home of many years accumulating some assets in order to build it and people who are parking and starting cars and looking down from a two-story building. My original impression was that, when I bought that property, it would be a one-story building because Quail Park up the way; in fact, Mr. Temple, Temple Square, or Temple Plaza, is one-story so my original thought was it would be a one-story building and any type of vegetation, good size planting, would give me no problem. Last week I went down to the Planning Department to see the plans and I find it's a two-story building over a subterrannean parking lot and the parking lot may not be totally below ground level so it maybe makes it a two and a half story building, so my problem now, gentlemen, is that I bought it expecting a one-story building and it is now a two and a half story building. I still don't have any major problems with that except by the points that Mr. Temple has outlined in his letter, which I think you now have a copy of before you and the first one is that privacy is what we would all like to have and to have a large building behind us with the people being able to look out their windows down into our back-yards I have a problem with.

MAYOR BRIARE: Dick, have the applicants seen your letter?

DICK TAYLOR: Yes, they have.

MAYOR BRIARE: Oh, okay, good.

COUNCILMAN LURIE: Did you make this same presentation to the Planning Commission?

DICK TAYLOR: No.

LARRY TEMPLE: No.

COUNCILMAN LURIE: Why?

DICK TAYLOR: I don't know when that was because I just got back into town last night so I don't know when --

LARRY TEMPLE: I was also out of town at the time.

DICK TAYLOR: So our requests are very simple. One is maybe on the second floor building instead of the windows being at waist height that they be higher windows in those particular offices. The type of windows that let in all of the ventilation and all of the sunlight, but don't allow for people to stand there and look down into our back yards. Architectural design --

COUNCILMAN LURIE: Can I ask you a question on that one? How far is your --

COUNCILMAN LEVY: One hundred and forty-three.

COUNCILMAN LURIE: From the back of the building?

COUNCILMAN LEVY: One hundred forty-three feet.

DICK TAYLOR: From the building to our property line? Yes.

COUNCILMAN LEVY: Number six is all done.

LARRY TEMPLE: Okay. What I understand, Your Honor, is that the applicant has agreed to all except number one, all the conditions.

COUNCILMAN LEVY: In other words, they said that two, three, four, five and six were okay.

LARRY TEMPLE: That's my understanding, yes.

MAYOR BRIARE: Is that, gentlemen, did you hear the statement that was just made by Mr. Temple?

COUNCILMAN LURIE: That you agreed to two, three, four, five and six.

MR. JONES: Yes. I would like to clarify a point for the record here. I received this -- a copy of this in the hallway on the way into the meeting, so I've had a limited amount of time to study the points. Number six was a condition of our approval. Number five and four go together and I have no problem with those. Number three, no night services shall be permitted. This is an administrative office building and it's not a commercial building. There will be people in

MR. JONES: the building after hours, but not commercial traffic.

COUNCILMAN LEVY: He's thinking about a medical --

MR. JONES: No, this is not a medical building at all. Number two, my presumption is that that has been satisfied. I think our plans are submitted and I think the back of the building is as attractive. I think you can see from the design phase that's one of our entrances. I think that's been complied with.

LARRY TEMPLE: Is one of those the rear or are those the sides?

HAROLD FOSTER: East and west elevations.

LARRY TEMPLE: Do you have a rear elevation?

COUNCILMAN LEVY: If there's going to be parking back there, they're going to have to be as nice.

LARRY TEMPLE: Yes, I would think so.

MAYOR BRIARE: It's not a straight line box sort of thing. It's got --

MR. JONES: No. It's got a fair amount of design on the rear.

COUNCILMAN LURIE: Is there a lot of glass in the back?

COUNCILMAN LEVY: Is that the rear?

LARRY TEMPLE: Are those dark shaded areas windows?

MR. JONES: Those are -- it's hard for me to -- those are the insets where the windows would be -- would be and as you can see on the round part, as I recall, that is an office. There is an office with a --

COUNCILMAN LEVY: Anti-room.

MR. JONES: A bay window affect type of a thing at the side of the building.

COUNCILMAN LEVY: So we're now down to Number one, right?

MR. JONES: We're down to number one and I would question whether or not considering we would agree to do number five, a densely planted ten foot border on the north side with huge evergreen trees for sound absorbency. I think that would probably accomplish the same purpose.

MAYOR BRIARE: Mr. Taylor, wouldn't the line of sight be looking probably over your rooftop?

DICK TAYLOR: Probably would.

MAYOR BRIARE: So maybe they would want you to exchange your windows so you couldn't look into their --

LARRY TEMPLE: No.

COUNCILMAN LEVY: You know how those offices are.

LARRY TEMPLE: Yeah, right. I don't believe the line of sight would be, Your Honor.

MAYOR BRIARE: Maybe the two interested parties could resolve the whole thing for us and we don't have to be concerned any more because if you will let them go ahead with what their plans are and usually the -- Item number three on our proposed conditions is: Conformance to the elevations. These elevations are a matter of record so it seems like the compatibility between the developers here and the neighbors in the back is -- it is refreshing to be in agreement.

MR. JONES: We'll be happy to talk these things over with them and get out the plans and so forth. We have a designed building to require at this late date that no windows be on the north side of the building, obviously presents us with a problem.

COUNCILMAN LURIE: What type of glass will you use? Are you using a tinted glass or clear glass?

MR. JONES: It will be a duel-glazed product, probably tinted. I can't speak to that specification directly.

COUNCILMAN LEVY: I think, Larry, I personally think, I don't see any problem with this. I can't see how they could see that far, 143 feet.

MAYOR BRIARE: Well, not only that, but it's going to be on a --

LARRY TEMPLE: Would it be possible to table this?

MAYOR BRIARE: No. Don't ask that, Larry. These people -- I think they've been extremely cooperative with you on --

COUNCILMAN LURIE: If they're agreeing to do two through six.

LARRY TEMPLE: For my part I'd like to agree and make an appointment and sit down in his office with him.

TRANSCRIPT - CITY COUNCIL MEETING - DECEMBER 4, 1985 - 2:00 P.M. - PAGE 6
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT. K. 4. ZONE CHANGE. Z-74-85.
SIERRA HEALTH SERVICES AND VERLEN, INC.

MAYOR BRIARE: See if you can't work that part out. We'll include two, three, four, five and six in Mr. --

COUNCILMAN LEVY: They're already in there anyway.

MAYOR BRIARE: They are, but --

LARRY TEMPLE: I don't see a problem with any of those.

MAYOR BRIARE: We'll go ahead and put them in the record and we will trust that some arrangements can be agreed upon between the two of you. Thank you for being cooperative in this. Do you want to make any more comments because you get a chance for rebuttal.

LARRY TEMPLE: No. I think those are the only points of issue and we've covered each one of them. I don't think anything else is --

MAYOR BRIARE: Is there anyone else in the audience that wanted to make a comment on this request?

COUNCILMAN LURIE: Mayor, I WOULD REITERATE MY MOTION FOR APPROVAL, SUBJECT TO THE ADDITIONAL CONDITIONS THAT WERE DISCUSSED IN MR. TEMPLE'S LETTER.

MAYOR BRIARE: Comments by the Council members? Cast your votes. Post. Motion is APPROVED. (Motion carried UNANIMOUSLY.)

END OF DISCUSSION

/lo

AGENDA

City of Las Vegas December 4, 1985

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

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
K. ZONE CHANGE		
2:40 5. Z-75-85 - CHARLESTON COMMERCIAL PROPERTIES Request for reclassification of property generally located on the southwest corner of Charleston Boulevard and Placid Avenue. From: N-U (Non-Urban) To: R-PD23 (Residential Planned Development) Proposed Use: Apartments Planning Commission unanimously voted to recommend APPROVAL, subject to: 1. Resolution of Intent with a twelve month time limit. 2. Revise plot plan to provide improved relationship between parking areas and apartment units as required by the Department of Community Planning and Development. 3. Conformance to the submitted elevations. 4. Installation of a six foot high block wall along the south and west property lines. 5. Enhance building elevations as required by the Department of Community Planning and Development. Staff Recommendation: APPROVAL, subject to the application being amended to R-PD20 PROTESTS: 0	Levy - APPROVED as recommended by Planning Commission. Unanimous	Clerk to notify and Planning to proceed. Charley Johnson and Ed Hutchins appeared and represented the applicant. No one appeared in opposition.

To: The City Council
Re: Community Planning and Development Agenda Item
December 4, 1985 City Council Agenda

K. ZONE CHANGE

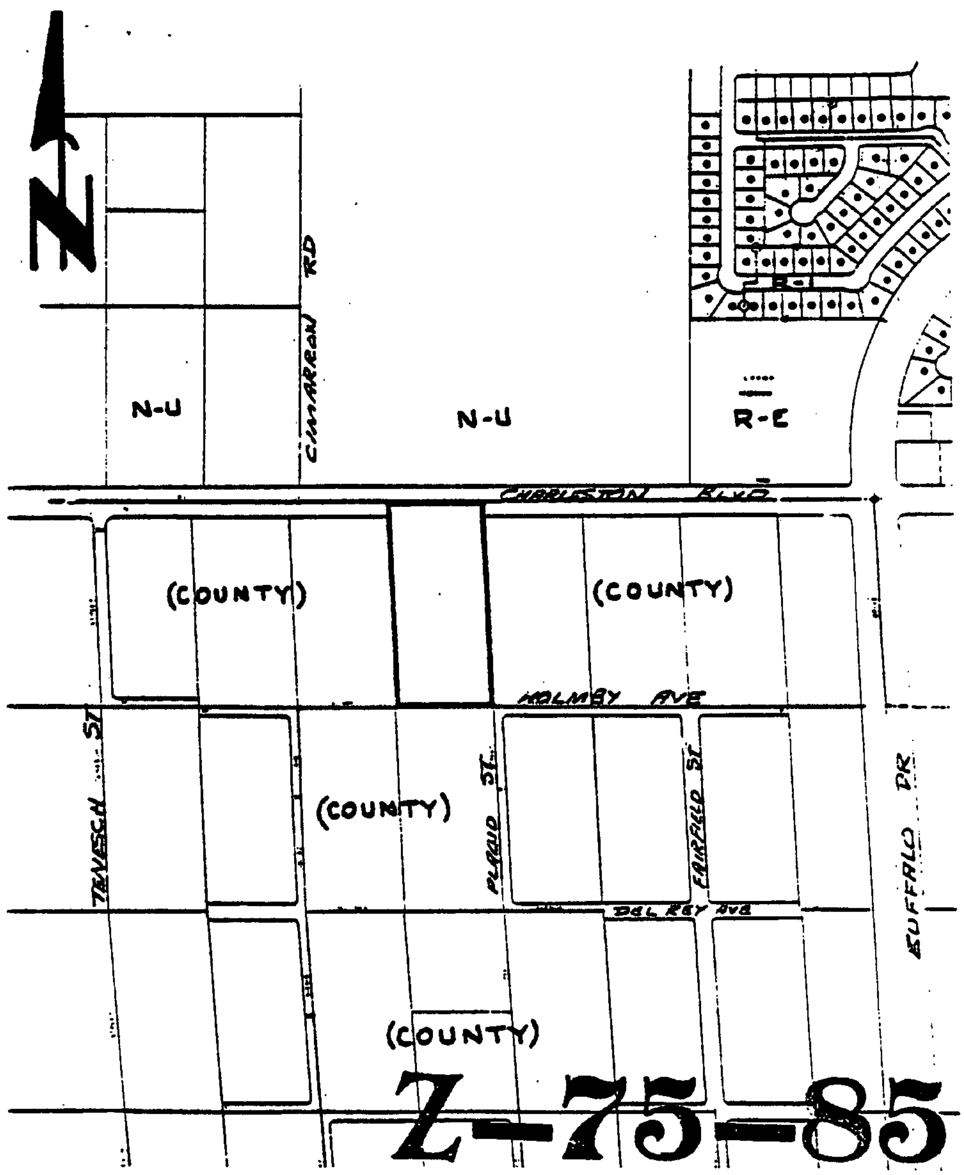
5. Z-75-85 - CHARLESTON COMMERCIAL PROPERTIES

The application is to rezone this 5.5 acre parcel from N-U to R-PD23 at the southwest corner of West Charleston and Placid Avenue. The applicant is proposing a 128 unit apartment project in six two-story buildings. There will be 204 parking spaces which satisfies the ordinance requirements. A recreation building and swimming pool is also proposed. This property was annexed to the City recently and is bordered by County area to the east, west and south. To the north is vacant R-E zoning in the City. At the Planning Commission meeting, staff recommended the application be amended from R-PD23 to R-PD20 to be in accordance with the R-3 density that is generally the maximum allowed in the outlying areas. A reduction in the density to R-PD20 would decrease the number of units to 110. The applicant was not in agreement to the amendment, pointing out that R-PD23 has been approved on other sites such as The Lakes at West Sahara and the proposed density is needed to make the project feasible.

Planning Commission Recommendation: APPROVAL - the R-PD23 is a compatible density as proposed by the applicant.

Staff Recommendation: APPROVAL - subject to the application being amended to R-PD20

PROTESTS: 0



AGENDA

City of Las Vegas December 4, 1985

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
L. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE PLANNING COMMISSION AT ITS NOVEMBER 26, 1985 MEETING.	NONE	NONE
M. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING HELD NOVEMBER 19, 1985.	V-112-85	12/18/85 Agenda

Cira Bauman

AGENDA

City of Las Vegas

December 4, 1985

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

ITEM	Council Action	Department Action
XI ADDENDUM ITEMS	NONE	NONE

APPROVED AGENDA ITEM

Roll H. Wd...

AGENDA

City of Las Vegas

December 4, 1985

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Council Action	Department Action
XII CITIZENS PARTICIPATION		
Items raised under this portion of the Agenda cannot be acted upon by the City Council until the notice provisions of the Open Meeting Law have been complied with. Therefore, action on such items will have to be considered at a later meeting.	NONE	NONE
	MEETING ADJOURNED AT 2:44 P.M.	
	NOTE: Mayor welcomed students from Bonanza High School who attended the afternoon session.	

APPROVED AGENDA ITEM