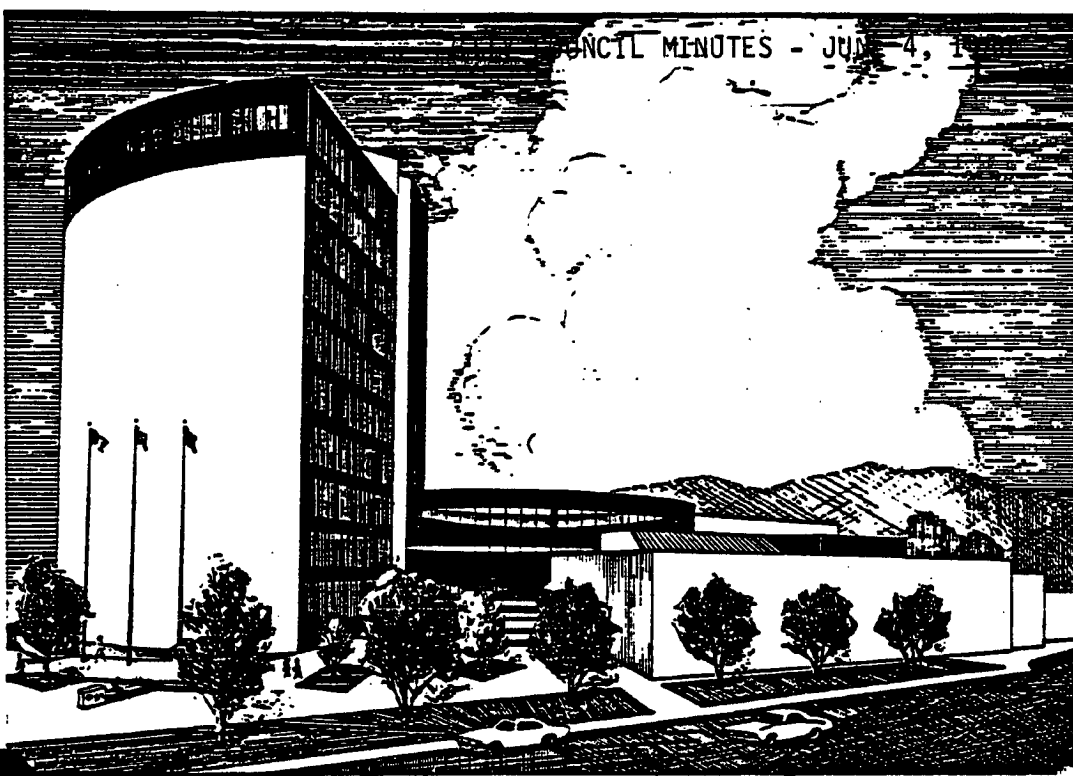




MINUTES

City of Las Vegas

CITY COUNCIL

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

DATE: June 4, 1986

TIME: 9:45 A.M.

INVOCATION: Reverend Carl R. Witt, Jr. - Christ Lutheran Church

PLEDGE OF ALLEGIANCE:

CITY COUNCIL

MAYOR BILL BRIARE

PRESENT

ABSENT

EXCUSED

☒

☐

☐

COUNCILMAN RON LURIE
MAYOR PRO-TEM

☒

☐

☐

COUNCILMAN AL LEVY

☒

☐

☐

COUNCILMAN BOB NOLEN

☒

☐

☐

COUNCILMAN W. WAYNE BUNKER

☒

☐

☐

CITY ATTORNEY

GEORGE F. OGILVIE

☒

☐

☐

APPROVED BY REFERENCE October 1, 1986

ATTEST:

Kathleen M. Fisher
CITY CLERK

Bill Briare
MAYOR

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

000001

June 4, 1986

Page 1

AGENDA*City of Las Vegas*

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

ITEM

Council Action

Department Action

I. 9:45 A.M.

A. COMMUNITY RELATIONS

1. Century-Mark Awards, Department of Parks, Recreation and Senior Citizens Activities, Youth Affairs Division. Presentation of certificates to 22 outstanding Youth Council members who have earned a Century-Mark Certificate.

FULL COUNCIL PRESENT

Awards presented to youths at 2 P.M. session by Chris Stanfill and Dean Schank of the Dept. of Parks, Recreation & Senior Citizens Activities.

2. Status report of programs and activities by Terrie Guevara, Bruce Layne and Leo Seevers of Southern Nevada Clean Communities.

Status report given by Terrie Guevara and Bruce Layne.

B. SPECIAL EVENTS

II. 10:00 A.M.

A. ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW

Announcement Made

B. INVOCATION

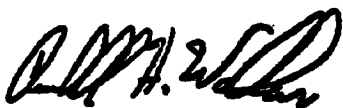
Reverend Carl R. Witt, Jr.
Christ Lutheran Church

Invocation Given By
Reverend Witt
(He invited the Council members to a dedication of Christ Lutheran Church on September 14, 1986.)

C. PLEDGE OF ALLEGIANCE

Mayor Briare Led
Audience in Pledge.

APPROVED AGENDA ITEM



1986

LAS VEGAS YOUTH COUNCIL
CENTURY MARK AWARDS WINNERS

000002

CHALICE BEAGLEY	WESTERN
SHARON CAMPBELL	ELDORADO
DAVID DORNAK	ELD
MILLIE GONG	BONANZA
CHRISTY GELDBACH	~~BON~~ <i>CLARK</i>
KATHY HOLMAN	WESTERN
KIM KERSHAW	CLARK
JOHN LI (LEE)	VEGAS
BELINDA LITTLE	BON
AIMEE MATHIS	VALLEY
DAWN MELBY	VALLEY
NICOLE McDONALD	VALLEY
ADRIAN NARVAEZ (NARVICE)	VALLEY
KIRSTEN OBERHOLTZER	VALLEY
LISA PATTERSON	ELDORADO
LISA ROBERTSON	VALLEY
CHRIS SCHANK	WESTERN
DEBBIE SKROBACK	ELDORADO
RON STABLER	SUNSET
ALBERT TABOLA	VALLEY
ANGELINA TEJADA (TA HADE A)	VEGAS
TOM WOLF	ELDORADO

THIS HAS BEEN THE MOST ACTIVE YEAR EVER FOR THE YOUTH COUNCIL. MONTHLY MEETING ATTENDANCE AVERAGED BETWEEN 50-60 YOUTH. THE COMMUNITY ACTIVITIES UNDERTAKEN THIS YEAR INCLUDED: HELP OF SOUTHERN NEVADA; NATIONAL ENERGY EDUCATION DAY (NEED) PROGRAM; SOUTHERN NEVADA CLEAN COMMUNITIES; COMMUNITY ACTION AGAINST RAPE; HEART ASSOCIATION; SEVERAL CITY SPONSORED EVENTS AND OTHERS. YOU CAN BE VERY PROUD OF THESE FINE YOUNG FUTURE LEADERS OF OUR COMMUNITY FOR THE TIME AND EFFORT THEY HAVE INVESTED IN DOING THEIR PART TO HELP OTHERS NOW. IT IS OUR PLEASURE TO PRESENT THEM THESE WELL DESERVED AWARDS.

(Posting required under the provisions of NRS CHAPTER 241)

000003

STATE OF NEVADA)
COUNTY OF CLARK) ss.

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 30th day of May, 1986 at the hour of 9:45 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 June, 1986, 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

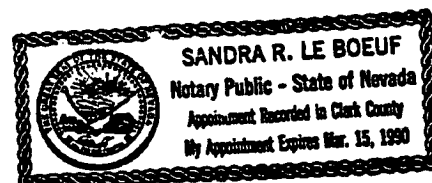
City Clerk's Office
DEPARTMENT

Subscribed and sworn to before me this

30th day of May, 1986

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

My Commission expires: 3-15-90



CITY COUNCIL MINUTES - JUNE 4, 1986
AFFIDAVIT OF MAILING

000004

(Mailing required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)

COUNTY OF CLARK)

ss

Joanne Perry, an employee of the City of Las Vegas, Nevada
being first duly sworn, deposes and says that on the 30th day of May,
1986, 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
June, 1986 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 Perry
SIGNATURE (an employee in the
Office of the City Clerk)

Subscribed and sworn to before me this

30th day of May, 1986

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

My Commission expires: 3-15-90



000005

AGENDA*City of Las Vegas*

June 4, 1986

Page 2

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

ITEM

Council Action

Department Action

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

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

10:15

*A. GAMING -- Additional1. FOUR QUEENS, INC.

Four Queens Hotel & Casino
202 East Fremont
2 Poker Tables

Lurie -
APPROVED A-1,
A-2 and A-3.
Unanimous

Staff to proceed

2. AUGUSTO VERASTEGUI

Fremont Mini Mart
1404 East Fremont
4 slots

APPROVED
See Above

See Above

3. 1422 CORPORATION

Tovi's Italian Restaurant & Lounge
808 South Decatur
1 slot

APPROVED
See Above

See Above

APPROVED AGENDA ITEM



000006

AGENDA*City of Las Vegas*

June 4, 1986

Page 3

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:15

**B. LIQUOR -- Change of Ownership/Change
of Business Name**1. From: A & P Bolan, Inc.
dba
West ConnectionAlbin O. Bolan, Pres, V.P.,
Secy, Treas, 100%TO: *SAMSON, INC.
dba
WEST CONNECTION LOUNGE
1810 South Rainbow

General On-Sale License

Ross Anthony Anfuso, Pres,
V.P., Secy, Treas,
Dir, 100%*Subject to the provisions of the Fire
codes and Health Department regulationsLurie -
APPROVED, subject
to the provisions.
UnanimousStaff to proceed
Jerry Cahill, CLV,
and Ross Anthony
Anfuso appeared.

APPROVED AGENDA ITEM

Larry R. Burton

AGENDA*City of Las Vegas*

June 4, 1986

CITY COUNCIL

Page 4

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:17

C. LIQUOR -- Request for Waiver of 1500'
Distance Requirement on Change of
Ownership/Change of Location/Change
of Business Name1. From: Jimmie Love
dba
Love's Cocktail Lounge
500 Jackson

Jimmie R. Love, 100%

TO: *NICK MALLAS
dba
BLUE ANGEL RESTAURANT &
COCKTAIL LOUNGE
2100 East Fremont

General On-Sale License

Nick Mallas, 100%

*Subject to the provisions of the Fire
codes and Health Department regulationsLurie -
APPROVED Waiver of
1500' Distance
Requirement,
Change of Location,
and Change of
Business Name,
subject to the
provisions.
UnanimousStaff to proceed
Nick Mallas
appeared.

PROTESTANTS:

Jack Doyle, L.V.
Food & Beverage
AssociationJill Magliarditi,
Odyssey LoungeVegas Lounge-
Written Protest

APPROVED AGENDA ITEM

Larry R. Burton

City of Las Vegas

000008

AGENDA DOCUMENTATION

Date: May 22, 1986TQ:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 4, 1986 CITY COUNCIL AGENDA
LIQUOR -- Request for Waiver of 1500' Distance Requirement on Change
of Ownership/Change of Location/Change of Business NamePURPOSE/BACKGROUND

Item, "C", 1.

Appearing on the June 4th agenda is a request for waiver of the 1500' distance requirement, made pursuant to the Liquor Control Ordinance, Las Vegas Municipal Code Section 6.50.310.

This request is made in conjunction with an application from Nick Mallas for change of ownership, change of location, and change of business name on the general on-sale liquor license currently held by Jimmie Love, dba Love's Cocktail Lounge, 500 Jackson Avenue. Mr. Mallas is seeking approval to transfer this license to 2100 East Fremont, for operation of the Blue Angel Restaurant & Cocktail Lounge.

Measurements taken by the Department of Business Activity reveal that the following establishments which hold general on-off sale licenses are within 1500' of the proposed location:

<u>Name</u>	<u>Address</u>	<u>Distance</u>
D-D's Saloon, Inc.	2025 East Charleston	390'
Odyssey 2001	1930 East Fremont	950'
Vegas Lounge	2222 East Fremont	350'

Attached is a copy of a letter from Nick Mallas outlining this request, and a map showing the proposed location and surrounding neighborhood.

This location was previously granted a waiver of the 1500' distance requirement by the City Council on June 4, 1985, for Triple E Partnership, dba Elliott's Nest. Elliott's Nest subsequently ceased operation at that location on January 24, 1986. The premises have been vacant since that time.


Larry K. Barton, Director
Department of Business Activity

FISCAL IMPACTRECOMMENDATIONS

Agenda Item

III "C" 1

**Nick Mallas**

REALTOR and GENERAL CONTRACTOR, (LICENSE BI 219284)

13714 East Valley Boulevard

La Puente, California 91746

(818) 968-5200

Department Of Business Activity
400 E. Stewart Av.
Las Vegas , Nevada 89101

April 23 , 1986

Attention: Honorable Mayor Briare
and City Council

Re:REQUEST FOR WAIVER (6.50.310) Liquor license

Location: 2100 E. Fremont St.

Business name: Blue Angel Restaurant & Cocktail Lounge

Dear Mayor Briare,

I am the owner of the above described business and building at
the above location.

I have agreed to purchase a license from the Bankruptcy Court
and I am presently applying to have that license approved for me
and the location by the City of Las Vegas.

Therefore, I hereby make the following request;

That the requirement under Sect. 6.50.310 that states no general on-
sale or on-off sale license can be located within one thousand
five hundred feet of any other general on-sale or on-off sale
license be waived.

It is my understanding that the recent prior licensee at this
location was granted the waiver when he applied for his license.

Thank you,

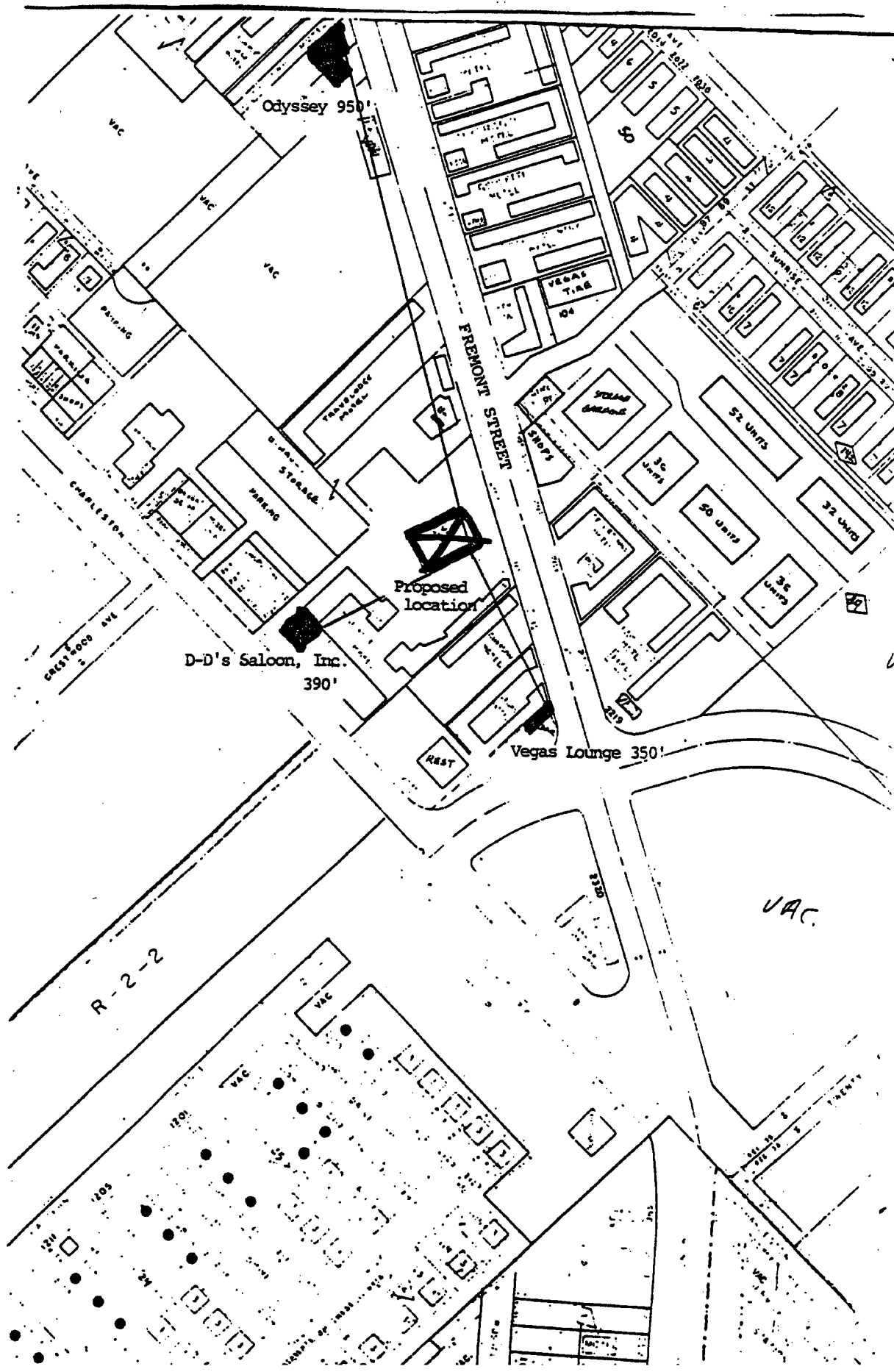
Very truly yours,

Nick Mallas
2110 E. Fremont St.
Las Vegas , Nevada 89101
(386-9500

RECEIVED
BUSINESS ACTIVITY

1986 APR 24 A 11:33

000010



MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOB NOLEN

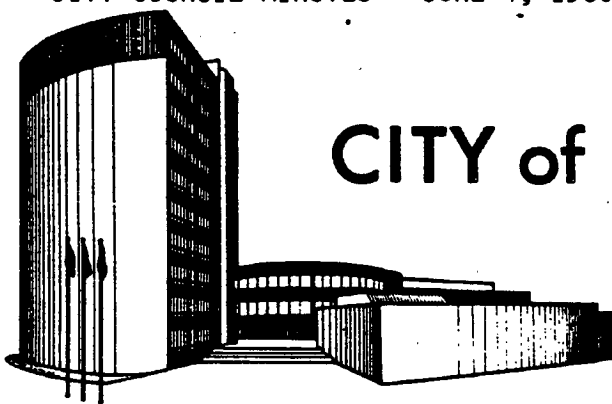
W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

May 23, 1986

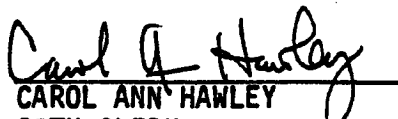
NOTICE

June 4, 1986

Notice is hereby given that on June 4, 1986, at 10:00 a.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will hear the following:

REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT AS
PROVIDED UNDER TITLE 6, CHAPTER 50, SECTION 310,
LAS VEGAS MUNICIPAL CODE, LIQUOR CONTROL ORDINANCE,
SUBMITTED BY NICK MALLAS, DBA BLUE ANGEL RESTAURANT &
COCKTAIL LOUNGE, 2100 EAST FREMONT STREET, LAS VEGAS,
NEVADA, IN CONJUNCTION WITH AN APPLICATION FOR A CHANGE
OF OWNERSHIP/CHANGE OF LOCATION/CHANGE OF BUSINESS
NAME ON THE GENERAL ON-SALE LIQUOR LICENSE CURRENTLY
HELD BY JIMMIE LOVE, DBA LOVE'S COCKTAIL LOUNGE,
500 JACKSON, LAS VEGAS, NEVADA..

Any and all interested persons may appear before the City Council either in person or by representative and object to or express approval of the request for waiver; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.


CAROL ANN HAWLEY
CITY CLERK



Peter L. Flangas

May 30, 1986

ITEM III "C" 1

000013

AGENDA*City of Las Vegas*

June 4, 1986

CITY COUNCIL

Page 5

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:30

D. LIQUOR -- Request for Waiver of 1500'
Distance Requirement on Change of
Location/Change of Business Name1. From: 3rd Street Bar & Grill
215 North Third StreetTO: *HARRY VONDERHEIDE
dba
WILD HARE
2112 Western Avenue

General On-Sale License

Harry Jesse Vonderheide,
100%*Subject to the provisions of the Fire
codes and Health Department regulationsLevy -
APPROVED Waiver of
1500' and Change
of Business Name,
subject to the
provisions. (no
adult orientated
entertainment or
topless service.)
Unanimous

Staff to proceed

Atty. Jim Wagner,
233 N. Rancho,
and Harry Jesse
Vonderheide
appeared to
represent the
application.Jerry Cahill,
CLV, appeared

PROTESTANT:

Jack Doyle, L.V.
Food & Beverage
AssociationNOTE: A verbatim transcript made
a part of the final minutes.

APPROVED AGENDA ITEM

Lucy L. Burton

City of Las Vegas

000014

AGENDA DOCUMENTATION

Date: May 23, 1986

TO: THE CITY COUNCIL

FROM: LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 4, 1986 CITY COUNCIL AGENDA
LIQUOR -- Request for Waiver of 1500' Distance Requirement on Change of
Location/Change of Business Name

Item "0", 1.

Appearing on the Department of Business Activity portion of the agenda is a request from Harry Vonderheide to transfer his General On-Sale liquor license from 3rd Street Bar & Grill, 215 North Third Street (name and address of record), to 2112 Western Avenue, for operation of a bar under the name Wild Hare.

Along with the application for change of location, the licensee is requesting a waiver of the 1500' distance requirement as provided under Title 6, Chapter 50, Section 310, Las Vegas Municipal Code. Measurements taken by the Department of Business Activity reveal that the following establishments are within 1500' of the proposed location:

<u>Name/Address</u>	<u>License Classification</u>	<u>Approximate Distance</u>
The Highlander Bar 1926 Western	General On-Off Sale	460'
Crazy Horse #2 2472-74 Industrial Road	General On-Sale	1,275'

Attached is a copy of a letter dated May 21, 1986, from Mr. Vonderheide outlining his request. Also attached is a copy of a map showing the proposed location and surrounding neighborhood.

It is noted that Mr. Vonderheide closed the 3rd Street Bar & Grill on July 17, 1985, the license has remained valid under extensions of nonoperational status as approved by the City Council covering the period October 18, 1985 to July 18, 1986.

According to Business Activity records, the proposed location of 2112 Western Avenue was a licensed bar operation from December 1963 through August 1985. The premises was licensed during the period September 1985 to April 1986 as a dancehall.

Jerry J. Cahill

Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "0" 1

000015

May 21, 0986

Honorable Mayor and City Councilmen
c/o Jerry Cahill. Director
Dept. of Business Activities
400 Stewart Street, Las Vegas, Nv. 89101

Re: Request for Variance of Proximity Restriction
(L.V.M.C. 6.50.310)

Gentlmen:

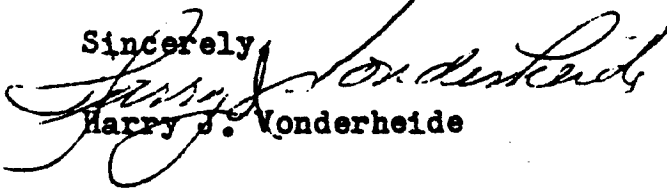
With respect to my application to relocate my general on-sale liquor license from the 3rd Street Bar & Grill, 215 No. 3rd St. Las Vetgas, to 2120 Western Avenue, Las Vegas, I respectfully request that you wave the above restriction.

This new location, originally known as the Larriet, and more recently as the Troubadour, was built as a bar, lounge and dance hall in 1963. It has been in continuous operation as such until seven or eight months ago when the liquor license was removed and the new tenant was unable to obtain one, and vacated the premises.

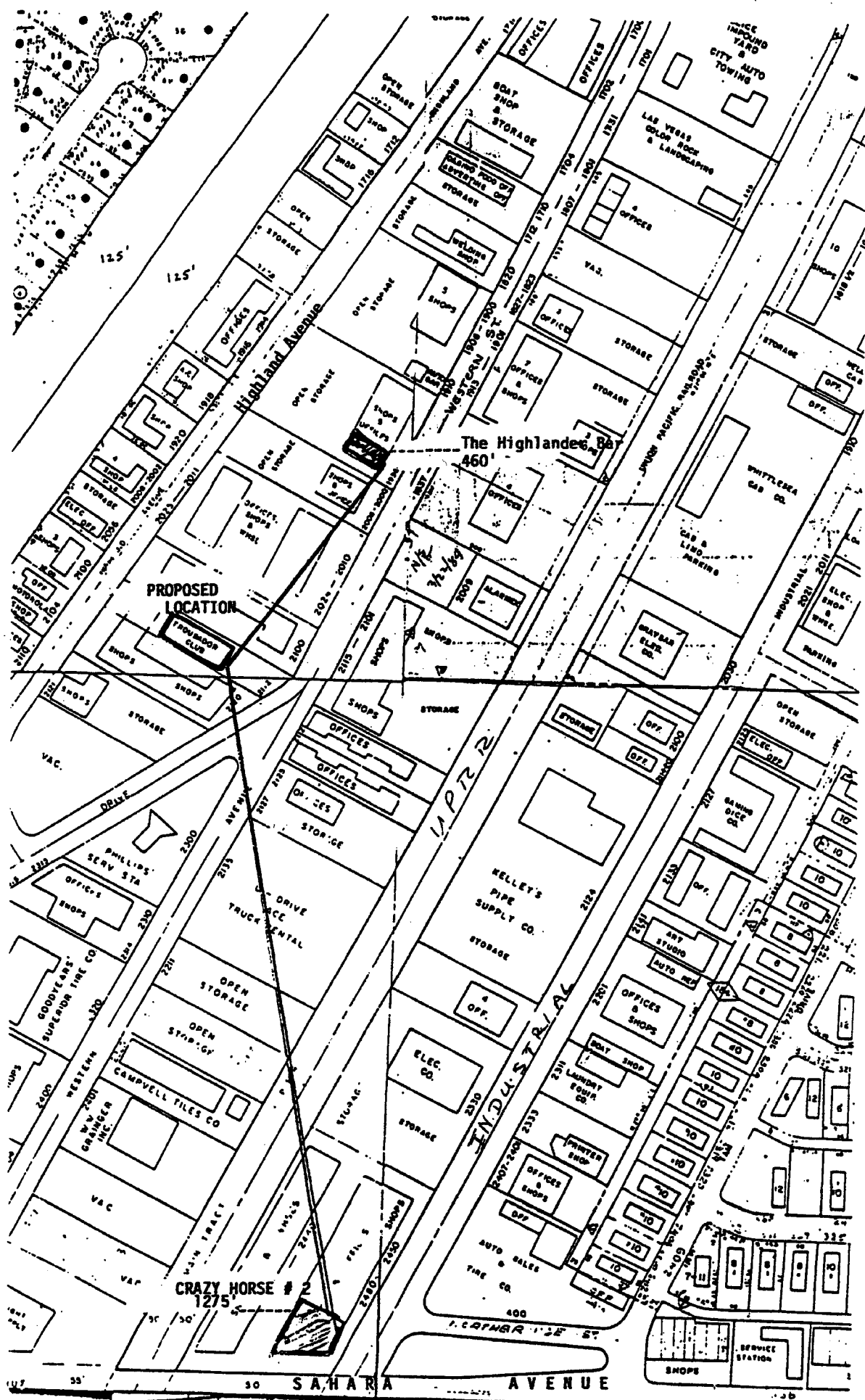
A good portion of the equipment, furniture and fixtures are in place. Due to storm damage, the landlord recently installed a new dance floor at a cost exceeding \$8,000.00.

I have found it very difficult to locate a suitable location for my license until this time. I would certainly appreciate your kind consideration of this request.

Sincerely,


Harry J. Vonderheide

4801 E. Sahara Ave. No. 283
Las Vegas, Nv. 89104 641-7173



MAYOR BILL BRIARE

COUNCILMEN
RON LURIE

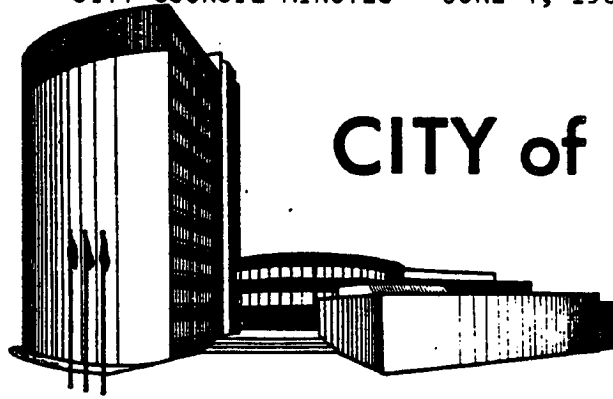
AL LEVY

BOB NOLEN

W. WAYNE BUNKER

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

May 23, 1986

NOTICE

Notice is hereby given that on June 4, 1986, at 10:00 a.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will hear the following:

REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT
AS PROVIDED UNDER TITLE 6, CHAPTER 50, SECTION 310,
LAS VEGAS MUNICIPAL CODE, LIQUOR CONTROL ORDINANCE,
SUBMITTED BY HARRY VONDERHEIDE dba 3rd STREET BAR &
GRILL, 215 NORTH THIRD STREET, LAS VEGAS, NEVADA,
IN CONJUNCTION WITH AN APPLICATION FOR A CHANGE OF
LOCATION/CHANGE OF BUSINESS NAME OF HIS GENERAL
ON-SALE LIQUOR LICENSE TO WILD HARE, 2112 WESTERN
AVENUE, LAS VEGAS, NEVADA.

Any and all interested persons may appear before the City Council either in person or by representative and object to or express approval of the request for waiver; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.


CAROL ANN HAWLEY
CITY CLERK



TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 1
III. DEPARTMENT OF BUSINESS ACTIVITY. D. LIQUOR. 3RD STREET BAR & GRILL TO
WILD HARE.

MAYOR WILLIAM BRIARE:

The next item is another request for a waiver. This is from the 3rd Street Bar and Grill to the Wild Hare at 2112 Western Avenue. Is there a representative of the Wild Hare present? Gentlemen, do you want to make any preliminary remarks before we hear from any that might be opposed?

ATTY. JIM WAGNER:

Your Honor, Jim Wagner, 333 North Rancho, No. 580, here with Harry Vonderheide. Just briefly, Your Honor, to see if there is any opposition, we want to have a country and western dance hall there on Western. It's been a liquor establishment for a long time and we just want to move the license out of downtown over there. We've had a little trouble finding this spot, but -- why don't we see if there is any opposition and we can respond to that.

MAYOR WILLIAM BRIARE:

Sure, then you can respond to that.

ATTY. JIM WAGNER:

Thank you.

MAYOR WILLIAM BRIARE:

Mr. Cahill, this premise is presently closed. Is it the intention of the applicant to do a similar type of operation as that which closed up?

JERRY CAHILL, CLV:

I believe that when the Troubadour existed down there it was a dance hall type bar operation and it's my understanding that Mr. Vonderheide is going to have something similar to that.

COUNCILMAN RON LURIE:

The only question I have is the name, the Wild Hare, that we don't have -- I want the record to reflect when they come back up here that we're not going to end up with another Crazy Horse. I mean, all these names that we have, Wild Hare, Crazy Horse. I want it on the record that they're not going to change the type of operation because otherwise you'll be back before us.

JERRY CAHILL, CLV:

No topless, is what you're saying, right?

COUNCILMAN RON LURIE:

That's what I'm saying.

COUNCILMAN BOB NOLEN:

I think you saw that "No Adult Entertainment" as far as adult-orientated entertainment.

COUNCILMAN AL LEVY:

I think we'd do Mr. Vonderheide a real big problem is if we would vote against this.

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 2
III. DEPARTMENT OF BUSINESS ACTIVITY. D. LIQUOR. 3RD STREET BAR & GRILL TO
WILD HARE.

COUNCILMAN AL LEVY:

I'LL MOVE TO APPROVE THE REQUEST FOR A VARIANCE WITH THE CONDITIONS THAT HAVE BEEN STATED.

MAYOR WILLIAM BRIARE:

Mr. Doyle, your objections will be noted for this one, too, as you indicated to begin with, but I wanted to ask if there was anyone else in the audience that's here to speak in opposition to the allowance of this waiver of 1,500 foot.

COUNCILMAN AL LEVY:

I have been indicated that the two operators that this would affect are both basically in favor of it.

JACK DOYLE, L.V. FOOD &
BEVERAGE ASSOCIATION:

Mayor, this is just one of the things that has to come up with our committee.

MAYOR WILLIAM BRIARE:

I understand. Right, Jack. Any other comments?

COUNCILMAN RON LURIE:

I'd have the applicant come up for the record.

MAYOR WILLIAM BRIARE:

We want something on the record, Mr. Wagner.

COUNCILMAN AL LEVY:

Not the attorney.

MAYOR WILLIAM BRIARE:

Well, we want Mr. Vonderheide to understand that we're not putting any pressure on him whatsoever. Do you understand what Councilman Lurie's concern is? Counselor, would you instruct your --

ATTY. JIM WAGNER:

Yes. We have no plans for adult-orientated entertainment and we would go along with the stipulation that that not be allowed under this license.

HARRY VONDERHEIDE:

Absolutely. I wouldn't tolerate it.

MAYOR WILLIAM BRIARE:

You got the gist. Right? Is that okay with you, Counselor?

ATTY. JIM WAGNER:

Yes, sir.

MAYOR WILLIAM BRIARE:

Any comments by the Council members? Cast your votes. Post. Motion is APPROVED.
(Motion carried unanimously)

END OF DISCUSSION

000020

AGENDA*City of Las Vegas*

June 4, 1986

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

Page 6

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:34

E. LIQUOR -- Requests for Waiver of 1500' Distance Requirement and Preliminary Approval on Change of Ownership/Change of Location/Change of Business Name1. From: Leandrew McDaniel
dba
Club Rouge
900 West Bonanza

Leandrew McDaniel, 100%

TO: *FREDERICK JACOBY
dba
INN ZONE BONANZA
SW corner Nellis & Harris

General On-Off Sale License

Frederick R. Jacoby, 100%

*Subject to the provisions of the
Planning and Fire codes and Health
Department regulationsNolen -
DENIED Waiver.
Motion carried
with Bunker
voting "No."Atty. Jack
Godfrey and
Frederick R.
Jacoby appeared
to represent the
application.

PROTESTANTS:

John Doyle, L.V.
Food & Beverage
AssociationJohn Regan,
Jack's PlaceRichard Benoit,
4B Fuchlow Dr.

Ralph Hill

Elaine Frayner

APPROVED AGENDA ITEM

Larry R. Burton

City of Las Vegas

000021

Date: May 22, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 4, 1986 CITY COUNCIL AGENDA
LIQUOR -- Requests for Waiver of 1500' Distance Requirement and Preliminary Approval
on Change of Ownership/Change of Location/Change of Business NamePURPOSE/BACKGROUND

Item, "E", 1.

Appearing on the Department of Business Activity agenda is an application received from Frederick Jacoby requesting that the general on-off sale liquor license currently held by Leandrew McDaniel, dba Club Rouge, 900 West Bonanza, be transferred to him for operation of the Inn Zone Bonanza to be located at the SW corner of Nellis and Harris.

In conjunction with this application there are two requests made pursuant to the Liquor Control Ordinance which must be taken into consideration by the Council.

1. Request for Waiver of the 1500' Distance Requirement pursuant to Title 6, Chapter, 5D, Section 310:

Upon receipt of the application a survey of the proposed location and surrounding area was made by the Department of Business Activity. This survey revealed that Jack's Place, 5067-71 East Bonanza, which holds a general on-off sale license is approximately 675-750' from the proposed location.

2. Request for Preliminary Approval made pursuant to Title 6, Chapter 6, Section D50:

Las Vegas Municipal Code states that the Council may grant preliminary approval of an application when such approval is requested by the applicant for any good and sufficient reason. Requirements may be imposed and all requirements must be satisfied and the license issued within six (6) months after the date of preliminary approval, unless a longer or shorter period is specified by the Council.

If the Council grants the waiver of the 1500' distance requirement and further grants preliminary approval of this application, it is recommended that the following requirements be imposed.

1. That preliminary approval be granted for a period of one year.
2. Licensee must obtain all necessary approvals from the Planning, Building, and Fire Departments of the City of Las Vegas, and the Clark County Health Department and must be in compliance with all provisions of the Liquor Control Ordinance prior to opening.

Attached for your review regarding this application are the following:

1. Request for waiver of the 1500' distance requirement submitted by John A. Godfrey, attorney for applicant.
2. Letter dated May 12, 1986 requesting preliminary approval.
3. Map showing the proposed location and surrounding neighborhood.

NOTE: The license issued to Leandrew McDaniel will be automatically revoked at midnight June 12, 1986, due to expiration of nonoperational status if the transfer to Frederick Jacoby is not granted on June 4, 1986.

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

Agenda Item

III "E" 1

000022

BEFORE THE CITY OF LAS VEGAS BOARD OF COMMISSIONERS

* * *

In the Matter of the)
 Application of:)

FRED JACOBY dba)
 INN ZONE BONANZA)

REQUEST FOR WAIVER OF
1500 FOOT PROXIMITY
REQUIREMENT

Pursuant to Las Vegas Municipal Code § 6.50.310, Fred Jacoby dba Inn Zone Bonanza (the "Applicant") requests a waiver of the 1500 foot proximity requirement because its proposed location is approximately 750 feet from Jack's Place, an establishment with a City liquor license. The Applicant has applied for a general on-off-sale liquor license together with a restricted gaming license. Operations are planned to commence in the fall of 1986. Therefore, it is necessary to receive a determination on the issue of the distance requirement.

In pertinent part, Code § 6.50.310 states: "At the request of the applicant, the Board of Commissioners, in its discretion, may waive this provision based on the consideration of the nature and character of the surrounding neighborhood." The Applicant respectfully submits that such waiver is appropriate in this case. In support of this application, the following information is offered.

I

NATURE AND CHARACTER OF THE SURROUNDING NEIGHBORHOOD

The estimated address of the Inn Zone Bonanza will be 776 N. Nellis Blvd. This is located in the Nellis Trails Shopping Center which is approximately 130,000 square feet in size. This location is between First Interstate Bank (791) and Arby's (725) and is zoned C-1. All surrounding property in the area is also

1 zoned C-1. (For ease of reference with respect to the layout
2 of the areas, please refer to the diagram attached hereto as
3 Exhibit "A".)

4 The surrounding property in the area is approximately 70%
5 developed and approximately 80% of this development involves ser-
6 vice businesses. The remaining surrounding property is either
7 vacant land or single family residential development. Although
8 there are some condominiums, this area is mostly composed of
9 single family dwellings. There are no apartments in the surround-
10 ing area although there is a high concentration of mobile home
11 estates.

12 The type and nature of businesses in the area come under
13 three primary categories: (1) franchise businesses; (2) major
14 chain stores (i.e. drug, grocery and department stores); and (3)
15 single proprietor businesses.

16 The Applicant has been able to identify Seventy Nine (79)
17 businesses in the surrounding neighborhood (other than bars),
18 which businesses come under the above-described general
19 categories. For example, there is an Alpha Beta grocery store
20 one mile west¹ of the proposed location, a Lucky grocery store
21 700 feet south of the proposed location, a K-Mart store 2000 feet
22 south of the proposed location and a Smith's Food King grocery
23 store 3600 feet south of the proposed location. There are three
24 (3) convenience stores. A 7-11 store is 1800 feet south of the
25

26 1. All distances stated herein are approximate.
27 proposed location while there are two (2) Stop 'n Go stores.
28 One is 1000 feet south and one is 3100 feet south.

000024

1 There are eleven (11) "fast food" franchises and five (5)
2 other food loations in the area. Of these other food establish-
3 ments, four (4) serve beer.

4 There are three (3) drug stores, three (3) financial institu-
5 tions and forty (40) "miscellaneous" businesses in the area.
6 There are bars in the surrounding area, but only one (1) City
7 licensed bar is within the 1500 feet requirement. This is Jack's
8 Place. It is 750 feet from the proposed location and is the only
9 bar holding a City of Las Vegas liquor license within 1500 feet
10 of the proposed location. It serves no food and its hours are
11 limited to 10 a.m. to 2 a.m. It is located in the Lucky Shopping
12 Center which is approximately 80,000 square feet in size.

13 The traffic flow in the area is moderate to heavy. Nellis
14 Boulevard was recently expanded to six lanes to accomodate the
15 traffic flow while Bonanza Road was widened to four lanes.

II

17 THE INN ZONE BONANZA WILL COMPLIMENT THE NATURE
18 AND CHARACTER OF THE SURROUNDING NEIGHBORHOOD

19 If licensed, the Inn Zone Bonanza will be operated in the
20 same manner as the other Inn Zone establishments in the Greater
21 Las Vegas area. This includes 24-hour operation, full service
22 family restaurant (including a children's menu), restricted
23 gaming, pool and shuffleboard leagues, and many different promo-
24 tional activities. This type of operation will be in marked
25 contrast to Jack's Place as that establishment is strictly a bar
26 and is not open on a 24-hour basis. The Inn Zone Bonanza will
27 represent a positive addition to the surrounding area and will
28 not be inconsistent with the character of the neighborhood.

/ / /

III

000025

THE INDIVIDUAL APPLICANT

The individual involved in the ownership of Inn Zone Bonanza is Fred Jacoby. He has been licensed for liquor and gaming in the State of Nevada. His licensing history is as follows:

1. King of Clubs.
License held: On-sale liquor, Class A Slots and other necessary tavern licenses² from December, 1968 to February, 1973.
2. Desert Inn Liquors.
License held: On-off-sale liquor, Class A Slots and other necessary tavern licenses from March, 1977 to December, 1977.
3. Fuddy Duddy's Saloon.
License held: On-sale liquor, Class A Slots and other necessary tavern and restaurant licenses from April, 1976 to November, 1985.
4. Inn Zone Cheyenne.
Mr. Jacoby has just been approved by the State of Nevada and City of Las Vegas to acquire a 15% interest in Cheyenne, Inc. dba Inn Zone Cheyenne.

Mr. Jacoby has a proven track record in this type of business and his involvement will only benefit the surrounding neighborhood.

IV

CONCLUSION

Based upon the foregoing, it is respectfully submitted that the waiver of the distance requirement should be granted in this application. The Commission members have deemed it appropriate to grant such waivers in the past and while this is a purely discretionary consideration, a favorable consideration would be appropriate in this case. The Inn Zone Bonanza will be an

-
2. "Other necessary tavern licenses" referenced herein include cigarette, amusement, convention authority, etc.

1 establishment that will be entirely consistent with the nature
2 and character of the surrounding neighborhood. Its proximity
3 to Jack's Place would not be detrimental to the neighborhood as
4 its type of operation will be markedly different than that of
5 Jack's Place. The entire family can enjoy an establishment such
6 as the Inn Zone Bonanza.

7 It is requested that this waiver, if granted, be made effec-
8 tive through the date set in the grant of preliminary approval
9 for the liquor license in order to provide sufficient time for
10 the Applicant to be ready for opening upon licensure, if such
11 licensure is approved. If this waiver is granted, the Applicant
12 requests that the Commission also allow an extension of the effec-
13 tive waiver period in the event that proves necessary. The
14 Applicant will provide any other information the Commissioners
15 request.

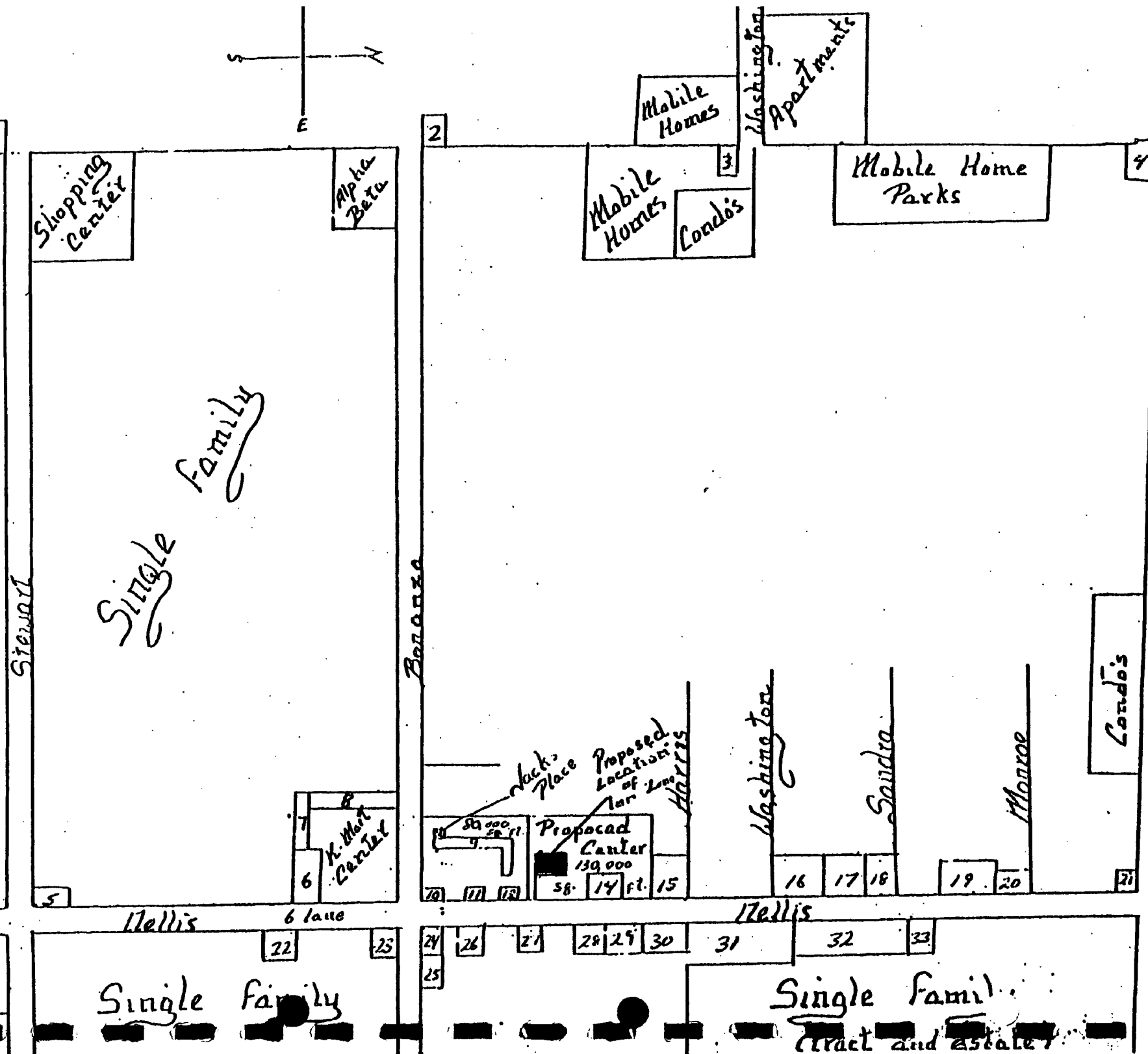
16 DATED this 12th day of May, 1986.

17 SCHRECK, JONES, BERNHARD,
18 WOLOSON & GODFREY

19 By: John A. Godfrey
20 John A. Godfrey, Esq.
21 600 E. Charleston Blvd.
22 Las Vegas, NV 89104
23 Attorneys for Fred Jacoby
24
25
26
27
28

000027

EXHIBIT "A"



LIST OF BUSINESSES

1. 7-11
2. Stop n' Go
3. 7-11
4. Stop n' Go
5. Stop n' Go
6. K-Mart
7. Retail
8. Retail
9. Lucky's
10. Rebel
11. Carl's
12. Taco Bell
13. Inn Zone
14. Big "O" Tires
15. F.I.B.
16. Soithwest Roadway
17. Nellis Storage
18. Centel
19. Nellis Storage
20. Terry's Tires
21. 7-11
22. Nellis Auction
23. 7-11
24. Jack in the Box
25. Nevada Savings
26. McDonalds
27. Bar B-Q Pit
28. Pizza Hut
29. Nevada First Thrift
30. Wendy's
31. Sunrise Shopping Center
32. Various Retail
33. Sunrise Town Hall

000029

LAW OFFICES

SCHRECK, JONES, BERNHARD, WOLOSON & GODFREY
CHARTERED

600 EAST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89104

FRANK A. SCHRECK
LESLIE T. JONES
PETER C. BERNHARD
KENNETH A. WOLOSON
JOHN A. GODFREY
SCOTT M. NIELSON
LOUIS J. TAVANO
GEORGANNE WERT

TELEPHONE
(702) 382-2101

TELECOPIER
(702) 382-8135

May 20, 1986

OF COUNSEL:
HOWARD W. CANNON
SHANNON L. BYBEE

HAND DELIVERED

Jerry Cahill, Director
Dept. of Business License
City of Las Vegas
400 E. Stewart Ave.
Las Vegas, NV 89101

RE: FRED JACOBY dba Inn Zone Bonanza (Application for
Preliminary Approval of On-Off-Sale Liquor
License and for Waiver of the Proximity Requirement)

Dear Mr. Cahill:

In connection with the above-referenced applications, I want to clarify one issue that might arise with respect to the waiver of proximity requirement. This issue relates to the policing of minors insofar as the Inn Zone Bonanza, if licensed, will be an operation where the entire family can enjoy the restaurant facilities. As one who has a great deal of experience in this type of business, Mr. Jacoby is very sensitive to the issue of minors in an establishment. Accordingly, he will have a strict policy with respect to minors.

This policy will be substantially similar, if not identical, to the policy in place at the other Inn Zones, including Inn Zone-Rainbow and Inn Zone-Cheyenne, both currently licensed by the City. I attach copies of two policy letters currently in effect at the Inn Zones. Mr. Jacoby is familiar with these policy letters and intends to utilize them.

I hope that this addresses any questions you might have regarding this issue. Of course, we will be happy to address this and any other issues which may arise at your meeting. Thank you.

Sincerely,

SCHRECK, JONES, BERNHARD,
WOLOSON & GODFREY

John A. Godfrey
John A. Godfrey, Esq.

JAG/slh
cc: Fred Jacoby

MINOR POLICY
POLICY LETTER

June 1, 1985
RE: General Policy

MINOR POLICY

A confusion has arisen stemming from the fact that we invite families with their children of all ages in to eat at our restaurants, yet we have a policy of not serving minors.

The exact policy is this: Unless there is an area specifically set aside in a given store where it is KNOWN AND PUBLISHED to the staff and CLEARLY POSTED by sign that minors are allowed unaccompanied in that area, no minors are allowed without adult supervision in any area of any store, with the possible exception of trips to the restroom. No minor may ever enter any store unless accompanied by an adult in any case. Even if accompanied, no minor may be in any pool area, gaming area, or at the bar, except enroute to the restaurant or other specifically designated "minors OK" area. Adults who have minors with them, therefore, would obviously not be able to gamble, play pool, or drink at the bar.

In the future, there is the possibility that some store or stores may have a "minors' entrance", which would probably open directly into a video arcade adjacent to the restaurant or some such. The restaurant would probably have a service counter opening into the arcade, and the "kids' area" would be shut off from the rest of the store by a door through which only adults could pass. This would be the exception to the rule. The rule is - NO MINORS UNACCOMPANIED. NO MINORS IN BAR, POOL, OR GAMING, ACCOMPANIED OR NOT.

The whole idea is to get Mom & Dad in here, even if they have to bring the kids to eat. This is even further encouraged by our upcoming children's menu. Then Mom & Dad know about us, and when they go out without the kids, they come here to have some fun.

Hope this clears all confusions.



RUSSELL JACOBY
CHIEF EXECUTIVE OFFICER

000031

LAW OFFICES

SCHRECK, JONES, BERNHARD, WOLOSON & GODFREY
CHARTERED

600 EAST CHARLESTON BOULEVARD
LAS VEGAS, NEVADA 89104

FRANK A. SCHRECK
LESLIE T. JONES
PETER C. BERNHARD
KENNETH A. WOLOSON
JOHN A. GODFREY
SCOTT M. NIELSON
LOUIS J. TAVANO
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(702) 382-2101

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(702) 382-8135

May 12, 1986

OF COUNSEL:
HOWARD W. CANNON
SHANNON L. BYBEE

HAND DELIVERED

Jerry Cahill, Director
Department of Business Licensing
City of Las Vegas
400 E. Stewart Ave.
Las Vegas, NV 89101

RE: FRED JACOBY dba INN ZONE BONANZA (Application for
Restricted Gaming License, On-Sale Liquor License
and Waiver of Proximity Requirement)

Dear Mr. Cahill:

Find enclosed the above-referenced application. Please note that this application includes a request for a waiver of the 1500 foot distance requirement pursuant to Las Vegas Municipal Code § 6.50.310. With respect to this issue, we would appreciate it being placed on an agenda at the very earliest time because it is a critical issue to be resolved in going forward. With respect to the liquor license, it is being purchased from Lamar McDaniel subject to the rights of the Trustee in the Bankruptcy of Rollie Hughes. This Agreement is being finalized and will be forwarded under separate cover this week.

I am also requesting a preliminary approval pursuant to Code § 6.06.050. Because of the current proposed opening schedule, I request that any such preliminary approval be for a one year period, unless further extended. The reason for this request is that as of this date, the construction schedule is uncertain and we have no way of accurately assessing when it might be completed. Since this aspect is out of our control, we feel a one year period will provide the flexibility necessary in this circumstance.

I am forwarding the following documents comprising the application, except those documents which are referenced for forwarding under separate cover.

LAW OFFICES
SCHRECK, JONES, BERNHARD, WOLOSON & GODFREY
CHARTERED

000032

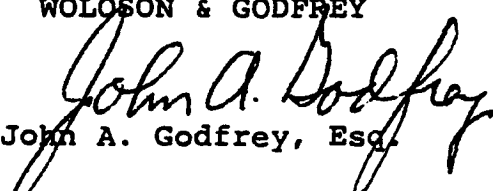
Jerry Cahill
May 12, 1986
Page 2

- I. Fred Jacoby dba Inn Zone Bonanza
 1. Business License Application (2 originals).
 2. Lease Agreement (2 copies). (Please note that this is in the process of being assigned from Russ Jacoby. Such assignment will be forwarded under separate cover.)
 3. Request for Waiver of 1500 foot Proximity Requirement (original and 6 copies).
 4. Amended Agreement for Purchase of Liquor License from Lamar McDaniel (to be forwarded under separate cover).
 5. \$200 license investigation fee and \$2400 fee for one year's fees, general on-off-sale liquor.
- II. Frederick R. Jacoby
 1. Personal History Record (2 originals).
 2. Personal Financial Questionnaire (2 originals).
 3. Applicant's Request to Release Information (2 originals).
 4. Bank Confirmation Form (2 originals).
 5. Photograph (1).

It is my understanding that Mr. McDaniel's license will lapse on June 12, 1986. Accordingly, we will do all we can to assist in having this matter placed on the June 4, 1986 agenda. Thank you for consideration of this matter.

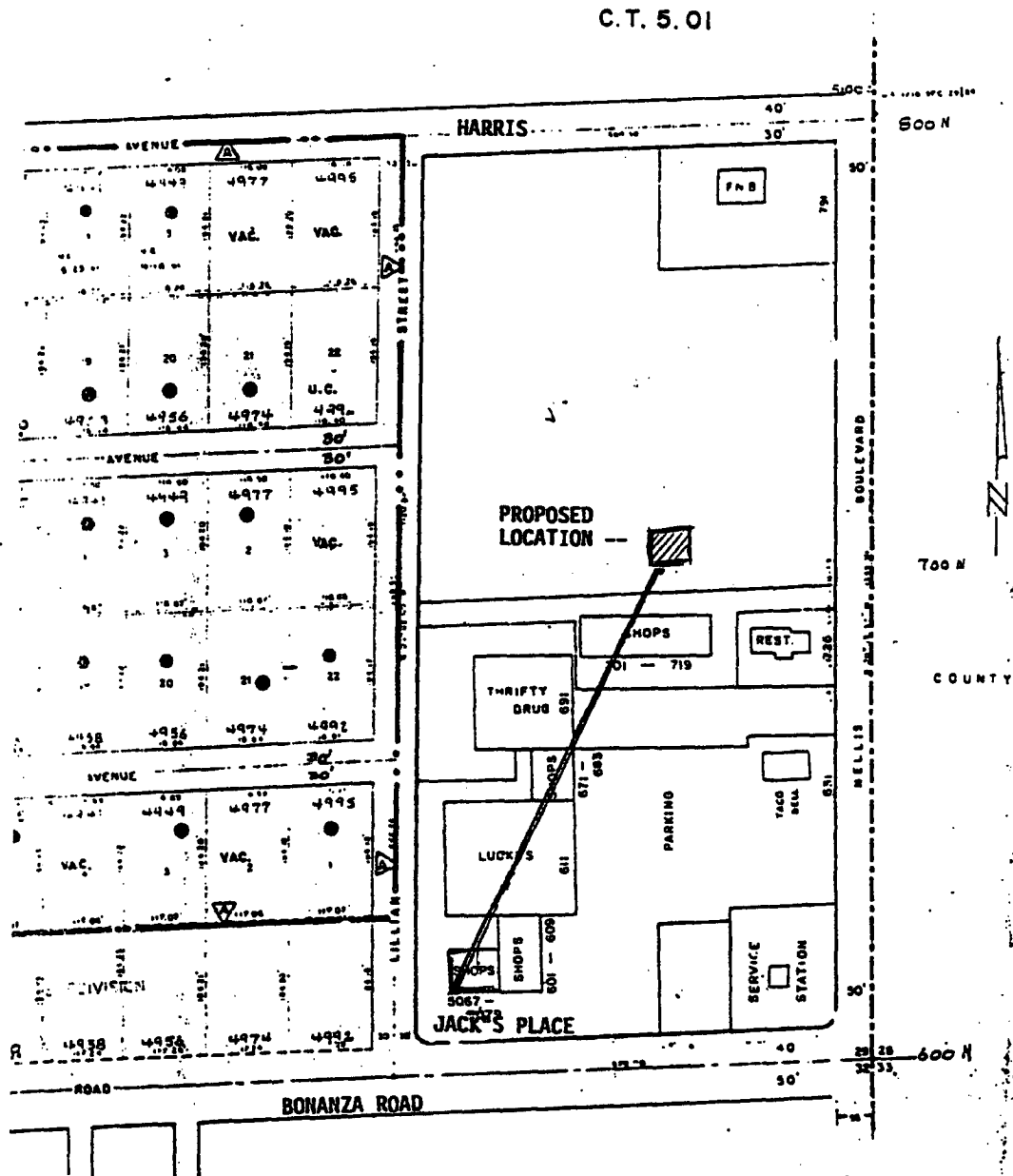
Sincerely,

SCHRECK, JONES, BERNHARD,
WOLOSON & GODFREY


John A. Godfrey, Esq.

JAG/slh
enclosures: as noted
cc: Fred Jacoby

000033



REVISED
APRIL 11, 1975
mb

46
SF: 45
TB: 1
3/40

TOTAL HOUSING UNITS

S1/2 SE 1/4, SEC 29, T20S, R62 E

CITY OF LAS VEGAS NEVADA
PLANNING DEPT.

DISTRICT MAP NO 206

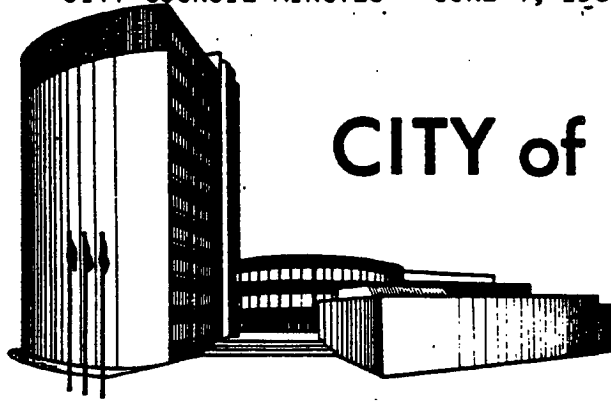
N-29-8

MAYOR BILL BRIARE

COUNCILMEN
RON LURIE
AL LEVY
BOB NOLEN
W. WAYNE BUNKER

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

May 23, 1986

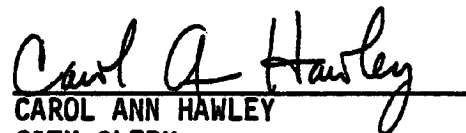
NOTICE

June 4, 1986

Notice is hereby given that on June 4, 1986, at 10:00 a.m., in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will hear the following:

REQUEST FOR WAIVER OF 1500' DISTANCE REQUIREMENT
AS PROVIDED UNDER TITLE 6, CHAPTER 50, SECTION 310,
LAS VEGAS MUNICIPAL CODE, LIQUOR CONTROL ORDINANCE,
SUBMITTED BY FREDERICK JACOBY dba INN ZONE BONANZA,
SW CORNER NELLIS AND HARRIS, LAS VEGAS, NEVADA,
IN CONJUNCTION WITH AN APPLICATION FOR A CHANGE OF
OWNERSHIP/CHANGE OF LOCATION/CHANGE OF BUSINESS NAME
ON THE GENERAL ON-OFF SALE LIQUOR LICENSE CURRENTLY
HELD BY LEANDREW McDANIEL, dba CLUB ROUGE, 900 WEST
BONANZA, LAS VEGAS, NEVADA.

Any and all interested persons may appear before the City Council either in person or by representative and object to or express approval of the request for waiver; or may, prior to this meeting, file with the City Clerk, written objection thereto or approval thereof.


CAROL ANN HAWLEY
CITY CLERK



Jack's Place
5067 E. Bonanza Road.
Las Vegas, NV 89110

000035

June 2, 1986

Mr. Jerry J. Cahill
Business Activity Director
City of Las Vegas
City Hall
400 E. Stewart Avenue
Las Vegas, NV 89101

Dear Mr. Cahill
Business Activity Director:

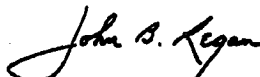
Re the city's letter of 23 May 1986 informing me of Mr. Frederick Jacoby's request for a waiver of the 1500 feet distance requirement as contained in Title 6, Chapter 50, Section 310 of the Las Vegas Municipal Code, I herein adamantly state an objection to his request to the waiver of the 1500 feet distance requirement. The waiving of this requirement will have an adverse effect upon my business and upon those other privileged license holders within proximity of the stated location. The waiving of the 1500 feet requirement would be, in my opinion, in direct conflict to the Code which was enacted to "involve, to the highest degree, the economic, social, physical and moral well-being of the residents and taxpayers" of the City of Las Vegas. The waiving of this requirement, I believe, is in direct conflict with the stated intent of the City's Liquor Control Chapter of the Code and would adversely affect my economic well-being.

In my opinion, an individual who presently holds three existing privileged liquor licenses in the Greater Las Vegas area should be able to develop a fourth location without infringing upon the 1500 feet requirement protection allowed my license under the Code. I also find it gratuitous on Mr. Jacoby's part to begin construction of a facility before receiving his required change of ownership, location, business name and the necessary waiver of the 1500 feet distance requirement as stated in the Code.

As the license holder directly effected by the waiving of this distance requirement, I request that the City deny the request.

Thank you.

Yours truly,


John B. Regan

CITY COUNCIL MINUTES - JUNE 4, 1986

000036

P H O N E M E M O	TO	City Clerk		DATE	6-4	TIME	8:50	AM PM					
	FROM	M	Richard Bennett	AREA CODE	NUMBER								
	OF	4B Trucklow Dr			EXTENSION								
	M E S S A G E	Protecting Frederick Jacoby 1500' widener											
SIGNED							SL						
PHONED		☒	CALL BACK	☐	RETURNED CALL	☐	WANTS TO SEE YOU	☐	WILL CALL AGAIN	☐	WAS IN	☐	URGENT

AIGNER FORM NO. 50-178

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AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:50

F. LIQUOR -- Approval of Additional Corporate Officers

1. VONS GROCERY COMPANY
dba
VONS GROCERY COMPANY
6000 West Cheyenne
4440 East Charleston
390 South Decatur

General Off-Sale Licenses

Stuart Alan Rosenthal, Sr. V.P.,
Merchandising
Peter MacArthur Horn, III, Group
V.P., Supermarket Operations
James George McLaughlin, V.P.,
Operations, Combination Stores
Harold Edward Rudnick, V.P.,
Grocery Division
Daniel Dean Granger, V.P.,
Marketing

Lurie -
APPROVED Items F-1,
G-1, G-2 and G-3.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Lucy L. Burton

AGENDA*City of Las Vegas*

000038

June 4, 1986

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)G. LIQUOR -- Approval of Managers

1. CIRCLE K CORPORATION
dba
CIRCLE K STORES
3500 East Charleston
428 South Valley View
5400 Vegas Drive
1550 North Lamb
3435 North Rancho
4333 East Bonanza
1301 North. Eastern

Beer/Wine Off-Sale Licenses

Larry Allen Lanham, District
Manager

2. KAYO OIL COMPANY
dba
JET
1420 West Bonanza
6100 West Charleston
20B3 East Fremont

Beer/Wine Off-Sale Licenses

Michael Leroy Potter, District
ManagerLurie -
APPROVED Items F-1,
G-1, G-2 and G-3.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

Larry L. Burton

AGENDA*City of Las Vegas*

June 4, 1986

000039

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)G. LIQUOR -- Approval of Managers
(cont'd)

3. ELENI GIANNOPOULOS
dba
BOSTON PIZZA #1
1601 Las Vegas Boulevard South

Beer/Wine On-Sale License

Tonis Giannopoulos, General Manager

Lurie -
APPROVED Items F-1,
G-1, G-2 and G-3.
Unanimous

Staff to proceed

H. GAMING -- New

1. TERRY HOLTZ
dba
7-ELEVEN FOOD STORE #20826
1600 North Decatur

Restricted Gaming: 3 slots

Terry Lewis Holtz, 100%
2. MALONE & MALONE
dba
7-ELEVEN FOOD STORE #20687
1600 North Rancho

Restricted Gaming: 4 slots

Patrick Lloyd Malone and
Kindra Doris Malone, 100% jointly
as husband and wife

Lurie -
APPROVED Items 1
and 2.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

Larry H. Burton

10:51

AGENDA

City of Las Vegas

000048

June 4, 1986

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

ITEM

Council Action

Department Action

III. DEPARTMENT OF BUSINESS ACTIVITY
(cont'd)

10:51

I. SECONDHAND DEALERS LICENSE -- Change of Location

1. From: 1702 Western Avenue, #D

TO: *ROBERT PECCOLE
dba
A & P SLOTS
2133 Industrial Road, #2 & 3
(Zoned C-M)

Class II
(used slot machines)

Robert Joseph Peccole, 100%
Robert Neils Peccole, Jr.,
Manager

*Subject to the provisions of the Fire codes

Lurie -
APPROVED, subject
to the provisions.
Unanimous

Staff to proceed

Robert Neils
Peccole, Jr.
appeared.

10:52

J. SECONDHAND DEALERS LICENSE -- Six Month Review

1. KIM LOAN RHUE
dba
NEVADA GOLD & SILVER EXCHANGE
806½ Las Vegas Boulevard South

Class III-C

Kim Loan Rhue, 100%

Nolen -
APPROVED License
until August of 1986
Unanimous

(Note: This matter
should be placed on
agenda in August to
coincide with
Council's review of
Use Permit.)

Staff to proceed

Jerry Cahill, CLV,
and Kim Loan Rhue,
appeared.

APPROVED AGENDA ITEM

Lucy B. Burton

City of Las Vegas

000041

AGENDA DOCUMENTATION

Date: May 22, 1986

TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: DEPARTMENT OF BUSINESS ACTIVITY -- JUNE 4, 1986 CITY COUNCIL AGENDA
SECONDHAND DEALERS LICENSE -- Six Month ReviewPURPOSE/BACKGROUND

Item, "J", 1.

Appearing on the agenda is a six-month review of the secondhand dealers license issued to Kim Rhue, dba Nevada Gold & Silver Exchange, 806½ Las Vegas Boulevard South.

This license was approved by the City Council on November 20, 1985, subject to a six-month review due to land use concerns. There is a Use Permit issued for the buying and selling of secondhand coins and jewelry on this property. The Use Permit, as approved by the City Council on September 18, 1985, is also subject to a one year review.

There have been no complaints filed with the department since this license was approved. The Special/Privileged Investigations Section of the Las Vegas Metropolitan Police Department has also indicated they have no derogatory information regarding this item.


Jerry J. Cahill, Director
Department of Business Activity

Agenda Item

III "J" 1

AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

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

00:55

- A. DISCUSSION AND POSSIBLE ACTION ENTERING INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHOLOM AT WOODLAWN CEMETERY FOR THE BURIAL OF MEMBERS OF THE TEMPLE.

ABEYANCE

6-18-86 Agenda

Jared Shafer and
Stan Schwartz
made presentationsNOTE: A verbatim transcript made a
part of the final minutes.

11:05

- B. DISCUSSION AND POSSIBLE ACTION ON REVISING THE CITY'S VEHICLE POLICY FOR DEPARTMENT DIRECTORS, EXECUTIVE MANAGEMENT STAFF AND KEY CITY PERSONNEL.

Levy -
APPROVED as recom-
mended.
Unanimous

Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

000048

Date: May 29, 1986

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGER*Ashley Hall*SUBJECT: DISCUSSION AND POSSIBLE ACTION ENTERING INTO A CONTRACT AGREEMENT WITH TEMPLE
BETH SHOLOM AT WOODLAWN MEMORIAL CEMETERY FOR THE BURIAL OF MEMBERS OF THE TEMPLE.PURPOSE/BACKGROUND

The City of Las Vegas has entered into a contractual agreement on three separate occasions with Temple Beth Sholom to provide the Temple with interment privileges at Woodlawn Memorial Cemetery. In 1970 the Temple acquired 494 plots and as of today, two remain unused. The contract before the Council would reserve two sections of the cemetery, Juniper I and II, for the exclusive use of Temple Beth Sholom. As the Council is probably aware, conservative Jews have very strict requirements governing burials, and may only be interred in an area of a cemetery physically isolated from other religious denominations.

Aside from reserving the use of Juniper I and II the contract will require:

- Full payment of the existing perpetual care fee in effect at the time of the use of plot.
- Monthly payment for all plots used in the previous month.
- A 15% discount off the current per plot purchase price at the time of use.
- Only after City Council approval the ability to make certain type improvements (such as pathways, borders, etc).

The contract commits the City to reserve 1,094 plots or 8% of the remaining plots at Woodlawn Memorial Cemetery.

FISCAL IMPACT

N/A

RECOMMENDATIONS

It is the City Manager's recommendation that the contract be approved.

Agenda Item

IV. (a) A.

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 1
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT WOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

MAYOR WILLIAM BRIARE: The next under Administrative Agenda, Mr. Hall.

CITY MANAGER ASHLEY HALL: Yes, Your Honor. Item No. A. Discussion and possible action entering into a contract agreement with Temple Beth Shalom at Woodlawn Cemetery for the burial of members of the Temple. Mr. Walker will handle that.

DEPUTY CITY MANAGER
RANDALL WALKER: Mr. Mayor. The Temple has previously had entered into a contract with the City for other plots of ground at the cemetery. They are the largest single user of the cemetery plots and through discussions with the Temple we were able to come up with the agreement that's attached to your backup and the Manager's Office would recommend approval.

MAYOR WILLIAM BRIARE: Is there a representative of Temple Beth Shalom in the audience? Mr. Shafer would you come forward. While Mr. Shafer is coming forward, Mr. Hall, at the present time is Woodlawn Memorial Cemetery operating in the black?

DEPUTY CITY MANAGER
RANDALL WALKER: No.

CITY MANAGER ASHLEY HALL: No, it's not.

MAYOR WILLIAM BRIARE: Jared, the microphone --

JARED SHAFER: For the record, my name is Jared Shafer. I'm President of the Temple. This is Sam Schwartz. He's a member of the Temple Board and Chairman of the Committee that handled this.

MAYOR WILLIAM BRIARE: I'm going to repeat my question. Did you hear the answer to the question? My question was, is -- I'm going to rephrase it a little bit. Is the Woodlawn Memorial Cemetery operating on a break even or better basis?

CITY MANAGER ASHLEY HALL: No, we're losing money.

MAYOR WILLIAM BRIARE: How much are we losing?

CITY MANAGER ASHLEY HALL: Approximately \$175,000 to \$200,000 a year.

MAYOR WILLIAM BRIARE: Jared, my only comment is on the 15% discount.

JARED SHAFER: Okay. The 15% discount --

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 2
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT WOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

MAYOR WILLIAM BRIARE:

All the rest of the stuff is beautiful, but --

COUNCILMAN AL LEVY:

But wait a minute. They've raised the price.

JARED SHAFER:

You've raised the price, number one, but number two, please understand that the City of Las Vegas acquired that land either at no cost or at extremely minimal cost. You do not lose any money on the sale of the plots. It is my understanding in talking to Randy, and I do appreciate Randy's help, by the way, to the Board, he was quite helpful in arranging this situation, that the cost that the City and the taxpayers of the City of Las Vegas incur is on the perpetual care. You will note that in the contract that we arrived at, the perpetual care is charged back to the Temple at the going rate at the time the plot is sold so that it's not firm today at the \$90.00 so that in 25 years if we're still using it's \$90.00. It will be at whatever the rate is and that's where your cost is incurred. The 15% discount is for a large user and in essence, if you were to buy 10,000 pounds of butter, you'd get a better price than if you bought one pound of butter.

MAYOR WILLIAM BRIARE:

Jared, --

COUNCILMAN RON LURIE:

I'm going to just -- I have to make a phone call. I can't -- the City Attorney says I can't vote on this because I'm a member of the Temple, so I'm just going to push the abstention vote and I'll be making a call.

MAYOR WILLIAM BRIARE:

No matter where the revenues come from, Jerry, in my mind as far as a department of City government, which is losing money, is immaterial; I don't care where it comes from. There have been several efforts made and I don't know what the status is and I don't want to hear what the status is at the moment. There have been several approaches made, which I happen to favor, and that is to turn Woodlawn Cemetery over to a private operator. This is a long-term agreement. This is for over a thousand plots. At least for the health of your members, Mr. Schwartz, I hope it's a long term. I'm not looking for you to fill up those spots. Maybe I'm talking about nickles and dimes; I don't know. What would be 15% of the average sale of a plot extended over a number of years for a thousand

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 3
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT HOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

MAYOR WILLIAM BRIARE:

and some plots?

DEPUTY CITY MANAGER
RANDALL WALKER:

The current price of plots for the Juniper area is \$325 per plot, so 15% discount would be between \$45 and \$50.

MAYOR WILLIAM BRIARE:

Times a thousand.

DEPUTY CITY MANAGER
RANDALL WALKER:

And those thousand will probably be used over the next -- they used roughly about 35 plots a year, is that right, Jerry?

JARED SHAFER:

This is, the reason we came to the City Council and asked for the large number is so that we will not be back. I do not feel that in any of our lifetimes we will be back asking the City to buy more land. There is a limited amount of land, as you know. We will use it. We are your largest user. We do not want -- it's like a hotel room; if it's not used tonight, it will never be used. It's a terrible analysis, but if we do not sell it to someone who passed away, you will never recoup that sale; you know, they'll go somewhere else, so you're not losing anything in that sense. You were using -- Randy, how many plots a year are you using?

MAYOR WILLIAM BRIARE:

He said about thirty-five.

JARED SHAFER:

No, that's us, but in the total.

MAYOR WILLIAM BRIARE:

Jerry, this is tough for me to do because, you know, I'm not a member of Temple Beth Shalom because you never invited me, but I have to vote on Nevada Catholic Welfare's stuff and that's the way it goes.

COUNCILMAN WAYNE BUNKER:

Your Honor, maybe there's a point we might be missing here. Normally, as you know, I'm concerned about discounts, too, and I usually oppose them, but if you look at this large user, in this situation, our loss will be greater if we lose this large contract and I've studied this very carefully and I think it's in the best interests of the total City of Las Vegas to allow the discount in order that our loss on the operation of the cemetery does not increase and believe me staff can comment on it, but it would be my thinking that

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 4
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT WOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

COUNCILMAN WAYNE BUNKER:

the loss would increase without this large single user and they're going to buy plots someplace, whether they buy them from us or someone else, and they'll get a discount wherever they go buying this large a block of cemetery property.

COUNCILMAN BOB NOLEN:

Your only difference there, Councilman, is that this is public property and I question whether it's legal and I would ask the City Attorney at this time, is it legal to give this kind of discount?

COUNCILMAN WAYNE BUNKER:

Well, we were going to offer property down on Mojave at 40¢ less than appraised value, so --

COUNCILMAN BOB NOLEN:

There's a major difference in what you're talking about. The public has access to this and if a person who has no religious beliefs and wants to come in and ask for a 15% discount, how can we deny him? I'm totally in favor of this transaction, but I question the legality of the 15% and I would ask the City Attorney for his opinion.

CITY ATTORNEY GEORGE OGILIVE:

I would like to take another look at it because I'm just not prepared to answer that right now.

MAYOR WILLIAM BRIARE:

I'm always impressed and take great counsel from Mr. Bunker. Did you look into the prospects of a private enterprise operation?

COUNCILMAN WAYNE BUNKER:

Well, I think we're open. Hopefully, they would buy the whole cemetery, then we would be out from under it.

MAYOR WILLIAM BRIARE:

Jerry, maybe you want to think about it.

JARED SHAFER:

No. I think the purchase of the cemetery from the City would be inconsistent with the needs of the general population of the city.

MAYOR WILLIAM BRIARE:

If you bought that whole cemetery, you wouldn't be asking for a discount, you'd raise the prices.

JARED SHAFER:

No, actually we wouldn't. It's a situation

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 5
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT WOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

JARED SHAFER: that if you sit down and talk to our Rabbi long enough, he wants -- it's really tough to go into it in a general meeting. The feelings of the religious aspect of having a place in consecrated ground --

MAYOR WILLIAM BRIARE: Not only that, but people could be able to count on it.

COUNCILMAN WAYNE BUNKER: And it has to be segregated. It cannot be --

MAYOR WILLIAM BRIARE: Mr. Hall, it would seem to me that we certainly should allow Mr. Ogilvie the opportunity to respond to Councilman Nolen's question. I would vote for this thing in a minute, except I share Councilman Nolen's feelings on this discount thing and -- but I'm more concerned with the possibility that it might have a detrimental or chilling effect on a prospective operator. Why don't you give us another couple of weeks?

COUNCILMAN WAYNE BUNKER: What were the terms of the prior contract?

JARED SHAFER: A whole bunch better.

COUNCILMAN WAYNE BUNKER: That's my point. If it's illegal now all of a sudden, why wasn't it illegal when you did it before?

COUNCILMAN BOB NOLEN: He wasn't asked at that time.

MAYOR WILLIAM BRIARE: Once it's called to our attention we have to address it. If nobody brings the subject up, we can continue in our ignorance.

JARED SHAFER: I don't think anyone that sits on the City Council is ignorant. I think Mr. Nolen knows exactly where he's going and I don't blame him. I have a job, you all may understand is similar to yours, I have to look to those issues so if you will set another date, I will be more than happy to come back.

COUNCILMAN BOB NOLEN: The next meeting.

MAYOR WILLIAM BRIARE: Would you object to that?

COUNCILMAN WAYNE BUNKER: No, not at all.

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 6
IV(a). ADMINISTRATIVE AGENDA. ITEM A. DISCUSSION AND POSSIBLE ACTION ENTERING
INTO A CONTRACT AGREEMENT WITH TEMPLE BETH SHALOM AT WOODLAWN CEMETERY FOR THE
BURIAL OF MEMBERS OF THE TEMPLE.

MAYOR WILLIAM BRIARE:

Let's make it a legal clean thing all the way through. As I said, I'd like to vote for you.

JARED SHAFER:

I appreciate that.

MAYOR WILLIAM BRIARE:

Okay, if there's not objection by the Council members, we'll -- will two weeks be enough, Mr. Ogilvie?

CITY ATTORNEY GEORGE OGILVIE:

Yes.

MAYOR WILLIAM BRIARE:

Have this come up on the agenda in two weeks.

CITY MANAGER ASHLEY HALL:

Only one additional comment, Your Honor, and that is, two things really. Number one, it certainly provides an infusion into that fund that will enable us to run the cemetery in a much more cost effective rate, and number two, the actual cost of maintaining the facility will really not increase hardly at all.

MAYOR WILLIAM BRIARE:

Well, why don't you analyze this for us for the next meeting? Maybe you should have done that this meeting. Okay, Jerry, Mr. Schwartz?

SAM SCHWARTZ:

Thank you.

JARED SHAFER:

Thank you very much.

MAYOR WILLIAM BRIARE:

It's nice to have you come to our meetings anyway.

END OF DISCUSSION

City of Las Vegas

000050

AGENDA DOCUMENTATION

Date: May 29, 1986

TO:
The City CouncilFROM: ASHLEY HALL
CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON REVISING THE CITY'S VEHICLE POLICY FOR
DEPARTMENT DIRECTORS, EXECUTIVE MANAGEMENT STAFF AND KEY CITY PERSONNEL.PURPOSE/BACKGROUND

The City of Las Vegas has a long established policy of providing key City personnel with a vehicle for use on a 24-hour basis. During the course of the years, the number of vehicles used on a 24-hour basis gradually increased beyond its need. In June 1984, I reduced the number of 24-hour vehicles from 72 to 21. These vehicles were assigned to key staff members in conjunction with their work responsibilities and employment contract.

During April of this year, I requested that the Deputy City Managers reassess the entire fleet management program and suggest methods of improving the operation. A recommendation unanimously endorsed by my staff was that the 17 vehicles presently being used as 24-hour vehicles be reassigned and that the staff members instead receive a monthly vehicle allowance of \$400 for Department Directors and \$500 for the Executive Management staff. This action, in conjunction with other vehicle policy changes, will result in removing 20-25 vehicles from the City's fleet.

The benefit to the City is immediate and ongoing. The present average cost to maintain, replace, insure and fuel each vehicle is \$406 per month or \$4,872 annually. Under the proposed vehicle allowance program the Department Directors will receive \$400 per month and the City Manager and Deputy City Managers will receive \$500 per month, and will not use City vehicles for business purposes. They will be responsible for notifying their insurance carrier about this change, which will reduce the City's automobile insurance liability.

Aside from the minor off-set in annual operating cost (\$2,376 difference), the real savings to the City will be in reducing the City fleet by a minimum of 17 vehicles representing a capital investment of approximately \$142,000. Since the City replaces these particular vehicles on the average every four (4) years, the net fiscal benefit to the City is approximately \$34,000 annually. Although placing the existing 17 vehicles in the fleet and removing 17 other vehicles for replacement without ordering 17 new vehicles will represent an even greater short term benefit, the real reoccurring benefit is in the reduced fleet size.

FISCAL IMPACT

Savings include the following:

Fiscal Year 1986-87	=	\$154,000
Succeeding Years	=	\$ 34,000 annually

RECOMMENDATIONS

It is the City Manager's recommendation that the City Council direct the City Manager to implement a vehicle allowance policy for Department Directors, Executive Management staff and key City personnel.

Agenda Item

IV.(a) B.

000051

AGENDA*City of Las Vegas*

June 4, 1986

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

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.

11:06

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

1. Service and Material Warrants
In the amount of \$1,046,763.74
2. Payroll Warrants
In the amount of \$1,424,529.38
3. Other Warrants and Investments
In the amount of \$93,164.74

- B. Consideration of a motion instructing the City Clerk to publish notice of intent to augment the 1985-86 City of Las Vegas Final Budget.

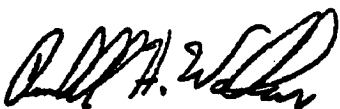
Lurie -
APPROVED Items A
and B as recom-
mended.
Unanimous

Staff to proceed

APPROVED
See Above

See Above

APPROVED AGENDA ITEM



CITY OF LAS VEGAS

Warrant Register Summaries Recap

[illegible]

No.	Thru	AMT. \$	DESCRIPTION:
122371	123355	661,177.19	P/R 5/17/86
123356	123363	763,352.19	Miscellaneous P/R 5/17/86

and approve same for payment as being in com



DIRECTOR OF FINANCIAL MANAGEMENT

CITY MANAGER

paid and the City Treasurer is hereby ordered to



MAYOR PRO-TEM

CITY CLERK

City of Las Vegas

000053

AGENDA DOCUMENTATION

Date: 5/29/86

TO:
The City CouncilFROM:
Marvin A. Leavitt, Director
Finance & Computer ServicesSUBJECT:
FY 1985-86 Budget AugmentationPURPOSE/BACKGROUND

In June of each fiscal year we present to the Council a budget amendment or augmentation that officially adjusts the budget for any changes that have occurred since the final budget was approved a year earlier. This augmentation will be on the June 18 agenda. On this agenda, approval is requested to publish notice of intent to act upon a budget augmentation resolution on June 18.

FISCAL IMPACT

This action will not have a fiscal impact. It is only an approval to publish notice of public hearing for proposed budget augmentation.

RECOMMENDATIONS

Approval

Agenda Item

IV(b) B

000054

AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

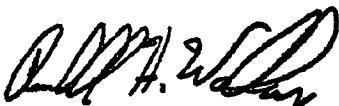
IV. (c) DEPARTMENT OF PERSONNEL
AND EMPLOYEE RELATIONSDAVID M. SANCHEZ, DIRECTOR
PERSONNEL AND EMPLOYEE RELATIONSA. REPLACEMENTS FOR EXISTING BUDGETED
POSITIONS (CRITICAL HIRES)

<u>POSITION(S)</u>	<u>DEPARTMENT</u>	<u>MONTHLY RANGE</u>	<u>FUNDING</u>
Communications Specialist	Fire Services	\$1,491- 2,042	General
Law Clerk	City Attorney	\$1,346- 2,144	General
Internal Auditor	Finance & Computer Services	\$1,890- 2,836	General
Management Analyst I	Municipal Court	\$1,765- 2,647	General

Lurie -
APPROVED as recom-
mended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



11:04

City of Las Vegas

000055

AGENDA DOCUMENTATION

Date: May 23, 1986

TO:
The City CouncilFROM:
DAVID M. SANCHEZ, 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 8.033%, based on 258 vacancies (or 120.930 full-time equivalent) of the 1691 positions in the City's 1985-86 Fiscal Budget.

The staff is recommending the filling of four critical positions at this time.

FISCAL IMPACT

The four vacant and budgeted positions shown on the agenda are included in the City's current budget. There are no additional non-budgeted expenses associated with these positions.

The total dollar savings realized through vacancies thus far in fiscal year 1985-'86 is \$505,807. 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 \$567,398.

RECOMMENDATION

Staff recommends the filling of four (4) positions indicated above.

RECOMMENDED


David M. Sanchez, Director
Personnel & Employee Relations

Agenda Item

IV. (c) A

CITY COUNCIL MINUTES - JUNE 4, 1986

STAFFING SUMMARY

As of

May 17, 1986

000056

GENERAL FUND

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	144	143.500	140	4	4.000	2.800	75,522	45,548
Classified	1003	1002.390	969	34	33.750	3.400	(75,216)	(81,075)
Contract	1	.475	1	0	.000	.000	5,984	6,812
Elective	9	9.000	9	0	.000	.000	0	(2)
Hourly	144	44.450	26	118	32.940	74.100	43,471	54,100
Total	1301	1199.815	1145	156	70.690	5.891	49,761	25,383

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	9,231	9,412
Classified	67	67.000	61	6	6.000	9.000	64,326	83,586
Contract	8	8.000	6	2	2.000	25.000	23,828	28,300
Elective	0	.000	0	0	.000	.000	0	0
Hourly	0	.000	0	0	.000	.000	0	0
Total	77	77.000	69	8	8.000	10.339	97,385	121,298

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	(9,193)	(14,399)
Classified	127	126.500	112	15	14.500	11.462	124,397	156,961
Contract	0	.000	0	0	.000	.000	0	0
Elective	0	.000	0	0	.000	.000	0	0
Hourly	126	44.000	53	73	22.240	50.500	194,350	222,179
Total	262	179.500	174	88	36.740	20.467	309,554	364,741

SPECIAL REVENUE FUNDS

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	16	16.000	15	1	1.000	6.300	(14,729)	(14,986)
Classified	20	20.000	18	2	2.000	10.000	15,469	17,083
Contract	3	2.500	3	0	.000	.000	(1,584)	(1,818)
Elective	0	.000	0	0	.000	.000	0	0
Hourly	12	10.500	9	3	2.500	23.800	49,951	55,697
Total	51	49.000	45	6	5.500	11.224	49,107	55,976

CITY TOTAL

	BUDGETED # POSITIONS	TOTAL FTE	NUMBER		VACANT FTE	(1) VACANCY FACTOR %	SAVINGS	
			FILLED	VACANT			ACTUAL YTD	PROJECTED YE
Appointive	171	170.500	166	5	5.000	2.900	60,831	25,575
Classified	1217	1215.890	1160	57	56.250	4.600	128,976	176,555
Contract	12	10.975	10	2	2.000	18.200	28,228	33,294
Elective	9	9.000	9	0	.000	.000	0	(2)
Hourly	282	98.950	88	194	57.680	58.300	287,772	331,976
Total	1691	1505.315	1433	258	120.930	8.033	505,807	567,398

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

000057

June 4, 1986

AGENDA*City of Las Vegas*

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

ITEM

Council Action

Department Action

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

11:04

- A. REQUEST FOR PUBLIC HEARING ON AMENDING
-
- THE CITY OF LAS VEGAS' COMMUNITY
-
- DEVELOPMENT BLOCK GRANT ENTITLEMENT &
-
- JOBS BILL FINAL STATEMENTS FROM
-
- FY 1981 TO FY 1986.

Lurie -
APPROVED Public
Hearing for 6/18/86
at 2 P.M. as recom-
mended.
UnanimousStaff to proceed
6/18/86 Agenda

11:05

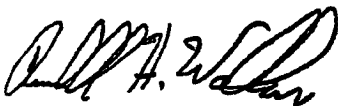
- B. AUTHORIZATION BY CITY COUNCIL FOR
-
- DEPT. OF ECONOMIC & URBAN DEVELOPMENT
-
- TO IMPLEMENT A NEW HORIZON OPPORTUNITY
-
- PROGRAM.

Lurie -
APPROVED as recom-
mended.
Unanimous

Staff to proceed

(Note: Memorandum of Understanding
regarding this matter will be placed
on the 6/18/86 Agenda.)

APPROVED AGENDA ITEM



City of Las Vegas

000058

Date: June 4, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: REQUEST FOR PUBLIC HEARING ON AMENDING THE CITY OF LAS VEGAS'
COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT & JOBS BILL
FINAL STATEMENTS FROM FY 1981 TO FY 1986.PURPOSE/BACKGROUND

In accordance with Section 570.301 of the September 23, 1983 Community Development Block Grant (CDBG) regulations, the Department of Economic & Urban Development (DEUD) is requesting that City Council schedule a Public Hearing on June 18, 1986 at 2:00 p.m. for the purpose of amending the City's CDBG Final Statements from FY 1981 to FY 1986.

The intent of the public hearing is to afford affected citizens an opportunity to make comment regarding the City's present and proposed Entitlement & Jobs Bill Final Statements of community development objectives and use of funds. This action will also allow the City to close out, as it deems appropriate, activities that have not made sufficient progress in meeting the City's CDBG objectives.

Amending the City's CDBG program will allow the City to identify and allocate CDBG funds to a new range of eligible activities.

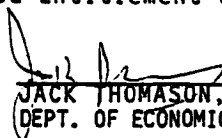
It should be noted that the City is not allowed to expend any reprogrammed CDBG funds for additional public service activities. The City will only be allowed to allocate funds to non-public service activities (i.e., economic development, housing, public facilities and improvements, clearance and demolition activities.)

FISCAL IMPACT

Amending the City's FY 1981 through FY 1986 CDBG Final Statement which have not expended approximately \$300,000+ in CDBG funds.

RECOMMENDATIONS

That the City schedule a Public Hearing to be held on Wednesday, June 18, 1986 at 2:00 p.m. to amend the CDBG Entitlement & Jobs Bill Final Statements.


JACK THOMASON, DIRECTOR
DEPT. OF ECONOMIC & URBAN DEVELOPMENT

Agenda Item

IV. (d) A.

City of Las Vegas

000059

AGENDA DOCUMENTATION

Date: June 4, 1986

TO:
The City CouncilFROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AUTHORIZATION BY THE CITY COUNCIL FOR THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT
TO IMPLEMENT A NEW HORIZONS HOUSING OPPORTUNITY PROGRAMPURPOSE/BACKGROUND

The U. S. Department of Housing and Urban Development is actively committed to fostering partnerships with local governments and the private sector - to make sure housing opportunities are in fact, made equal for all Americans.

HUD has designed a New Horizons Housing Opportunity Program that is being administered through the Office of Fair Housing and Equal Opportunity.

The New Horizons Housing Opportunity program extends the range of equal opportunity activities beyond the area of law enforcement by promoting institutional change designed to secure voluntary compliance with the spirit of the law and its policy of fair housing.

As a recipient of Community Development Block Grant (CDBG) funds, the City must annually demonstrate to HUD that it is affirmatively furthering fair housing efforts. By participating in this program, the City is credited for voluntarily undertaking affirmative measures to promote fair housing strategies.

The New Horizons Program consists of a planning and execution phase. In the planning phase the local government will identify barriers to equal housing opportunity in its communities in a report called an assessment. Planning also includes development of a report called a comprehensive fair housing strategy which addresses the problems identified in the assessment. In the execution phase an attempt will be made to eliminate institutionalized housing discrimination by carrying out the comprehensive fair housing strategy. Emphasis will be on the public/private partnership concept of problem solving and the creative use of federal funds (i.e., CDBG) and other resources to accomplish fair housing goals.

During the final month of the FY 84-85 CDBG program, HUD Regional Fair Housing and Equal Opportunity Representative, Berry Gardner, contacted the City about participating in the New Horizon Program. Mr. Gardner at that time informed the City Manager that HUD had funds available to help the City initiate the New Horizon Program. The City responded indicating a willingness to participate in the program (see Ashley Hall's letter to HUD, June 25, 1985). Some months later, after his visit to the City, HUD reassigned Mr. Gardner to new duties and the program guidance which was a HUD requirement under the New Horizon Program was at an impasse until early 1986 when Mr. Herm Wilson was assigned the Las Vegas City program.

On March 19 and 20, 1986, the City was monitored by the Office of Fair Housing and Equal Opportunity for compliance in this area. Herman Wilson, our representative, conducted the monitoring. During the monitoring visit, Mr. Wilson informed the

FISCAL IMPACT

Use of \$500.00 in FY 85-86 CDBG Administrative Cap funds for the implementation of the New Horizon Strategy Program.

RECOMMENDATIONS

It is the recommendation of the office of the City Manager that the City participates in the New Horizon Program.

Jack Thomason
JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT
Agenda Item

IV. (d) B

City of Las Vegas

000060

Date: June 4, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AUTHORIZATION BY THE CITY COUNCIL FOR THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT
TO IMPLEMENT A NEW HORIZONS HOUSING OPPORTUNITY PROGRAMPURPOSE/BACKGROUND

Director of the Department of Economic and Urban Development that the HUD funding commitment to assist in undertaking the New Horizon Program, as described by Mr. Gardner, would not be forthcoming. Thus, the potential cost factor of implementing a new program, in light of the City's reduced CDBG program and loss of other federal funds due to budget cuts, became a concern of the Department. The Department then undertook an effort to find a way to implement the New Horizon Program at minimal cost to the City.

On April 28, 1986, HUD sent to the City Manager the formal results of the March 19 and 20th monitoring visit (Attachment "B"). Although there were four areas reviewed, and no findings were cited as a result of the monitoring, HUD indicated their concern as to the speed at which the City was executing its commitment to fair housing by initiating the New Horizons Program. The Director of the Department of Economic and Urban Development, in turn, responded to HUD, explaining that the delay in implementation was due to the problems associated with trying to develop a program, given the new information that HUD would not provide any funding. (See Attachment "C")

The Department of Economic and Urban Development has been successful in developing a plan of action for the New Horizons Program that will involve only minimal cost to the City. Thus, in order to meet our fair housing assistance requirement for the FY 85-86 CDBG program, the Department of Economic and Urban Development requests that the following items, which comprise the New Horizons Fair Housing Opportunity Program, be approved:

I. New Horizons Fair Housing Program Task Force

Authority to solicit Task Force representatives from the following areas:

- A. Board of Realtors
- B. Housing Developer(s)
- C. Community Housing Resource Board
- D. National Association for the Advancement of Colored People
- E. Latin Chamber of Commerce
- F. Senior Citizen Population
- G. American Indian Population
- H. Clark County School District
- I. Apartment Association
- J. Chamber of Commerce
- K. Las Vegas Housing Authority

Agenda Item

IV. (d) B

City of Las Vegas

000061

AGENDA DOCUMENTATION

Date: June 4, 1986

TO: The City Council

FROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AUTHORIZATION BY THE CITY COUNCIL FOR THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT
TO IMPLEMENT A NEW HORIZONS HOUSING OPPORTUNITY PROGRAMPURPOSE/BACKGROUND

- L. Disability Organizations
- M. State or Local Human Rights Commission
- N. Banking, Insurance or Mortgage Lending Industries
- O. Citizens at Large

The Task Force will meet quarterly, to assist the City in implementing the comprehensive fair housing strategy.

II. New Horizons Fair Housing Strategy.

The New Horizons strategy consists of four key areas: education, assistance to minority families, local compliance, and special programs. Approval of the following strategies is requested.

A. EDUCATIONAL ACTIVITIES

Objective: To provide the community with an awareness of the law pertaining to fair housing and the remedies available under the law.

Implementation Process:

- Brochures defining housing discrimination, rights and remedies will be developed and distributed.
- Conduct workshops/seminars to appropriate groups concerning housing discrimination.
- Solicit public service radio and television spots relating to fair housing issues.

B. ASSISTANCE TO MINORITY FAMILIES

Objective: To provide minority communities with information on the issues pertaining to fair housing.

City of Las Vegas

000062

AGENDA DOCUMENTATION

Date: June 4, 1986

TO:
The City CouncilFROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AUTHORIZATION BY THE CITY COUNCIL FOR THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT
TO IMPLEMENT A NEW HORIZONS HOUSING OPPORTUNITY PROGRAMPURPOSE/BACKGROUNDImplementation Process:

- Conduct a seminar on the rights and remedies available under the Fair Housing Law for minority organizations.
- Contact minority groups and request their participation at hearings held by the Fair Housing Task Force to further assist in identifying concerns of the minority populations.

C. LOCAL COMPLIANCE ACTIVITY

Objective: To act as a referral agent to the Nevada Equal Rights Commission for housing discrimination complaints

Implementation Process:

- Provide the telephone number of the Nevada Equal Rights Commission on the brochures, which the City will print and distribute.

D. SPECIAL PROGRAM

Objective: To work aggressively to encourage local organizations to affirmatively meet the intent of the Federal and State Fair Housing Law.

Implementation Process:

- Continue to participate on the Community Housing Resource Board.
- Implement voluntary agreements with Board of Realtors.
- Implement voluntary agreements with Housing Authority.

III. New Horizons Opportunity Program Memorandum of Understanding

The Memorandum of Understanding is an agreement between the City of Las Vegas and HUD which authorizes the City to implement preceding items I and II. Upon approval by the City Attorney as to form and content, the attached Memorandum of Understanding will be returned to you at your next meeting for approval. (See Attachment "D")

Agenda Item

IV. (d) B

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MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOS NOLEN

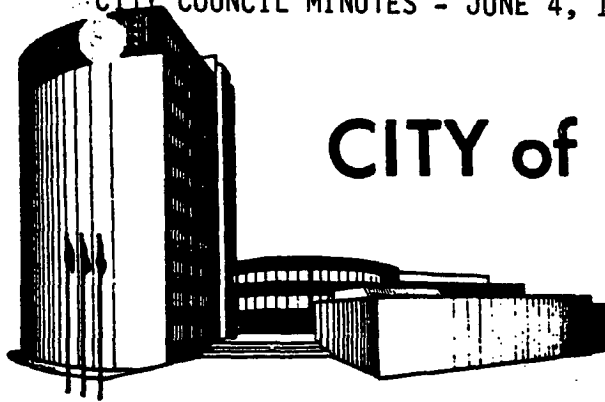
W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

June 25, 1985

Mr. Ted Simmons, Director
Program Operations Division
Office of Fair Housing & Equal Opportunity
U. S. Department of Housing & Urban Development
450 Golden Gate Avenue
P. O. Box 36003
San Francisco, CA 94102

REG - IX - FHEO

JUL 5 3 53 PM '85

RECEIVED
CITY OF LAS VEGAS

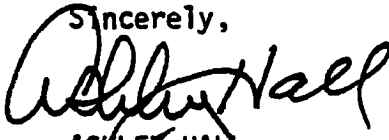
Dear Mr. Simmons:

In keeping with the City of Las Vegas' continued and concerted efforts to affirmatively further fair housing, the City of Las Vegas wishes to enter into a New Horizons Program, effective upon receipt of this letter.

The Department of Economic and Urban Development will be the responsible entity for establishing and administering the program. Therefore, all pertinent information and correspondence should be sent to the Director, Jack Thomason.

We look forward to working with you in the worthwhile endeavor and expect to hear from you soon.

Sincerely,


ASHLEY HALL
CITY MANAGER

AH:IC:pb

ATTACHMENT "A"





U.S. Dept. of Housing and Urban Development

San Francisco Regional Office, Region IX

450 Golden Gate Avenue

San Francisco, California 94102-3448

000064

APR 28 1986

Mr. Ashley Hall
City Manager
City of Las Vegas
ATTENTION: Mr. Jack Thomason, Director
Department of Economic and Urban
Development
400 East Stewart Avenue
Las Vegas, NV 89101

Dear Mr. Hall:

SUBJECT: City Community Development Block Grant Program
Program Number B-84-MC-32-0001
FHEO Monitoring Visit

The City's Community Development Program was monitored on March 19-20, 1986 by E. Herman Wilson of the Program Operations Division, Office of Fair Housing and Equal Opportunity. The purpose of the visit was to determine whether the City's performance conforms with applicable fair housing and equal opportunity requirements as set forth in statutes, executive orders, federal regulations and grant agreements. Areas examined were as follows:

<u>Activity</u>	<u>Applicable Civil Rights Law</u>
Benefits, Services and Methods of Administration	Title VI, Civil Rights Act of 1964
Employment	Section 109, Title I, HUD Act of 1974
Contracting/MBE-WBE	Title VI, Civil Rights Act of 1964
Fair Housing	Title VIII, Civil Rights Act of 1968

The Fair Housing and Equal Opportunity components of the Community Development Block Grant Program examined are satisfactory. There are no findings as a result of the monitoring.

Persons Interviewed:

Jack Thomason, Director of Economic and Urban Development
Ken Williams, Assistant Director for Urban League
Irene Clark, Management Analyst
Winnifred Jackson, Chief, Planning and Evaluation

000065

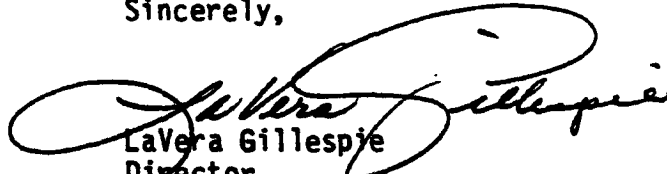
Our review disclosed one area of concern relative to Affirmatively furthering fair housing. It is the policy of the Department to notify recipients of findings which indicate potential compliance concerns and to recommend follow-up actions intended to strengthen the recipients FHEO program posture. The following information is therefore provided to assist you in this regard.

During June of 1985 a letter was received stating that the City wished to enter into a New Horizons agreement with HUD upon our receipt of your letter. On August 5, 1985 Mr. Berry Gardner met with City staff to further explain the New Horizon Program. Since that time technical assistance has been provided by Mr. Wilson of my staff. We do not feel that satisfactory progress is being made toward finalizing the Agreement. We recommend acceleration in completing the Memorandum of Understanding so that immediate progress can be made by the Fair Housing Task Force.

Please advise this office within 30 days of your receipt of this letter, and the steps you plan to take in order to address the concern regarding Fair Housing.

In closing, I want to express my appreciation to your staff for the courtesy and cooperation extended to Mr. Wilson during the review. In particular, I wish to thank Mr. Ken Williams, Ms. Irene Clark and Ms. Winnifred Jackson. As always, if you have any questions or need assistance, please contact him at (415) 556-3840.

Sincerely,



LaVera Gillespie
Director
Office of Fair Housing and
Equal Opportunity

000066

MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOB NOLEN

W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

May 23, 1986

COPY

Ms. LaVera Gillespie, Director
 U. S. Dept. of Housing & Urban Development
 Office of Fair Housing & Equal Opportunity
 San Francisco Regional Office, Region IX
 450 Golden Gate Avenue
 San Francisco, CA 94102-3448

RE: City of Las Vegas CDBG Program
 Program Number B-84-MC-32-0001
 FHEO Monitoring Visit, March 19-20, 1986

Dear Ms. Gillespie:

The City of Las Vegas is in receipt of your April 28, 1986 FHEO monitoring letter in which you disclosed the status of the City's efforts in affirmatively furthering fair housing, through implementation of the New Horizons Program, as being a concern of your office.

Prior to Mr. Herman Wilson's visit, Berry Gardner was Las Vegas' FHEO representative and made several trips to Las Vegas to discuss, among other issues, the City's efforts in fair housing. In doing so, Mr. Gardner indicated to me, that by entering into HUD's New Horizons program, there would be HUD funds available to assist in the implementation of this activity. Based upon that information, the City agreed to initiate the New Horizons program and, thus, sent HUD the June, 1985 letter expressing our intent. However, upon Mr. Wilson's arrival, we were informed that no monies were available from HUD for such an endeavor. Since then, City staff has discussed this matter with Mr. Wilson and he has informed us that HUD only had limited funds available for the New Horizon Programs that were already in existence and current funding has ceased due to budget reductions.

ATTACHMENT "C"



000067

MS. GILLESPIE
CITY OF LAS VEGAS CDBG PROGRAM
May 23, 1986
Page -2-

Needless to say, the potential cost factor of implementating a new program, in light of local/federal budget cuts, became a major concern of this office and required extensive additional analysis of budget implications and possible ways to implement the program at limited cost to the City. Based on that analysis, and the varying and obviously contradictory information that we received, the City of Las Vegas is now placed in an awkward position relative to the "New Horizons Program". However, at the June 4, 1986 City Council meeting, the Department of Economic and Urban Development will present to the Council, for its approval, solicitation of the Task Force, the fair housing strategy, and the Memorandum of Understanding. Upon approval, the City will submit to you the preceding items.

Should you have any further questions on this matter, please contact Ken Williams, Assistant Director, Department of Economic and Urban Development, at (702) 386-6462.

The City of Las Vegas is looking forward to working with you in this worthwhile endeavor.

Sincerely,


JACK THOMASON, DIRECTOR
DEPARTMENT OF ECONOMIC
AND URBAN DEVELOPMENT

JT:KW:cp
86:GILLESPIE

New Horizons Housing Opportunity Program

000068

Memorandum of Understanding between the

CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

(Name of City, County or State)

and the

**U.S. Department of Housing
and Urban Development,
Office of Fair Housing and
Equal Opportunity**

SAN FRANCISCO FIELD OFFICE, REGION IX

(Name of Field Office and Region)

ATTACHMENT "D"



OFFICE OF THE ASSISTANT SECRETARY

NEW HORIZONS HOUSING OPPORTUNITY PROGRAM

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (Memorandum) is entered into between CITY OF LAS VEGAS (PROJECT/COMMUNITY) and the Assistant Secretary for Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development (HUD).

I. RECITALS:

A. In furtherance of the HUD policy of entering into partnerships to achieve fair housing goals through voluntary action, HUD has established the New Horizons Housing Opportunity Program, a national program to assist State and local governments in implementing comprehensive, community-wide approaches to fair housing. This Memorandum identifies activities that HUD considers desirable to pursue in order to achieve the goals of the Program.

B. If the PROJECT/COMMUNITY is a recipient of funds under the Community Development Block Grant (CDBG) Program administered by HUD, the PROJECT/COMMUNITY is subject to the statutes and regulations applicable to the CDBG Program, including the requirement that "grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing."

C. If the PROJECT/COMMUNITY receives Federal financial assistance from HUD, the PROJECT/COMMUNITY is subject to the provisions of Section 504 of the Rehabilitation Act of 1973.

D. HUD believes that accomplishment by the PROJECT/COMMUNITY of the activities identified in this Memorandum would constitute successful implementation of the New Horizons Program.

E. The PROJECT/COMMUNITY wishes to satisfy the statutory and regulatory requirements, where applicable, but also believes that it is desirable for it to take affirmative steps to further fair housing and fair lending in its community, above and beyond those actions required of it under the Federal Fair Housing Law (Title VIII of the Civil Rights Act of 1968) and Section 109 of the Housing and Community Development Act of 1974, and to take affirmative steps to accommodate and provide access for qualified handicapped persons, above and beyond those actions required of it under Section 504 of the Rehabilitation Act of 1973, and that voluntary participation in the New Horizons Housing Opportunity Program will assist it in meeting those objectives.

II. SUBSTANTIVE PROVISIONS:

Accordingly, the PROJECT/COMMUNITY and HUD, in consideration of the mutual commitments made by each of them in this Memorandum, agree as follows:

A. Commitments of PROJECT/COMMUNITY

The PROJECT/COMMUNITY agrees that it will:

1. Establish a fair housing task force to assess the housing patterns and practices in its community and develop a community-wide fair housing strategy and

action plan designed to foster and promote equal housing opportunity.

(a) The task force will meet at least quarterly to monitor the implementation of the strategy and action plan by the agency designated by the PROJECT/COMMUNITY.

(b) The task force will provide semi-annual reports on this implementation to the HUD Office indicated on the cover sheet of this Memorandum (hereafter referred to as the HUD Field Office).

2. Appoint community and neighborhood leaders and representatives of housing interest groups to the fair housing task force, subject to HUD approval. Membership of the task force should reflect a broad range of race and ethnicity and should be drawn from as many of the following areas as may be practicable, to achieve a broad spectrum of representation:

(a) Municipal, regional or county government;

(b) Banking, insurance or mortgage lending industries;

000072

(c) Real estate sales, apartment rental or appraisal industries;

(d) Fair housing or civil rights organizations;

(e) Disability organizations;

(f) State or local human rights commissions;

(g) Religious organizations;

(h) Labor unions;

(i) Local businesses;

(j) Federal agencies (other than HUD) having an interest in housing; and

(k) Citizens at large.

3. Adopt the fair housing strategy for implementation and designate an agency of its government (or a contract agency) to have program responsibility for implementing the fair housing strategy and action plan developed by the fair housing task force and approved by the HUD Field Office. The designated agency will implement the strategy and action plan in

000073

accordance with the New Horizons Housing Opportunity Program guidelines adopted by HUD from time to time.

4. Use CDBG funds and/or funds obtained from other sources for implementing the approved fair housing strategy and action plan.
5. Participate with HUD, through the HUD Field Office, and/or Headquarters, in an annual review and evaluation of the implementation of the strategy and action plan, within 60 days of submission of the second task force semi-annual report for each Federal fiscal year. The strategy and action plan may be modified, if necessary to further progress in achieving their objectives, as agreed by the PROJECT/COMMUNITY and the HUD Field Office.

B. Commitments of HUD

HUD agrees that it will:

1. Consider the PROJECT/COMMUNITY to be successfully implementing the New Horizons Program as long as the designated agency continues to make satisfactory progress in the implementation of the fair housing strategy and action plan, as determined by HUD after the joint annual review and evaluation.

000074

2. Provide technical assistance, as needed, through the HUD Field Office, to the PROJECT/COMMUNITY, the designated agency and/or the fair housing task force.
3. Review and, if appropriate, approve the following, through the HUD Field Office:
 - (a) Appointment by the PROJECT/COMMUNITY of members of the fair housing task force; and
 - (b) The fair housing strategy and action plan developed by the fair housing task force.
4. Participate with the PROJECT/COMMUNITY, through the HUD Field Office, and/or Headquarters, in an annual review and evaluation of the implementation of the strategy and action plan, within 60 days of submission of the second task force semi-annual report for each Federal fiscal year. The strategy and action plan may be modified, if necessary to further progress in achieving its objectives, as agreed by the PROJECT/ COMMUNITY and the HUD Field Office.

C. Modification of Memorandum

This Memorandum may be modified at any time with the written consent of both the PROJECT/COMMUNITY and HUD.

000075

D. Effective Date

This Memorandum shall be come effective on the date that it is signed by the Regional Administrator.

III. SIGNATURES:

This Memorandum is signed on behalf of the PROJECT/COMMUNITY and HUD by their respective duly authorized officials on the dates set opposite their signatures.

For the PROJECT/COMMUNITY:

Date

Signature of Mayor or County Executive

WILLIAM H. BRIARE, MAYOR

Typed Name and Title of Signing
Official

For HUD:

Date

Date

000076

June 4, 1986

AGENDA*City of Las Vegas*

Page 15

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

ITEM

Council Action

Department Action

IV. (d) DEPT. OF ECONOMIC & URBAN DEVELOPMENT
(cont'd.)

11:08

C. DISCUSSION AND POSSIBLE ACTION
APPROVING A LOAN AGREEMENT BETWEEN THE
CITY OF LAS VEGAS AND NUCLEUS PLAZA,
INC.Nolen -
APPROVED Loan
Agreement with
amendment in
Section 3 as
recommended.
Motion carried
with Briare
abstaining.Staff to proceed

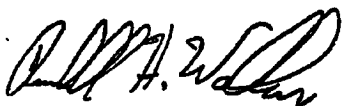
No one appeared
to represent
Nucleus Plaza.Mayor Briare to
be furnished with
a financial
statement of
Nucleus Plaza.Councilman Lurie requested weeds and
trash be cleaned up around Nucleus Plaza.NOTE: A verbatim transcript made a
part of the final minutes.

11:12

D. DISCUSSION AND POSSIBLE ACTION
APPROVING CONTRACT BETWEEN CITY OF
LAS VEGAS AND STATE OF NEVADA AGENCY
FOR NUCLEAR PROJECTS.Nolen -
APPROVED contract
as recommended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM



City of Las Vegas

AGENDA DOCUMENTATION

000077

Date: June 4, 1986

TO: The City Council

FROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION APPROVING A LOAN AGREEMENT BETWEEN THE CITY AND
NUCLEUS PLAZA, INC.PURPOSE/BACKGROUND

At your meeting on April 29, 1986, you authorized staff to negotiate a Loan Agreement between the City and Nucleus Plaza.

The Loan Agreement documents a \$215,000 loan from the City's CDBG-funded Economic Development Loan Fund to Nucleus Plaza, Inc. The purpose of the loan is to cover the cost of renovating 14,250 square feet of space in Nucleus Plaza for use as offices by the Southern Nevada Employment and Training Program (SNETP). Key provisions of the Loan Agreement include the following:

- The loan is being provided as an interim financing measure, in anticipation that Nucleus Plaza, Inc. will obtain a \$1.3 million refinancing of their existing loan.
- The loan is for a term of 1 year, with interest accruing, from the date of signing the Agreement, at an annual interest rate of 6%. Principal and interest will be due and payable at the end of that one year period, though Nucleus Plaza, Inc. is authorized to pay off the principal, along with any accrued interest, at any time prior to the end of that year.
- In the event Nucleus Plaza, Inc. is unable to obtain the refinancing it is seeking by the end of the one year loan period, the Agreement obligates the City to permit Nucleus Plaza to refinance the loan by capitalizing the accrued interest and adding it to the existing principal. The new loan amount (\$227,900) would be amortized over 20 years at a 6% annual interest rate, but with the unpaid balance due in 10 years.
- The loan and Promissory Note will be secured by a Deed of Trust, to be obtained at the time of execution of the Agreement. The Deed of Trust will be subordinated to existing Trust Deeds held by First Western Savings and the City.

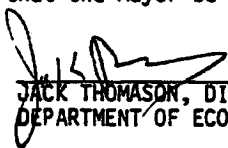
The City Attorney's Office has prepared and approved the attached Lease Agreement.

FISCAL IMPACT

\$215,000 will be loaned from the City's Economic Development Loan Fund. This money will be repaid at 6% interest.

RECOMMENDATIONS

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



JACK THOMSON, DIRECTOR
DEPARTMENT OF ECONOMIC & URBAN DEVELOPMENT

Agenda Item

IV. (d) C

000078

LOAN AGREEMENT

THIS AGREEMENT is made and entered into this 25th day of June, 1986, between the City of Las Vegas, Nevada (City) and Nucleus Plaza, Inc. (NPI), a for profit Nevada corporation, which owns and operates the Nucleus Plaza Shopping Center on the north side of Owens Avenue between "H" and "J" Streets in City of Las Vegas, County of Clark, State of Nevada.

WHEREAS, the City, through its Department of Economic and Urban Development, has been assisting NPI to become a more self-sufficient corporation;

WHEREAS, the City has been working with local financial institutions to provide a 1.3 million dollar loan with interest of 10 - 11 percent to refinance NPI's first mortgage, to renovate 14,250 square feet of vacant space to office space for the Southern Nevada Employment and Training Program (SNETP), to repay loans owed by Nucleus Plaza to the City, and to pay in full some outstanding debts;

WHEREAS, on April 14, 1986 SNETP signed a lease with NPI to move into the space to be renovated in the Nucleus Plaza Shopping Center;

WHEREAS, in its effort to assist NPI to renovate the said vacant 14,250 square feet for the SNETP occupancy, the City has agreed to provide an interim construction loan until the 1.3 million dollar loan is approved by the participating financial institutions;

WHEREAS, the City is interested in achieving its community development objectives by the retention of 107 jobs in the center, as well as the projected number of additional jobs provided by SNETP which is 64, and the estimated number of new jobs provided by Rowe, Inc. which number shall be 60 in the Light Industrial Facility.

NOW THEREFORE, it is mutually agreed between the parties that:

000079

SECTION 1:

City will provide to NPI a loan in the amount of \$215,000 from the City's Economic Development Loan Fund with interest accruing at the rate of 6 percent per annum from the date of this Loan Agreement. Payment on the principal amount of \$215,000 and interest in the amount of \$12,900 for a total of \$227,900 will be due in full at the end of one year from the date of this Loan Agreement; however, NPI may repay the principal prior to the end of one year along with any interest accrued to the date of repayment.

SECTION 2:

At the time of the execution of this Loan Agreement, NPI will contemporaneously execute a Promissory Note in favor of the City, which will incorporate the repayment provisions contained in this Loan Agreement.

SECTION 3:

The City recognizes that NPI may not be able to complete the process of securing permanent financing within one year from the date of this Agreement. In that event, the City will consider a request from NPI to refinance this loan for an additional one year period.

SECTION 4:

At the time of execution of this Loan Agreement, NPI will also execute a Deed of Trust in favor of the City securing as collateral for this loan the property commonly known as the Nucleus Plaza Shopping Center, and more particularly described as:

That portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 21, Township 20 South, Range 61 East, M.D.B. & M., more particularly described as Lots One (1) and Three (3), as shown by Parcel Map in File 41, Page 60, recorded on October 10, 1983 as Document No. 1776041 of Official Records, Clark County, Nevada.

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SECTION 5:

This Loan Agreement is also based on a Memorandum of Understanding between NPI and City to be subsequently executed, the terms and conditions of which are incorporated herein by reference thereto. Any breach of the Memorandum of Understanding shall likewise effect a breach of this Loan Agreement.

SECTION 6:

NPI agrees to maintain insurance coverage on Nucleus Plaza Shopping Center in a form and amount acceptable to the City. NPI will keep payment on all taxes and assessments on Nucleus Plaza Shopping Center current.

SECTION 7:

Any material breach of this Loan Agreement or the Memorandum of Understanding may, at the City's election, be considered a default of this Loan Agreement. In the event of default, City will send written notice to NPI of the default and NPI will have 30 days to cure the default. If NPI fails to cure the default, City may then declare this Loan Agreement terminated and the principal and accrued interest shall be immediately due and payable. IN WITNESS WHEREOF, the parties have signed this Loan Agreement on the date and year first written above.

CITY OF LAS VEGAS

NUCLEUS PLAZA, INC.


WILLIAM H. BRIARE,
Mayor
JOHN EDMOND
President

ATTEST:


CAROL ANN HAWLEY,
City Clerk

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PROMISSORY NOTE

\$215,000.00

Las Vegas, Nevada

June
May 25, 1986 *pmf*

FOR VALUE RECEIVED, the undersigned, Nucleus Plaza, Incorporated (hereinafter "Borrower"), promises to pay to the City of Las Vegas, Nevada (hereinafter "City"), at 400 East Stewart Avenue, Las Vegas, Nevada, the principal sum of TWO HUNDRED FIFTEEN THOUSAND and NO/100th DOLLARS (\$215,000.00) with interest from this date at the rate of SIX percent (6%) per year, to be paid in one payment of principal, plus interest accrued to the date of payment. The term of this note is one year.

Borrower expressly waives presentment, demand of payment, notice of non-payment, protest, notice of protest, and all exemptions. If payment of this note or any portion thereof shall not be made when due, borrower agrees to pay all costs of collection, including reasonable attorney's fees, that may be incurred by City in connection with the collection of this note.

IN WITNESS WHEREOF, Nucleus Plaza, Incorporated has caused this note to be executed by its duly authorized officer this 25 day of *June* ~~May~~, 1986.

NUCLEUS PLAZA, INCORPORATED

John Edmond

John Edmond
President

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 1
IV(d). ITEM C. DISCUSSION AND POSSIBLE ACTION APPROVING A LOAN AGREEMENT BETWEEN
THE CITY OF LAS VEGAS AND NUCLEUS PLAZA, INC.

MAYOR WILLIAM BRIARE:

Next, Mr. Thomason.

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir. On the next one we're requesting that discussion and action, of course, on the loan agreement between the City of Las Vegas and Nucleus Plaza. At your meeting on 29, April, you authorized staff to negotiate a loan agreement between the City and Nucleus Plaza. The Memorandum of Understanding that we were to attach thereto is still being developed and we'll bring it to you at your next meeting. The loan agreement, however, is now before you for approval. As you can see, the loan agreement calls for a \$215,000 loan from the City's Revolving Loan Fund at 6% interest. The loan is an interim financing measure since the City is helping Nucleus Plaza to refinance the existing loan that they have to obtain additional funds to pay off this loan and other debts owed to the City's Revolving Loan Fund. Before you act on the loan, however, I would like to propose you consider language change based on some discussion with Councilman Bunker specifically or to propose or replace the language currently found in Section 3 of the agreement with the attachment that I have put before you just prior to the meeting.

MAYOR WILLIAM BRIARE:

Is that the conclusion of your comments?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

That's the conclusion of that, yes, sir.

MAYOR WILLIAM BRIARE:

Mr. Thomason, would you compare this type of action and others on previous agendas, that I'm not going to bring up right now. Does this Council act more or less as a loan committee when you bring these items before us?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir.

MAYOR WILLIAM BRIARE:

More or less, yes. In some other items that we've had before us in the past, and I notice their absence today, you very clearly pointed out that the actions that you were recommending that this Board take, and they did take by a majority vote, were deviations from current guidelines that have been established. Do you recall those? Does this particular request deviate in any way from the guidelines that

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IV(a). ITEM C. DISCUSSION AND POSSIBLE ACTION APPROVING A LOAN AGREEMENT BETWEEN
THE CITY OF LAS VEGAS AND NUCLEUS PLAZA, INC.

MAYOR WILLIAM BRIARE: have been set up?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

This request is essentially the same that I had expressed before with regard to the waiver of the RLF provisions, yes, sir.

MAYOR WILLIAM BRIARE:

Yes, right, so -- let me rephrase it in my own language. We are deviating from the guidelines that have been set up --

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir.

MAYOR WILLIAM BRIARE:

-- in this request, good. You didn't mention it though, did you, Jack?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

I did in the previous requests.

MAYOR WILLIAM BRIARE:

But not in this particular --

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

No, sir, because I presumed that it was understood.

MAYOR WILLIAM BRIARE:

Do we have -- my last question, fellow Council members, do we have -- is Mr. Edmond present? Is a representative of Nucleus Plaza present? Well, Jack, do we have any financial statements, current financial statements, on this operation?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir.

MAYOR WILLIAM BRIARE:

Have we -- perhaps -- because I've never asked for them, has anybody ever asked for them?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir. When we put the loan package together prior to coming before the Council, I think it was the last time or one of the previous two meetings, we had researched that and we had had a meeting with several of the local banking institutions but time ran out on us with regard to --

MAYOR WILLIAM BRIARE:

Okay. Jack, I can say that, unless any other

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IV(a). ITEM C. DISCUSSION AND POSSIBLE ACTION APPROVING A LOAN AGREEMENT BETWEEN
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MAYOR WILLIAM BRIARE:

Councilman wishes to pursue it. I'm going to pass, I'm going to vote, abstain, on this particular item because I voted "No" in the past, but I'm going to abstain on this one, but I wonder if you would be good enough to just let me have those financial statements as current as possible for the interests who are going to be receiving these monies, whatever it might be, okay?

JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

Yes, sir.

COUNCILMAN AL LEVY:

And also give him a projection with what's going to be happening at Nucleus Plaza if we get our -- finalize our projects that we're doing.

MAYOR WILLIAM BRIARE:

Oh, yes, projections and everything that would be pertinent to their financial statements. I don't like to vote "No" on things like this. Maybe if I looked at their financial statements maybe I'd see --

COUNCILMAN RON LURIE:

Then you would vote "No."

MAYOR WILLIAM BRIARE:

Pardon me?

COUNCILMAN RON LURIE:

Yes, you would vote "No."

COUNCILMAN BOB NOLEN:

Your Honor, I'D MOVE WE FOLLOW THE RECOMMENDATION.

COUNCILMAN WAYNE BUNKER:

WITH THE AMENDMENT OF SECTION 3?

COUNCILMAN BOB NOLEN:

WITH THE AMENDMENT, yes, sir.

COUNCILMAN RON LURIE:

I have just one thing I'd like to add that since we have an interest in that shopping center, I drove by it, through it, the other day and it's getting kind of run down. There's a lot of weeds and a lot of trash around it. I would suggest Mr. Edmonds be put on notice that he start maintaining that shopping center or I'm going to start voting "No" on all of his applications.

COUNCILMAN AL LEVY:

Well, this is the last one.

COUNCILMAN RON LURIE:

This is it, this is the last one. Did you tell him that? Does he understand that?

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IV(a). ITEM C. DISCUSSION AND POSSIBLE ACTION APPROVING A LOAN AGREEMENT BETWEEN
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JACK THOMASON, DIRECTOR,
ECONOMIC & URBAN DEV.

I understand it!

MAYOR WILLIAM BRIARE:

Spoken well, Colonel Thomason. Any other
comments? Cast your votes. Post. Motion
is APPROVED.

(Motion carried with Briare abstaining from
voting.)

END OF DISCUSSION

City of Las Vegas

AGENDA DOCUMENTATION

000086

Date: June 4, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGER

SUBJECT: Discussion and possible action authorizing the City to enter into a contractual agreement with the State of Nevada Agency for Nuclear Projects.

PURPOSE/BACKGROUND

The U. S. Department of Energy (USDOE) is in the process of complying with the Nuclear Waste Policy Act requiring a selection of a High-level Nuclear Waste Repository. The Yucca Mountain area, northwest of the City of Las Vegas, is one of the three sites chosen for "site characterization" by USDOE.

The City of Las Vegas was requested by the State of Nevada Agency for Nuclear Projects on February 24, 1984 to assist in their effort to develop a state position on locating a High-level Nuclear Waste Repository and the potential impact on Southern Nevada of such a repository. The current contract with the State ends on June 30, 1986.

Staff is recommending that a new contract, covering July 1, 1986 through June 30, 1987 be approved. The State of Nevada will provide the necessary funding to support City efforts and shall pay the City a sum not to exceed One Hundred Two Thousand Dollars (\$102,000), upon approval of this contract by the State Board of Examiners. (Proposed Contract with Scope of Work and Budget attached.)

FISCAL IMPACT

The State of Nevada Agency for Nuclear Projects shall pay the City a sum not to exceed \$102,000, upon approval of this contract by the State Board of Examiners.

RECOMMENDATIONS

It is the recommendation of the City Manager that the City Council authorize the City to enter into contractual agreement with the State of Nevada Agency for Nuclear Projects to study potential impacts of a High-level Nuclear Waste Repository at Yucca Mountain.

Jack Thomason
JACK THOMASON, DIRECTOR
DEPT. OF ECONOMIC & URBAN DEVELOPMENT
Agenda Item

IV. (d) D.

A G R E E M E N T

THIS AGREEMENT, made and entered into this 6th day of June, 1986, by and between the State of Nevada, acting by and through the Agency for Nuclear Projects, hereinafter referred to as "Office," and City of Las Vegas, hereinafter referred to as "Contractor."

W I T N E S S E T H :

WHEREAS, the State of Nevada has been notified by the U. S. Department of Energy, hereinafter referred to as "USDOE," that the State contains a potentially acceptable site for a high level radioactive waste repository;

WHEREAS, the USDOE plans to continue to evaluate the technical suitability of this site and to evaluate socio-economic impacts related to the development of a repository; and

WHEREAS, the Nuclear Waste Policy Act of 1982, hereinafter referred to as "Act," established certain responsibilities and duties in the Office of the Governor; and

WHEREAS, Section 116 of the Act provides for funds to be made available to the State to carry out these responsibilities and duties; and

WHEREAS, Nevada Senate Bill 56 established the Agency for Nuclear Projects to carry out certain of the aforementioned responsibilities and duties and to receive and expend the aforementioned funds; and

WHEREAS, the Office is desirous of employing Contractor to render assistance in fulfilling aspects of the aforementioned responsibilities and duties and Contractor is desirous of rendering such assistance.

NOW THEREFORE, it is hereby agreed by and between the parties as follows:

1. The purpose of this Agreement is to provide for the undertaking of the activities described in Exhibit A, "Scope of Work," and to state the terms, conditions, and mutual understandings as to the manner in which these activities, hereinafter referred to as "Project," will be undertaken and completed.
2. The Contractor shall develop and complete the Project as described in Exhibit A entitled, "Scope of Work," which is attached hereto and by reference incorporated into and made a part of this Agreement.

3. The Contractor shall commence performance of this Agreement on July 1, 1986, and shall complete the Project in a timely manner to the satisfaction of the Office no later than June 30, 1987, unless a written extension is granted by the Office. Extension will only be granted in those instances in which the Contractor's inability to complete the Project is caused by circumstances beyond the Contractor's control. Requests for extensions must be received not later than fourteen (14) days prior to the termination date of the Agreement.
4. As and for compensation for developing and completing the Project as described in Exhibit A, the Office shall pay Contractor a sum not to exceed One Hundred and Two Thousand and 00/100 Dollars (\$102,000), upon approval of this Agreement by the Board of Examiners. Payment is contingent upon receipt by the Office of funds for this Agreement from the USDOE. The Contractor shall be reimbursed quarterly, based upon the submission of an invoice to the Office from the Contractor detailing actual or projected costs incurred in completing the project as described in Exhibit A. The Office shall provide such reimbursement to the Contractor within 30 days of receipt of the aforementioned invoice. The Contractor shall provide the Office with a brief letter report on a quarterly basis that describes activities and actions undertaken during the previous quarter and those planned for the coming quarter, and a summary report at the conclusion of this Agreement.

5. The parties agree that, for the purposes of this Agreement, Contractor is an independent contractor and that this contract is entered into in accordance with NRS 284.173, which statute in pertinent part provides that the Contractor is not a State employee and the Office will not be charged separately for:
 - a. Withholding of income taxes by the State;
 - b. Industrial insurance coverage provided by the State;
 - c. Participation in group insurance plans which may be available to employees of the State;
 - d. Participation or contributions by either the independent contractor or the State to the public employee retirement system;
 - e. Accumulation of vacation leave or sick leave;
 - f. Unemployment compensation coverage provided by the State if the requirements of NRS 612.085 for independent contractors are met.
6. The Contractor shall use funds made available under this Agreement only for matters pertinent to the Act and issues arising from that Act. Contractor agrees to comply with the USDOE's Compliance Assurance, Attachment "B," to this Agreement, as evidenced by signature on said Assurance.
7. The Contractor agrees to fully exonerate, indemnify and save the Office harmless from and against all claims or actions, based upon or arising out of damage or injury (including death) to persons or property caused by an employee, agent, or subcontractor or Contractor in the performance of the Agreement, and among such other things, if requested by the Office, to assume without expense to the Office the defense of any such claims or actions.

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8. Project Records:

- a. The Contractor shall maintain such records and accounts, including property, personnel, and financial records, as are deemed necessary by the Office of the Secretary of USDOE, to assure a proper accounting for all project funds. The recorded activities of the Contractor shall conform to the requirements of Office of Management and Budget Circular A-102. These records will be made available for audit purposes to the Office, the USDOE, or the Comptroller General of the United States, the Attorney General of Nevada, the State Legislative Auditor, or their authorized representative, and will be retained by the Contractor for at least three years after the expiration of this Agreement and all other pending matters surrounding this Agreement are closed.
- b. The Contractor shall permit and shall require its subcontractors to permit the Office, the Attorney General of Nevada, the State Legislative Auditor, the Comptroller General of the United States and the USDOE, or their authorized representative, to inspect all work, materials, payrolls, and other data and records with regard to the Project.
- c. The Contractor shall collect and submit to the Office, at such times as it may require, such financial statements, data, records, contracts, and any other documents related to the Project as may be deemed necessary by the Office.
- d. The Contractor shall advise the Office regarding the progress of the Project as outlined in Exhibit A and at such other time and in such other manner as the Office may require, including, but not limited to, meetings and interim reports.

9. The Contractor may publish results of its function and participation in the Project provided that such publications acknowledge that the program is supported by Federal funds granted pursuant to the provisions of Public Law 97-425 and that three copies of each publication are furnished to the USDOE, plus such copies as the Office may reasonably require.

10. If the Project results in a book or other copyrightable material, the author is free to copyright the work, but the Office and the USDOE reserve a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, all technical information or data, all copyrighted material from the Project. This provision shall be presumed valid but remains subject to supercession by 41 CFR 9-9120-2(g)(2).
11. If any discovery or invention arises out of or is developed in the course of work aided by this Project, it shall be promptly and fully reported to the Office and to the Secretary of the USDOE, including full and complete technical information, for determination as to whether patent protection on such invention or discovery shall be sought and how the rights in the invention or discovery, including rights under any patent issued thereon, shall be disposed of and administered to protect the public interest. The USDOE and the Office reserve the entire right, title, interest and a royalty-free, non-exclusive and irrevocable license to utilize and to authorize others to utilize any discovery or invention which can be or is patented that results from the Project. This provision shall be presumed valid but remains subject to supercession by 41 CFR 9-9.107-6.
12. The Contractor warrants that no person or selling agency or other organization has been employed or retained to solicit or secure this Project upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee. For breach or violation of this warrant, the Office shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the compensation, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.
13. The Contractor in all construction or repair contracts shall comply with 18 U.S.C. 1874 as supplemented in the Department of Labor regulations (29 CFR Part 3). The Contractor shall be prohibited from inducing, by any means, any person employed in the construction completion or repair of the public work, to give up in part of the compensation to which that person is otherwise entitled.

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14. The Contractor shall comply with Executive Order 11246, entitled "Equal Employment Opportunity" as amended by Executive Order 11375 and as supplemented in Department of Labor Regulations (41 CFR Part 60). The Contractor will not discriminate against any employee employed in the performance of this Agreement, because of race, sex, creed, color, physical or mental handicap, or national origin. The Contractor will take affirmative action to ensure that applicants are not discriminated against on account of their race, sex, creed, color, physical or mental handicap, or national origin during the hiring process or their term of employment. This requirement shall apply to, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In the event that the Contractor signs any subcontracts in excess of \$10,000, the Contractor shall include a provision requiring compliance with the aforementioned Executive Order and Department of Labor regulations.
15. If the Contractor intends to let and/or lets any subcontracts, the Contractor must take affirmative steps to:
- a. include qualified small, minority, and women's businesses on solicitation lists;
 - b. assure that small, minority, and women's businesses are solicited whenever they are potential sources;
 - c. when economically feasible, divide requirements into smaller tasks or quantities so as to permit maximum small, minority, and women's business participation;
 - d. where the requirement permits, establish delivery schedules which will encourage participation of small, minority, and women's businesses;
 - e. use services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, and the Community Service Administration as required.

16. The following is required of all Contractors in construction contracts in excess of \$2,000 and in all other contracts in excess of \$2,500. The Contractor, in the employment of mechanics or laborers, shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by the Department of Labor regulations (29 CFR Part 5). The Contractor shall compute the wages of every mechanic and laborer on the basis of a standard work day of eight (8) hours or ten (10) hours and a standard work week of forty (40) hours in the work week. No mechanic or laborer shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to health and safety as determined under construction, safety and health standards promulgated by the Secretary of Labor.

17. The following is required of all Contractors in construction contracts in excess of \$2,000:

The Contractor shall comply with 40 U.S.C. 2767(a) to (1-7) as supplemented by the Department of Labor regulations 20 CFR Part 5. The Contractor shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, Contractor shall be required to pay wages not less than once a week.

18. The Contractor, in all contracts in excess of \$100,000, shall comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (33 U.S.C. 1856(h)), Section 108 of the Clean Air Act (33 U.S.C. 1368), Executive Order 11738 and Environmental Protection Agency regulations (40 CFR Part 15). If the Contractor lets any subcontracts in excess of \$100,000, the aforementioned pollution control provisions must be included in any such contracts.

19. The Contractor shall not seek funds from the Office or the USDOE to be used either directly or indirectly to pay for:
 - a. Construction, such as construction of mass transit systems and exclusive bus lines;
 - b. Subsidizing fares for public transportation;
 - c. Bad debts;
 - d. Contingencies;
 - e. Contributions and donations;
 - f. Entertainment;
 - g. Fines and penalties;
 - h. Interest and other financial costs;
 - i. Unrecovered costs under grant agreements;
 - j. Prosecution of claims against the Federal Government;
 - k. Taxes which the grantee is not legally required to pay;
 - l. The purchase of equipment other than office equipment, such as weatherization materials and law enforcement equipment.
20. Either party of the Agreement has the right to terminate this Agreement by giving not less than thirty (30) days written notice to the other party. In the event of termination by the Office, the Contractor shall be compensated for all expenses it incurs pursuant to the provisions of this Agreement prior to the termination date and the Contractor will submit all work papers and other materials prepared prior to that date to the Office. In the event of termination by the Contractor, the Office will be compensated either directly and/or in the form of a reduction in its outstanding obligation for all costs caused by the Contractor's cancellation.
21. In the event that the Contractor fails to complete the Project in a manner which the Office deems to be satisfactory, within the period of performance which is provided for in Paragraph 3, or any extension thereof, the Office may permit the Contractor to complete the performance of this Agreement or may treat this Agreement as being terminated as of such date, or any extension thereof, and require the Contractor to repay to the Office any portion of the Contractor's compensation which is attributable to the portion of the project which remains uncompleted on that date.

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22. Neither the Office, the State of Nevada, nor the USDOE is bound by this Agreement or any provisions hereof until approved by and executed on behalf of the State of Nevada Board of Examiners.
23. This Agreement shall be construed and interpreted according to the laws of the State of Nevada.
24. This Agreement constitutes the final and entire agreement between the parties and may only be modified by a written amendment signed by the parties.

IN WITNESS WHEREOF, the parties do hereby execute this Agreement on the date signed first appearing.

STATE OF NEVADA
AGENCY FOR NUCLEAR PROJECTS

By: _____
Robert R. Loux, Director

DATE: _____

CONTRACTOR
CITY OF LAS VEGAS

By: _____
Mayor

DATE: _____

City Clerk

DATE: _____

APPROVED AS TO FORM:
BRIAN MC KAY, ATTORNEY GENERAL

By: _____
Deputy Attorney General

DATE: _____

BOARD OF EXAMINERS
STATE OF NEVADA

By: _____

DATE: _____

EXHIBIT A

SCOPE OF WORK
TO SUPPORT AN AGREEMENT FOR A WORK PLAN BETWEEN
THE CITY OF LAS VEGAS AND
STATE OF NEVADA AGENCY FOR NUCLEAR PROJECTS

I. BACKGROUND:

The U.S. Department of Energy (USDOE) is in the process of complying with federal laws requiring the selection of High-level Nuclear Waste Repository sometime during the next 5-10 years.

The Yucca Mountain area, northwest of the City of Las Vegas, is one of the three (3) sites chosen for "site characterization" by USDOE.

If Yucca Mountain is selected, it will generate significant problems and issues that must be addressed by all segments of the Southern Nevada community.

Specifically, it is essential that the key problems and issues associated with locating a High-level Waste Repository in Southern Nevada be identified as soon as possible to enable a rational review of the pros and cons associated with locating a High-level Nuclear Waste Repository in the Yucca Mountain area of Southern Nevada.

II. REQUIREMENT FOR A WORK PLAN:

The City of Las Vegas was requested by the State of Nevada Agency for Nuclear Projects Office on February 24, 1984 to assist in their effort to develop a State position on location of the Nuclear Waste Repository at Yucca Mountain and the potential impacts on Southern Nevada of a repository. To enable a purposeful review and research that is required to better understand the problems associated with the establishment of Nuclear Waste Repository in the Yucca Mountains, and to identify key issues related thereto, it is essential that the City of Las Vegas prepare a Work Plan to cover the timeframe of July 1, 1986 - June 30, 1987. This Work Plan will be a continuing effort by the City of Las Vegas in coming to grips with this potentially high priority Yucca Mountain High-level Nuclear Waste Site problem.

The following Work Plan is aimed primarily at understanding the problem through research and education of key staff elements in the City of Las Vegas and to establish preliminary baseline data. This Work Plan establishes the priorities, outlines the support program and the tentative budget required by the City of Las Vegas for the period July 1, 1986 through June 30, 1987.

III. WORK PLAN:A. GENERAL:

The City of Las Vegas, hereinafter called the City, has agreed to accept responsibility for assisting the State of Nevada in researching and developing key issues and participating in discussion items relative to the possible location of a High-level Nuclear Waste Repository at Yucca Mountain, Nevada. To further support these efforts, the City will be hiring a High-level Nuclear Waste Consultant, hereinafter called the Contractor. In return, the State of Nevada has agreed to provide necessary funding to support this work.

1. This City and Contractor responsibility includes the requirement to continuously review USDOE's plans and programs relative to locating a Nuclear Waste Repository at Yucca Mountain during the period July 1, 1986 through June 30, 1987.

RE: SCOPE OF WORK (Continued)

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- a. Review existing information generated by USDOE, other states, the State of Nevada, and other governmental entities related to the High-level Nuclear Waste plans for Southern Nevada.
- b. Research and review new information generated by the above-mentioned entities.
2. In view of the City of Las Vegas' close proximity to ground and air access routes to the Yucca Mountain area, the City and Contractor must continuously focus on transportation issues as they pertain to the USDOE'S programs and studies on High-level Nuclear Waste matters.
3. Since the City of Las Vegas is the largest city in the state and closest to the proposed site at Yucca Mountain, focus must also be directed to public communication issues regarding a potential repository at Yucca Mountain Repository.
4. The City and Contractor will coordinate with citywide committees, local jurisdictions and specific interest groups in the community, such as, Chamber of Commerce, Downtown Progress Association, et al, to discuss and obtain views and documentation thereof.
5. The City and Contractor will coordinate actions with the USDOE and other states where appropriate.
6. The City and Contractor will coordinate actions with the State of Nevada Agency for Nuclear Projects, and where appropriate, establish dialogue with other Nevada cities, counties, and state government entities.

B. ADMINISTRATIVE TASKS:

To properly plan for the support of the State of Nevada Agency for Nuclear Projects, the City and Contractor will, as a minimum, address the following:

1. Attend USDOE's briefings and meetings, and related federal, state and local governments' activities in the United States as appropriate.
2. Establish a documentary library and data base on High-level Nuclear Waste that is compatible with the needs of this Scope of Work.
3. Select qualified staff personnel and dedicate an appropriate part of their work effort to accomplish City tasks and responsibilities.

C. SPECIFIC TASKS:

1. Review and Analysis Tasks

- a. Review and prepare appropriate comments on any U. S. Environmental Assessments of the Yucca Mountain site.
- b. Review and prepare comments on any USDOE Socio-Economic Impact studies/analysis resulting from locating a High-level Nuclear Waste Repository at Yucca Mountain.
- c. Evaluate alternative transportation routes and capabilities to minimize potential hazards to the populated Las Vegas Metropolitan area.
- d. Determine modifications to any City "emergency plan" that could be affected by the transportation of nuclear waste through the boundaries of the City of Las Vegas.

RE: SCOPE OF WORK (Continued)
- 3 -

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2. Travel

- a. Attendance may be required by City representatives and/or Contractor to pertinent USDOE, other states, and State of Nevada briefings/meetings on the High-level Nuclear Waste program proposed for Yucca Mountain as well as other U.S. sites.

3. Site Specific Work

- a. Contractor shall carry out the Scope of Work in the Department of Economic and Urban Development (DEUD), Fifth Floor, City Hall, 400 East Stewart, Las Vegas, NV 89101, unless otherwise authorized by the Director of DEUD.

11A:SCOPE, SCOPE1

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ENCLOSURE TO SCOPE OF WORKBUDGET FORSCOPE OF WORK

TO SUPPORT AN AGREEMENT FOR A WORK PLAN BETWEEN
THE CITY OF LAS VEGAS
AND
STATE OF NEVADA AGENCY FOR NUCLEAR PROJECTS

A. PROFESSIONAL SERVICES

1. Hire Consultant

a. Salary	\$60,000
b. Travel Expenses	8,000
c. Contingency Funds	2,000

Sub-Total \$70,000

B. PERSONNEL EXPENSES

1. Coordinator (Dept. of Economic Development)	\$ 6,000*
2. Management Analyst II (Dept. of Economic Development)	5,000
3. Management Analyst I (Dept. of Economic Development)	3,000
4. Secretary (Dept. of Economic Development)	2,000
5. Additional Staff/City Task Force involvement	6,000

Sub-Total \$22,000

C. OPERATING SUPPORT EXPENSES

1. Travel and related expenses	\$ 6,000
2. Communications (telephone telex, mailing charges, etc.)	1,000
3. Office Supplies	1,000
4. Printing and Processing	1,000
5. Contingency Fund	1,000

Sub-Total \$10,000

TOTAL \$102,000

* The recommendation for travel to support the Scope of Work is the responsibility of the Director of the Department of Economic Development. The final approval for such travel is the responsibility of the City Manager or his designated representative.

000100

U.S. DEPARTMENT OF ENERGY

ASSURANCE OF COMPLIANCE

Nondiscrimination in Federally Assisted Programs

CITY OF LAS VEGAS (hereinafter called the "Applicant"), HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), Section 16 of the Federal Energy Administration Act of 1974 (Pub. L. 93-275), Section 401 of the Energy Reorganization Act of 1974 (Pub. L. 93-438), Title IX of the Education Amendments of 1972, as amended, (Pub. L. 92-318, Pub. L. 93-568, and Pub. L. 94-482), Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), the Age Discrimination Act of 1965 (Pub. L. 94-135), Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), the Department of Energy Organization Act of 1977 (Pub. L. 95-91), and the Energy Conservation and Production Act of 1976, as amended, (Pub. L. 94-385). In accordance with the above laws and regulations issued pursuant thereto, the Applicant agrees to assure that no person in the United States shall, on the grounds of race, color, national origin, sex, age, or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity in which the Applicant receives Federal assistance from the Department of Energy.

Applicability and
Period of Obligation

In the cases of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with Federal assistance extended to the Applicant by the Department of Energy, this assurance obligates the Applicant for the period during which Federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which Federal assistance is extended. If any personal property is so provided, this assurance obligates the Applicant for the period during which it retains ownership of possession of the property. In all other cases, this assurance obligates the Applicant for the period during which the Federal assistance is extended to the Applicant by the Department of Energy.

Employment Practices

Where a primary objective of the Federal assistance is to provide employment or where the Applicant's employment practices affect the delivery of services in programs or activities resulting from Federal assistance extended by the Department, the Applicant agrees not to discriminate on the grounds of race, color, national origin, sex, age, or handicap, in its employment practices. Such employment practices may include, but are not

limited to, recruitment, recruitment advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs, or other forms of compensation and use of facilities.

Subrecipient Assurance

The Applicant shall require any individual, organization, or other entity with whom it subcontracts, subgrants, or subleases for the purpose of providing any service, financial aid, equipment, property, or structure to comply with laws cited above. To this end, the subrecipient shall be required to sign a written assurance form, however, the obligation of both recipient and subrecipient to ensure compliance is not relieved by the collection or submission of written assurance forms.

Data Collection and Access to Records

The Applicant agrees to compile and maintain information pertaining to program or activities developed as a result of the Applicant's receipt of Federal assistance from the Department of Energy. Such information shall include, but is not limited to, the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age and handicap; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age and handicap, in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by the Department of Energy to be relevant to its obligation to assure compliance by recipients with laws cited in the first paragraph of this assurance.

The Applicant agrees to submit requested data to the Department of Energy regarding programs and activities developed by the Applicant from the use of Federal assistance funds extended by the Department of Energy. Facilities of the Applicant (including the physical plants, buildings, or other structures) and all records, books, accounts, and other sources of information pertinent to the Applicant's compliance with the civil rights laws shall be made available for inspection during normal business hours on request of an officer or employee of the

Department of Energy specifically authorized to make such inspections. Instructions in this regard will be provided by the Director, Federally Assisted Programs Division, Office of Equal Opportunity, U. S. Department of Energy.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts (excluding procurement contracts), property, discounts or other Federal assistance extended after the date hereto, to the Applicant by the Department of Energy, including installment payments on account after such date of application for Federal assistance which are approved before such date. The Applicant recognizes and agrees that such Federal assistance will be extended in reliance upon the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, as well as the person whose signature appears below and who is authorized to sign this assurance on behalf of the Applicant.

CITY OF LAS VEGAS

(Address & Telephone Number)

(Authorized Official)

MAYOR

(Title)

(Signature of Authorized Official-Date)

000103

(Authorized Official)

(Title)

(Signature of Authorized Official)

Assurance of Compliance, Page 4

AGENDA*City of Las Vegas*000104
June 4, 1986

Page 16

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

ITEM

Council Action

Department Action

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

11:12

A. Permission to apply to State of Nevada
Division for Aging Services for a
grant to provide funds for the Senior
Citizens Law Project, 9th year.Lurie -
APPROVED
Unanimous

Staff to proceed

APPROVED AGENDA ITEM

Larry H. Burton

City of Las Vegas

000105

AGENDA DOCUMENTATION

Date: May 16, 1986TO:
The City CouncilFROM: Larry K. Barton
Deputy City Manager

SUBJECT: The Department of Parks, Recreation & Sr. Citizen Activities requests permission to apply to the State of Nevada, Division for Aging Services for a grant for the ninth year of the Senior Citizens Law Project.

PURPOSE/BACKGROUND

The Project Administration Division of the Department of Parks, Recreation & Sr. Citizen Activities requests permission to apply for a grant from the State of Nevada, Division for Aging Services, for the ninth year of the Senior Citizens Law Project. The Senior Citizens Law Project is an outstanding program offering free legal assistance to persons age 60 and over. The Project serviced over 4,000 seniors last year.

FISCAL IMPACT

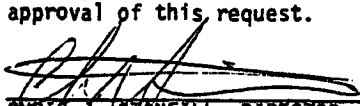
As budgeted for 1986-87

Federal Grant = \$ 95,429
City of Las Vegas Match = \$ 117,847
N.R.S. 19.031 Funds = \$ 43,304
Donations = \$ 12,500

*The City's contribution includes the provision of support staff, space, administrative services, supplies and equipment.

RECOMMENDATIONS

The Department of Parks, Recreation and Senior Citizen Activities recommends approval of this request.


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

Agenda Item

IV(e) A.

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 SERVICESDAN R. PILKINGTON, DIRECTOR***CONSENT AGENDA**

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

PURCHASING & CONTRACTS DIVISION11:13 *A. AWARD OF BIDS

1. Replacement Traffic Sign Materials
Department of Public Works
2. Replacement Playground Equipment
Department of Parks, Recreation & Senior
Citizens Activities
3. Replacement Aerial Lift Truck
Department of General Services
4. Renovation of Municipal Court
Department of Design & Development

- *5. Downtown Transportation Center
Offsite Improvements
Department of Public Works

*B. AWARD OF ANNUAL CONTRACTS & AGREEMENTS

- 11:16 1. Closed Circuit Television Systems
Maintenance
Department of Detention & Correctional
Services

Lurie -
APPROVED Items A-1,
A-2, A-3 and A-4
as recommended.
Unanimous

Staff to proceed

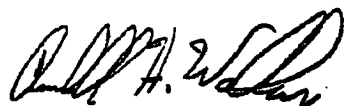
Lurie -
APPROVED Item A-5.
as recommended.
Motion carried
with Nolen abstain-
ing.

Staff to proceed

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

Staff to proceed

APPROVED AGENDA ITEM



AGENDA*City of Las Vegas*

000107

June 4, 1986

Page 18

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

ITEM

Council Action

Department Action

PURCHASING & CONTRACTS DIVISION CONT'D*B. AWARD OF ANNUAL CONTRACTS & AGREEMENTS CONT'D

2. Expendable Liquid Aluminum Sulfate for
Water Treatment
Department of Public Works

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

Staff to proceed

*C. PURCHASE ORDER APPROVAL

1. Landfill Site for Sludge Disposal
Department of Public Works
2. Reflective Sheeting for Traffic Signs
Department of Public Works

Lurie -
APPROVED Items C-1
and C-2.
Unanimous

Staff to proceed
Tom McCaffrey
appeared on
Item C-1.

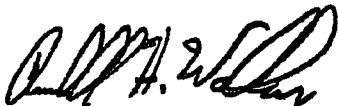
- *3. Reimbursement for Services
Capital Improvements to Municipal Golf
Course
Department of Parks, Recreation & Senior
Citizens Activities

Levy -
APPROVED Item C-3.
Unanimous

Staff to proceed

* Abeyance Items from Council Meeting of
May 21, 1986

APPROVED AGENDA ITEM



City of Las Vegas

AGENDA DOCUMENTATION

000108

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

1. <u>BID TITLE:</u>	VARIOUS TRAFFIC SIGNS - REPLACEMENTS	<u>BID NUMBER:</u>	86.1770.4
<u>ITEM:</u>	EXPENDABLE	<u>ESTIMATE:</u>	\$15,000.00
<u>DEPARTMENT:</u>	PUBLIC WORKS	<u>INVITATIONS MAILED:</u>	10
<u>FUNDING:</u>	GENERAL FUND	<u>RESPONSES RECEIVED:</u>	5

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE THE TRAFFIC ENGINEERING DIVISION WITH REPLACEMENT STREETS SIGNS FOR USE ON CITY STREETS.

BID ABSTRACT SUMMARY

HALL SIGNS, INC.	BLOOMINGTON	IN	\$6,379.80
SAFeway SIGN CO.	GARDENA	CA	\$6,810.00
JOHN C. HENBERGER	BREA	CA	\$6,946.20
VULCAN SIGNS	FOLEY	AL	\$8,348.00
HIGHWAY RANTALS	LAS VEGAS	NV	\$9,824.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

HALL SIGNS, INC.	BLOOMINGTON	IN	\$6,379.80

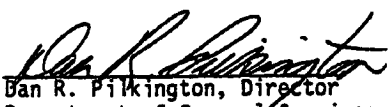
FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 86-87. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 1
IV (f)

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1

BID TITLE: VARIOUS TRAFFIC SIGNS - REPLACEMENT			HALL SIGNS, INC. 3000 W. 3rd Street Bloomington, IN 47402		SAFEWAY SIGN CO. 1314 W. 134th St. Gardena, CA 90247		JOHN C. HENBERGER CO 400 Atlas St. Brea, CA 92621	
BID # 86.1770.4 C.M. PELLO								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	100 Ea.	SIGN, 2 Hour Parking 8 AM to 6 PM Except Sundays and Holidays, 18" X 24" Baked Enamel on .080 Aluminum.	6.89	689.00	7.50	750.00	6.63	663.00
2.	100 Ea.	SIGN, 1 Hour Parking 8 AM to 6 PM Except Sunday and Holidays, 18" X 24" Baked Enamel on .080 Aluminum.	6.89	689.00	7.50	750.00	6.63	663.00
3.	200 Ea.	SIGN, No Parking Anytime, 18" X 24", Baked Enamel on .080 Aluminum.	6.89	689.00	7.45	1490.00	6.63	1326.00
4.	50 Ea.	SIGN, One Way (Left Arrow), 36" X 12"	7.93	396.50	7.50	375.00	9.42	471.00
5.	50 Ea.	SIGN, One Way (Right Arrow) 36" X 12"	7.93	396.50	7.50	375.00	9.42	471.00
6.	50 Ea.	SIGN, School, S1-1 30"	15.48	774.00	16.60	830.00	17.76	888.00
7.	50 Ea.	SIGN, School X-ing, S2-1, 30"	15.48	774.00	16.60	830.00	17.76	888.00
8.	30 Ea.	SIGN, School Speed 15 mph, 24" X 48"	21.38	641.40	23.00	690.00	26.27	788.10

CITY COUNCIL MINUTES - JUNE 4, 1986

000109

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1A

BID TITLE: VARIOUS TRAFFIC SIGNS - REPLACEMENT

VULCAN SIGNS
P.O. Box 850
Foley, AL 36536

HIGHWAY RENTALS
5005 E. Carey Ave.
Las Vegas, NV 89115

BID # 86.1770.4

C.M. PELLO

ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	100 Ea.	SIGN, 2 Hour Parking 8 AM to 6 PM Except Sundays and Holidays, 18" X 24" Baked Enamel on .080 Aluminum.	8.65	865.00	8.75	875.00		
2.	100 Ea.	SIGN, 1 Hour Parking 8 AM to 6 PM Except Sunday and Holidays, 18" X 24" Baked Enamel on .080 Aluminum.	8.65	865.00	8.75	875.00		
3.	200 Ea.	SIGN, No Parking Anytime, 18" X 24", Baked Enamel on .080 Aluminum.	8.30	1660.00	8.75	1750.00		
4.	50 Ea.	SIGN, One Way (Left Arrow), 36" X 12"	10.80	540.00	11.94	597.00		
5.	50 Ea.	SIGN, One Way (Right Arrow) 36" X 12"	10.80	540.00	11.94	597.00		
6.	50 Ea.	SIGN, School, S1-1 30"	21.20	1060.00	28.50	1425.00		
7.	50 Ea.	SIGN, School X-ing, S2-1, 30"	21.20	1060.00	28.50	1425.00		
8.	30 Ea.	SIGN, School Speed 15 mph, 24" X 48"	29.30	879.00	38.00	1140.00		

CITY COUNCIL MINUTES - JUNE 4, 1986

000110

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 2

BID TITLE: VARIOUS TRAFFIC SIGNS - REPLACEMENT

HALL SIGNS, INC.
3000 W. 3rd Street
Bloomington, IN 47402

SAFEWAY SIGN CO.
1314 W. 134th St.
Gardena, CA 90247

JOHN C. HENBERGER CO.
400 Atlas Street
Brea, CA 92621

BID BOND REQD:

EST: \$

BID #: 1770.4

INV. SENT:

BID OPENED: May 13, 1986

BUYER: C.M. PELLO

LIC#: NONE

LIC#: NONE

LIC#: NONE

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
9.	30 Ea.	SIGN, School X-ing Speed 25 mph, 24" X 48"	21.38	641.40	24.00	720.00	26.27	788.10
		TOTAL:		6,379.80		6,810.00		6,946.20
		DELIVERY: _____ CALENDAR DAYS	35-65 Days		30 Days		21 Days	

CITY COUNCIL MINUTES - JUNE 4, 1986

000111

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 2 A

BID TITLE: VARIOUS TRAFFIC SIGNS - REPLACEMENT

BID BOND REQD:

EST: \$15,000.00

BID #: 1770.4

INV. SENT: 10

BID OPENED: May 13, 1986

BUYER: C.M. PELLO

VULCAN SIGNS

P.O. Box 850

Foley, AL 36536

HIGHWAY RENTALS

5005 E. Carey Ave.

Las Vegas, NV 89115

LIC#: NONE

LIC#: T10 180 6 03654

LIC#:

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
9.	30 Ea.	SIGN, School X-ing Speed 25 mph, 24" X 48"	29.30	879.00	38.00	1140.00		
		TOTAL:		8,348.00		9,824.00		
		DELIVERY: _____ CALENDAR DAYS	*Shipment A.R.O.	120 Days	90 Calendar Days			

To: John Bartels, Tr. Engr. . Please review and furnish recommendation

prior to 5-22-86

for Commission award on 6-4-86

Charlene M. Pello
Charlene M. Pello

5-14-86

Purchasing and Contracts

Date

To: Purchasing and Contracts. AWARD bid TO THE LOW
BIDDER HALL SIGNS, INC. IN THE AMOUNT OF \$6379.80

[Signature]

[Signature]

5-16-86

Department/Division Signature

Date

000112

CITY COUNCIL MINUTES - JUNE 4, 1986

PURCHASE REQUEST

CITY COUNCIL MINUTES - JUNE 4, 1986

86-1770-4

SHIP TO: George Damme
Sign Shop
3100 E. Bonanza Road
Las Vegas, Nevada 89101

000113

REQ. NO. 1770-2022 P.O. NO.
REQ. DATE 3/21/86

ESTIMATES FROM:

- ☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY) _____

FUNDING:

☐ UNBUDGETED ☒ BUDGETED
REQUESTING DEPT. EST. \$ 12,500.00 PAGE _____ OBJECT CODE \$ 15000.00
NOT TO EXCEED

REQUESTING DEPT./DIV. PUBLIC WORKS/TRAFFIC ENG. F.O.B. POINT TERMS BUYER DELIVERY REQUIRED

JUSTIFICATION FOR PURCHASE

Replacements

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
200	EA	2 Hour Parking 8 AM to 6PM Except Sundays and Holidays, 18" x 24" baked enamel on .080 aluminum		
100	EA	1 Hour Parking 8 AM to 6 PM Except Sunday and Holidays, 18" x 24" baked enamel on .080 aluminum		
200	EA	No Parking Anytime, 18" x 24" baked enamel on .080 aluminum		
50	EA	One Way (left arrow) sign 36" x 12"		
50	EA	One Way (right arrow) sign 36" x 12"		
50	EA	School Sign S1-1 30"		
50	EA	School X-ing Sign S2-1 30"		
30	EA	School Speed 15 mph, 24" x 48"		
30	EA	School X-ing Speed 25 mph, 24" x 48"		

FUNDING VERIFIED

VENDORS CONTACTED

SOURCE: General Fund
DATE: 3/28/86 APPROVED BY: Nancy L. Youngmans

CONSTRUCTION CONTRACT				VERBAL QUOTE			
SUPPLY CONTRACT				INFORMAL BID			
FORMAL BID				SOLE SOURCE			
SINGLE SOURCE				COMPETITIVE			
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL	
1	1770	5110			BA0106		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE

George Damme DEPT./DIV. HEAD 3-28-86
Eylene Saltz 3/31/86
Nancy L. Youngmans 3/28/86
Deputy City Manager 4-3-86

PURCHASING & CONTRACTS

DATE

City of Las Vegas

000114

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

2. <u>BID TITLE:</u>	REPLACEMENT PLAYGROUND EQUIPMENT - VARIOUS PARKS	<u>BID NUMBER:</u>	86.2600.4
<u>ITEM:</u>	CAPITAL	<u>ESTIMATE:</u>	\$62,000.00
<u>DEPARTMENT:</u>	PARKS, RECREATION AND SENIOR CITIZENS ACTIVITIES	<u>INVITATIONS MAILED:</u>	12
<u>FUNDING:</u>	LAS VEGAS CONVENTION AND VISITOR'S AUTHORITY	<u>RESPONSES RECEIVED:</u>	2

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE REPLACEMENT PLAYGROUND EQUIPMENT IN VARIOUS CITY PARKS.

BID ABSTRACT SUMMARY

THE TIBERTI COMPANY	LAS VEGAS	NV	\$58,008.00
WALT RANKIN AND ASSOCIATES	LA MESA	CA	\$61,169.00

STAFF RECOMMENDATION OF AWARD

RECOMMEND REJECTION OF THE BID OF THE TIBERTI COMPANY FOR FAILURE TO COMPLY WITH THE PUBLISHED TECHNICAL SPECIFICATIONS. (BACKUP DOCUMENTATION JUSTIFYING REJECTION IS ATTACHED.)

THAT THE BID BE AWARDED TO:

WALT RANKIN AND ASSOCIATES	LA MESA	CA	\$61,169.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE FROM THE LAS VEGAS CONVENTION & VISITORS AUTHORITY.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 2
IV (f)

CITY OF LAS VEGAS

Date

000115

MAY 2, 1986

INTER-OFFICE MEMORANDUM

TO:

CHARLENE PELLO
PURCHASING & CONTRACTS

FROM:

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

SUBJECT:

BID ABSTRACTS - TIBERTI COMPANY

COPIES TO:

LARRY K. BARTON, DEPUTY CITY MANAGER

Upon review and an evaluation of the Bid Abstract, I find the equipment submitted by the Tiberti Company unacceptable and not in conformity of the technical specifications.

The equipment is a mix of component parts from several companies and I see nothing that indicates how they would fit together per the specifications on materials or color. An attempt to combine components from different manufactures causes concern or questions for two specific reasons; 1.) How can we determine that each part will be compatible with the different manufactures equipment and which company accepts assemblage and installation responsibilities, and 2.) which manufacture accepts product liability, and which manufacture is responsible if the products fail and cause injury? All the slides lack conformity, as per specifications. Mainly color, height, and fabrication, i.e., fiberglass, with molded door. The spiral slides shall be stainless steel, mechanically attached. Tiberti submittals do not meet this criteria. The specifications call for either roto mold or roto molded fiberglass. The decks do not meet the size specifications as per the polyvinyl chloride coating and the posts which require galvanneal.

The steps to the slide per the Tiberti submittal, i.e., Burke and National Structures do not meet the step assembly specifications with closed step design that we feel is an extremely important safety feature.

On April 4, 1986, Dave Kuiper met with a representative of Tiberti Company to review the specifications of the equipment that Tiberti was submitting for bid. The main components were to be supplied by Natural Structures from Oregon. A representative from this company called Mr. Kuiper on April 7, 1986, and after reviewing the components list over the phone the Natural Structures representative stated that he could match spec's on most of the equipment but a few of the components would not be able to meet our spec's, i.e., the Trailblazer slide. The Natural Structures representative then promised to send copies of specifications of all their bid components to the City of Las Vegas, Department of Parks, Recreation and Senior Citizen Activities as soon as possible for our complete detailed review.

After a period of ten (10) days or more, we received a phone call from Natural Structures stating their design person had been out of town and that they were putting the specifications together to send to us within a few days. On April 30th, we received a packet of information, drawings and specifications on the Natural Structures equipment.

After reviewing each piece of equipment submitted by Natural Structures for each of the bid items, we have made the following conclusions on that equipment itemized as follows:

BID ITEM #1 - TRI-DECK SYSTEM:

No color by Natural Structures has been specified to indicate whether they can match the requirements.

All deck items will be addressed in summary.

BID ITEM #2 AND #3 - TORNADO SLIDE:

Natural Structures is bidding a slide - manufactured by Paris for which we were supplied no specifications. However, a picture of the slide has been provided depicting a polyurethane circle slide that does not meet the specifications for this unit.

The sliding surface for the Natural Structures Tornado Slide (Bid Item #3) does not meet our specifications. (We specify a surface of 20-gauge stainless steel, mechanically attached, 32-inches wide. Natural Structures states that the slide bed width is formed to a width of 26-inches by 31 continuous lengths of pipe laid side by side.)

Natural Structures has not provides us with a color chart and gives us no indication other than the supplied photograph of available colors.

Natural Structures supplied drawing does not indicate the specified enclosed stairwell for this slide unit. The bid abstract from Tiberti Company indicates that this slide will be a yellow poly slide, Paris CS6ET, that will include stairs and canopy by Natural Structures.

Therefore, this item does not meet specifications based on color alone.

BID ITEM #4 - WAVE SLIDE:

Wave slide as indicated by Burke Catalog as supplied by Tiberti for this item depicts a straight stainless steel slide with no molded fiberglass and a canopy by separate manufacturer (Natural Structures). Both canopy and slide do not conform to our specifications.

The Burke stairway is not enclosed and therefore does not meet specifications.

CHARLENE PELLO
BID ABSTRACTS - TIBERTI COMPANY
MAY 2, 1986
PAGE 3

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ITEM #5 - ENCLOSURE PANELS:

Specifications for enclosed panels submitted by Tiberti are stiffened by 3/8 x 2 in. steel, bolted to all upper horizontal edges. Our specifications require tht the panel be reinforced with welded rounded rod.

ITEM #13 - REDWOOD BRIDGE:

Redwood components of the bridge and description supplied by Natural Structures indicates wood that is not up to our specifications, which require all Redwood floor planks, heart of center Redwood, champhered edges. Natural Structures catalog also indicates that all wood supplied to its structures may be Redwood or treated Douglas Fir. Treated Douglas Fir would be unacceptable to our specifications.

ITEM #14 - DOUBLE DECK SYSTEM:

All deck items will be addressed in summary.

ITEM #19 - DOUBLE DECK SYSTEM:

All deck systems will be addressed in summary.

ITEM #22 - FOUR DECK SYSTEM:

All deck systems will be addressed in summary.

ITEM #24 - HORIZONTAL LADDER:

The Natural Structures item does not meet specifications based on size of rung pipe. Natural Structures does not in any of its material, specify or give any color.

ITEM #25 - TRAILBLAZER SLIDE:

Stairwells not enclosed and no handrails on stairwell does not meet specifications. Cannot meet color specifications.

ITEM#28 - DECK SYSTEM:

All deck systems will be addressed in summary.

SUMMARY:

The equipment being specified by Tiberti Company for the purpose of this bid awrd is manufactured by several different vendors. In the case of some of this equipment, these pieces must match up for purposes of assembly, color and design. We perceive this to be a problem when separate manufacturers are used.

The key to the larger pieces specified for these units are the deck assemblies. All play apparatus, slides, swings, bridges and other equipment as specified, bolts onto either single, double or triple

000118

deck systems. These deck systems should be generic and of one manufacturer and should be purchased to accomodate the equipment assembly items and apparatus. Based on #6 of the Bid documents (technical specifications, evaluation of goods), the deck systems from Natural Structures will not meet the criteria of items a, b, e, f, and h.

It is the recommendation of this Department that this total bid be awarded to Miracle on the basis of specifications outlined above.

RECEIVED
MAY 10 1986

MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOB NOLEN

W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL

CITY of LAS VEGAS

000119



Reply due within
5 calendar days
of receipt of Nat.

5/9 - 5/13 - Done By 5/14

Check Certified reply

5/9/86 - 10:15 - Done Cook

@ Natural Structures
called

May 8, 1986

The Tiberti Company
1806 Industrial
Las Vegas, NV 89114

Attention: Jelindo Tiberti II

Subject: Bid #86.2600.4
Replacement Playground Equipment
Rejection of Bid

Gentlemen:

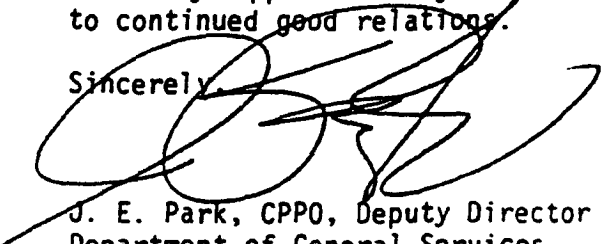
This letter shall confirm the verbal notice of rejection of your bid given to Ms. Joyce Stein of your organization on May 7, 1986 by Charlene Pello of this Division.

After review of the brochures and technical data submitted by your firm, the Department of Parks, Recreation and Senior Citizen Activities has recommended rejection of your bid for failure to meet the technical specifications. A copy of the memo from Chris Stanfill, Director of that Department, is enclosed for your review.

Ms. Stein was made aware of the "Right to Protest" section of the bid and should you wish to contest the recommendation, those procedures outlined on pages six through eight of the "Bid Evaluation" section must be followed.

The City appreciates your interest in its requirements and looks forward to continued good relations.

Sincerely,


J. E. Park, CPPO, Deputy Director
Department of General Services

cc: Parks, Recreation, & Sr. Citizens Activities

CERTIFIED

JEP:CMF:kt



Dave Cook of Natural Structures called regarding our rejection of their product. 000120

He indicated that when he first spoke with Dave Kuiper that he was not receptive and had his mind made up.

He admitted that when they first submitted their bid, it was without sufficient specs. However, the pages of specs. he send to Dave Kuiper was item by item per the Bid Schedule and assured me that ~~max~~ it was not a hodge podge of various components, but was made up of components to meet our needs and that it would come from them and be workable.

He stated that none of the playground eq. mfgs. made all of their own components.

I explained to him that had a more knowledgeable person been here to go over item by item with the Parks people, that perhaps the information submitted would have been better received.

I suggested that he have a representative get in touch in the future with the Parks Div. and push their products, Since they are new in this area . He agreed that the is waht they had to do.

He also stated that they did not intend to contest this thing, but I pointed out to him what was in the ltter, that the memo was attac hed, and that if they felt they were not being treated fairly, they would have to follow those procedures.

He said he was going to call Dave K. and I suggested a conference call, but he said he just wanted to talk to him. I requested that he inform me of the results of the call.

5/19/86
for the
recap

BID ABSTRACT & AWARD RECOMMENDATION

PAGE #1

BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT
VARIOUS PARKS
BID # 86.2600.4 C.M. PELLO

THE TIBERTI CO.
1806 Industrial
LV, NV 89114

WALT RANKIN & ASSO.
Box 2156
La Mesa, CA 92041

ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	2 EA.	TRI-DECK SYSTEM, #166-546, 1 - Dark Blue 1 - Dark Brown MFG & MODEL NO.:	1948.00	3896.00	2050.00	4100.00		
			Natural Structures 413S		Miracle 166-546 As Specified			
2.	3 EA.	TORNADO SLIDE, #166-817 1 - Light Blue With Orange Platform 1 - Charcoal With Burgundy Platform 1 - Orange With Yellow Plat- form MFG & MODEL NO.:	2950.00	8850.00	3665.00	10,995.00		
			Yellow Poly Slide Paris CS6ET Includes Stairs & Canopy by NS		Miracle 166-817 As Specified			
3.	1 EA.	TORNADO SLIDE, #166-845 Orange With Yellow Platform MFG & MODEL NO.:	2710.00	2710.00	3270.00	3270.00		
			Paris CS6ET w/Stairs & Conopy by Natural		Miracle 166-845 As Specified			
4.	3 EA.	WAVE SLIDE, 12 Ft., #166-801, Orange MFG & MODEL NO.:	788.00	2364.00	813.00	2439.00		
			Burke SS 12MSC w/ Nat Struct Powder Coated Steel Canopy		Miracle 166-801 As Specified			

CITY COUNCIL MINUTES - JUNE 4, 1986

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BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 2

BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT			THE TIBERTI CO.		WALT RANKIN & ASSO.			
BID # 86.2600.4								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
5.	8 EA.	ENCLOSURE PANELS, #166-816 5 - Orange & Yellow 3 - Burgundy & Charcoal MFG & MODEL NO.:	95.00	760.00	102.00	816.00		
			Natural	Structures	As Specified			
					Miracle	166-816		
6.	4 EA.	SLIDING POLES, #166-909 MFG & MODEL NO.:	125.00	500.00	22.00	488.00		
			NS 456-4	OM	Miracle	166-909		
7.	2 EA.	CLIMBING POLE, #166-808 MFG & MODEL NO.:	165.00	330.00	167.00	334.00		
			NS 456-3	0	Miracle	166-803		
8.	1 EA.	CLIMBING ROPE, #166-807-5 MFG & MODEL NO.:	215.00	215.00	224.00	224.00		
			NS 456		Miracle	166-808		
9.	1 EA.	ROPE CLIMBER, #166-807 MFG & MODEL NO.:	215.00	215.00	232.00	232.00		
			NS 456		Miracle	166-807		
10.	1 EA.	ROPE CLIMBER, #166-813 MFG & MODEL NO.:	80.00	80.00	78.00	78.00		
			NS 221		Miracle	166-813		

000122

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 3

BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT

BID #

THE TIBERTI CO.

WALT RANKIN & ASSO.

ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
11.	3 EA.	STAIRS, #166-803 MFG & MODEL NO.:	320.00 NS 499	960.00	316.00 Miracle	948.00 166-803		
12.	2 EA.	STAIRS, #166-830 MFG & MODEL NO.:	365.00 NS 499M	730.00	374.00 Miracle	748.00 166-830		
13.	2 EA.	REDWOOD BRIDGE, 4 X 6, #166-855 MFG & MODEL NO.:	712.00 NS 447	1424.00	868.00 Miracle	1736.00 166-855		
14.	1 EA.	DOUBLE DECK SYSTEM, #166-544 Brown Supports MFG & MODEL NO.:	1125.00 NS 402-SMS	1125.00	1178.00 Miracle	1178.00 166-544		
15.	3 EA.	"L" SLIDE, #166-840 2 - Orange 1 - Beige MFG & MODEL NO.:	1105.00 NS 444-236 UV Stabilized Orange Poly w/Blue Poly Panel	3315.00	1025.00 Miracle	3075.00 166-840		

CITY COUNCIL MINUTES - JUNE 4, 1986

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BID ABSTRACT & AWARD RECOMMENDATION

PAGE #4

BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT

THE TIBERTI CO.

WALT RANKIN & ASSO.

BID #

ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
16.	4 EA.	"S" SLIDE, #166-841 3 - Orange 1 - Beige MFG & MODEL NO.:	1639.00	6556.00	1591.00	6364.00		
			NS 444-235 UV		Miracle	166-841		
			Stabilized Orange					
			Poly w/Blue Poly					
			Panel					
17.	1 EA.	CHAIN LADDER, #166-805 MFG & MODEL NO.:	212.00	212.00	225.00	225.00		
			NS 454-06		Miracle	166-805		
18.	2 EA.	PLAYSTRUCTURE, #166-570 Leg Supports - Brown Panels - Yellow & Orange Slides - Orange MFG & MODEL NO.:	5140.00	10,280.00	5123.00	10,246.00		
			NS 378-17S		Miracle	166-570		
19.	1 EA.	DOUBLE DECK, #166-543 Dark Blue Supports MFG & MODEL NO.:	1225.00	1225.00	1270.00	1270.00		
			NS 410S		Miracle	166-543		

CITY COUNCIL MINUTES - JUNE 4, 1986

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BID ABSTRACT & AWARD RECOMMENDATION

PAGE #5

BID #			THE TIBERTI CO.		WALT RANKIN & ASSO.			
BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
20.	1 EA.	CURVED CLIMBER, #166-842 MFG & MODEL NO.:	325.00 NS 440	325.00	313.00 Miracle	313.00 166-842		
21.	1 EA.	CHAIN LADDER, #166-835 MFG & MODEL NO.:	250.00 NS 454	250.00	246.00 Miracle	246.00 166-835		
22.	2 EA.	FOUR DECK SYSTEM, #166-534 Charcoal - Brown Supports MFG & MODEL NO.:	2360.00 NS 420	4720.00 MS	2461.00 Miracle	4922.00 166-534		
23.	1 EA.	TUBE SLIDE, #166-839, Brn. MFG & MODEL NO.:	1510.00 Creative System w/ NS 442-230 UV Stabilized Orange Polyw/Blue poly Panel	1510.00	1437.00 Miracle	1437.00 166-839		
24.	2 EA.	HORIZONTAL LADDER, #166-821 1 - Brown 1 - Charcoal MFG & MODEL NO.:	525.00 NS 457	1050.00 S	565.00 Miracle	1130.00 166-821		

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 6

BID TITLE: REPLACEMENT PLAYGROUND EQUIPMENT

BID BOND REQD:

EST: \$ 62,000.00

BID #: 86,2600,4

INV. SENT: 12

BID OPENED: MARCH 25, 1986

BUYER: PELLO

THE TIBERTI CO.
1806 Industrial
Las Vegas, NV
89114

LIC#: 1128

WALT RANKIN & ASSO.
Box 2156
LaMesa, CA 92041

LIC#: NONE

LIC#:

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
25.	1 EA.	TRAILBLAZER SLIDE, #106, Burgundy MFG & MODEL NO.:	1051.00	1051.00	1280.00	1280.00		
		Burke 508S w/ST-1 Canopy			Miracle	106		
26.	1 EA.	PONY SWING, #203, Charcoal/Burgundy MFG & MODEL NO.:	1030.00	1030.00	919.00	919.00		
		Playworld Systems SA 31			Miracle	203		
27.	1 EA.	SLIDE, Roto Mold, #166-874, Beige MFG & MODEL NO.:	510.00	510.00	300.00	300.00		
		NS 442-M UV Stabilized Poly Tube w/ Open Chute			Miracle	166-874		
28.	1 EA.	DECK SYSTEM, #166-550 Charcoal Supports - Burgundy & Charcoal Panels MFG & MODEL NO.:	1085.00	1085.00	1132.00	1132.00		
		NS 410-104S			Miracle	166-550		
29.	1 EA.	SLIDE, 10' Wood Grain, #166-812 Burgundy MFG & MODEL NO.:	730.00	730.00	724.00	724.00		
		Burke 10MSC SS Slide w/Nat Structures Powder coated steel canopy			Miracle	166-812		
		TOTAL:		58,008.00		61,169.00		
		DELIVERY CAN BE COMPLETED WITHIN						
		CALENDAR DAYS after RECEIPT OF N.T.P.	6-8 Weeks		30-45 Days			

To: Chris Stanfill, Parks Please review and furnish recommendation prior to April 3 for Commission award on April 16, 1986
Joyce Stein at Tiberti can provide you with any additional info. you may need in your evaluation.

Purchasing and Contracts Date
Charlene M. Pello 3-27-86

To: Purchasing and Contracts

Recommend Miracle (Walt Rankin & Assoc.)
4/24/86
Department Signature Date

CITY COUNCIL MINUTES - JUNE 4, 1986

000126

PURCHASE REQUEST

CITY COUNCIL MINUTES - JUNE 4, 1986

000127

SHIP TO:

CHRIS J. STANFILL, DIRECTOR
PARKS, RECREATION & SENIOR
CITIZENS ACTIVITIES
749 VETERANS MEMORIAL DRIVE
LAS VEGAS, NEVADA 89101

REQ. NO. 2610-2612
P.O. NO.

REQ. DATE JANUARY 22, 1986

ESTIMATES FROM:

☐ FORMER P.O. No. DATE

☐ PURCHASING & CONTRACTS

☒ OTHER (SPECIFY) WALT RANKIN & ASSOC., INC.

FUNDING:

☐ UNBUDGETED ☒ BUDGETED

REQUESTING DEPT. EST. PAGE OBJECT CODE

TERMS BUYER DELIVERY REQUIRED 3/31/86

REQUESTING DEPT/DIV

PRSCA - ADMIN

JUSTIFICATION FOR PURCHASE

Playground Replacement

Muscle Equipment - Steelville

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
2	EA.	166-546 TRI-DECK SYSTEM - 1-DARK BLUE, 1-BROWN		
3	EA.	166-817 TORNADO SLIDE -		
1	EA.	166-845 TORNADO SLIDE		
2	EA.	166-801 10' WAVE SLIDE		
5.13	EA.	166-801 12' WAVE SLIDE		
106.48	EA.	166-816 ENCLOSURE PANELS		
12.4	EA.	166-809 SLIDING POLES		
8.1	EA.	166-809 CLIMBING POLE		
1	EA.	166-808 CLIMBING POLE		
10.1	EA.	166-807-5 CLIMBING ROPE		
12.1	EA.	166-807 ROPE CLIMBER		
13.1	EA.	166-813 ROPE CLIMBER		
14.3	EA.	166-803 STAIRS		
15.2	EA.	166-830 STAIRS		
16.2	EA.	166-855 4 X 6 REDWOOD BRIDGE		
17.23	EA.	166-544 DOUBLE DECK SYSTEM		
18.4	EA.	166-840 "L" SLIDE		
19.1	EA.	166-841 "S" SLIDE		
20.1	EA.	166-805 CHAIN LADDER		
21.2	EA.	166-570 STEELVILLE PLAYSTRUCTURE		
22.1	EA.	166-543 DOUBLE DECK		
23.1	EA.	166-842 CURVED CLIMBER		
24.1	EA.	166-835 CHAIN LADDER		
25.2	EA.	166-534 FOUR DECK SYSTEM		
26.1	EA.	166-839 TUBE SLIDE		
27.1	EA.	166-821 HORIZONTAL SLIDE		
28.12	EA.	166-821 HORIZONTAL LADDER		

(CONTINUED - PAGE 2)

VENDORS CONTACTED

14ea Jayce, Freedom, Lenzi, Lyons

LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL
1	5101	8040			WU6321	\$62,000

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

DEPT./DIV. HEAD
Elyne Saly
1/22/86
DATE
FINANCE
Elyne Saly for RV
1/23/86
DATE
BUDGET & MANAGEMENT
1-27
DATE
DEPUTY CITY MANAGER

PURCHASING & CONTRACTS

DATE

PURCHASE REQUEST

CITY COUNCIL MINUTES - JUNE 4, 1986

000128

SHIP TO:

CHRIS J. STANFILL, DIRECTOR
PARKS, RECREATION & SENIOR
CITIZENS ACTIVITIES
749 VETERANS MEMORIAL DRIVE
LAS VEGAS, NEVADA 89101

REQ. NO.

P.O. NO.

2610-2619

REQ. DATE

JANUARY 22, 1986

ESTIMATES FROM:

☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☒ OTHER (SPECIFY) **WALT RANKIN & ASSOC., INC.**

FUNDING:

☐ UNBUDGETED ☒ BUDGETED

PAGE _____ OBJECT CODE _____

REQUESTING DEPT. EST. _____

NOT TO EXCEED **62,000**

REQUESTING DEPT/DIV

PRSCA - ADMIN.

F.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

3/31/86

JUSTIFICATION FOR PURCHASE

Playground Replacement

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
PAGE 2				
29 1	EA.	106 TRAILBLAZER SLIDE		
29 1	EA.	203 PONY SWING		
30 1	EA.	166-874 ROTO MOLD SLIDE		
31 1	EA.	166-550 DECK SYSTEM		
3 1	EA.	166-812 10' WOOD GRAIN SLIDE		
3 1	EA.	166-841 "L" SLIDE ?		
FOR SPECIFICATIONS AND COLOR SCHEDULE, SEE ATTACHMENTS				

City of Las Vegas

000129

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

3. <u>BID TITLE:</u>	ONE (1) ARTICULATED, INSULATED, AERIAL LIFT BOOM TRUCK	<u>BID NUMBER:</u>	86.3460.6
<u>ITEM:</u>	CAPITAL EQUIPMENT	<u>ESTIMATE:</u>	\$40,000.00
<u>DEPARTMENT:</u>	GENERAL SERVICES	<u>INVITATIONS MAILED:</u>	27
<u>FUNDING:</u>	AUTOMOTIVE SERVICES	<u>RESPONSES RECEIVED:</u>	4

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO CONTINUE THE 1985/1986 VEHICLE REPLACEMENT PROGRAM AND WILL REPLACE UNIT NUMBER 58, A 1976 CHEVROLET BOOM TRUCK WITH 135,000 MILES, WHICH IS BEYOND ECONOMICAL REPAIR AND WILL BE DISPOSED OF AT PUBLIC AUCTION IN THE NEAR FUTURE. THE REPLACEMENT VEHICLE IS A MORE STANDARD VEHICLE WHICH DOES NOT REQUIRE THE ENGINE TO BE RUNNING AT IDLE OVER LONG PERIODS OF TIME IN ORDER TO OPERATE THE AERIAL LIFT. THE CONFIGURATION OF THE HYDRAULIC SYSTEM ON THE REPLACEMENT TRUCK WILL ALLOW EXTENDED USE OF THE NEW VEHICLE WITHOUT HAVING TO RUN THE TRUCK ENGINE AT IDLE.

BID ABSTRACT SUMMARY

W. H. PINGREE	SALT LAKE CITY	UT	\$27,890.00
AMERICAN EQUIPMENT COMPANY	LAS VEGAS	NV	\$28,804.00
GAUDIN FORD	LAS VEGAS	NV	\$29,415.00
UTILITY TRAILER SALES	PHOENIX	AZ	\$31,046.40

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

W. H. PINGREE	SALT LAKE CITY	UT	\$27,890.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE IN THE AUTOMOTIVE SERVICES FUND.

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION A PAGE 3
IV (f)

CITY OF LAS VEGAS

Date

000130

May 22, 1986

INTER-OFFICE MEMORANDUM

TO:

John Greigo
Chief, Vehicle Services

FROM:

George Ferris
George Ferris
Chief, Electrical Division

SUBJECT:

Justification for Replacement
of Truck #58

COPIES TO:

Richard Goecke

Truck #58 was purchased in 1976 to be used as the second wash truck for streetlight luminaires under the proposed city/county merger which did not materialize. Since that time the truck has been utilized daily as a regular boom vehicle for the repair of streetlights. The vehicle has an enclosed body on a 2½ ton chassis and is very cumbersome for this assignment. There is also in excess of 130,000 miles on the odometer. Standing time of a boom vehicle with the boom in the air and the engine running essentially doubles the odometer mileage and truck usage.

The replacement boom vehicle requested is a one ton light duty truck without outriggers that will require less setup time, provide better fuel economy, cost at least one-third less than a matching replacement and will improve response time.

Therefore replacement of Truck #58 is recommended by the Electrical Division at this time.

GFF:wb

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1

BID TITLE: ONE (1) EACH ARTICULATED, INSULATED, AERIAL LIFT BOOM TRUCK BID # 86.3460.6			W.H. PINGREE CO. 2085 W. Indiana Ave. SLC, UT 84126		AMERICAN EQUIP. CO. 5915 S. Industrial Las Vegas, NV 89118		GAUDIN FORD 2121 E. Sahara Ave. Las Vegas, NV 89125	
DELABARRE								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	1 Ea.	TRUCK, Articulated, Insulated, Aerial Lift Boom.		27,890.00		28,804.00		29,415.00
		TOTAL:		27,890.00		28,804.00		29,415.00
		TRUCK MFG. MODEL GVWR	FORD / 11,000#	F-350 /	FORD / 11,000 lbs.	F-370 /	FORD / 11,000	F-37 /
		TRANSMISSION MFG. MODEL	BORG-WARNER / C-6		FORD / C-6		FORD / C-6	
		UTILITY BODY MFG. MODEL	KNAPHEIDE MFG. CO. 6108D		STAHL 108VDL		STAHL 108VVD	
		AERIAL LIFT MFG MODEL	TIME MFG. CO. / VERSALIFT - VN-32-BI		DURNELL INDUSTRIES DFSL - 36		DURNELL INDUSTRIES DFSL - 36	
		FIBEROPTIC HYDRAULIC AERIAL LIFT CONTROL TYPE	HYDRAULIC		HYDRAULIC		HYDRAULIC	
		DELIVERY OF THIS TRUCK (COMPLETE) SHALL BE COMPLETED WITHIN CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.	90-105 Days		90 Days *FOR OPTIONAL FIBEROP- TIC CONTROL ILO HY- DRAULIC ADD 3,876.85		120 Days	
		ACKNOWLEDGE ADDENDUMS 1-3	YES		YES		YES	
		CITY BUSINESS LIC.	010-00007-5-028076		T10-690-6-05744		A16-014-1-00544	

CITY COUNCIL MINUTES - JUNE 4, 1986

000131

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 2

BID TITLE: ONE (1) EACH ARTICULATED, INSULATED,
AERIAL LIFT BOOM TRUCK

BID BOND REQD: EST: \$ 40,000.00

BID #: 86.3460.6 INV. SENT: 27

BID OPENED: May 13, 1986 BUYER: DELABARRE

UTILITY TRAILER SALES
1402 N. 22nd Av.e
Phoenix, AZ 85005

LIC#: NONE

LIC#:

LIC#:

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	1 Ea.	TRUCK, Articulated, Insulated, Aerial Lift Boom.		31,046.40				
		TOTAL:		31,046.40				
		TRUCK MFG. MODEL GVWR	FORD / 11,000 lbs.	F-350 /				
		TRANSMISSION MFG. MODEL	FORD C-6					
		UTILITY BODY MFG. MODEL	HARBOR					
		AERIAL LIFT MFG. MODEL	2040108VCLT LIFT ALL / LAH-32					
		FIBEROPTIC HYDRAULIC AERIAL LIFT CONTROL TYPE	HYDRAULIC					
		DELIVERY OF THIS TRUCK (COMPLETE) SHALL BE COMPLETED WITHIN CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.	90-120 Days					
		ACKNOWLEDGE ADDENDUMS 1-3	YES					
		NO BIDS: WHEELER SALES, DIVERSIFIED EQUIP., LIFT-A-LOFT CORP., FAIRWAY chev., REUTER EQUIP. CO.						

To: VEHICLE SERVICES. Please review and furnish recommendation
prior to 5/20/86 for Commission award on 6/4/86

R. K. Delabarre 5/15/86
Purchasing and Contracts Date
R. K. DELABARRE

To: Purchasing and Contracts.

John A. King Low Bid 5-16-86
Department/Division Signature Date

CITY COUNCIL MINUTES - JUNE 4, 1986

000132

PURCHASE REQUEST

CITY COUNCIL MINUTES - JUNE 4, 1986

86-346

000133

SHIP TO:

John A. Griego, Chief,
Vehicle Services
3100 E Bonanza Rd #B
Las Vegas NV 89101

3/17/86

REQ. NO. 86-3462-6298

P.O. NO.

REQ. DATE Feb. 24, 1986

ESTIMATES FROM:

- ☐ FORMER P.D. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY) _____

FUNDING:

☐ UNBUDGETED ☒ BUDGETED

PAGE _____ OBJECT CODE _____

REQUESTING DEPT. EST. 40,000. NOT TO EXCEED 42,000.

REQUESTING DEPT/DIV

Vehicle Services

F.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

ASAP

JUSTIFICATION FOR PURCHASE

1985-86 Replacement Program

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
1	EA	Boom Truck (Dur-A-Lift DFSL-36 Articulated insulated Aerial Lift) (Per attached specs.)	estimate	40,000.00

VERIFIED

Gen Servs Automotive Service - Internal Services Fund

DATE 3/5/86 APPROVED BY: Fred James

VENDORS CONTACTED

CONSTRUCTION CONTRACT						
SUPPLY CONTRACT						
FORMAL BID						
SINGLE SOURCE						
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL
1	3480	8040				40,000.00

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE

John A. Griego 2-21-86
DEPT. DIV. HEAD
Evelyn Salts 3/1/86
FINANCE
Fred James 3-5-86
BUDGET & MANAGEMENT
Deputy City Manager 3-13-86
DATE

PURCHASING & CONTRACTS

DATE

City of Las Vegas

000134

AGENDA DOCUMENTATION

Date: MAY 29, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

4. <u>BID TITLE:</u>	RENOVATION OF CITY OF LAS VEGAS MUNICIPAL COURT	<u>BID NUMBER:</u>	86.0850.4
<u>ITEM:</u>	CAPITAL IMPROVEMENT	<u>ESTIMATE:</u>	\$40,000.00
<u>DEPARTMENT:</u>	DESIGN AND DEVELOPMENT	<u>INVITATIONS MAILED:</u>	37
<u>FUNDING:</u>	CAPITAL PROJECTS FUND	<u>RESPONSES RECEIVED:</u>	2

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE FOR THE RENOVATION OF THE BUSINESS AREA WITHIN THE MUNICIPAL COURT. THE MAJORITY OF THE RENOVATION WILL ENCOMPASS THE FRONT COUNTER AREA THAT IS USED FOR PUBLIC ACCESS TO THE MUNICIPAL COURT.

BID ABSTRACT SUMMARY

ROMAR CONSTRUCTION	LAS VEGAS	NV	\$39,950.00
BEN CASS CONSTRUCTION	LAS VEGAS	NV	\$45,200.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

ROMAR CONSTRUCTION	LAS VEGAS	NV	\$39,950.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE IN THE CAPITAL PROJECTS FUND.

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION A PAGE 4
IV (f)

BID ABSTRACT & AWARD RECOMMENDATION

PAGE #1

BID TITLE: RENOVATION OF CITY OF LAS VEGAS MUNICIPAL COURT BID BOND REQD: YES BID #: 86.0850.4 BID OPENED: MAY 28, 1986 EST: \$ INV. SENT: 36 BUYER: DELABARRE			ROMAR CONSTRUCTION SCS. 421 Marion Drive Las Vegas, NV 89110 LIC#: C11020012030089		BEN CASS CONSTRUCTION 4320 W. Arby Avenue Las Vegas, NV 89118 LIC#: C11U75226381		LIC#:	
ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	LUMP SUM	RENOVATION OF MUNICIPAL COURT		\$39,950.00		\$45,200.00		
		TOTAL:		\$39,950.00		\$45,200.00		
		<u>SUBCONTRACTORS</u>						
		GLASS:						
		AIR CONDITION:						
		CARPET & TILE:						
		CABINETRY:						
		DEMOUNTABLE WALL:						
		ACCOUSTIC:						
		<u>MINORITY CONTRACTORS</u>						
		STATE CONTRACTOR'S LICENSE NO.:						
		STATE CONTRACTOR'S CLASSIFICATION:						
		ACKNOWLEDGE ADDENDUM #1:						
		DOES/DOES NOT INTEND TO COMPLETE THE PROJECT SOONER THAN THE TIME ALLOTTED IN THE BID DOCUMENTS.						
		LIMITATION: \$50,000.00						
		STATE CONTRACTOR'S LICENSE BOARD CALLED: 5/28/86						
		WHO : GRACIE						
		IS/IS NOT LICENSE OK: IS						
		VERIFIED BY: R.K. Delabarre						

 To: **DESIGN AND DEVELOPMENT** Please review and furnish recommendation

prior to 5/29/86 for Commission award on 6/4/86

 R.K. Delabarre
 Purchasing and Contracts

 5/28/86
 Date

R. K. DELABARRE

To: Purchasing and Contracts.

 Award low bidder.
 R.K. Delabarre 5-28-86
 Department/Division Signature Date

000135

000136

Ed
CITY OF LAS VEGAS

Date

April 30, 1986

INTER-OFFICE MEMORANDUM

TO: Randy Walker, Deputy City Manager	FROM: Jan Tait, <i>Jan Tait</i> Court Administrator Municipal Court
SUBJECT: CONSTRUCTION SCHEDULE: MUNICIPAL COURT	COPIES TO: Dan Pilkington Tom Graham Ron Ruegge Leslie Doak FILE <i>Ed Park</i>

As you may know, the reconstruction process for the Business Office of Municipal Court is proceeding well. We have received excellent support from all involved, including Design & Development and Purchasing & Contracts.

We have, however, a new twist on things: the upcoming national conference of Court Administrators to be held here in Las Vegas in August (8/4 - 8/8). There will be over 300 Court Administrators and Judges from around the country and already we have been contacted by some requesting tours of Municipal Court while they are here.

This will be an excellent opportunity to showcase some of the innovations the Court has made, including the video arraignment system and the automated system. In preparation, we are putting together monographs describing these and revising the videotape on the arraignment system.

If possible, we would really like to have the reconstruction of the Business Office well along by that time, particularly the front counter area. Although this would be a tight schedule, if we operate very efficiently and have a little luck, we might be able to do it. We need, however, your support and a great deal of cooperation from Purchasing & Contracts. The following schedule could put us on target:

Friday, 5/9	Original bid documents to Purchasing no later than 12 noon (multiple copies of construction drawings)
Monday, 5/12	Telephone bidders to come in to pick up pre-bid packages (bid packages ready)
Monday, 5/19	Pre-bid conference
Friday, 5/23	Preliminary agenda materials prepared
Wednesday, 5/28	Bid opening
Wednesday, 6/4	Bid award presented to City Council
Monday, 6/16	Construction begins
Friday, 8/1	Construction completed (6 weeks total construction time)

Naturally, a schedule like this requires full attention and cooperation, and it is always possible that external forces would upset the timetable (e.g., the bids come in too high). Still, I would like to try to shoot

for having the work completed, as the benefit to the City and the Court would be substantial.

JT:kg

PURCHASE REQUEST

DUPLICATE

SHIP TO:

MUNICIPAL COURT 000139
 400 E. Stewart Avenue
 Las Vegas, NV 89101

REQ. NO. 0300-2128 2/5 P.O. NO.

REQ. DATE 3-28-86

ESTIMATES FROM:

- ☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☒ OTHER (SPECIFY) Design and Development

FUNDING:

☐ UNBUDGETED ☒ BUDGETED 3,501 PAGE 0,601 CODE

REQUESTING DEPT. EST. 14,118 NOT TO EXCEED 14,118

REQUESTING DEPT/DIV

P.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

MUNICIPAL COURT
 JUSTIFICATION FOR PURCHASE

Phase I Construction - Court Renovation

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
		Demolition and Construction of demountable walls in back portion of office	\$14,118	\$14,118
		FUNDS FROM FY 1985-86		
		Contribution from General Fund	3,501	3,501
				\$17,619

FUNDING VERIFIED

SOURCE: Capital Projects Fund

DATE: 5/8/86 APPROVED BY: Nancy L. Youngblood

VENDORS CONTACTED

CONSTRUCTION CONTRACT						VERBAL QUOTE	
SUPPLY CONTRACT						INFORMAL BID	
FORMAL BID						SOLE SOURCE	
SINGLE SOURCE						COMPETITIVE	
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL	
1	5021	6300			6340		
		8020					
		2 B.					

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

[Signature]
 DEPT. CITY HEAD
 FINANCE
[Signature]
 BUDGET & MANAGEMENT
[Signature]
 DEPUTY CITY MANAGER

5/9/86
 DATE
 5/9/86
 DATE
 5/9/86
 DATE
 5/9/86
 DATE

City of Las Vegas

AGENDA DOCUMENTATION

000140

Date: MAY 29, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*A. AWARD OF BIDS

5. <u>BID TITLE:</u>	DOWNTOWN TRANSPORTATION CENTER OFFSITE IMPROVEMENTS- PEDESTRIAN MALL	<u>BID NUMBER:</u>	86.1715.14
<u>ITEM:</u>	CAPITAL IMPROVEMENT	<u>ESTIMATE:</u>	\$1,074,908.00
<u>DEPARTMENT:</u>	PUBLIC WORKS	<u>INVITATIONS MAILED:</u>	29
<u>FUNDING:</u>	GAS TAX, PARKING FUND, AND REVENUE SHARING	<u>RESPONSES RECEIVED:</u>	2

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO CONSTRUCT THE PEDESTRIAN MALL PROJECT IN CONNECTION WITH THE DOWNTOWN TRANSPORTATION CENTER.

BID ABSTRACT SUMMARY

*F.K.C. INCORPORATED	HENDERSON	NV	\$1,252,763.00
LAS VEGAS PAVING CORPORATION	LAS VEGAS	NV	\$1,291,897.00

*DID NOT HAVE THE PROPER STATE CONTRACTOR'S LICENSE AT TIME OF BID OPENING, PER N.R.S. 338

RECOMMENDATION

THAT THE BID OF F.K.C., INCORPORATED, HENDERSON, NV, BE REJECTED FOR FAILURE TO BE PROPERLY LICENSED BY THE NEVADA STATE CONTRACTOR'S BOARD AT THE TIME OF BID OPENING.

AND

THAT THE COUNCIL CONSIDER WHETHER TO (1) AWARD TO LAS VEGAS PAVING CORPORATION BASED UPON LAS VEGAS PAVING CORPORATION'S LETTER OF MAY 29, 1986, REDUCING THEIR TOTAL BID TO \$1,252,763.00, OR (11) REJECT LAS VEGAS PAVING CORPORATION'S BID AS BEING IN EXCESS OF THE ENGINEER'S ESTIMATE AND DIRECT STAFF TO REBID THE PROJECT.

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE FROM THE GAS TAX, PARKING FUND, AND REVENUE SHARING.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INDICATED THAT THIS ITEM IS IN ORDER.

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

Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION A PAGE 5
IV (f)

000141

General Engineering
Contractors
Since 1958



1270 Industrial Road
Las Vegas, Nevada 89101
(702) 84-9040

May 29, 1986

Mr. Ed Park
City of Las Vegas
400 E. Stewart
Las Vegas, Nevada 89101

RE: BID NO. 86.1715.14 DOWNTOWN TRANSPORTATION CENTER
OFFSITE IMPROVEMENTS - PEDESTRIAL MALL PROJECT

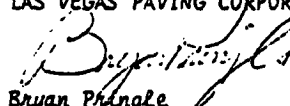
Gentlemen:

Regarding the above referenced project, please be advised that we are willing to reduce our bid by \$39,134.00 so there is no additional cost to the City in awarding this project. This reduction is based on the award of the 1,252,763.00 combination of bid schedules only. This action is based on the City's request to us for a reduction in our price.

Our bid meets all the requirements of the special conditions and now meets the dollar value of the bid to F.K.C. that you were considering for award until it was rejected.

If you should require any additional information, please contact me at the above telephone number.

Sincerely,
LAS VEGAS PAVING CORPORATION


Bryan Phangle
Estimator

BP/je

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1

BID TITLE: DOWNTOWN TRANSPORTATION CENTER OFFSITE IMPROVEMENTS - PEDESTRIAN MALL PROJECT BID # 86.1715.14			F.K.C., INC. P.O. Box 1040 Henderson, NV 89015		LAS VEGAS PAVING CORP. 1770 Industrial Rd. Las Vegas, NV 89102			
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	L.S.	BID GROUP E-UNDERGROUND ELECTRICAL		74,390.05		74,500.00		
2.	L.S.	BID GROUP I-STEWART AVE. RESURFACING		298,101.05		330,000.00		
3.	L.S.	BID GROUP I-ADDITIVE ITEM 1 OPEN GRADED PAINT MIX		49,345.47		20,372.14		
4.	L.S.	BID GROUP II-DOWNTOWN VALLEY GUTTERS/WHEELCHAIR RAMPS		113,851.27		109,008.90		
5.	L.S.	BID GROUP III-BUS LANE MESQUITE AVE. IMPROVEMENTS		170,665.06		168,345.75		
6.	L.S.	BID GROUP IV-PEDESTRIAN MALL		141,718.93		164,173.25		
7.	L.S.	BID GROUP V-BUS LANE MEDIAN ISLAND/SANITARY SEWER		37,122.58		46,665.00		
8.	L.S.	BID GROUP VI-CASINO CENTER/STEWART AVE INTERSECTIONS-PAVERS		93,245.45		101,734.00		
9.	L.S.	BID GROUP VI-ADDITIVE ITEM 1 CASINO CENTER PAVER SIDEWALK		31,958.21		34,975.50		
10.	L.S.	BID GROUP VI-ADDITIVE ITEM 2 DICH PIP OPTION.		163.30		994.00		

CITY COUNCIL MINUTES - JUNE 4, 1986

000142

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 2

BID TITLE:			F.K.C.		LAS VEGAS PAVING CORP.			
BID # 86.1715.14								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
11.	L.S.	BID GROUP VII-TRAFFIC ISLAND MODIFICATION/VALLEY GUTTER		22,744.13		24,774.00		
12.	L.S.	BID GROUP VIII-STEWART AVE. (NORTH SIDE) SIDEWALK THIRD TO FOURTH- PAVERS		39,866.79		45,848.00		
13.	L.S.	BID GROUP IX-ABOVE GROUND ELECTRICAL		36,478.58		40,000.00		
14.	L.S.	BID GROUP X-GAZEBO & FURNISHING		72,105.00		62,505.00		
15.	L.S.	BID GROUP XA-GAZEBO & ALTERNATES		54,855.00		42,105.00		
16.	L.S.	BID GROUP XI-LANDSCAPING AND IRRIGATIONS		71,007.79		68,000.00		
17.	L.S.	BID GROUP XIA-PLANT MATERIAL ALTERNATES		69,000.00		65,000.00		
18.	L.S.	BID GROUP XII-STEEL GRIP OPTION		259,776.00		326,920.00		

CITY COUNCIL MINUTES - JUNE 4, 1986.

000143

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 3

BID TITLE: DOWNTOWN TRANSPORTATION CENTER OFFSITE
IMPROVEMENTS - PEDESTRIAN MALL PROJECT.
BID BOND REQ: EST: \$
BID #: 86.1715.14 INV. SENT:
BID OPENED: May 13, 1986 BUYER: DELABARR

F.K.C., INC.
P.O. Box 1040
Henderson, NV 89015

LIC#: C11-L26-2-21754

LAS VEGAS PAVING CORP.
1770 Industrial Rd.
Las Vegas, NV 89102

LIC#: C11633205436

LIC#:

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
		<u>SUBCONTRACTORS</u>						
		FLAGGING:	ALL STATE	FLAGGING	NONE LISTED			
		CONCRETE:	VALLEY CONSTRUCTION		VALLEY CONSTRUCTION			
		ELECTRICAL:	BONGBERG & WHITNEY		BONGBERG & WHITNEY			
		PAVING:	INDUSTRIAL CONSTRUCTION		TREMAC COMPANY			
		LANDSCAPING:	NONE LISTED		MEADOWS LANDSCAPE			
		BARRICADES:	NONE LISTED		SOUTHWEST ROADWAYS			
		<u>MINORITY CONTRACTORS</u>						
		LANDSCAPE:	SEDILLO LANDSCAPING		NONE LISTED			
		ELECTRICAL:	BEAVER CONSTRUCTION		DESERT CONSTRUCTION			
		FLAGGING:	ALL STATE	FLAGGING	MARTHA JOHNSON			
		ELECTRICAL:	BONGBERG & WHITNEY		VALLEY CONSTRUCTION			
		CONCRETE:	A.T.M. CONCRETE					
		STATE OF NV CONTRACTOR'S LIC NO.	0019451		5507			
		STATE OF NV CONTRACTOR'S CLASSIFICATION	A		AB			
		DOES OR DOES NOT INTEND TO COMPLETE PROJECT SOONER THAN THE ALLOTTED TIME IN THE BID DOCUMENTS.	NO		NO			
		ACKNOWLEDGE ADDENDUMS 1 & 2	YES		YES			

To: C. Malone
Please review and furnish recommendation
prior to 12:00 Noon
5/14/86
For submission based on 5-21-86
Purchasing and Contracts
Date

To: Purchasing and Contracts.
RECOMMEND AWARD TO F.K.C., INC. FOR BID GROUPS E, I, ADD. ITEM 1, II, III, IV, V, VI, ADD. ITEM 1, ADD. ITEM 2, VII, VIII, IX, X, and XI FOR A TOTAL OF \$1,252,763.66.

Signature/Initials
Date

000123

City of Las Vegas

000145

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO: The City Council

FROM: RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

1. <u>BID TITLE:</u>	C.C.T.V. MAINTENANCE	<u>BID NUMBER:</u>	84.9999.80
<u>ITEM:</u>	SERVICE	<u>ESTIMATE:</u>	\$18,000.00
<u>DEPARTMENT:</u>	DETENTION AND CORRECTIONAL SERVICES	<u>FUNDING:</u>	GENERAL

NEED FOR PURCHASE

THE NEED FOR THIS SERVICE STEMS FROM A REQUIREMENT TO KEEP HIGHLY SOPHISTICATED ELECTRONIC EQUIPMENT IN WORKING ORDER TO CONTROL THE INMATE POPULATION AT BOTH OF THE CITY'S MISDEMEANANT FACILITIES. THIS 24 HOURS A DAY, 365 DAYS A YEAR MAINTENANCE CONTRACT CAN BE PRIVATELY PERFORMED AT A MUCH LOWER COST THAN THE CITY COULD.

CONTRACT EXTENSION

ELECTRONIC SPECIALISTS, INC. HAS AGREED TO EXTEND THIS CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTHS FROM JULY 1, 1986, THROUGH JUNE 30, 1987 AT THE EXISTING CONTRACT PRICES AND TERMS. THIS EXTENSION WILL AFFORD THE CITY CONTINUED SERVICE THROUGH JUNE 30, 1986 AT 1984 PRICES WITH AN ESTABLISHED REPUTABLE CONTRACTOR.

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

ELECTRONIC SPECIALISTS, INC.	LAS VEGAS	NV	\$15,132.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 86-87. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION B PAGE 1
IV (f)

City of Las Vegas

000148

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*B. AWARD OF ANNUAL CONTRACTS AND AGREEMENTS

2. <u>BID TITLE:</u>	LIQUID ALUMINUM SULFATE	<u>BID NUMBER:</u>	87.JUL.7
<u>ITEM:</u>	EXPENDABLE CHEMICALS	<u>ESTIMATE:</u>	\$958,440.00
<u>DEPARTMENT:</u>	PUBLIC WORKS	<u>INVITATIONS MAILED:</u>	52
<u>FUNDING:</u>	SANITATION	<u>RESPONSES RECEIVED:</u>	3

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE A CHEMICAL TO CAPTURE SUSPENDED SOLIDS IN WASTEWATER. THE REDUCTION OF SOLIDS IS NECESSARY TO MEET DAILY DISCHARGE REQUIREMENTS ESTABLISHED BY THE NEVADA STATE WATER QUALITY BOARD AND THE FEDERAL GOVERNMENT. FAILURE TO MEET THOSE STANDARDS WILL SUBJECT THE CITY TO A \$10,000.00 A DAY FINE.

BID ABSTRACT SUMMARY

STAUFFER CHEMICAL	SOUTH GATE	CA	\$ 794,370.00
THATCHER CHEMICAL	SALT LAKE CITY	UT	\$ 867,000.00
ALLIED CORPORATION	MORRISTOWN	NJ	\$1,061,100.00

STAFF RECOMMENDATION OF AWARDTHAT THE LOW BID BE AWARDED TO:

STAUFFER CHEMICAL	SOUTH GATE	CA	\$ 794,370.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 86-87. FUNDS ARE AVAILABLE IN THE SANITATION FUND.

RECOMMENDATIONS

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

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


Dan R. Pilkington, Director
Department of General Services

Agenda Item

SECTION B PAGE 2
IV (f)

BID ABSTRACT & AWARD RECOMMENDATION

PAGE #1

BID TITLE: ANNUAL LIQUID ALUMINUM SULFATE CONTRACT

BID BOND REQD: YES

EST: \$

BID #: 87.JUL.7

INV. SENT:

BID OPENED: MAY 20, 1986

BUYER: PARK

STAUFFER CHEMICAL
4570 Ardine Street
South Gate, CA 90280

LIC#: NONE LISTED

THATCHER CHEMICAL CO.
1900 Fortune Road
Salt Lake City, UT

LIC#: NONE LISTED

ALLIED CORP.
Chemical Sector
P.O. Box 1274R
Morristown, NJ 07960
LIC# 0-193894-04-99

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	3,000,000 GALLONS	ALUMINUM SULFATE, Liquid Per Technical Specifications (Approximately 250,000 Gallons A Month)	.26479	\$794,370.00	.289	\$867,000.00	0.3537	\$1,061,100.00
		TOTAL:		\$794,370.00		\$867,000.00		\$1,061,100.00
		MANUFACTURER:	STAUFFER CHEMICAL		THATCHER CHEMICAL CO.		ALLIED CORPORATION	
		ACKNOWLEDGE ADDENDUMS 1 & 2	YES		YES		YES	
		NO BIDS:	STAUFFER CHEMICAL		THATCHER CHEMICALS		ALLIED CORPORATION	
		KNIGHTS QUALITY CHEMICALS	"Price equates to		"Figures based on		"Price equates to \$131.00	
		BRODY INDUSTRIES	\$102.00 per ton		AWMA Specifications of		per dry ton	
		GREAT WESTERN CHEMICAL CO.	Basis 17% Al ₂ O ₃ "		not less than 8.0%		Basis 17% Al ₂ O ₃ "	
		JONES CHEMICALS, INC.			Al ₂ O ₃ "			
		TARGET CHEMICALS						

CITY COUNCIL MINUTES - JUNE 4, 1986

To: Tom McCaffrey Please review and furnish recommendation

prior 12:00 noon for Commission award on 6-4-86

5-22-86
James E. Hall 5-22-86
Purchasing and Contracts Date

To: Purchasing and Contracts.

Recommend award to lowest bidder, Stauffer Chemical.

[Signature] 5-22-86
Department/Division Signature Date

000147

PURCHASE REQUEST

P&C TO OBTAIN PRICE & VENDOR THROUGH FORMAL BID.

SHIP TO:

Lou Anton
~~Wastewater Treatment Plant~~
 Vegas Valley Drive
 Las Vegas, NV 89122

 RES. NO. 000148 P.O. NO. 110-1772

 REQ. DATE April 25, 1986

ESTIMATES FROM:

☒ FORMER P.O. No. A-1268 DATE _____
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY) _____

FUNDING:

☐ UNBUDGETED ☒ BUDGETED 1986-87 Budget

 REQUESTING DEPT. EST. 958,440 NOT TO EXCEED _____

REQUESTING DEPARTMENT

Public Works/Sanitation

F.O.B. POINT

Las Vegas WWP

TERMS

BUYER

DELIVERY REQUIRED

July 1, 1986

JUSTIFICATION FOR PURCHASE

Liquid chemical required for phosphorous removal mandated by Consent Decree

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL

Furnish all labor, materials and supplies necessary for the delivery of Annual Liquid Aluminum Sulfate Contract, July 1, 1986 through June 30, 1987, all in strict accordance with terms, conditions, and specifications of Formal Bid # _____.

3,000,000 gals.

ALUMINUM SULFATE, Liquid, per Technical Specifications. (Approx. 250,000 gallons per month).

FUNDING VERIFIED

SOURCE: Funds are available in the Sanitation Fund

DATE: 5/1/86 APPROVED BY: Tony M. Anderson

VENDORS CONTACTED

CITY MANAGER

CONSTRUCTION CONTRACT		VERBAL QUOTE	
SUEPLY CONTRACT		INFORMAL BID	
FORMAL BID		SOLE SOURCE	
SINGLE SOURCE		COMPETITIVE	
1	7112	5110	966
			EAQ102

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

[Signature] 4/25/86
 DEPT. HEAD
[Signature] 5/7/86
 DEPT. HEAD
 Tony M. Anderson 5/1/86
 BUDGET & MANAGEMENT
[Signature] 5/13/86
 DEPUTY CITY MANAGER

PURCHASING & CONTRACTS

DATE

City of Las Vegas

000149

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

1. <u>ITEM:</u>	SERVICE	<u>PURCHASE REQUEST:</u>	7110-1775
<u>DESCRIPTION:</u>	DISPOSAL OF SLUDGE AT SANITARY LANDFILL	<u>FUNDING:</u>	SANITATION
<u>DEPARTMENT:</u>	PUBLIC WORKS	<u>ESTIMATE:</u>	\$22,000.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE A PLACE FOR THE DISPOSAL OF DRIED SLUDGE FROM THE CITY'S WASTEWATER TREATMENT PLANT AS AN INTERIM METHOD UNTIL BIDS CAN BE PREPARED FOR A PRIVATE CONTRACTOR DISPOSAL. SILVER STATE DISPOSAL IS A FRANCHISED SERVICE AND IS THEREFORE A SOLE SOURCE.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

SILVER STATE DISPOSAL SERVICE	LAS VEGAS	NV	\$21,450.00

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 86-87. FUNDS ARE AVAILABLE IN THE SANITATION FUND.

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION C PAGE 1
IV (f)

PURCHASE REQUEST

DUMPCO
Silver State Disposal Service
P.O. Box 15170
Las Vegas, NV 89114

Tom Isola
732-7761

SHIP TO: Lou Anton
Wastewater Treatment Plant

000150

5/16/86

REQ. NO. 713 P.O. NO. 7110-1775

REQ. DATE 5-5-86

ESTIMATES FROM:

☒ FORMER P.O. No. 49621 DATE Sept. 18, 1985
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY)

FUNDING: 85-86 & 86-87 Budget : 6110
☐ UNBUDGETED ☒ BUDGETED

REQUESTING DEPT. EST. 21,150.00 NOT TO EXCEED

REQUESTING DEPT/DIV

F.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

7100 Sanitation

ASAP

JUSTIFICATION FOR PURCHASE Health & Welfare. Whiting Bros ceased purchase of City sludge. Sludge must be disposed at Sunrise Landfill until a new purchaser can be found. * Sole Source.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
		Disposal of dried digested sludge from the City of Las Vegas Wastewater Treatment Plant at Sunrise Sanitary Landfill. Estimated: 2,145 loads @ \$10.00 per load = \$ 21,450.00 (City dump trucks - 5 cu. Yds. per load) * Price to be negotiated by P & C. REVENUE VERIFIED <u>Sanitation Fund</u> DATE: <u>5/17/86</u> APPROVED BY: <u>Tony M Anderson</u>		

VENDORS CONTACTED

CONSTRUCTION CONTRACT						
SUPPLY CONTRACT						
FORMAL BID						
SINGLE SOURCE						
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/WA	TOTAL
1	7112	6110	157		EA0102	

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

Elyse Salt 5-5-86
DEPT. HEAD DATE
Tony M Anderson 5/14/86
FINANCE DATE
Greg L. Burton 5/17/86
BUDGET & MANAGEMENT DATE
5-15-86
DEPUTY CITY MANAGER DATE

PURCHASING & CONTRACTS

DATE

City of Las Vegas

000151

Date: MAY 23, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
RANDALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENDA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

2. <u>ITEM:</u>	CAPITAL	<u>PURCHASE REQUEST:</u>	1770-2020
<u>DESCRIPTION:</u>	REPLACEMENT SIGN MATERIAL	<u>FUNDING:</u>	GENERAL FUND
<u>DEPARTMENT:</u>	PUBLIC WORKS	<u>ESTIMATE:</u>	\$9,000.00

NEED FOR PURCHASE

THIS PURCHASE IS NECESSARY TO PROVIDE REPLACEMENT SIGN MATERIAL FOR USE BY THE SIGN SHOP. BASED ON PAST EXPERIENCE, THE TRAFFIC ENGINEERING DIVISION HAS USED ONLY 3M SIGN MATERIAL, BECAUSE NO OTHER KNOWN MANUFACTURER HAS PLACED THEIR PRODUCT IN A DESERT ENVIRONMENT SUCH AS LAS VEGAS. THIS MATERIAL IS NEEDED TO SUSTAIN THE CITY'S ON-GOING PROGRAM OF STREET SIGN RENOVATION. STAFF WILL CONTINUE TO SEEK OUT, AND ATTEMPT TO ESTABLISH OTHER POSSIBLE SOURCES FOR THIS MATERIAL.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

3M COMPANY	ST. PAUL	MN	\$7,597.29

FISCAL IMPACT

FUNDS BUDGETED FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE IN THE GENERAL FUND.

RECOMMENDATIONS

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

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

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

Agenda Item

SECTION C PAGE 2
IV (f)

INTER-OFFICE MEMORANDUM

May 14, 1986 000152

TO:

J.E. PARK, DEPUTY DIRECTOR
DEPARTMENT OF GENERAL SERVICES

FROM:

RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

SUBJECT:

PURCHASE OF 3M MATERIALS

COPIES TO:

JOHN E. BARTELS, P.E.
GEORGE DAMMEIR

Traffic Engineering has ordered reflective sheeting and sign faces on Purchase Request #1770-2020. The materials specified on this request are that manufactured by the 3M Company.

There are companies other than 3M that make sheeting which pass the specifications contained in the Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County Area, however, the materials from these other companies have not been used in Southern Nevada and, therefore, we do not have a history to determine if their performance is acceptable. In addition, we have never been contacted by any other company selling these materials and do not have any catalogues or places to contact.

Due to the lack of use of other than 3M materials in Southern Nevada, Traffic Engineering recommends that the 3M Company be the sole source for this order. For future orders, we will contact other companies to determine if their products have been used successfully in the southwest desert and if so, will develop a bidder's list.

If you have any other questions regarding this matter, please feel free to contact John Bartels at x6327.

RDG:JEB:1e

May 9, 1986

000153

INTER-OFFICE MEMORANDUM

TO:

CHARLENE PELLO
PURCHASING & CONTRACTS

FROM:

GEORGE DAMMEIR
TRAFFIC SIGNAL SUPERVISOR

SUBJECT:

PURCHASE OF 3M MATERIALS

COPIES TO:

RICHARD D. GOECKE
JOHN E. BARTELS, P.E.

Traffic Engineering has ordered reflective sheeting, numbers, and sign faces using 3M Company code numbers. This material was ordered on Purchase Request #1770-2020. To the best of my knowledge, 3M Company is the only company that makes these materials meeting our specifications.

It was brought to my attention today, however, that there are two Japanese companies (names unknown) that have entered this field, but at this time, they have not called upon the City of Las Vegas.

GD:1e

*Superseded by Memo
dated 5/14/86
agellu*

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1

BID TITLE: REFLECTIVE SIGN MATERIAL			3M CO., 3 M CENTER TRAFFIC CONTROL MATERIALS DIV. ST. Paul, MN 55144					
BID # R.T.B. 1770-2020 PELLO								
ITEM	QTY.	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
1.	5 Rolls	SILVER SCOTCHLITE 2290, 24" x 50 Yds.	255.00	1,275.00				
2.	4 Rolls	GREEN SCOTCHLITE 2270, 6" x 50 Yds.	63.75	255.00				
3.	2 Rolls	WHITE SCOTCHCAL 3690, 24" x 50 Yds.	207.60	415.20				
4.	2 Rolls	WHITE SCOTCHCAL 650, 24" x 50 Yds.	296.40	592.80				
5.	3 Rolls	BLACK 2BR-9 3655, 5/8" x 50 Yds.	6.15	18.45				
6.	195 Pkg.	4" Die Cut Reflective Letters, Upper Case, Style "C", Heat Activated letters A-B-C-D-E-H-I-L- N-O-R-S-T #2290 White 15 Pkg. Each letter 25/pkg.	5.72	1,115.40				
7.	12 Pkg.	6" Die Cast Reflective Letters and numbers, Upper Case, Style "C", Heat Activated Letters and Numbers A-C-N-T-1-2 2 Pkg. Each letter #2290 White	19.37	232.44 (Alternate qty. 20 Pkgs at \$13.81/pkg.)				
8.	220 Pkg.	2" Die Cast Reflective Letters, Upper Case, Style "C" Heat Activated Letters A-E-I-L-N-Q-R-S-T-V-W 20 Pkg. each letter #2290 White 25/pkg/	2.48	545.60				

CITY COUNCIL MINUTES - JUNE 4, 1986

00015

CITY COUNCIL MINUTES - JUNE 4, 1986

000154

BID ABSTRACT & AWARD RECOMMENDATION

PAGE # 1 2

BID TITLE: REFLECTIVE SIGN MATERIAL

BID BOND REQD: EST: \$
 BID #: R.T.B. 1770-2020 INV. SENT: 1
 BID OPENED: May 1, 1986 BUYER: PELLO

3M CO. 3 M CENTER
 TRAFFIC CONTROL MATERIALS DIV.
 Bldg. 223-3N
 St. Paul, MN 55144
 LIC#:

LIC#:

LIC#:

ITEM	QTY	DESCRIPTION	U.P.	TOTAL	U.P.	TOTAL	U.P.	TOTAL
9.	100 Pkg.	2" Die Cast Reflective Letters, Upper Case, Style "C" Heat Activated Letter O #2290 White 25/pkg.	2.48	248.00				
10.	80 Pkg.	2" Die Cast Reflective Numbers, Upper Case, Style "C" Heat Activated Numbers 1-2-3-4- 20 Pkg. Each Number #2290 White 25/pkg.	2.48	198.40				
11.	200 Ea.	Stop Sign Face, Engineering Grade, 30" x 30", Stick-On Type R1-1	10.09	2,018.00				
12.	100 Ea.	Yield Sign Face; Engineering Grade, 36" x 36" x 36", Stick-On Type R1-2	6.83	683.00				
		TOTAL:		7,597.29				
		DELIVERY CAN BE MADE WITHIN CALENDAR DAYS AFTER RECEIPT OF PURCHASE ORDER.	20-40 Days					

To: George Dammeir, Tr. Engr. Please review and furnish recommendation
 prior to 5-8-86 for Commission award on 5-21-86

Charlene M. Pello
 Charlene M. Pello
 Purchasing and Contracts

5-5-86
 Date

To: Purchasing and Contracts. AWARD bid TO THE Apparent Low
 bidder 3M Company IN THE AMOUNT OF \$7597.29

[Signature]
 Department/Division Signature

5-4-86
 Date

CITY COUNCIL MINUTES - JUNE 4, 1986

000155

PURCHASE REQUEST

SHIP TO: George Danner
Sign Shop
3100 E. Bonanza Road
Las Vegas, Nevada 89101

000156

REQ. NO. 1770-2020 P.G. NO.
REQ. DATE 3/21/86

ESTIMATES FROM: ☐ FORMER P.O. No. _____ DATE _____ ☐ PURCHASING & CONTRACTS ☐ OTHER (SPECIFY) _____		FUNDING: ☐ UNBUDGETED ☒ BUDGETED REQUESTING DEPT. EST. \$9,000. NOT TO EXCEED \$11,000.	
REQUESTING DEPT/IV PUBLIC WORKS/TRAFFIC ENG.	F.O.B. POINT	TERMS	BUYER DELIVERY REQUIRED

Replacements

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
5	ROLLS	2290 Silver Scotchlite, 24" x 50 yards		
4	ROLLS	2270 Green Scotchlite, 6" x 50 yards		
2	ROLLS	3690 White Scotchlite, 24" x 50 yards		
2	ROLLS	650 White Scotchlite, 24" x 50 yards		
3	ROLLS	3655 Black 2BR-9, 5/8" x 50 yards		
~~15~~ 195	PKG.	4" die cut reflective letters, upper case, Style "C", heat activated letters A-B-C-D-E-H-I-L-N-O-R-S-T Total packages ~~15~~ 15 PKG. EACH LETTER		
12	PKG.	6" die cast reflective letters and numbers, upper case, Style "C" heat activated letters and numbers A-C-N-T-1-2 Total packages ~~12~~ 2 PKG. EACH LETTER		
220	PKG.	2" die cast reflective letters, upper case, Style "C" heat activated letters A-E-I-L-N-Q-R-S-T-V-W Total packages - 220 20 PKG. EACH LETTER		
100	PKG.	2" die cast reflective letters, upper case, Style "C" heat activated letter O Total packages ~~100~~		
~~20~~ 80	PKG.	2" die cast reflective numbers, upper case, Style "C" heat activated numbers 1-2-3-4 Total packages ~~80~~ 20 PKG. EACH NUMBER		
200	EA	Stop sign face, engineering grade, 30" x 30", stick-on type		
100	EA	Yield sign face, engineering grade, 36" x 36" x 36", stick-on type		

SEE PAGE - 2

FUNDING VERIFIED

SOURCE: General Fund

DATE: 3/28/86 APPROVED BY: Nancy L. Youngkens

VENDORS CONTACTED

CONSTRUCTION CONTRACT					VERBAL QUOTE	
SUPPLY CONTRACT					INFORMAL BID	
FORMAL BID					SOLE SOURCE	
SINGLE SOURCE					COMPETITIVE	
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/YMA	TOTAL
1	1770	5110			BA0106	
				</		

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOW-
LEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND
THE ITEMS/SERVICES REQUESTED ARE FOR PLANNING USE.

George Danner 3-21-86
DEPT./DIV. DATE
Evelyn Galt 3/31/86
DATE
Nancy L. Youngkens 3/28/86
DATE
Larry L. Barton 4-3-86
DATE
DEPT. CITY MANAGER

PURCHASING & CONTRACTS

DATE

City of Las Vegas

000157

AGENDA DOCUMENTATION

Date: MAY 23, 1986

TO:
The City CouncilFROM:
RANOALL H. WALKER
DEPUTY CITY MANAGERSUBJECT: AGENOA - CITY COUNCIL MEETING - JUNE 4, 1986
IV (f) DEPARTMENT OF GENERAL SERVICESPURPOSE/BACKGROUND*C. PURCHASE ORDER APPROVAL

3. <u>ITEM:</u>	REIMBURSEMENT	<u>PURCHASE REQUEST:</u>	2610-2627
<u>DESCRIPTION:</u>	CAPITAL IMPROVEMENTS TO MUNICIPAL GOLF COURSE	<u>FUNDING:</u>	NOT APPLICABLE
<u>DEPARTMENT:</u>	PARKS, RECREATION, AND SENIOR CITIZENS ACTIVITIES	<u>ESTIMATE:</u>	NOT APPLICABLE

NEED FOR PURCHASE

THE CITY OF LAS VEGAS ENTERED INTO A COMPETITIVE NEGOTIATED AGREEMENT WITH THE FIRM OF COLBERT/FOGLER FOR THE PROFESSIONAL MANAGEMENT OF THE CITY'S MUNICIPAL GOLF COURSE. ONE OF THE TERMS AGREED TO BY THE CITY WAS THE YEARLY REIMBURSEMENT OF "OUT OF POCKET" CAPITAL EXPENSES INCURRED BY COLBERT/FOGLER FOR IMPROVEMENTS TO THE MUNICIPAL GOLF COURSE.

STAFF RECOMMENDATIONFOR PURCHASE ORDER APPROVAL

COLBERT/FOGLER ENTERPRISES	LAS VEGAS	NV	\$66,193.26

FISCAL IMPACT

FUNOS BUOGETEO FOR FISCAL YEAR 85-86. FUNDS ARE AVAILABLE IN THE ENTERPRISE FUNO.

RECOMMENDATIONS

THE DEPARTMENT OF GENERAL SERVICES HAS INOICATED THAT THIS ITEM IS IN ORERO BASED ON THE RECOMMENOATIONS OF THE USING AGENCIES.

IT IS THE RECOMMENOATION OF THE OFFICE OF THE CITY MANAGER THAT THIS ITEM BE AWAROE.

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

Agenda Item

SECTION C PAGE 3
IV (f)

CITY COUNCIL MINUTES - JUNE 4, 1986

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date 000158

May 9, 1986

TO: Chris Stanfill, Director Parks, Recreation, & Sr. Citizens Activities	FROM: <i>Don Hanson</i> Don Hanson, Chief Internal Audit Division Finance & Computer Services
SUBJECT: GOLF COURSE AUDIT FINDINGS	COPIES TO: Larry K. Barton Randall H. Walker Marvin A. Leavitt

We have completed our review of the financial records of Colbert-Fogler Golf Enterprises Inc. (hereafter termed the contractor) for calendar year 1985 as required by the Professional Management Contract for the Operations of the Las Vegas Municipal Golf Course and Club House Facilities (Bid 81.1230.4).

One purpose of the review was to verify that the gross revenue resulting from green fees, cart rentals, driving range fees, and food and beverage sales as reported to the City by the contractor agreed with their financial records.

The other purpose of our review was to test paid invoices the contractor claimed were expenditures for capital improvements to insure they were all paid to various vendors. Monitoring of the capital improvements to insure they were actually completed and attesting to the purpose of the material or labor listed on the paid invoices was the responsibility of the Department of Parks, Recreation and Senior Citizens Activities. Provisions of the Professional Management Contract provide for a refund to the contractor for capital improvement expenditures but only to the extent of the annual City fee generated by green fees, cart rentals, and driving range fees. The contract also states that the annual City fee generated by food and beverage sales may be credited to the General Fund and expended as desired by the City.

Financial records examined included cash register tapes, cash receipts and disbursements journals, accounts payable ledger, general ledger, cancelled checks, and daily sales recaps. The results of our review are as follows:

The City's annual fee of five and one-half percent of gross revenue from green fees, cart rentals, and driving range fees and the annual fee of five percent of food and beverage sales generated revenue of \$66,193 and \$17,282 respectively.

The contractor claimed \$148,895 expended for capital improvements. The 1985 Capital Improvement Plan only provides for \$120,000 in capital expenditures. Approval for additional expenditures could not be located. We tested the expenditure documentation to insure payments had been made and that they were approved by the Director of Parks, Recreation, and Senior Citizens Activities or his designee.

CLV 7007

000159

GOLF COURSE AUDIT FINDINGS

Our computation of the refund due the contractor follows (numbers are rounded):

Capital improvement expenditures provided for in <u>1985 Capital Improvement Plan</u>	\$ 120,000
Less 1985 expenditures utilized against balance of <u>1984 City fees unused for expenditure reimbursement</u>	<u>32,581</u>
Remaining 1985 capital improvement expenditures to apply against 1985 City fees	\$ <u>87,419</u>
Total 1985 City fees collected	\$ <u>83,475</u>
Amount recommended for refund	\$ 66,193
Fees placed in General Fund to be used as directed by top management (per contract agreement)	<u>17,282</u>
	\$ <u>83,475</u>

We noted in our October 25, 1985 review of capital expenditures incurred in 1985 and applied to 1984 revenue that "there is no provision in the Golf Course Professional Management Contract stating that the revenues received by the City and deposited in the City's Golf Course Enterprise Fund can be carried forward to subsequent years to reimburse expenses for capital improvements in those years." We again recommend that if it is the desire of City management to carry forward revenue from previous years that this provision be included in the Professional Management Contract.

DH/CP/pah

PURCHASE REQUEST

000160

SHIP TO:

COLBERT/FOGLER, GOLF
ENTERPRISES, INC.
4349 Vegas Drive
Las Vegas, Nevada 89108

REQ. NO.
2610-2627

P.O. NO.

REQ. DATE
5/9/86

ESTIMATES FROM:

☐ FORMER P.O. No. _____ DATE _____
☐ PURCHASING & CONTRACTS
☐ OTHER (SPECIFY)

FUNDING:

☐ UNSUBBUDGETED ☒ SUBBUDGETED

PAGE _____ OBJECT CODE _____

REQUESTING DEPT. EST. \$66,193.26 NOT TO EXCEED \$66,193.26

REQUESTING DEPT/DIV

F.O.B. POINT

TERMS

BUYER

DELIVERY REQUIRED

Parks, Rec. & Sr. Citz. Act.

JUSTIFICATION FOR PURCHASE

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
LUMP	SUM	PAYMENT TO COLBERT/FOGLER ENTERPRISES FOR CAPITAL IMPROVEMENTS TO THE MUNICIPAL GOLF COURSE FOR THE COMPLETION OF FIVE (5) GREENS AND CART PATHS.		

VERIFIED

Enterprise Fund - 7021
DATE 6/9/86 BY: Nancy L. Youngblood

VENDORS CONTACTED

CONSTRUCTION CONTRACT					VERBAL QUOTE	
SUPPLY CONTRACT					INFORMAL BID	
FORMAL BID					SOLE SOURCE	
SINGLE SOURCE					COMPETITIVE	
LINE	FUND/ORG	ACCOUNT	TASK	OPT	ACT/VAL	TOTAL
1	7021	8030			GE0216	\$66,193.26

THE DEPARTMENT HEAD CERTIFIES THAT TO THE BEST OF THEIR KNOWLEDGE FUNDS ARE BUDGETED AND AVAILABLE FOR THIS PURCHASE AND THE ITEMS/SERVICES REQUESTED ARE FOR PUBLIC USE.

5/9/86
DEPT./DIV. HEAD
Eylene Salt
5/9/86
Nancy L. Youngblood
5/9/86
DEPUTY CITY CLERK

PURCHASE REQUEST

AGENDA

CITY COUNCIL MINUTES - JUNE 4, 1986

City of Las Vegas

000161

June 4, 1986

Page 19

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Commission 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.

*A. ACCEPTANCE OF RIGHT-OF-WAY ITEMS

1. Grant Deed

From: Charles G. Ghormley and Virginia J. Ghormley, husband and wife, as community property

To: City of Las Vegas

For: Portions of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 24, T19S, R60E, M.D.M. for half street dedication on Dorrell Avenue and a twenty-five foot (25') radius corner on the northwest corner of Decatur Boulevard and Dorrell Avenue. (5-22-86)

Lurie -
APPROVED Items A-1,
A-2 and A-3.
Unanimous

Staff to proceed

2. Grant Deed

From: Joseph M. Corbin and Nancy K. Corbin, husband and wife as joint tenants

To: City of Las Vegas

For: Portion of the North Half (N $\frac{1}{2}$) of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, T20S, R61E, M.D.M. for a fifteen foot (15') dedication on Bonanza Road which is required for future widening of Bonanza. (4-22-86)

APPROVED
See Above

See Above

3. Right-of-Way Grant for Drainage and Sewer Purposes

From: American West Development, Inc., A Nevada Corporation

To: City of Las Vegas

For: Portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 8, T21S, R60E, M.D.M. for a sewer easement, Bayside #3, at The Lakes at West Sahara. (5-7-86)

APPROVED
See Above

See Above

APPROVED AGENDA ITEM

Larry T. Burton

000162

AGENDA*City of Las Vegas*

June 4, 1986

Page 20

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

ITEM		Council Action	Department Action
	<u>IV.(g). DEPARTMENT OF PUBLIC WORKS (Cont'd.)</u>		
	<u>B. APPROVAL OF TRAFFIC AND PARKING ITEMS</u>		
7:20	1. No Parking Anytime Zone on Washington Avenue at Lorenzi Park Recommendation: That the south side of Washington Avenue between Baker Avenue and Artesia Way be designated a No Parking During Certain Hours Zone, 9:30 P.M. to 8:00 A.M. (hours when park is closed), and that the Mayor be authorized to sign the Resolution.	Bunker - APPROVED No Parking Anytime Zone on south side of Washington Avenue from Baker Avenue to Tonopah Highway and Mayor authorized to sign Resolution. Unanimous NOTE: A verbatim transcript made a part of the final minutes.	Staff to proceed Captain Reed, Metro, and Chris Stanfill, CLV, appeared.
	<u>C. REPORTS/ACTION</u>		
11:22	1. Deobligation of Funds -1981 Federal Clean Water Grant Recommendation: That the City Council authorize the Mayor to sign the EPA deobligation forms on behalf of the City Council.	Levy - APPROVED Items C-1, C-2, C-3 and C-4 as recommended. Unanimous	Staff to proceed
	2. Final Reimbursement - 1981 Federal Clean Water Grant Recommendation: That the City Council accept the final reimbursement and authorize the Mayor to sign the reimbursement documents on behalf of the City Council.	APPROVED See Above	See Above
	3. Renovation of Plant No. 2 Primary Sedimentation Basins - Wastewater Treatment Plant Recommendation: That the City Council approve this project and authorize the Mayor to execute a contract on behalf of the City Council.	APPROVED See Above	See Above

APPROVED AGENDA ITEM

Levy H. Burton

City of Las Vegas

AGENDA DOCUMENTATION

Date: May 22, 1986TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: NO PARKING ANYTIME ZONE ON
WASHINGTON AVENUE AT LORENZI PARKPURPOSE/BACKGROUND

The Las Vegas Metropolitan Police Department has requested that the south side of Washington Avenue between Baker Avenue and Artesia Way be designated a No Parking Anytime Zone.

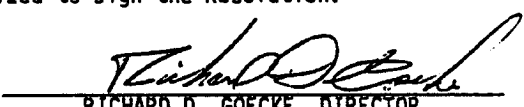
The Police Department is currently having a problem with vehicles parking along Lorenzi Park after the park closes. A No Parking During Certain Hours Zone may help this problem.

FISCAL IMPACT

City personnel will install the necessary signs. Funds are available in the F/Y 1985-86 budget.

RECOMMENDATIONS

The Traffic and Parking Commission recommends that the south side of Washington Avenue between Baker Avenue and Artesia Way be designated a No Parking During Certain Hours Zone, 9:30 P.M. to 8:00 A.M. (hours when park is closed), and that the Mayor be authorized to sign the Resolution.


RICHARD D. GOECKE, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

Agenda Item 6/4/86

IV.(g).B.1.

000164

R E S O L U T I O N

WHEREAS, various sections of Title 11 of the Las Vegas Municipal Code allow for additions to and corrections of the schedules which are established in the respective sections to be effected by Resolution; and

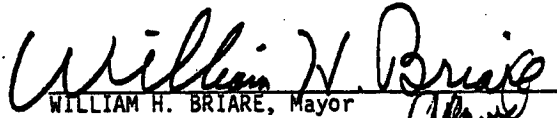
WHEREAS, it has been determined and recommended by the Traffic and Parking Commission and the Traffic Engineer that the following additions and corrections be made in said schedules; and

NOW, THEREFORE, be it resolved by the City Council of the City of Las Vegas, Nevada, that the following schedules pertaining to Title 11 of the City Code be amended as follows:

Schedule 17-III be amended to include the following Parking Prohibited at All Times on Certain Streets Zone:

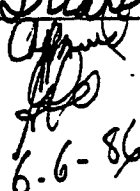
<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Washington Avenue	South	Baker Avenue	Rancho Drive

PASSED, ADOPTED, AND APPROVED this 4th day of June, 1986.


WILLIAM H. BRIARE, Mayor

ATTEST:


CAROL ANN HAWLEY, City Clerk


6.6-86

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986

IV(g) DEPARTMENT OF PUBLIC WORKS - APPROVAL OF TRAFFIC AND PARKING ITEMS
ITEM B.1 - NO PARKING ANYTIME ZONE ON WASHINGTON AVENUE AT LORENZI PARK

MAYOR BRIARE:

The next is a request for a No Parking Anytime Zone on Washington Avenue at Lorenzi Park. Councilman Bunker.

COUNCILMAN BUNKER:

The -- that's true, it was a No Parking Anytime Zone, but on the backup you'll notice that the Parking Commission recommended that it be reduced to a designated a No Parking Only Through the hours of 9:30 P.M. to 8 A.M. I think we -- I've been working with Parks and Recreation and with Metro on this item. I think there is -- we are in agreement that we do want it No Parking Anytime Zone. Perhaps there's someone here to speak. I think Captain Reed is here to speak. Someplace along the line --

MAYOR BRIARE:

Good morning, Captain.

CAPTAIN REED:

Good morning, Mayor, Council. We've had some problems in this area and as the summer draws on, we perceive this as increasing. We've dedicated a lot of manpower to this and we feel that the only way to totally rectify it is to take the south side of Washington from Baker Avenue to Tonopah Highway and red zone it, that is a painted red zone and to post it No Parking At Anytime. Basically, the partial posting --

COUNCILMAN BUNKER:

Captain, I don't think you really need to sell it. I think we're sold on it and if Mr. Stanfill is not agreement, I just wanted to make sure there wasn't some communication problem here. I WOULD MOVE THAT IT BE MADE A NO PARKING ANYTIME ZONE.

MAYOR BRIARE:

Are there comments by anyone? Cast your vote. Post. Motion's APPROVED. (Motion carried unanimously.)

CAPTAIN REED:

Thank you.

END OF DISCUSSION

City of Las Vegas

000166

AGENDA DOCUMENTATION

Date: May 30, 1986TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT:
DEOBLIGATION OF FUNDS - 1981 FEDERAL CLEAN WATER GRANTPURPOSE/BACKGROUND

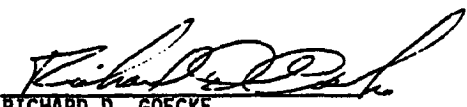
The U.S. Environmental Protection Agency has deobligated \$39,072 in City grant funds which were not expended in the City's 1981 Wastewater Treatment Plan Expansion project. The 1981 expansion project has been completed in full, and this action merely frees up the funds for use in other EPA-sponsored projects.

FISCAL IMPACT

There is a City cost avoidance of \$13,025 by this action.

RECOMMENDATIONS

The Director of Public Works recommends that the City Council authorize the Mayor to sign the EPA deobligation forms on behalf of the City Council


RICHARD D. GOECKE
DIRECTOR OF PUBLIC WORKS

Agenda Item 6/4/86

IV.(g) C. 1.

United States
Environmental Protection
Agency

Regional Administrator
215 Fremont Street
San Francisco CA 94105

Region 9
Arizona, California
Hawaii, Nevada
Pacific Islands



24 APR 1986

CERTIFIED MAIL NO. P03 8061046
RETURN RECEIPT REQUESTED

William H. Briare, Mayor
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

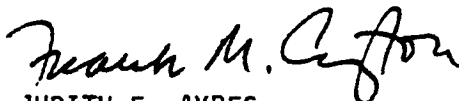
Re: C32-0172-10 Amendment No.4/Deobligation of Grant Funds

Dear Mayor Briare:

Based upon your previous submission of the final pay request to the Nevada Division of Environmental Protection indicating 100% of completion of the above referenced project, we are hereby deobligating the remaining balance in the amount of \$39,072. Your revised grant amount is \$460,961.

Please sign, date and return the original and two (2) copies to the Nevada Division of Environmental Protection, 201 South Fall Street, Carson City, Nevada 89710 within three (3) weeks after receipt.

Sincerely,


for JUDITH E. AYRES
Regional Administrator

Enclosure:
4C Grant Amendment

**U.S. ENVIRONMENTAL PROTECTION AGENCY
EPA ASSISTANCE AGREEMENT/AMENDMENT
PART I - ASSISTANCE NOTIFICATION INFORMATION**

1. ASSISTANCE ID NO.

C32-0172-10 4

2. LOG NUMBER

C-4-100

3. DATE OF AWARD

17 APR 1986

4. MAILING DATE

000168
APR 24 1986

5. AGREEMENT TYPE

Cooperative Agreement

Grant Agreement

Assistance Amendment

6. PAYMENT METHOD

☐ Advance☐ Reimbursement☐ Letter of Credit

Send Payment Request To:

7. TYPE OF ACTION

Augmentation/Decrease

8. RECIPIENT

City of Las Vegas
400 East Stewart Street
Las Vegas, NV 89101

9. PAYEE

City of Las Vegas
400 East Stewart Street
Las Vegas, NV 89101

EIN NO.

88-6000-198

CONGRESSIONAL DISTRICT

#1

10. RECIPIENT TYPE

City

11. PROJECT MANAGER AND TELEPHONE NO.

Richard D. Goecke
(702) 386-6276

12. CONSULTANT (WWT Construction Grants Only)

Culp-Wesner-Culp

13. ISSUING OFFICE (City/State)

Environmental Protection Agency
215 Fremont Street
San Francisco, CA 94105

14. EPA PROJECT/STATE OFFICER AND TELEPHONE NO.

Jim Williams, Jr., P.E.
(702) 885-5870

15. EPA CONGRESSIONAL LIAISON & TEL. NO.

Jean Croft (202) 382-5192

16. STATE APPL ID (Clearinghouse)

17. FIELD OF SCIENCE

N/A

18. PROJECT STEP (WWT CG Only)

2

19. STATUTORY AUTHORITY

P.L. 95-217 Title II
Section 201

20. REGULATORY AUTHORITY

40 CFR Part 35

21. STEP 2 + 3 & STEP 3 (WWT Construction Only)

a. Treatment Level

b. Project Type

c. Treatment Process

d. Sludge Design

22. PROJECT TITLE AND DESCRIPTION

Design of WWTP/Deobligation of balance remaining after submission of final pay request, and extension of project period through 30 April, 86.

23. PROJECT LOCATION (Areas Impacted by Project)

City/Place

Las Vegas

County

Clark

State

NV

Congressional District

#1

24. ASSISTANCE PROGRAM (CFDA Program No. & Title)

66.418

25. PROJECT PERIOD

2/29/80 - 4/30/86

26. BUDGET PERIOD

2/29/80 - 1/31/84

27. COMMUNITY POPULATION (WWT CG Only)

180,000

28. TOTAL BUDGET PERIOD COST

-

29. TOTAL PROJECT PERIOD COST

614,614

FUNDS

FORMER AWARD

THIS ACTION

AMENDED TOTAL

30. EPA Amount This Action

500,033

(39,072)

460,961

31. EPA In-Kind Amount

32. Unexpended Prior Year Balance

33. Other Federal Funds

34. Recipient Contribution

35. State Contribution

36. Local Contribution

166,678

(13,025)

153,653

37. Other Contribution

38. Allowable Project Cost

666,711

(54,097)

614,614

39. FISCAL

Program Element

G7AW80

FY

'79

Appropriation

68x0103.B

Occ. Control No.

N00025

Account Number

BG7H094004

Object Class

41.11

Obligation/Deoblig. Amount

(39,072)

ASSISTANCE AMENDMENT
(Optional)AMENDMENT NO.
(Four) (4)

(Please read instructions on reverse)

NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto.

Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.

GENERAL INFORMATION

APPROPRIATION AND ACCOUNTING DATA

APPROPRIATION NUMBER	ACCOUNT NUMBER	OBJECT CLASS CODE
68 x 0103.B	BG7H094004	41.11

DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.900 "PROJECT CHANGES AND ASSISTANCE MODIFICATIONS" AND 40 CFR 30.900-1 "FORMAL ASSISTANCE AMENDMENTS," THE ABOVE NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS:

This amendment deobligates the remaining grant balance of \$39,072 subsequent to submission & payment of the final pay request. The project period is also extended until 30 April, 86.

Original Grant Amount	500,033
Revised Grant Amount	<u>460,961</u>
Balance to be Deobligated	39,072

AWARD APPROVAL OFFICE

ORGANIZATION
Environmental Protection Agency, Region 9

ADDRESS
215 Fremont Street
San Francisco, CA 94105

ISSUING OFFICE

ORGANIZATION
Construction Grants Section

ADDRESS
Nevada Division of Environmental Protection
201 S. Fall Street
Carson City, Nevada 89710

RECIPIENT ORGANIZATION

NAME
City of Las Vegas

ADDRESS
400 East Stewart Street
Las Vegas, Nevada 89101

Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter I, Subpart B.

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL <i>J. E. Ayres</i>	TYPED NAME AND TITLE Judith E. Ayres Regional Administrator	DATE 17 APR 1986

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE <i>William H. Briare</i>	TYPED NAME AND TITLE William H. Briare Mayor	DATE June 13, 1986

ATTESTED BY:

Carl A. Hawley
CITY CLERK

City of Las Vegas

AGENDA DOCUMENTATION

000170

Date: May 16, 1986TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT:
FINAL REIMBURSEMENT - 1981 FEDERAL CLEAN WATER GRANTPURPOSE/BACKGROUND

The City of Las Vegas received a \$7.2 million Clean Water Grant from the Federal Government in 1981 to upgrade and expand the Wastewater Treatment Plant. That project has been completed in total, and the State of Nevada wishes to close out the Grant and issue the final payment of \$57,615 to the City. City staff have reviewed the final reimbursement and agree with its amount. The issuance of the final payment will trigger preparations at the State and Federal level to begin a final audit of the project.

FISCAL IMPACT

The City will receive \$57,615 by accepting the final reimbursement.

RECOMMENDATIONS

The Director of Public Works recommends that the City Council accept the final reimbursement and authorize the Mayor to sign the reimbursement documents on behalf of the City Council.

RICHARD D. GOECKE
Director of Public WorksAgenda Item 6/4/86

IV.(g).C.2.

Please submit the following documents:

1. "Outlay Report and Request for Reimbursement for Construction Programs" (Form 271) indicating 100% complete.
2. "Certification on Payrolls and Statement of Compliance"
3. Engineer's Approval Letter (Certification that project built in accordance with P & S)

Please complete the following by placing a checkmark in the appropriate square. (Attach explanation or document(s) where needed or for items not checked.)

	Already Submitted	Are Enclosed	Have Executed
Executed Engineering Contract(s)	☒	☐	☐
Executed Legal Services Contract(s)	☐	☐	☒
Executed Accounting Services Contract(s)	☐	☐	☒
Executed Financial Consultant Contract(s)	☐	☐	☒
Executed Environmental Services Contracts	☐	☐	☒
Executed Construction Contract(s)	☒	☐	☐
Certification of Bond & Insurance Coverage	☒	☐	☐
Notice(s) to Proceed	☒	☐	☐
Approval Completion Notice(s)	☒	☐	☐
Final Contractor's Pay Estimate(s)	☒	☐	☐
Invoices or other supporting documents for all costs claimed	☒	☐	☐

Please complete the followings:

1. O&M Manual was submitted on 5/24/82. NOTE: Please
2. User Charge system was submitted on 9/30/85. submit if not
3. Sewer Use Ordinance was submitted on 9/30/85. previously submitted.
4. Confirmation of "As Built" drawings available at job site (attach confirmation). Yes
5. Have the conditions (if any) noted in the Final Construction Inspection been resolved? (Attach explanation) Yes
6. Have the Special Conditions contained in the Federal Grant Agreement been complied with? (Attach explanation) Yes
7. Have all contract change orders been submitted and approved? (if so, attach explanation) Yes

I certify that the above statements are true and correct.

Signed (Authorized Rep.)

William H. B. B. B.Title MayorDate June 13, 1986

ATTESTED BY:

Carol A. Hawley

CITY CLERK

000172

INSTRUCTIONS TO GRANTEE

Submit original and 2 copies.

Sign original.

Conform signature on copies.

ENVIRONMENTAL
PROTECTION
AGENCY

Grantee's Name, Street Address, City, State and Zip Code

Grant Number

City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

C32-0172-11 & 12

Grantee's Assignment

None

GRANTEE'S ASSIGNMENT OF THE FEDERAL SHARE OF REFUNDS, REBATES AND CREDITS

Pursuant to the terms of Grant No. C32-0172-11/12 and in considerationof the reimbursement of cost as provided in the said Grant and any assignment thereunder, the City of Las Vegas, 400 E. Stewart Avenue,Las Vegas, NV 89101 (Grantees Name and Address) (hereinafter called the Grantee) does hereby:

1. Assign, transfer, set over and release to the UNITED STATES OF AMERICA (hereinafter called the Government), all right, title and interest to all refunds, rebates, credits or other amounts (including any interest thereon) arising out of the performance of the said Grant together with all the rights of action accrued or which may hereafter accrue thereunder.

2. Agree to take whatever action may be necessary to effect prompt collection of all refunds, rebates, credits or other amounts (including any interest thereon) due or which may become due, and to promptly forward to the Project Officer of said checks (made payable to the Treasurer of the United States) for any proceeds so collected. The reasonable costs of any such action to effect collection shall constitute allowable costs when approved by the Project Officer as stated in the said grant and may be applied to reduce any amounts otherwise payable to the Government under the terms hereof.

3. Agree to cooperate fully with the Government as to any claim or suit in connection with refunds, rebates, credits or other amounts due (including any interest thereon): to execute any protest, pleading, application, power of attorney or other papers in connection therewith; and to permit the Government to represent it at any hearing, trial or other proceeding arising out of such claim or suit.

IN WITNESS WHEREOF, this assignment has been executed this 13th day of June 19 86.

City of Las Vegas
Grantee

WITNESSES

Carl A. Hawley

CITY CLERK

by William H. V. Brare

Title Mayor

INSTRUCTIONS TO GRANTEE
 Submit original and 2 copies.
 Sign original.
 Conform Signature on copies.

ENVIRONMENTAL
 PROTECTION
 AGENCY

000173

GRANTEE'S RELEASE

Pursuant to the terms of Grant No. C32-0172-11 & 12 and in
 consideration of the sum of Fifty-Seven Thousand Six Hundred & Fifteen
Dollars
 (\$ 57,615.00) which has been or is to be paid
 under the said Grant to City of Las Vegas, 400 E. Stewart Ave., Las Vegas, NV 89101
Grantee's name and address

hereinafter called the Grantee or to its assignees, if any, the Grantee,
 upon payment of the said sum by the UNITED STATES OF AMERICA hereinafter
 called the Government, does remise, release, and discharge the Government,
 its officers, agents, and employees, of and from all liabilities,
 obligations, claims, and demands whatsoever under or arising out of the
 project work or under the grant, subject only to exceptions specified
 herein this release; None

If none so state

1. Specified claims in stated amounts or in estimated amounts
 where the amounts are not susceptible of exact statement by the Grantee
 as follows: None

If none so state

2. Claims for reimbursement of costs other than expenses of the
 Grantee by reason of its indemnification of the Government against
 patent liability, including reasonable expenses incidental thereto,
 incurred by the Grantee under the provisions of the said Grant relating
 to patents.

The Grantee agrees, in connection with patent matters and with
 claims which are not released as set forth above, that it will comply
 with all of the provisions of the said Grant, including without limitation
 those provisions relating to notification to the Project Officer and
 relating to the defense or prosecution of litigation.

IN WITNESS WHEREOF, this release has been executed this _____

13th day of June 19 86.

WITNESSES

Carol A. Farley

William H. Briars

CITY CLERK

Mayor
 (title)

CERTIFICATION ON PAYROLLS
AND STATEMENT OF COMPLIANCEProject No. C32-0172-11 & 12Grantee : City of Las Vegas, NV

Each contractor and subcontractor on this project has submitted weekly a copy of all payrolls to the grantee. Each payroll copy was accompanied by a statement of compliance with the Copeland Regulations of the Secretary of Labor (29CFR, Part 3) signed by the employer or his agent indicating that the payrolls are correct and complete, that the wage rates contained are not less than those determined by the Secretary of Labor and that the classifications set forth for each laborer or mechanic conformed to the work performed. The grantee has made such examination of the submitted payrolls and statements as may be necessary to assure compliance with the labor standards clauses.

I hereby certify as the authorized representative of the above-named grantee, that the above requirements of the United States Department of Labor have been complied with in accordance with Section 5.5(a) (3) (ii) of Title 29, Subtitle A, Code of Federal Regulations.

William H. Brune
Signature of grantee Representative

Date: June 13, 1986

Mayor
TitleATTESTED BY: Carl G. Henderson

ASSISTANCE AMENDMENT

(Optional)

(Please read instructions on reverse)

000175

ASSISTANCE I.D. NO.

C32 0172 11

AMENDMENT NO.

Six (6)

NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto.

Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.

GENERAL INFORMATION

APPROPRIATION AND ACCOUNTING DATA

APPROPRIATION NUMBER

68x0103.C

ACCOUNT NUMBER

EG7N094004

OBJECT CLASS CODE

41.11

DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.900 "PROJECT CHANGES AND ASSISTANCE MODIFICATIONS" AND 40 CFR 30.900-1 "FORMAL ASSISTANCE AMENDMENTS," THE ABOVE NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS:

This amendment deobligates the balance of funds remaining after final payment.
The grant expiration date (project/budget period) has also been revised to 8/2/84.

Previous Grant Amount	\$ 3,921,692
Revised Grant Amount	(3,857,939)
Amount to be Deobligated	\$ 63,753

AWARD APPROVAL OFFICE

ORGANIZATION

Environmental Protection Agency Region 9

ADDRESS

215 Fremont Street
San Francisco, CA 94105

ISSUING OFFICE

ORGANIZATION

Construction Grants Section

ADDRESS

201 S. Fall St.
Room 337
Carson City, NV 89710

RECIPIENT ORGANIZATION

NAME

City of Las Vegas

ADDRESS

400 E. Stewart Ave.
Las Vegas, NV 89101

Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter I, Subpart B.

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

Judith E. Ayres

DATE

Regional Administrator

JUL 2 1984

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

William H. Briare
Mayor

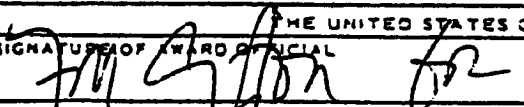
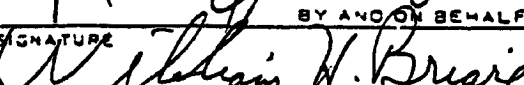
DATE

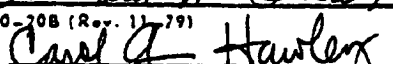
July 11, 1986

ATTEST:

Carol Ann Hawley, City Clerk

CITY COUNCIL MINUTES - JUNE 4, 1986						1. ASSISTANCE ID NO. C32-0172-11 6		2. LOG NUMBER 000174	
U.S. ENVIRONMENTAL PROTECTION AGENCY EPA ASSISTANCE AGREEMENT/AMENDMENT PART I - ASSISTANCE NOTIFICATION INFORMATION						3. DATE OF AWARD JUL 2 1986		4. MAILING DATE JUL 10 1986	
5. AGREEMENT TYPE				6. PAYMENT METHOD					
Cooperative Agreement				☐ Advance ☒ Reimbursement ☐ Letter of Credit					
Grant Agreement				Send Payment Request To:				7. TYPE OF ACTION	
Assistance Amendment				X				Augmentation/Decrease	
RECIPIENT ORGANIZATION	8. RECIPIENT					9. PAYEE			
	City of Las Vegas 400 E. Stewart Ave. Las Vegas, Nevada 89101					City of Las Vegas 400 E. Stewart Ave. Las Vegas, Nevada 89101			
	EIN NO. 88-6000-198		CONGRESSIONAL DISTRICT #1			10. RECIPIENT TYPE City			
EPA CONTACT	11. PROJECT MANAGER AND TELEPHONE NO.					12. CONSULTANT (WWT Construction Grants Only)			
	Richard D. Goecke (702) 386-6276					Culp-Wesner-Culp			
	13. ISSUING OFFICE (City/State)					14. EPA PROJECT/STATE OFFICER AND TELEPHONE NO.			
Environmental Protection Agency 215 Fremont Street San Francisco, CA 94105					Jim Williams Jr. P.E. (702) 885-5870				
15. EPA CONGRESSIONAL LIAISON & TEL. NO.			16. STATE APPL ID (Clearinghouse)		17. FIELD OF SCIENCE		18. PROJECT STEP (WWT CC Only)		
Jean Croft (202) 382-5192			80-100 309		N/A		3		
19. STATUTORY AUTHORITY			20. REGULATORY AUTHORITY		21. STEP 2 + 3 & STEP 3 (WWT Construction Only)				
P.L. 95-217 Title II Section 201			40 CFR Part 35		a. Treatment Level 8 b. Project Type INT c. Treatment Process 3 d. Sludge Design 6				
22. PROJECT TITLE AND DESCRIPTION									
Construction of WWT/Deobligation of balance of funds remaining after submission of final pay request and extension of project period.									
23. PROJECT LOCATION (Areas Impacted by Project)									
City/Place			County		State		Congressional District		
Las Vegas			Clark		NV		#1		
24. ASSISTANCE PROGRAM/CFDA Program No. & Title			25. PROJECT PERIOD		26. BUDGET PERIOD				
66.418			8/1/80 - 8/2/84		8/1/80 - 8/2/84				
27. COMMUNITY POPULATION (WWT CC Only)			28. TOTAL BUDGET PERIOD COST		29. TOTAL PROJECT PERIOD COST				
200,000 +			-		5,143,919				
FUNDS		FORMER AWARD		THIS ACTION		AMENDED TOTAL			
30. EPA Amount This Action		3,921,692		(63,753)		3,857,939			
31. EPA In-Kind Amount									
32. Unexpended Prior Year Balance									
33. Other Federal Funds									
34. Recipient Contribution									
35. State Contribution									
36. Local Contribution		1,307,231		(21,251)		1,285,980			
37. Other Contribution									
38. Allowable Project Cost		5,228,923		(85,004)		5,143,919			
38. FISCAL	Program Element	FY	Appropriation	Doc. Control No.	Account Number	Object Class	Obligation/Deoblig. Amou		
	G7NW80	'80	68x0103.C	N00028	EG7N094004	41.11	(62,982)		
	G7HW80	'79	68x0103.B	N00003	BG7H094004	41.11	(771)		

U.S. ENVIRONMENTAL PROTECTION AGENCY ASSISTANCE AMENDMENT (Optional) (Please read instructions on reverse)		ASSISTANCE I.D. NO. C32-0172-12 AMENDMENT NO. 000177 Four (4)						
NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto. Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.								
GENERAL INFORMATION								
APPROPRIATION AND ACCOUNTING DATA								
APPROPRIATION NUMBER 68x0103.D	ACCOUNT NUMBER FGDJ094004	OBJECT CLASS CODE 41.11						
DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.900 "PROJECT CHANGES AND ASSISTANCE MODIFICATIONS" AND 40 CFR 30.900-1 "FORMAL ASSISTANCE AMENDMENTS," THE ABOVE NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS: This amendment deobligates the balance of funds remaining after final payment. The grant expiration date (project/budget period) has also been revised to 8/2/84. <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: right;">Previous Grant Amount</td> <td style="text-align: right;">\$3,335,780</td> </tr> <tr> <td style="text-align: right;">Revised Grant Amount</td> <td style="text-align: right;">(3,327,206)</td> </tr> <tr> <td style="text-align: right;">Amount to be Deobligated</td> <td style="text-align: right;">\$ 8,574</td> </tr> </table>			Previous Grant Amount	\$3,335,780	Revised Grant Amount	(3,327,206)	Amount to be Deobligated	\$ 8,574
Previous Grant Amount	\$3,335,780							
Revised Grant Amount	(3,327,206)							
Amount to be Deobligated	\$ 8,574							
AWARD APPROVAL OFFICE		ISSUING OFFICE						
ORGANIZATION Environmental Protection Agency Region 9		ORGANIZATION Construction Grants Section						
ADDRESS 215 Fremont Street San Francisco, CA 94105		ADDRESS 201 S. Fall St. Room 337 Carson City, NV 89710						
RECIPIENT ORGANIZATION								
NAME City of Las Vegas		ADDRESS 400 E. Stewart Ave. Las Vegas, NV 89101						
Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter I, Subpart B.								
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY								
SIGNATURE OF AWARD OFFICIAL 	TYPED NAME AND TITLE Judith E. Ayres Regional Administrator	DATE JUL 2 1986						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION								
SIGNATURE 	TYPED NAME AND TITLE William H. Briare Mayor	DATE July 11, 1986						

 ATTEST: 
 CAROL ANN HAWLEY, CITY CLERK

U.S. ENVIRONMENTAL PROTECTION AGENCY EPA ASSISTANCE AGREEMENT/AMENDMENT PART I - ASSISTANCE NOTIFICATION INFORMATION				1. ASSISTANCE ID NO. C32-0172-12 4		2. LOG NUMBER C-9-165	
				3. DATE OF AWARD JUL 2 1986		4. MAILING DATE JUL 10 1986	
5. AGREEMENT TYPE				6. PAYMENT METHOD			
☐ Cooperative Agreement ☐ Grant Agreement ☒ Assistance Amendment				☐ Advance ☒ Reimbursement ☐ Letter of Credit Send Payment Request To:			
7. TYPE OF ACTION Augmentation/Decrease							
RECIPIENT ORGANIZATION	8. RECIPIENT City of Las Vegas 400 E. Stewart Ave. Las Vegas, NV 89101			9. PAYEE City of Las Vegas 400 E. Stewart Ave. Las Vegas, NV 89101			
	EIN NO. 88-6000-198		CONGRESSIONAL DISTRICT #1		10. RECIPIENT TYPE City		
	11. PROJECT MANAGER AND TELEPHONE NO. Richard D. Goecke (702) 386-6276			12. CONSULTANT (WWT Construction Grants Only) Culp-Wesner-Culp			
EPA CONTACT	13. ISSUING OFFICE (City/State) Environmental Protection Agency 215 Fremont Street San Francisco, CA 94105			14. EPA PROJECT/STATE OFFICER AND TELEPHONE NO. Jim Williams Jr. P.E. (702) 885-5870			
	15. EPA CONGRESSIONAL LIAISON & TEL. NO. Jean Croft (202) 382-5192		16. STATE APPL ID (Clearinghouse) -		17. FIELD OF SCIENCE N/A		18. PROJECT STEP (WWT CC Only) 3
19. STATUTORY AUTHORITY P.L. 95.217 Title II Section 201		20. REGULATORY AUTHORITY 40 CFR Part 35		21. STEP 2 + 3 & STEP 3 (WWT Construction Only)			
				a. Treatment Level		8	
				b. Project Type		INT	
				c. Treatment Process		3	7
				d. Sludge Design		6	
22. PROJECT TITLE AND DESCRIPTION Construction of WWTP/Deobligation of balance of funds remaining after submission of final pay request, & extension of project period.							
23. PROJECT LOCATION (Areas Impacted by Project)							
City/Place Las Vegas		County Clark		State NV		Congressional District #1	
24. ASSISTANCE PROGRAM/CFDA Program No. & Title 66.418		25. PROJECT PERIOD 9/29/80 - 8/2/84		26. BUDGET PERIOD 9/29/80 - 8/2/84			
27. COMMUNITY POPULATION (WWT CC Only) 200,000 +		28. TOTAL BUDGET PERIOD COST -		29. TOTAL PROJECT PERIOD COST 4,436,274			
FUNDS		FORMER AWARD		THIS ACTION		AMENDED TOTAL	
30. EPA Amount This Action		3,335,780		(8,574)		3,327,206	
31. EPA In-Kind Amount							
32. Unexpended Prior Year Balance							
33. Other Federal Funds							
34. Recipient Contribution							
35. State Contribution							
36. Local Contribution		1,111,926		(2,858)		1,109,068	
37. Other Contribution							
38. Allowable Project Cost		4,447,706		(11,432)		4,436,274	
39. FISCAL	Program Element	FY	Appropriation	Doc. Control No.	Account Number	Object Class	Obligation/Deoblig. Amount
	GDJW80	'81	68x0103.D	N00008	FGDJ094004	41.11	(8,574)

City of Las Vegas

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AGENDA DOCUMENTATION

Date: May 22, 1986TO:
The City CouncilFROM:
LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: RENOVATION OF PLANT NO. 2 PRIMARY SEDIMENTATION BASINS - WASTEWATER
TREATMENT PLANTPURPOSE/BACKGROUND

This is a budgeted preventative maintenance project to replace the sludge collection equipment, effluent troughs and weirs which have been in service since they were originally installed in 1967. The project would replace redwood flights, steel chains, and metal weirs with newer fiberglass materials. Two previous renovations of Plant No. 1 with similar equipment have proved very successful.

This item would authorize design, construction engineering, and inspection services to renovate the three primary sedimentation basins in the Wastewater Treatment Plant No. 2. It is proposed to hire Culp/Wesner/Culp (CWC) to perform design and construction engineering. G. C. Wallace, Inc. would provide the daily inspection services as a subconsultant to CWC. Culp/Wesner/Culp has performed similar services on two identical projects renovating the basins in Plant No. 1. Their complete familiarity with the City's plant, and their experience in the two previous projects, gives them the edge in providing the engineering services for this project.

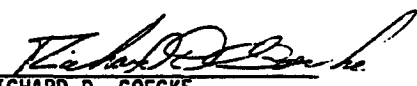
This item would also authorize the Department of Public Works to proceed to open bid for construction services. A contract for construction of the renovation would be brought before the Council for approval at a later date.

FISCAL IMPACT

Design, construction engineering, and inspection of the project would cost \$17,000. It is estimated that construction will cost \$330,000. This project is budgeted, and there are available funds in the Sanitation Fund.

RECOMMENDATIONS

The Director of Public Works recommends that the City Council approve this project and authorize the Mayor to execute a contract on behalf of the City Council.


RICHARD D. GOECKE
Director of Public Works

Agenda Item 6/4/86

IV.(g).C.3.

CONSULTANT AGREEMENT

This AGREEMENT, and accompanying Supplemental Terms, made and entered into as of the 4th day of June, 1986, by and between the CITY OF LAS VEGAS, a Municipal Corporation and political subdivision of the State of Nevada (hereinafter referred to as the "CITY OF LAS VEGAS") and CLEAN WATER CONSULTANTS dba CULP/WESNER/CULP, a California Corporation (hereinafter referred to as "CONSULTANT").

W I T N E S S E T H

Whereas, the services to be rendered by the CONSULTANT under this AGREEMENT pertain to the renovation of primary sludge collection equipment troughs and weirs, Plant No. 2.

Now, therefore, in consideration of the foregoing premises, the parties hereto agree to the following terms, conditions and covenants set forth in Sections I through VII hereinafter provided and to the Supplemental Terms, Sections I through XXI, set forth in Exhibit "A", attached hereto and incorporated herein by this reference as part of this AGREEMENT. As used hereinafter, the term "AGREEMENT" refers both to Sections I through VII and to the Supplemental Terms attached hereto as Exhibit "A".

SECTION I: ENGINEERING SERVICES

A. Engineering Design

1. Prepare drawings and specifications for:
 - a. Demolition of existing sludge collection equipment.
 - b. The installation of sludge collection equipment troughs and weirs.
2. Provide the following engineering services during bidding:

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- a. Attend bid opening.
 - b. Provide draft addenda prior to bid opening as required, to be issued by CITY OF LAS VEGAS.
 - c. Receive and respond to inquiries by potential bidders. Response to be by addenda only.
 - d. Analyze bid submittals and make recommendations to CITY OF LAS VEGAS for award of contracts.
4. Furnish the CITY OF LAS VEGAS with 10 copies of each set of bidding documents for distribution by CITY OF LAS VEGAS.
- B. Engineering Services During Construction
1. Attend preconstruction conference.
 2. Review shop drawings, equipment diagrams, schedules, test results, and other data which the Contractor submits as required by the contract documents. Furnish the CITY OF LAS VEGAS with two (2) sets of accepted shop drawing records for his files.
 3. Work with construction contractor to develop critical path schedule for construction.
 4. Review monthly progress payment estimates and submit payment recommendations to the CITY OF LAS VEGAS.
 5. Prepare change orders to the contract documents.
 6. Be available to the CITY OF LAS VEGAS to answer questions related to the drawings and specifications.
 7. During construction, make three (3) visits to the Project to observe the progress and quality of work, advise the CITY OF LAS VEGAS of the work progress and quality, and make recommendations on the acceptability of the work. The third visit shall be the final inspection of the Project

jointly with representatives of the CITY OF LAS VEGAS and agencies having jurisdiction and submit a written report recommending final settlement of the contract.

C. Construction Inspection

The CONSULTANT shall provide a Resident Project Representative with the following duties and responsibilities:

1. The Resident Project Representative is the CONSULTANT's agent and shall act as directed by and under the supervision of the CONSULTANT. His dealings in matters pertaining to the on-site work shall, in general, be with the CONSULTANT and the construction contractor.
2. Review the progress schedule, schedule of shop drawing submissions, schedule of values, and other schedules prepared by the construction contractor.
3. Schedule progress meetings and other job conferences and notify those expected to attend. Attend meetings, and maintain and circulate copies of minutes thereof.
4. Review work, reject defective work, and verify that inspections and tests are conducted.
5. Accompany the CITY OF LAS VEGAS and visiting inspectors representing other agencies having jurisdiction over the Project, record the outcome of these inspections, and report to the CONSULTANT.
6. Interpret the contract documents and transmit clarification and interpretation of the contract documents to the construction contractor.
7. Consider and evaluate the construction contractor's suggestions for modifications from the information described by the drawings or specifications.

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8. Records

- a. Maintain orderly files for Project-related documents.
- b. Keep a diary or log book, recording events at the job site.

9. Review payment estimates with the construction contractor for compliance with the established procedure for their submission and forward them with recommendations to CONSULTANT or CITY OF LAS VEGAS, noting particularly their relation to the schedule of values, work completed, and materials and equipment delivered at the site.

10. Completion

- a. Before substantial completion, submit a list of observed items requiring correction to the construction contractor.
- b. Conduct final inspection and prepare a final list of items to be corrected.
- c. Verify that all items on the final list have been corrected.

11. Provide 180 hours of construction inspection.

SECTION II: RESPONSIBILITIES OF THE CITY OF LAS VEGAS

The CITY OF LAS VEGAS, in addition to any other obligation contained in this AGREEMENT, agrees to do the following:

- A. Make available, at no cost to the CONSULTANT, all technical data in the possession of the CITY OF LAS VEGAS, including maps, past reports, surveys, borings and other information required by the CONSULTANT and relating to his work.
- B. Arrange and pay for any support data needed but not specifically included in Section I as a service to be provided by the CONSULTANT.

SECTION III: CONSULTANT FEES

- A. The CITY OF LAS VEGAS agrees to pay the CONSULTANT the following lump sum amounts for the services specified in Section I:

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<u>Work Items</u>	<u>Amount</u>
Section I.A. Engineering Design	\$4,200
Section I.B. Engineering Services	\$5,780
During Construction	
Section I.C. Construction Inspection	\$6,993

- B. Monthly progress payments shall be made based on submittal of invoices by the CONSULTANT which state the percentage of the work accomplished during the preceding month. Payment by the CITY OF LAS VEGAS shall be made monthly within thirty (30) days of receipt of the invoice.

SECTION IV: TIME OF PERFORMANCE

Execution of this AGREEMENT by the CITY OF LAS VEGAS shall constitute authorization as of the date stated in the introduction paragraph of this AGREEMENT to proceed diligently with performance of this work described in this AGREEMENT according to the following schedule:

<u>Item</u>	<u>Completion Date</u>
Bid Plans and Specifications	30 calendar days from Notice to Proceed

- A. It is further agreed that the above payments for services have been arrived at after meaningful negotiations between the CITY OF LAS VEGAS and the CONSULTANT.

SECTION V: INSURANCE

- A. CONSULTANT shall provide and maintain during the existence of this AGREEMENT for the protection of the CONSULTANT and the CITY OF LAS VEGAS, the following coverage:

1. State Industrial Insurance System Insurance covering its full liability under the State Industrial Laws of the State of Nevada as required by the State Industrial Commission, or equivalent coverage approved by the CITY OF LAS VEGAS.
 2. Comprehensive General Liability Insurance in the amount of \$500,000 for injury or death to each person, \$1,000,000 for each occurrence and \$500,000 for each claim of property damage with the CITY OF LAS VEGAS named as an additional insured party.
 3. Automobile Insurance in the amount of \$500,000 with the CITY OF LAS VEGAS named as an additional insured party.
 4. Professional Liability Insurance (Errors and Omissions Coverage) in the amount of One Million Dollars (\$1,000,000) covering the acts, errors or omissions of the CONSULTANT committed during the performance of this AGREEMENT. A provision shall be included in said coverage subjecting the carrier to any decision or judgment relative to negligence on the part of the CONSULTANT rendered pursuant to, or in accordance with, the arbitration provisions of Section XVII of the Supplemental Terms, Exhibit "A".
- B. Prior to the commencement of this AGREEMENT and as a condition precedent thereto, the CONSULTANT will obtain the insurance coverage required hereunder and will furnish Certificates of Insurance to the CITY OF LAS VEGAS demonstrating the procurement of such insurance and will provide the CITY OF LAS VEGAS with a copy of the appropriate sections of the policy.
- C. The insurance coverage required herein must be written by a company which is licensed to do business in the State of Nevada. The Certificates of Insurance sent to the CITY OF LAS VEGAS must contain a clause to the effect that cancellations, reductions or restrictions shall not be made until thirty (30) days after written notice to the CITY OF LAS VEGAS. In the event that any of the insurance coverage required hereunder is cancelled, reduced or restricted, the CITY OF LAS VEGAS reserves the right to terminate this AGREEMENT, or to require that the CONSULTANT obtain substitute insurance.

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SECTION VI: NOTICES

Any notice required under this AGREEMENT shall be sent to the following addresses:

CITY OF LAS VEGAS:

CITY OF LAS VEGAS
Director of Public Services
400 East Stewart Avenue
Las Vegas, NV 89101

CONSULTANT:

Russell L. Culp
CULP/WESNER/CULP
3461 Robin Lane
P.O. Box 518
Cameron Park, CA 95682

SECTION VII: ENTIRE AGREEMENT

Sections I through VII and the Supplemental Terms, Exhibit "A", constitute the entire AGREEMENT between the parties hereto with respect to the matters covered thereby. All prior negotiations, representations and agreements with respect thereto not incorporated in such AGREEMENT documents are hereby cancelled.

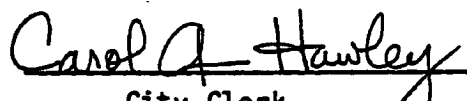
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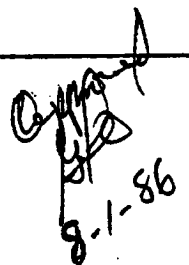
In WITNESS WHEREOF, this AGREEMENT is hereby executed as of the date first above set forth.

CITY OF LAS VEGAS, NEVADA
a Municipal Corporation,

ATTEST:

By 
RON LURIE, MAYOR PRO TEM


City Clerk


8-1-86

CLEAN WATER CONSULTANTS, dba
CULP/WESNER/CULP

ATTEST:

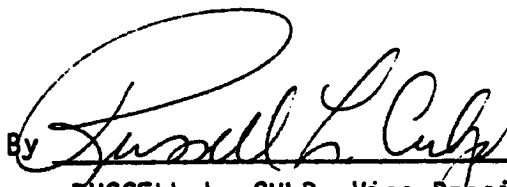
By 
RUSSELL L. CULP, Vice President

EXHIBIT "A"

SUPPLEMENTAL TERMS

In addition to the foregoing terms, conditions and covenants, the Parties hereto agree to the following supplemental provisions:

SECTION I: COORDINATION

In reviewing any and all plans, specifications, maps or other documents related to the performance of this Agreement, CONSULTANT agrees to complete said review so as to not delay the performance of this Agreement, or any other agreement between the CITY OF LAS VEGAS and third parties. CONSULTANT agrees to notify the CITY OF LAS VEGAS of any and all documents in the possession of the CITY OF LAS VEGAS needed by the CONSULTANT in performing this Agreement.

SECTION II: TERMINATION

The CITY OF LAS VEGAS reserves the right to terminate this Agreement without cause or default on the part of the CONSULTANT immediately upon written notification to the CONSULTANT. Notification of the CONSULTANT is deemed to have occurred on that date that the CITY OF LAS VEGAS deposits the written notification with the United States Postal Service, postage prepaid, and addressed to the party and location contained in the Section entitled "Notices" of the Agreement to which these Supplemental Terms are attached thereto as Exhibit "A".

In the event of termination, without cause or default, the CITY OF LAS VEGAS agrees to pay to the CONSULTANT the reasonable value for all work and services performed to the date of termination.

SECTION III: DEFAULT

A. The occurrence of any of the following events shall be a default by CONSULTANT hereunder (hereinafter called

"Events of Default"):

1. If CONSULTANT shall default in the due observance and performance of any term, condition or covenant contained herein.
2. If CONSULTANT shall (a) voluntarily terminate operations or consent to the appointment of a receiver, trustee or liquidator of CONSULTANT for all or a substantial portion of its assets, (b) be adjudicated bankrupt or insolvent or file a voluntary petition in bankruptcy, or admit in writing its inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (3) if action shall be taken by CONSULTANT for the purpose of effecting any of the foregoing:
3. If any warrant, execution or other writ shall be issued or levied upon any property or assets of CONSULTANT and shall continue unvacated and in effect for a period of thirty (30) days; or
4. If CONSULTANT should, in the judgment of CITY OF LAS VEGAS, neglect to prosecute the work hereunder properly and with proper dispatch in accordance with the time schedule which may have been agreed upon between the parties hereto:

Then, if any such Event of Default continues for three (3) working days after written notice to the CONSULTANT, CITY OF LAS VEGAS may, without prejudice to any other remedy it may have at law or in equity, (a) terminate this Agreement, suspend payment of all pending invoices otherwise due to CONSULTANT hereunder, finish the work

- 1 by such means as CITY OF LAS VEGAS may see fit, deduct-
2 ing from any balance due CONSULTANT the cost of finish-
3 ing the work if the CITY OF LAS VEGAS cannot complete
4 the performance of this Agreement with the remaining
5 funds originally set aside and budgeted for this pro-
6 ject and paying the excess, if any, to CONSULTANT and in
7 the event the cost of finishing CONSULTANT's work exceeds
8 the balance due CONSULTANT, such excess shall be paid
9 by CONSULTANT to CITY OF LAS VEGAS within five (5)
10 days of invoicing by CITY OF LAS VEGAS, or (b) terminate
11 this Agreement and all the obligations imposed hereunder,
12 including the obligation of any further payment for the
13 services of the CONSULTANT except for the reasonable
14 value for all work and services performed to the date of
15 termination. The costs and expenses of completing the
16 work of CONSULTANT shall be computed and audited by
17 CITY OF LAS VEGAS' designated representative, whose
18 certification thereof shall be final and binding upon
19 the parties. The audit shall be made in accordance
20 with generally accepted accounting principles and
21 CONSULTANT shall pay all costs of such audit.
- 22 3. In the event CITY OF LAS VEGAS is required to perform
23 or does perform or hires others to perform any work or
24 services because of the default of the CONSULTANT, the
25 cost thereof, plus an additional ten percent (10%) to
26 cover CITY OF LAS VEGAS' overhead expenses, shall be
27 promptly paid by CONSULTANT to CITY OF LAS VEGAS.
- 28 C. It is expressly agreed that CITY OF LAS VEGAS reserves
29 the right to offset any and all claims made by CONSUL-
30 TANT for payment of its fees hereunder or the reimburse-
31 ment of additional costs it incurred, with any claims
32 that CITY OF LAS VEGAS might have against CONSULTANT for

1 failure to comply with any of the terms and conditions
2 of this Agreement.

3 SECTION IV: OWNERSHIP OF DOCUMENTS

4 All plans, drawings, specifications, calculations,
5 reports or other like documents given, prepared or assembled by
6 the CONSULTANT or any subcontractors which are related to the
7 performance of this Agreement are deemed to be the property of
8 the CITY OF LAS VEGAS. In the event of completion or termina-
9 tion of this Agreement, the CITY OF LAS VEGAS reserves the right
10 to require delivery of any and all plans, drawings, specifica-
11 tions, calculations, reports or other like documents not in its
12 possession.

13 SECTION V: INDEMNITY

14 Notwithstanding any of the insurance requirements here-
15 inabove set forth or limits of liability set forth therein,
16 CONSULTANT shall protect, indemnify and hold harmless the CITY
17 OF LAS VEGAS, its officers and employees from any and all claims,
18 damages, losses, expenses, suits, actions, decrees, judgments,
19 attorney fees and court costs which the CITY OF LAS VEGAS, its
20 officers or employees may suffer, or which may be sought against,
21 recovered from or obtainable against the CITY OF LAS VEGAS, its
22 officers or employees as a result of, or by reason of, or arising
23 out of the negligent acts or omissions of the CONSULTANT, its
24 subcontractors or agents or anyone directly or indirectly employed
25 by the subcontractor or agent, in fulfillment or performance of
26 the terms, conditions or covenants of this Agreement.

27 It is expressly agreed that the CONSULTANT shall, at
28 its own cost, defend any and all suits or actions that may be
29 brought against the CITY OF LAS VEGAS, its officers or employees
30 by reason of any negligent act or omission against which the
31 CONSULTANT has agreed to indemnify the CITY OF LAS VEGAS. If the
32 CONSULTANT shall fail to do so, the CITY OF LAS VEGAS shall have

1 the right to defend same and to charge all direct and incidental
2 costs of such defense to the CONSULTANT, including court costs and
3 counsel fees.

4 SECTION VI: ASSIGNMENT

5 The CITY OF LAS VEGAS and the CONSULTANT each bind
6 itself and its partners, successors, administrators and assigns
7 to the other party of this Agreement and to the partners, successors
8 executors, administrators and assigns of such other party in
9 respect to all covenants of this Agreement, except neither the
10 CITY OF LAS VEGAS nor the CONSULTANT shall assign, sublet or
11 transfer its interest in this Agreement without the written con-
12 sent of the other. Nothing contained herein shall be construed
13 as creating any personal liability on the part of any officer or
14 agent of any public body which may be a party hereto.

15 SECTION VII: WAIVER

16 No consent or waiver, express or implied, by either
17 party to this Agreement to or of any breach or default by the
18 other in the performance of any obligations hereunder shall be
19 deemed or construed to be a consent or waiver to or of any other
20 breach or default by such party hereunder. Failure on the part of
21 any party hereto to complain of any act or failure to act of the
22 other party or to declare that other party in default hereunder,
23 irrespective of how long such failure continues, shall not con-
24 stitute a waiver of the rights of such party hereunder. Inspec-
25 tion by, payment by, or tentative approval or acceptance by CITY
26 OF LAS VEGAS or the failure of CITY OF LAS VEGAS to perform any
27 inspection hereunder, shall not constitute a final acceptance of
28 the work or any part thereof and shall not release CONSULTANT of
29 any of its obligations hereunder.

30 SECTION VIII: DESIGNATION OF REPRESENTATIVE

31 The Director of Public Services or his authorized
32 representative is hereby designated as the CITY OF LAS VEGAS'

1 representative with respect to the work to be performed under
2 this Agreement. Said representative shall have complete authority
3 to transmit instructions, receive information, interpret and
4 define CITY OF LAS VEGAS' policies and decisions with respect
5 to the services of the CONSULTANT.

6 SECTION IX: CONSULTANT WARRANTIES

7 CONSULTANT represents and warrants:

- 8 A. That it is financially solvent, able to pay its debts
9 as they mature, and possessed of sufficient working
10 capital to complete this Agreement; that it is able to
11 furnish the plant, tools, materials, supplies, equip-
12 ment and labor, and is experienced in and competent to
13 perform the work contemplated by this Agreement, and
14 that it is qualified to do the work herein and is
15 authorized to do business in the State of Nevada.
- 16 B. That the CONSULTANT holds a license, permit or other
17 special license to perform the services included in
18 this Agreement, as required by law, or employs or works
19 under the general supervision of the holder of such
20 license, permit or special license.

21 SECTION X: CONSULTANT'S EMPLOYEES

22 The CONSULTANT shall be responsible for maintaining
23 satisfactory standards of employee competency, conduct and inte-
24 grity, and shall be responsible for taking such disciplinary action
25 with respect to its employees as may be necessary. In the event
26 the CONSULTANT fails to remove any employee from the contract
27 work whom the CITY OF LAS VEGAS deems incompetent, careless or
28 insubordinate, or whose continued employment on the work is deemed
29 by the CITY OF LAS VEGAS to be contrary to the public interest,
30 the CITY OF LAS VEGAS reserves the right to require such removal
31 as a condition for the continuation of this Agreement.

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SECTION XI: INDEPENDENT CONTRACTOR

It is hereby expressly agreed and understood that in the performance of the services provided herein, the CONSULTANT and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the CITY OF LAS VEGAS.

SECTION XII: APPLICABLE LAW

This Agreement shall be construed and interpreted in accordance with the laws of the State of Nevada.

SECTION XIII: COMPLIANCE WITH LAWS

The CONSULTANT shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement, including the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

SECTION XIV: SEVERABILITY

In the event that any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain valid and binding on the parties hereto.

SECTION XV: PROHIBITION AGAINST
CONTINGENT FEES

The CONSULTANT warrants that no person or entity has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee. For breach or violation of this warranty, the CITY OF LAS VEGAS shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent

1 see.

2 SECTION XVI: PUBLICITY

3 All publicity concerning the services of the CONSULTANT
4 with respect to the performance of this Agreement shall be
5 approved by the CITY OF LAS VEGAS.

6 SECTION XVII: ARBITRATION

- 7 A. All claims, disputes and other matters in question
8 between the parties to this Agreement arising out of or
9 relating to this Agreement or the breach thereof, may,
10 at the option of the aggrieved party, be decided by
11 arbitration in accordance with the Construction Industry
12 Arbitration Rules of the American Arbitration Associa-
13 tion then obtaining unless the parties mutually agree
14 otherwise. No arbitration arising out of or relating
15 to this Agreement shall include, by consolidation,
16 joinder or in any other manner, any additional person
17 not a party to this Agreement except by written consent
18 which contains a specific reference to this Agreement
19 and which is signed by the CITY OF LAS VEGAS. Any con-
20 sent to arbitration involving an additional person or
21 persons shall not constitute consent to arbitration of
22 any dispute not described therein or with any person
23 not named or described therein. This agreement to
24 arbitrate and any agreement to arbitrate with an addi-
25 tional person or persons duly consented to by the CITY
26 OF LAS VEGAS shall be specifically enforceable under
27 the prevailing arbitration law.
- 28 B. It is further expressly agreed and understood between
29 the parties that in the event the CITY OF LAS VEGAS is
30 named as a party to any arbitration action arising out
31 of, or resulting from, the construction of the Project,
32 the CONSULTANT agrees and irrevocably consents, at the

000196

option of the CITY OF LAS VEGAS, to be joined as a party in the arbitration proceeding and to be bound by any decision resulting therefrom and further irrevocably consents to the joinder, in any arbitration to which it is a party, of the contractor with respect to the Project.

None of the time provisions imposed under Subsection C and D apply to the joinder rights provided herein in such a way as to preclude the CITY OF LAS VEGAS from joining the CONSULTANT as a party to any arbitration proceeding in which it is named and which arises out of, or results from, the construction of the Project.

- C. In order for the CONSULTANT to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the CITY OF LAS VEGAS within thirty (30) days after the claim, dispute or other matter arises. In order for the CITY OF LAS VEGAS to be able to arbitrate any claim, dispute or other matter in question between the parties, written notice must be given to the CONSULTANT within sixty (60) days after the claim, dispute or other matter arises. The purpose of such notification is to place the other party on notice so that proper measures can be taken to properly defend against such claim, dispute or other matter, and the failure to give such notice shall preclude the party desiring arbitration from subsequently arbitrating that particular claim, dispute or other matter.
- D. The filing of the aforementioned written notice shall preserve that party's right to arbitration, but shall not obligate the party to proceed with arbitration. In

1 the event that either party desires to proceed with the
2 arbitration of any claim, dispute, or other matter with
3 respect to which such notice has been given, a
4 written demand for arbitration shall be filed in writ-
5 ing with the other party and with the American Arbitra-
6 tion Association within sixty (60) days after the filing
7 of the Certificate of Substantial Completion with
8 respect to the Project, and the failure to make such
9 demand shall forever bar such claim, dispute or other
10 matter from being arbitrated.

11 E. In the event of arbitration, it is agreed by the
12 parties hereto that all means of discovery, including
13 but not limited to, depositions and interrogatories
14 will be afforded to the parties involved in the arbitra-
15 tion, and the appointed arbitrator shall have all
16 authority to impose sanctions against either party for
17 failing to comply with the rules for discovery provided
18 under the Nevada Rules of Civil Procedure.

19 F. The award rendered by the arbitrators shall be final,
20 and judgment may be entered upon it in accordance with
21 applicable law in any court having jurisdiction thereof.

22 SECTION XVIII: CONFIDENTIALITY

23 CONSULTANT shall treat all information relating to the
24 Project and all information supplied to the CONSULTANT by the CITY
25 OF LAS VEGAS as confidential and proprietary information of the
26 CITY OF LAS VEGAS and shall not permit its release to other parties
27 or make any public announcement or publicity releases without the
28 CITY OF LAS VEGAS' written authorization. CONSULTANT shall also
29 require subcontractors and vendors to comply with this require-
30 ment.

31 SECTION XIX: SITE INSPECTION

32 CONSULTANT represents that it has inspected the location

1 or locations of the Project and all data relating thereto, includ-
2 ing, but not limited to, soil test reports and data, and loca-
3 tion of adjacent structures and utilities, and has satisfied
4 itself as to the condition thereof and that the CONSULTANT
5 compensation as provided for in the Section entitled "Compensa-
6 tion" of the Agreement to which these Supplemental Terms are
7 attached thereto as Exhibit "A", is just and reasonable compensa-
8 tion for performance hereunder, including all foreseen and fore-
9 seeable risks, hazards and difficulties in connection therewith.

10 SECTION XX: SUBCONTRACTS

11 CONSULTANT agrees to include in all professional
12 engineering subcontracts in connection with performance of the
13 terms and obligations imposed under this Agreement the following:

- 14 A. A provision that CONSULTANT agrees to pay the sub-
15 contractor when paid for that portion of the work by
16 the CITY OF LAS VEGAS, that no liability arises on the
17 part of the CONSULTANT to the subcontractor for payment
18 of the subcontracted work until payment has been made
19 by the CITY OF LAS VEGAS, and that if the CITY OF LAS
20 VEGAS has paid the CONSULTANT for said subcontracted
21 work, then the subcontractors only recourse is against
22 the CONSULTANT and not against the CITY OF LAS VEGAS,
23 either through the institution of legal or equitable
24 action or the attachment of any lien;
- 25 B. A provision that the subcontractors have no more rights
26 against the CITY OF LAS VEGAS than that of the CON-
27 SULTANT;
- 28 C. A provision that the subcontractor agrees to be bound
29 by all the terms, conditions and obligations of this
30 Agreement unless the CITY OF LAS VEGAS has approved any
31 deviations, changes or modifications in writing; and
32 D. A provision that the subcontractor will obtain and

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1 maintain Professional Liability Insurance (Errors and
2 Omissions Coverage) in connection with the subcontracted
3 work in the amount of ONE MILLION DOLLARS.

4 SECTION XXI: MODIFICATION

5 All modification or amendments to this Agreement are
6 null and void unless reduced to writing and signed by the parties
7 hereto.

AGENDA*City of Las Vegas*

000200

June 4, 1986
Page 21CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Council Action

Department Action

IV.(g). DEPARTMENT OF PUBLIC WORKS (Cont'd.)C. REPORTS/ACTION (Cont'd.)

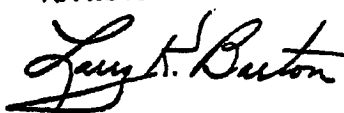
4. Proposed Special Improvement District for Lake Mead Boulevard

Recommendation: That the Department of Public Works be given authorization to proceed with this S.I.D. for Lake Mead Boulevard and that the City Attorney's office be given permission to retain a Bonding Attorney for sale of bonds.

Levy -
APPROVED Items C-1,
C-2, C-3 and C-4 as
recommended.
Unanimous

Staff to proceed

APPROVED AGENDA ITEM.



City of Las Vegas

AGENDA DOCUMENTATION

Date: May 13, 1986

TO: The City Council

FROM: LARRY K. BARTON 000201
DEPUTY CITY MANAGERSUBJECT: PROPOSED SPECIAL IMPROVEMENT DISTRICT
FOR LAKE MEAD BOULEVARDPURPOSE/BACKGROUND

The adjacent property owners have requested the Public Works Department to construct full improvements for Lake Mead Boulevard between Winwood Street and Oran K. Gragson Highway, via the Special Improvement District process.

The engineering firm of Brechler Rice & Associates was retained to do the feasibility study and report.

There is approximately 11,600 feet of frontage within the project. Listed below are the improvements recommended and the percentage of approval based on property frontage:

	<u>Frontage Approval</u>
(1) Travel lanes	68%
(2) Continuous left turn lane	68%
(3) Parking lane	68%
(4) Curb and gutter	68%
(5) Streetlights	68%
(6) Conduit for present and future signals and other underground facilities	68%
(7) Sewer laterals	59%

The Assessment District Revolving Fund is normally used for Special Improvement Districts but it is not adequate to fund this project estimated to cost \$3 million, as outlined in the feasibility study. It would be necessary to sell bonds to finance these improvements.

FISCAL IMPACT

All costs relative to this proposed Special Improvement District would be reimbursed from the payment of individual assessments of benefiting property owners.

RECOMMENDATIONS

It is recommended that the Department of Public Works be given authorization to proceed with this S.I.D. for Lake Mead Boulevard and that the City Attorney's office be given permission to retain a Bonding Attorney for sale of bonds.


Richard D. Goecke, Director
Department of Public Works

Agenda Item 6/4/86

IV.(g)C.4.

AGENDA*City of Las Vegas*

JUNE 4, 1986

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011Page 22
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ITEM

Council Action

Department Action

IV(h) DEPARTMENT OF DESIGN AND DEVELOPMENT
THOMAS B. GRAHAM, AICP, RLA, DIRECTOR

23

- A. DISCUSSION AND POSSIBLE ACTION ON CONTRACT
MODIFICATION ON THE DOWNTOWN TRANSPORTATION
CENTER CONSTRUCTION.

Levy -
APPROVED as recom-
mended.
Unanimous

Staff to proceed

Tom Graham
appeared.

APPROVED AGENDA Item

Larry R. Burton

City of Las Vegas

000203

AGENDA DOCUMENTATION

Date: MAY 27, 1986

TO: The City Council

FROM: LARRY K. BARTON
DEPUTY CITY MANAGERSUBJECT: DISCUSSION AND POSSIBLE ACTION ON CONTRACT MODIFICATION ON THE DOWNTOWN
TRANSPORTATION CENTER CONSTRUCTIONPURPOSE/BACKGROUND

The City Council awarded a construction contract in the amount of \$2,632,880. for the Downtown Transportation Center to Pace Contracting Company at a special meeting on January 13, 1986. To date, various additions and deletions have been reviewed and recommended by the City's Change Order Committee involving caliche removal due to unforeseen subsoil conditions, required field adjustments, and proposed material enhancements. Following is a summary of the recommended contract modifications.

Contract Modification #1 (NET CREDIT)

Various field adjustments, additions, deletions, and sub-soil caliche removal.

Contract Modification #2

Remove and replace expansive soils under pavers in boarding plazas.

Contract Modification #3

Change of finish on metal linear ceiling to aluminum polished copper in lieu of painted steel.

Contract Modification #4

Add ceramic tile floor in lieu of vinyl asbestos tile throughout building.

FISCAL IMPACT

Contract Modification #1 plus 0 days time extension	(\$12,164. CREDIT)
Contract Modification #2 plus 0 days time extension	24,157.
Contract Modification #3 plus 0 days time extension	12,292.
Contract Modification #4 plus 0 days time extension	<u>63,500.</u>
TOTAL =	\$87,785.

The original contract amount of\$2,632,880.00
when increased by the total of
Contract Modifications #1, 2,
3, & 4 or 87,785.00

The result is a new
contract amount of.....\$2,720,665.00
or 3.3% increase to the
original contract amount.

Funds are available from the parking garage lease revenues for downtown development.

RECOMMENDATIONS

The Department of Design and Development and the City's Change Order Committee have reviewed and recommend the above Contract Modifications. It is the recommendation of the City Manager that the City Council approve the four contract modifications and authorize the Mayor to execute Contract Modifications #1, 2, 3, and 4 on behalf of the City of Las Vegas.

NOTE: Contract Modifications 3 and 4 will provide more durable wearing surfaces requiring less long term maintenance expense.

Agenda Item 6-4-86

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

IV(h) A.

000204

June 4, 1986

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AGENDA*City of Las Vegas*

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

ITEM	Council Action	Department Action
V. GEORGE F. OGILVIE - CITY ATTORNEY		
11:24 A. Appeal of Work Card Denial: Richard Walker 16 Britz Circle - Apt. A North Las Vegas, Nevada 89030	Lurie - Appeal DENIED Unanimous	Clerk to notify Appellant was not present.
11:24 B. Approval of Agreement Between City of Las Vegas and State of Nevada for Modification of Traffic Signal Systems at Various Intersections	Lurie - APPROVED Agreement Unanimous	Staff to proceed
11:25 C. Approval of Resolution Determining Costs to be Assessed and Directing City Engineer to Prepare Preliminary Assessment Roll re: Special Improvement District No. 443 (Nellis Boulevard)	Lurie - APPROVED Resolution Unanimous	Staff to proceed
11:25 D. Approval of Resolution Tentatively Approving Assessment Roll, Ordering Same to be Filed and Fixing Time for Public Hearing Thereon re: Special Improvement District No. 456 (Rancho Drive)	Lurie - APPROVED Resolution Unanimous	Staff to proceed

000205

MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOB NOLEN

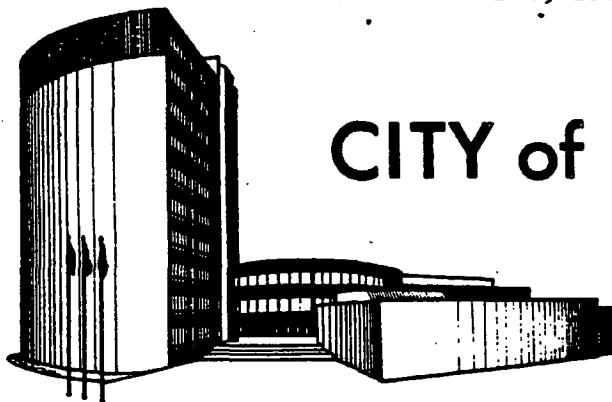
W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

May 21, 1986

Mr. Richard Walker
16 Britz Circle - Apt. A
North Las Vegas, Nevada 89030

RE: Work Card Denial

Dear Mr. Walker:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, June 4, 1986, at the regularly scheduled City Council Meeting. This matter will be heard sometime between 10:00 A.M. and 12 Noon. I would advise you to be present at 10:00 A.M. and wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

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

Sincerely,

A handwritten signature in cursive script that reads "Carol Ann Hawley".

CAROL ANN HAWLEY
City Clerk

CAH:jp

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



000206

May 21, 1986

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

RE: Work Card Denial

Dear Ms. Hawley:

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

Sincerely,

Richard Walker

Richard Walker
16 Britz Circle - Apt. A
North Las Vegas, Nevada 89030

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

City of Las Vegas

AGENDA DOCUMENTATION

Date: May 27, 1986

TO: The City Council

FROM: *George F. Gilmer*
CITY ATTORNEY

000207

SUBJECT: Agreement Between City of Las Vegas and State of Nevada for
Modification of Traffic Signal Systems at Various IntersectionsPURPOSE/BACKGROUND

The State of Nevada has agreed to modify, at its expense, the traffic signal systems at the intersections of Sahara Avenue with Maryland Parkway and Decatur Boulevard and at the intersection of Charleston Boulevard with Rancho Drive, in exchange for the City's agreement to maintain, including providing electrical energy to, the traffic signal systems following their modification.

The State has also agreed to pay the costs of replacing or repairing any of the systems' controllers, poles, mast arms or signal heads, if the cost of such replacement or repair does not exceed \$1,000.00.

FISCAL IMPACT

The only cost to the City will be the costs of maintaining, including providing electrical energy to, the traffic signal systems following the completion of such modifications.

RECOMMENDATIONS

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

Agenda Item

V-B

Project HES-170(35), 71313

Hwy Agreement No. P140-86-012

INTERLOCAL COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this 2nd day of July, 1986 by and between the STATE OF NEVADA DEPARTMENT OF TRANSPORTATION (hereinafter "STATE"), and the CITY OF LAS VEGAS, a political subdivision of the State of Nevada (hereinafter "CITY"), is for the purpose of the joint construction, operation, maintenance and repair of traffic signal systems, as described below, all of which are to be located in the CITY.

Traffic signal modifications are to be made at the intersections of Sahara Avenue with Maryland Parkway, Charleston Boulevard with Rancho Drive, Sahara Avenue with Decatur Boulevard and Wyoming Avenue with Casino Center Boulevard.

STATE agrees to do the following:

1. To provide expertise in the area of Federal Laws, regulations and directives relating to the Federal Highway Administration and to administer this project.
2. To review the plans and estimates, prepare the specifications and authorize the CITY to proceed with the construction of this project.
3. To pay 100% of the cost of replacing controllers, poles, mast arms and signal heads, when the cost of repairs exceeds \$1,000.00, and is not recoverable from insurance, or other means.
4. To reimburse the CITY, one hundred (100%) percent of the actual costs incurred by CITY in furnishing materials and performing the work as specified in the plans. Partial payments will be made once each month as the work satisfactorily progresses. The payments shall be based upon materials in place, or on the project invoiced, and labor expended thereon. No payment shall be made when, in the judgment of the STATE, the work is not in accordance with the plans and/or specifications of the project.

CITY agrees to do the following:

1. To provide preliminary engineering, preliminary plans and estimates to STATE without cost to STATE.
2. Upon being notified in writing by STATE that Federal Funds are available to carry out STATE's obligation, to accomplish construction utilizing CITY Forces on a Force Account Basis (actual costs). In this connection, the CITY hereby certifies to the STATE that it is adequately staffed and has at least seventy (70%) percent of the construction equipment necessary to undertake and satisfactorily complete work.

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

4. CITY shall permit authorized representatives of the STATE and the Federal Highway Administration (FHWA) to inspect the traffic signal systems as they may require, and CITY shall also allow inspection of its records which support charges for labor and materials under this Agreement, and shall maintain such records for at least three years after the date of final payment.

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

6. CITY shall operate, maintain, repair, and provide energy for the traffic signal systems in accordance with STATE standards, and at no cost to STATE except as otherwise provided herein.

7. CITY further agrees to perform periodic physical inspections, review of timing sequences and operation, and lamp replacement, of the four traffic signal systems in accordance with CITY's maintenance and inspection plan and to maintain written documentation which shall be made available to STATE upon written request.

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

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

IT IS MUTUALLY AGREED:

1. All work contemplated by this Agreement shall be done in a good and workmanlike manner, and to the reasonable satisfaction of STATE and CITY.

2. Any modification of this Agreement shall be in writing, and shall be signed by the designated representatives of STATE and CITY, or their successors in office.

3. All written notices required under this Agreement shall be delivered to the following persons at the addresses shown:

FOR STATE:

Garth Dull, Acting Director
State of Nevada Department of Transportation
1263 South Stewart Street
Carson City, NV 89712

Telephone 885-5440

CITY COUNCIL MINUTES - JUNE 4, 1986

FOR CITY:

William H. Briare, Mayor
City of Las Vegas
400 East Stewart Avenue
Las Vegas, NV 89101

000210

Telephone 386-6311

4. STATE plans to use Federal Funds to perform its obligations under this Agreement, and if Federal Funds should be unavailable, this Agreement shall be void and of no effect.

5. If any action is required to enforce the provisions of this Agreement, the breaching party shall pay all reasonable expense of the non-breaching party incurred thereby, including, but not limited to, attorney's fees and interest at the legal rate.

6. It is the intent of the parties to this Agreement that ownership of the traffic signal systems shall remain with STATE.

7. This Agreement shall inure to the benefit of and shall be perpetually binding upon STATE and CITY, unless a written agreement of termination is executed by their authorized representative, or successors in office.

8. This Agreement is the complete and final expression of the intent and agreement of STATE and CITY.

IN WITNESS WHEREOF, STATE and CITY have caused this Agreement to be executed by their duly authorized representatives on the date first above written.

CITY OF LAS VEGAS

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

By: William H. Briare
Mayor

[Signature]
Director

ATTEST:

ATTEST:

Carol Ann Hawley
City Clerk

[Signature]
Administrative Services Officer

Recommended:

[Signature]
Chief Traffic Engineer

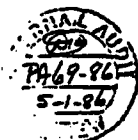
Recommended:

[Signature]
District Engineer

Approved as to Legality and Form:

[Signature]
Deputy Attorney General
Asst. Chief Counsel

Certified a true and correct copy of the original which is on file at the Headquarters office of the State of Nevada, Department of Transportation, Carson City, Nevada.
[Signature]
Administrative Services Officer



City of Las Vegas

000211

AGENDA DOCUMENTATION

Date: May 27, 1986

TO:

The City Council

FROM:

George F. Gilvie
George F. Gilvie
City Attorney

SUBJECT: Resolution Determining Costs To Be Assessed and Directing City Engineer
To Prepare Preliminary Assessment Roll re Special Improvement District
No. 443 (Nellis Boulevard)

PURPOSE/BACKGROUND

S.I.D. NO.:

443

STEP:

Resolution Determining Costs To
Be Assessed and Directing City
Engineer To Prepare Preliminary
Assessment Roll

IMPROVEMENTS:

Include the installation of
standard "L" type curbs and
gutters, parking lanes, standard
commercial driveways, installation
of street lighting, sewer laterals
and concrete sidewalks.

LOCATION:

Along the west side of Nellis
Boulevard to Owens Avenue and
along both sides of Bonanza Road
from the Las Vegas Wash to Nellis
Boulevard.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

Agenda Item

V-C

000212

1 RESOLUTION DETERMINING THE COSTS TO BE ASSESSED IN CITY OF LAS
2 VEGAS SPECIAL IMPROVEMENT DISTRICT NO. 443 AND ORDERING THE CITY
ENGINEER TO PREPARE THE PRELIMINARY ASSESSMENT ROLL.

3 WHEREAS, the City of Las Vegas, in the County of Clark
4 and State of Nevada, has taken requisite legal action preliminary
5 to and in the creation of City of Las Vegas Special Improvement
6 District No. 443, consisting of six (6) separate and distinct
7 assessment units, for the purpose of installing standard "L"
8 type curbs and gutters along the west side of Nellis Boulevard
9 between Charleston Boulevard and Owens Avenue and along both
10 sides of Bonanza Road between the Las Vegas Wash and Nellis
11 Boulevard, within said City, as more particularly described
12 in the Provisional Order Resolution which was passed and approved
13 on the 1st day of December, 1982, as Assessment Unit No. I,
14 installing street paving along both sides of Bonanza Road
15 between the Las Vegas Wash and Nellis Boulevard, within said
16 City, as more particularly described in said Resolution as
17 Assessment Unit No. II, installing standard commercial driveway
18 approaches, as requested by the owners of the abutting properties,
19 along the west side of Nellis Boulevard between Charleston
20 Boulevard and Owens Avenue and along both sides of Bonanza
21 Road between the Las Vegas Wash and Nellis Boulevard, within
22 said City, as more particularly described in said Resolution
23 as Assessment Unit No. III, installing street lighting along
24 the west side of Nellis Boulevard between Charleston Boulevard
25 and Owens Avenue and along both sides of Bonanza Road between
26 the Las Vegas Wash and Nellis Boulevard, within said City,
27 as more particularly described in said Resolution as Assessment
28 Unit No. IV, installing sanitary sewer laterals to the front
29 property lines of the unimproved properties along the west side
30 of Nellis Boulevard between Charleston Boulevard and Owens
31 Avenue and along both sides of Bonanza Road between the Las Vegas
32 Wash and Nellis Boulevard, within said City, as more particularly

000213

1 described in said Resolution as Assessment Unit No. V, and
2 installing standard concrete sidewalks along the west side of
3 Nellis Boulevard between Charleston Boulevard and Owens Avenue
4 and along both sides of Bonanza Road between the Las Vegas Wash
5 and Nellis Boulevard, within said City, as more particularly
6 described in said Resolution as Assessment Unit No. VI, and to
7 defray the entire cost and expense thereof by special assessments,
8 according to benefits, against the taxable lots and premises
9 in each assessment unit of said District; and

10 WHEREAS, pursuant to law, said City has entered into
11 the following contracts, to wit:

12 WELLS CARGO, INC., in the amount of \$18,392.65, and
13 LAS VEGAS PAVING CORP., in the amount of \$29,145.40, for the
14 improvements to be installed in Assessment Unit No. I,

15 LAS VEGAS PAVING CORP., in the amount of \$42,095.96,
16 for the improvements to be installed in Assessment Unit No. II,

17 WELLS CARGO, INC., in the amount of \$6,227.95, and
18 LAS VEGAS PAVING CORP., in the amount of \$20,680.80, for the
19 improvements to be installed in Assessment Unit No. III,

20 WELLS CARGO, INC., in the amount of \$34,796.00, and
21 LAS VEGAS PAVING CORP., in the amount of \$70,649.00, for the
22 improvements to be installed in Assessment Unit No. IV,

23 WELLS CARGO, INC., in the amount of \$8,590.00, and
24 LAS VEGAS PAVING CORP., in the amount of \$7,890.00, for the
25 improvements to be installed in Assessment Unit No. V, and

26 WELLS CARGO, INC., in the amount of \$31,759.05, and
27 LAS VEGAS PAVING CORP., in the amount of \$50,484.48, for the
28 improvements to be installed in Assessment Unit No. VI; and

29 WHEREAS, the costs, including administrative costs,
30 for installing the improvements in Assessment Unit No. I total
31 \$53,855.91, in Assessment Unit No. II total \$43,957.50, in
32 Assessment Unit No. III total \$28,051.38, in Assessment Unit

000214

1 No. IV total \$121,261.75, in Assessment Unit No. V total
2 \$18,952.00, and in Assessment Unit No. VI total \$103,854.81;

3 NOW THEREFORE, BE IT RESOLVED by the City Council of
4 the City of Las Vegas, Nevada, at a regular meeting thereof held
5 on the 4th day of June, 1986, that the amount of \$53,855.91
6 shall be assessed against and paid by the assessable property
7 in Assessment Unit No. I, \$43,957.50 shall be assessed against
8 and paid by the assessable property in Assessment Unit No. II,
9 \$28,051.38 shall be assessed against and paid by the assessable
10 property in Assessment Unit No. III, \$121,261.75 shall be
11 assessed against and paid by the assessable property in
12 Assessment Unit No. IV, \$18,952.00 shall be assessed against
13 and paid by the assessable property in Assessment Unit No. V
14 and \$103,854.81 shall be assessed against and paid by the
15 assessable property in Assessment Unit No. VI, all as designated
16 in Ordinance No. 3030, passed and approved on the 2nd day of
17 February, 1983.

18 BE IT FURTHER RESOLVED that the City Engineer is hereby
19 ordered to make an assessment roll which contains, among other
20 things:

- 21 1. The name of each last known owner of each lot or
22 parcel of property to be assessed; and
- 23 2. A description of each lot or parcel of property
24 to be assessed and the amount of the proposed assess-

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1 ment thereagainst, apportioned upon an area basis, all
2 as more particularly set forth in Section 3 of said
3 Ordinance No. 3030.

4 BE IT FURTHER RESOLVED that the City Clerk shall furnish
5 a copy of this Resolution to the City Engineer.

6 PASSED, ADOPTED AND APPROVED this 4th day of June, 1986.

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8
9 ATTEST:

William H. Briare
WILLIAM H. BRIARE, Mayor

10
11 *Carol Ann Hawley*
12 CAROL ANN HAWLEY, City Clerk

6-6-86

City of Las Vegas

000216

AGENDA DOCUMENTATION

Date: May 27, 1986

TO: The City Council

FROM: *George F. Gilvire*
George F. Gilvire
City Attorney

SUBJECT: Resolution Tentatively Approving Assessment Roll, Ordering Same To Be Filed and Fixing Time For Public Hearing Thereon re Special Improvement District No. 456 (Rancho Drive)

PURPOSE/BACKGROUND

S.I.D. NO.:

456

STEP:

Resolution Tentatively Approving Assessment Roll, Ordering Same To Be Filed and Fixing Time For Public Hearing Thereon

IMPROVEMENTS:

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

LOCATION:

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

FISCAL IMPACT

None

RECOMMENDATIONS

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

Agenda Item

V-D

1 A RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR
2 LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 456; ORDERING
3 SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK; AND
4 FIXING THE TIME WHEN OBJECTIONS TO SUCH ROLL WILL BE HEARD.

5 WHEREAS, the City of Las Vegas, in the County of Clark
6 and State of Nevada, has taken requisite legal action preliminary
7 to and in the creation of Special Improvement District No. 456,
8 consisting of four (4) separate and distinct assessment units,
9 for the purpose of installing standard "L" type curbs and gutters
10 along the east side of Rancho Drive between Oakey Boulevard and
11 Charleston Boulevard within said City, as more particularly
12 described in the Provisional Order Resolution which was passed and
13 approved on the 5th day of May, 1984, as Assessment Unit No. II,
14 installing street lighting along the east side of Rancho Drive
15 between Oakey Boulevard and Charleston Boulevard within said
16 City, as more particularly described in said Resolution as
17 Assessment Unit No. III, installing sanitary sewer laterals to
18 the front property lines of the unimproved properties along
19 the east side of Rancho Drive between Oakey Boulevard and
20 Charleston Boulevard within said City, as more particularly
21 described in said Resolution as Assessment Unit No. IV and
22 installing standard residential driveway approaches, as requested
23 by the owners of the abutting properties, along the east side
24 of Rancho Drive between Oakey Boulevard and Charleston Boulevard
25 within said City, as more particularly described in said Resolu-
26 tion as Assessment Unit No. V, and to defray the entire cost and
27 expense thereof by special assessments, according to benefits,
28 against the taxable lots and premises in each assessment unit of
29 said District, all in accordance with the statutes of the State
30 of Nevada which provide therefor; and

31 WHEREAS, by Ordinance No. 3126, duly passed, adopted
32 and approved on the 18th day of July, 1984, the City Council
of said City finally passed upon all protests and objections,

000218

1 determined to proceed with said improvements as described in
2 said preliminary proceedings, except as modified and provided
3 in said Ordinance, and created said District; and

4 WHEREAS, pursuant to notice duly given, said City
5 Council, on the 20th day of March, 1985, received bids for
6 the doing of the work therefor and formally entered into the
7 following contracts, to-wit:

8 WELLS CARGO, INC., in the amount of \$3,728.00, for the
9 improvements to be installed in Assessment Unit No. II,

10 WELLS CARGO, INC., in the amount of \$18,656.10, for the
11 improvements to be installed in Assessment Unit No. III,

12 WELLS CARGO, INC., in the amount of \$16,456.00, for the
13 improvements to be installed in Assessment Unit No. IV,

14 WELLS CARGO, INC., in the amount of \$2,619.00, for
15 the improvements to be installed in Assessment Unit No. V; and

16 WHEREAS, after making such contracts, said City
17 Council determined what portion of the costs of such work,
18 including advertising, appraising, engineering, legal, printing
19 and other proper incidental costs should be assessed against and
20 paid by the property specially benefited in each unit of said
21 Special Improvement District, to-wit:

22 Assessment Unit No. II \$3,307.28

23 Assessment Unit No. III \$25,848.39

24 Assessment Unit No. IV \$4,830.00

25 Assessment Unit No. V \$362.94

26 WHEREAS, the City Engineer of said City, pursuant to
27 directions contained in the resolution of said City Council duly
28 passed, adopted and approved on the 21st day of May, 1986, has
29 prepared an assessment roll which contains, among other
30 things, the name of each last known owner of each lot or
31 parcel of property to be assessed, a description of each lot
32 or parcel of property to be assessed and the amount of the

000219

1 proposed assessment thereagainst, apportioned on an area basis,
2 as more particularly set forth in Section 4 of Ordinance No.
3 3126; and

4 WHEREAS, said City Council has determined, and does
5 hereby determine, that the lots or parcels of property in said
6 City which are specially benefited by the improvements installed
7 in each unit of said District, and only those lots or parcels
8 of property which are so specially benefited, are included on
9 said assessment roll.

10 NOW, THEREFORE, BE IT RESOLVED, by the City Council
11 of the City of Las Vegas, Nevada, at a regular meeting thereof
12 held on the 4th day of June, 1986, as follows:

13 SECTION 1. That the assessment roll for Las Vegas,
14 Nevada, Special Improvement District No. 456 has been examined
15 and is hereby tentatively approved and ordered to be filed in
16 the Office of the City Clerk of said City, numbered Roll No.
17 1986-2.

18 SECTION 2. That Wednesday, the 2nd day of July,
19 1986, at 2:00 o'clock p.m., in the City Council Chambers at
20 the City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, be,
21 and the same hereby are, fixed as the time and place when said
22 City Council will hear and consider objections to said assessment
23 roll by the owners of the property specially benefited by the
24 improvements in each assessment unit of "Las Vegas, Nevada,
25 Special Improvement District No. 456" and proposed to be
26 assessed, by any party interested in the regularity of the
27 proceedings in making such assessments and by all parties
28 aggrieved by such assessments.

29 SECTION 3. That said City Clerk shall give notice
30 of such hearing by mailing a copy thereof, postage prepaid,
31 as first class mail at least 20 days prior to such hearing, to
32 the last known address of each last known owner of property

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1 within each assessment unit of said District whose property will
2 be assessed; and by publishing a copy thereof in the Las Vegas
3 Review Journal, a newspaper published and of general circulation
4 in said City, at least once each week for three consecutive
5 weeks, by three weekly insertions, the first publication to be
6 at least 15 days prior to the date of said hearing, and not less
7 than 14 days to intervene between the first and last publications;
8 and said notice shall state that such assessment roll is on file
9 in the Office of said City Clerk, the date of the filing of the
10 same, the time and place at which said City Council will hear
11 and consider objections to said assessment roll by the owners of
12 property specially benefited by the improvements in each
13 assessment unit of "Las Vegas, Nevada, Special Improvement
14 District No. 456" and proposed to be assessed, by any party
15 interested in the regularity of the proceedings in making such
16 assessments and by all parties aggrieved by such assessments.
17 Such notice shall be in substantially the following form, to-wit:

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000221

1 NOTICE OF THE FILING OF THE ASSESSMENT ROLL FOR LAS VEGAS,
2 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 456; OF THE OPPORTUNITY
3 TO FILE WRITTEN OBJECTIONS TO THE ASSESSMENTS CONTAINED THEREIN;
4 AND OF THE PROTEST HEARING THEREON.

5 NOTICE IS HEREBY GIVEN that the assessment roll for
6 Las Vegas, Nevada, Special Improvement District No. 456,
7 in and of the City of Las Vegas, Nevada, has been prepared by
8 the City Engineer of said City, that same was filed in the Office
9 of the City Clerk of said City on the 4th day of June, 1986,
10 and that since said time said assessment roll has been and now
11 is on file therein and is available for examination during regular
12 office hours by any interested person. Said Improvement District
13 consists of four (4) separate and distinct assessment units,
14 for the purpose of installing standard "L" type curbs and gutters
15 along the east side of Rancho Drive between Oakey Boulevard and
16 Charleston Boulevard within said City, as more particularly
17 described in the Provisional Order Resolution which was passed
18 and approved on the 5th day of May, 1984, as Assessment Unit
19 No. II, installing street lighting along the east side of Rancho
20 Drive between Oakey Boulevard and Charleston Boulevard within
21 said City, as more particularly described in said Resolution as
22 Assessment Unit No. III, installing sanitary sewer laterals to
23 the front property lines of the unimproved properties along
24 the east side of Rancho Drive between Oakey Boulevard and
25 Charleston Boulevard within said City, as more particularly
26 described in said Resolution as Assessment Unit No. IV and
27 installing standard residential driveway approaches, as requested
28 by the owners of the abutting properties, along the east side of
29 Rancho Drive between Oakey Boulevard and Charleston Boulevard
30 within said City, as more particularly described in said Resolu-
31 tion as Assessment Unit No. V. Such areas include all of the
32 properties which abut said improvements in each assessment unit
and are situate within those boundaries designated in Section 3

000222

1 of Ordinance No. 3126 for the respective assessment units.

2 The City Council of said City will meet to hear and
3 consider objections to said assessment roll by the owners of
4 the property specially benefited by the improvements in each
5 assessment unit of said District and proposed to be assessed, by
6 any party interested in the regularity of the proceedings in
7 making such assessments and by all parties aggrieved by such
8 assessments on Wednesday, the 2nd day of July, 1986, at 2:00
9 o'clock p.m., in the City Council Chambers at the City Hall,
10 400 East Stewart Avenue, Las Vegas, Nevada 89101. The owner
11 or owners of any property which is assessed in said assessment
12 roll, whether named or not in such roll, may, not less than three
13 (3) days prior to said hearing, file with said City Clerk his
14 or her specific written objections to such assessment.

15 Said assessments shall be due and payable at the office
16 of the City Treasurer of said City within thirty (30) days after
17 the ordinance which levies the assessments become effective, with-
18 out interest and without demand, or all or any part of such
19 assessments may, at the election of the owner, be paid thereafter
20 in ten substantially equal annual installments of principal until
21 paid in full, with interest in all cases on the unpaid and
22 deferred installments of principal from the date of publication
23 of said ordinance at a rate or rates per annum which shall not
24 exceed by more than 1% the Bond Buyers Index of 20 Municipal
25 Bonds which was most recently published before the date on which
26 the ordinance levying the assessments is adopted. Penalties
27 shall be due for delinquencies, and all installments may be pre-
28 paid.

29 Any objection to the regularity, validity or correctness
30 of the proceedings, of said assessment roll, of the estimated
31 maximum benefits, of each assessment contained therein, and of
32 the amount thereof levied against each lot or parcel of property

000223

1 shall be deemed waived unless it is presented at the time and
2 in the manner herein specified.

3 At the time and place so designated for hearing such
4 objections, said City Council shall hear and determine all
5 objections which have been so filed by any party interested in
6 the regularity of the proceedings in making such assessment, in
7 the correctness of such assessment or in the amount levied
8 against any particular lot or parcel of property to be assessed,
9 and said City Council shall have the power to adjourn such
10 hearing from time to time and by resolution shall have the power,
11 in its discretion, to revise, correct, confirm or set aside any
12 assessment and to order that such assessment may be made de novo.

13 DATED this 4th day of June, 1986.

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16 CAROL ANN HAWLEY, City Clerk
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1 SECTION 4. That the owner or owners of any property
2 which is assessed in said assessment roll, whether named or not
3 in such roll, may, within three (3) days prior to the date of
4 the hearing, file with said City Clerk his or her specific
5 written objections to such assessment.

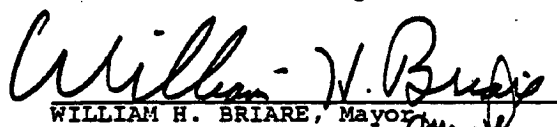
6 SECTION 5. That all actions (not inconsistent with
7 the provisions of this Resolution) heretofore taken by said City
8 and by the officers thereof directed toward the advertisement
9 herein prescribed be, and the same hereby are, ratified, approved
10 and confirmed.

11 SECTION 6. That the officers of said City be, and
12 they hereby are, authorized, empowered and directed to take
13 all action which is necessary or appropriate in order to
14 effectuate the provisions of this Resolution.

15 SECTION 7. That all resolutions, or parts thereof,
16 in conflict with the provisions of this Resolution are hereby
17 repealed.

18 SECTION 8. That if any section, paragraph, clause
19 or provision of this Resolution shall for any reason be held to
20 be invalid or unenforceable, the invalidity or unenforceability
21 of such section, paragraph, clause or provision shall not affect
22 any of the remaining provisions of this Resolution.

23 PASSED, ADOPTED AND APPROVED this 4th day of June, 1986.

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26 WILLIAM H. BRIARE, Mayor
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ATTEST:

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32 
CAROL ANN HAWLEY, City Clerk

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June 4, 1986

Page 24

AGENDA

City of Las Vegas

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

ITEM

Council Action

Department Action

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

11:26

E. License Disciplinary Action - JTJ Corporation

Nolen -
Stricken from
agenda because
licensee surrendered
business license.
Unanimous

NOTE: Complaint
and backup docu-
mentation made
part of record
and in permanent
record file.

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

11:23

F. Approval of Restrictive Covenant and Offsite
Improvements Agreement re: Las Vegas
Speedrome

Lurie -
ABEYANCE until
next meeting.
Unanimous

6-18-86 Agenda

11:29

G. Ratification of Actions of City Attorney
in Filing Complaint for Injunction Against
Tri-State Motor Transport Co. re: Nuclear
Waste Shipments

Lurie -
RATIFIED Actions.
Unanimous

City of Las Vegas

AGENDA DOCUMENTATION

Date: 000226
May 23, 1986

TO: The City Council

FROM: Val Steed *Val Steed*
Deputy City Attorney

SUBJECT:

License Disciplinary Action - JTJ Corporation

PURPOSE/BACKGROUND

This agenda item involves a proposed Complaint for Disciplinary Action against the license of JTJ Corporation, d/b/a Camp David, 2631 S. Highland Dr., Las Vegas, Nevada. Camp David is licensed as a membership club/health club for men. Attached are the proposed Complaint, a proposed Order Approving Complaint and Notice of Hearing and a background report provided by the Department of Business Activity.

Background Facts

In May, 1985, the Las Vegas Metropolitan Police Department closed Camp David following an investigation of alleged licensing violations. Pursuant to a court order, Camp David was allowed to continue operating pending further resolution of the licensing issues. In June, 1985, the parties entered into a stipulation, which was formalized by court order, that Camp David could continue to operate subject to certain conditions. Among those conditions were the following:

- 1) Rooms would not be rented out without proper licensing and compliance with related regulations.
- 2) No room would be rented or made available to more than one person at a time.
- 3) Sexual activity would be discouraged, and not promoted, at the facility.
- 4) Lighting would be increased in the facility and maintained at a certain minimum level.

(-- Continued --)

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council approve the attached Complaint and order a hearing before a Hearing Examiner appointed by the Council.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

City of Las Vegas

AGENDA DOCUMENTATION

000227

Date:
May 23, 1986

Inspections and investigations conducted after the court proceedings reveal that the facility has been operated in violation of a number of the conditions set forth in the District Court Order. Among them are the following:

- 1) Rooms are being rented without proper licensing and contrary to state law and regulations which govern the renting of rooming accommodations.
- 2) Rooms are being made available to more than one individual at a time.
- 3) Portions of the facility have not been provided with the required minimum lighting.
- 4) The licensee is promoting rather than discouraging sexual activity on the premises. The nature of the sexual activity presents a heightened public health risk.

In addition, the actual operation of the facility differs from the manner in which it is advertised and the authorization granted by its license.

Grounds for Disciplinary Action

The facts set forth above constitute good cause for disciplinary action against JTJ Corporation's license under LVMC 6.02.330, specifically, the following subsections:

- 1) Subsection (H), because the premises do not satisfy laws and regulations pertaining to the activity engaged in;
- 2) Subsection (I), because the activity constitutes a public nuisance and is conducted in an unlawful, illegal and improper manner;
- 3) Subsection (K), because the licensee has violated conditions imposed upon the license; and
- 4) Subsection (L), because the licensee has engaged in deceptive practices upon the public.

Recommendations for Hearing

If the proposed Complaint is approved, it is recommended that a hearing be set before a Hearing Examiner to be appointed by the City Council pursuant to LVMC Chapter 2.22.

000228

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of)
The Department of Business)
Activity on behalf of the)
City of Las Vegas, Nevada,)
Petitioner,)
v.)
JTJ Corporation, dba Camp)
David,)
Respondent.)

COMPLAINT FOR DISCIPLINARY ACTION

The Petitioner, the Department of Business Activity of the City of Las Vegas, Nevada, makes this Complaint for Disciplinary Action against the Respondent, JTJ Corporation, as follows:

I.

1. The Respondent is the holder of a City business license (#M14-016-5-14454) to operate a private membership health club for men known as Camp David at 2631 South Highland Drive, which is located within the limits of the City of Las Vegas.

2. The Respondent's license is subject to all applicable provisions of the City's business licensing regulations as contained in Title 6 of the Las Vegas Municipal Code (LVMC).

3. In May, 1985, Camp David was closed down by the Las Vegas Metropolitan Police Department for alleged licensing violations. The Respondent subsequently obtained a restraining order from the District Court to allow Camp David to reopen pending further court action.

4. On June 14, 1985, the District Court entered an Order based on a stipulation between the City and the Respondent which had the effect of allowing Camp David to remain open subject to certain enumerated conditions. Among the stated conditions are the following:

(A) The Respondent will operate the facility at all times in

000229

1 accordance with the limitations contained in the Plaintiff's
2 license and license application, all state and local requirements
3 governing membership clubs and health clubs as are set forth by
4 statute, ordinance and regulation and Conditions 1 to 10, inclu-
5 sive, of the Stipulation.

6 (B) There will be no rental of rooming accommodations
7 without obtaining proper licensing pursuant to Chapter 6.46 of
8 the Las Vegas Municipal Code (LVMC).

9 (C) The Respondent will not promote, and will use its best
10 efforts to discourage, sexual activity on the premises.

11 (D) No rooms will be rented except as "single" rooms, each
12 of which will be available to one individual only.

13 (E) No rooming accommodations will be rented which do not
14 comply with Chapter 447 of NRS and the regulations promulgated
15 thereunder (NAC 447.010 et seq.).

16 (F) The lighting in the interior of the premises will be
17 increased in order to provide a minimum of 15 foot candles of
18 light at a distance of 30 inches from the floor throughout the
19 premises.

20 II.

21 5. On October 9, 1985, the Respondent, through its
22 agents and employees (hereinafter the "Respondent") was offering
23 rooms for rent to both members and nonmembers. The facilities
24 did not comply with minimum room size, bathroom facility and
25 other requirements applicable to room-rental facilities.

26 6. On or about October 18, 1985, the Respondent rented
27 a room to an undercover investigator for the Clark County Health
28 District, who was not a "member" of Camp David. The Respondent
29 rented other rooms to other individuals on that date as well.

30 7. On October 27, 1985, the Respondent rented a room
31 to said investigator again. On that same date, the Respondent
32 rented a single room to two males, one a member and the other

000230

1 not, who later occupied that room together.

2 8. On November 9, 1985, the Respondent rented a room
3 to said investigator again. On the same occasion, the Respondent
4 made available to two other males a single room, which they
5 occupied together.

6 9. On the above-cited dates, the Respondent rented
7 rooms which did not conform to the requirements of NRS Chapter
8 447 and NAC 447.010 et seq., and rented said rooms without proper
9 licensing, all in violation of the District Court Order and the
10 provisions contained therein.

11 10. The Respondent caused or permitted said rooms to be
12 available to more than one person, in violation of the District
13 Court Order.

14 11. The acts and omissions set forth in Paragraphs 5
15 and 9 are grounds for disciplinary action under LVMC 6.02.330(H)
16 because they are in violation of laws and regulations pertaining
17 to the renting of rooms.

18 12. The acts and omissions set forth in Paragraphs 5
19 through 10 are grounds for disciplinary action under LVMC
20 6.02.330(I) because they demonstrate that the business is being
21 conducted in an unlawful, illegal or improper manner.

22 13. The acts and omissions set forth in Paragraphs 5
23 through 10 are grounds for disciplinary action under LVMC
24 6.02.330(K) because they violate conditions imposed upon the
25 license by the District Court Order.

26 III.

27 14. On several occasions during October and November,
28 1985, lighting in some areas of the premises was less than the 15
29 foot-candle minimum specified in the District Court Order. The
30 Respondent caused or permitted said condition to exist in viola-
31 tion of the District Court Order.

32 15. The acts and omissions set forth in Paragraph 14

000231

1 constitute grounds for disciplinary action under LVMC 6.02.330(I)
2 because they constitute a public nuisance and demonstrate that
3 the business is being conducted in an unlawful, illegal or
4 improper manner.

5 16. The acts and omissions set forth in Paragraph 14
6 constitute grounds for disciplinary action under LVMC 6.02.330(K)
7 because they violate conditions imposed upon the license by the
8 District Court Order.

9 IV.

10 17. On his visit to Camp David on or about October 18,
11 1985, the undercover investigator for the Health District was
12 asked by two different males to accompany them to their rooms.
13 One of them repeatedly asked him to engage in sexual activity.

14 18. On that same date, two males were fondling each
15 other in the TV room while a gay movie was being exhibited. The
16 two males later entered a room together and one of them invited
17 the other to engage in sexual activity.

18 19. On the same date, gay magazines, posters and
19 literature were on display at the premises.

20 20. On his October 27, 1985, visit to Camp David, the
21 undercover investigator observed two males enter a room they had
22 rented together and heard moaning coming from the room.

23 21. On the same occasion, gay-oriented materials were
24 again on display, including a movie depicting gay sexual activ-
25 ity. Some items were being offered for sale.

26 22. On his November 9, 1985, visit to Camp David, the
27 undercover investigator observed other males engaging in sexual
28 activity, in one case in view of a Camp David employee. Later,
29 on that same date, other Health District representatives visited
30 the premises. Upon their arrival, the lights were turned up,
31 doors were closed and sexual activity was discouraged by a Camp
32 David employee.

30 30. The facts set forth in Paragraph 29 are grounds for
31 disciplinary action under LVMC 6.02.330(L). The public is
32 deceived because the Respondent's business is operated in a

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1 manner different from what is represented in advertisements and
2 on the license applications.

3 VI.

4 31. The acts and omissions of the Respondent as set
5 forth herein constitute good cause for disciplinary action
6 against the Respondent's license.

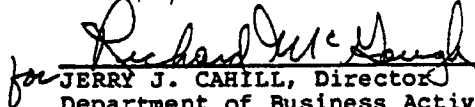
7 WHEREFORE, the Department of Business Activity respect-
8 fully requests the City Council as follows:

9 1. To approve this Complaint and order Respondent, at
10 a hearing before the Council or before a Hearing Examiner, to
11 show cause why disciplinary action should not be taken against
12 its license.

13 2. Following such hearing, to revoke said license.

14 3. To grant such further relief as the Council deems
15 proper, including costs and attorney's fees incurred by the City
16 herein.

17 DATED this 27 day of May, 1986.

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for JERRY J. CAHILL, Director
20 Department of Business Activity
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THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of)
The Department of Business)
Activity on behalf of the)
City of Las Vegas, Nevada,)
Petitioner,)
v.) ORDER APPROVING COMPLAINT
JTJ Corporation, dba Camp) AND NOTICE OF HEARING
David,)
Respondent.)

TO: JTJ Corporation, dba Camp David
2631 S. Highland Drive
Las Vegas, Nevada 89109

The Complaint of the Department of Business Activity of the City of Las Vegas, Nevada, against the above-named Respondent, dated May 27, 1986, 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 June, 1986, 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 the hearing thereon are approved.

YOU ARE HEREBY ORDERED to appear at the time and place set forth below, to show cause why disciplinary action should not be taken against your license.

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 ____ day of _____, 1986, beginning at the hour of ____ 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.

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

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

18 CAROL ANN HAWLEY, City Clerk

INTER-OFFICE MEMORANDUM

April 24, 1986

TO:	JERRY J. CAHILL, DIRECTOR DEPARTMENT OF BUSINESS ACTIVITY	FROM:	JIM DIFIORE LICENSE INVESTIGATOR II
SUBJECT:	CAMP DAVID M14-016-5-14454	COPIES TO:	VAL STEED DEPUTY CITY ATTORNEY

- I. Camp David, located at 2631 So. Highland, licensed as a membership club by JTJ Corporation; David Parks, Executor to the Estate of former officer in the corporation, Kevin K. Meyer, were investigated by LVMPD Vice Division in May of 1985. During that investigation, several improprieties were found resulting in Metro closing the establishment for business. As a result of that closure, JTJ Corporation sought a Temporary Restraining Order in District Court enjoining the City of Las Vegas and the LVMPD from taking such further action and to reopen the business. On June 14, 1985, a Stipulation and Order was signed by Judge Miriam Shearing which specified certain conditions by which the business could operate. In all, there are fifteen conditions by which JTJ Corporation will operate the business on So. Highland; conditions A-E and 1-10. It is believed by submitting the subsequent evidence, these conditions have been violated. The following exhibits will be offered as evidence:

- Exhibit 1 - Stipulation and Order/District Court.
- Exhibit 2 - Original and current license applications submitted by Camp David.
- Exhibit 3 - Copies of Clark County Health District inspections conducted on the facility.
- Exhibit 4 - Copies of an undercover investigation conducted by Pinkerton's, Inc. in conjunction with C.C.H.D.
- Exhibit 5 - Photos of the inside portion of the facility.
- Exhibit 6 - Advertising for the facility as depicted in local newspapers and magazines.
- Exhibit 7 - Excerpts from Morbidity and Mortality Weekly Report.

- II. Referring back to the Stipulation and Order, the following conditions have been violated:

"(A) The Plaintiff will operate the facility at all times in accordance with the limitations contained in the Plaintiff's license and license application, all State and local requirements governing membership clubs and health clubs as are set forth by statute, ordinance and regulations and conditions 1 to 10 inclusive of this Stipulation."

CLV 7007

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Referring to Exhibit 2, the descriptions of the business are as such:

- 8-30-79 "This will be a private membership health spa. There will be made available immediately; exercise equipment, running track, sauna, jacuzzi and some weight reduction equipment. Eventually, an Olympic swimming pool will be added."
- 3-08-82 "Camp David is a private membership health spa for men. A membership fee is charged plus an admittance for each visit. The member or his guest is entitled to either a locker or private dressing room and may use all facilities available, such as gym, jacuzzi, steam room, lounge or sun deck."
- 3-28-85 "Camp David has been licensed by the City of Las Vegas for five years. The business will continue to be operated in the same manner as it has been operated in the past."

Where emphasis in these descriptions is placed upon the facilities available and "private membership", the contents of Exhibit 4 seem to contradict the nature of the business operation. First, the undercover investigator was never questioned nor required to pay a membership fee or join Camp David as a new member, thus the facility is believed to be a public facility. Second, the nature of the activity (the showing of nude males on videotape performing sexual activities; the occupants of the facility paired off in couples utilizing the rooms for sexual activity) is contrary to the activity stressed in a regular health spa; that being to eliminate body fat, getting the body "in shape", exercising to reduce weight, etc.

- "(D) There will be no rental of rooming accommodations without obtaining proper licensing pursuant to Chapter 6.46 of the Las Vegas Municipal Code (LVMC)."

Referring back to Exhibit 4, the undercover investigator frequented the facility on three separate occasions during his investigation. In each case, a dressing room was rented out for use; #14 on the first visit, #16 on the second visit; and #24 on the third visit. Additionally, the investigator observed other rooms being rented out to patrons of the establishment. Compliance with the above-mentioned code section has not been attained.

- (1) "The Plaintiff shall not promote, and shall use its best efforts to discourage sexual activity on the premises."

Enclosed within Exhibits 4, 5 and 6 is evidence that this condition has been violated.

Exhibit 4 reveals that per an undercover investigation, sexual activity between males was condoned, permitted and even encouraged. The investigator on 10-25-85 observed a "gay movie playing on a big screen TV. There were six (6) other males wrapped in towels in the room watching the movie. The two (2) males who were fondling each other left the TV room and I followed. They entered one (1) dressing room and I entered my dressing room. I was able to overhear moaning

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and one of these males said, "Fuck me in the ass.". When they left their room, I left mine." During this same night, the investigator was approached by a male adult to engage in sexual activity.

On 10-27-85, the investigator observed the sign which read:

Hardware	\$ 5.00
Good Stuff	\$ 8.00
Elbow Grease	\$ 1.00
Condom	\$.50
Bob Damron's	\$12.00
Advocate Men	\$ 5.00
Camp David	
T-Shirt	\$10.00
Yearly Member- ship	\$10.00

According to Al McCormick, San Francisco District of the United States Food and Drug Administration, hardware and good stuff which are liquid in nature are labeled as room deodorizers, but are not sold in outlets for that purpose. The primary market this item is sold to is the gay community, and sales are distributed through adult bookstores. A key ingredient in these products is Butyl Nitrite, which when inhaled produces a momentary euphoria or light-headedness. It is said to be a sexual stimulant. Elbow grease is a cream substance said to be used as a lubricant to allow penetration in the orifices of a mates body. The condom is sold for obvious uses. Bob Damron's, Advocate, Advocate Men, and The Advocate are all gay exploited magazines. The investigator, this same night, entered the television room and observed ten (10) males watching a "gay movie"..... This movie was depicting two (2) males engaged in sexual intercourse."

On 11-9-85, the undercover investigator exited dressing room #24 and encountered two males (#1 and #2). "Male #2 was observed playing with male #1's penis. The cashier told them to take it to a dressing room." "The television in the TV room was showing nude movies with two (2) males playing with one another." This night, the undercover investigator purchased hardware, good stuff, and elbow grease.

Exhibit 5 reveals photos of the marquee sign depicting the items previously mentioned for sale. Additionally, other photos depict a sign in the bathroom which reads "Pick up a new piece of rubber hose in the office - free of charge. Dispose of used hose in wastebasket - never ever in the toilet. Relieve yourself in toilet - not in sh (photo cut off)." Below this sign, adjacent to the toilet is a rubber hose attached to a nozzle, to be used as an enema-type device.

Exhibit 6 reveals advertising in February 1986 edition of the Bohemian Bugle, a local gay oriented magazine. Page 7 of this edition reveals: Las Vegas Area Schedule of Events.

Tuesday

Camp David, *Inflation night \$2 off aerobics 8 p.m.

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Wednesday

Camp David, **Chicken night 18-20 years old free locker

Thursday

Camp David, Inflation night, \$2 off aerobics-8 p.m.

Page 21 of this same issue reveals an ad for Camp David, which at the bottom are the initials IGHC Member Facility (Independent Gay Health Club).

- (4) "No rooms shall be rented except as "single" rooms, each of which shall be available to one individual only."

Exhibit 4: On 10-25-85, the investigator states ".....The two males, who were fondling each other left the TV room and I followed. They entered one (1) dressing room. I was able to overhear moaning and one of the males....."

On 10-27-85, the investigator states "I was able to observe these males rent a dressing room together." ".....I followed them and they entered dressing room #15. I entered my dressing room #16 and was able to overhear sounds of moaning."

On 11-9-85, the investigator states: "Male #2 was observed playing with male #1's penis. The cashier told them to take it to a dressing room. They were observed entering a dressing room, upon leaving the hall area."

- (6) "The lighting in the interior of the premises shall be increased in order to provide a minimum of 15 foot candles of light at a distance of 30 inches from the floor throughout the premises."

Exhibit 3 reveals that per an inspection on 10-9-85, a comment was made on the inspection report "not enough light", by Sanitarian Julian Davis. On 11-9-85, an inspection was again conducted. Sanitarian Lonnie Empey states in his report, ".....area was under 15 ft candle power in from floor."

Las Vegas Municipal Code 6.02.330 entitled "Disciplinary Action - Good Cause Designated" provides sufficient grounds for the Las Vegas City Council to take action on the business license of Camp David in the form of revocation, suspension, imposition of conditions or restrictions, civil fines, or any combination thereof. The activity of Camp David has violated three sections of this code: Section (1) "The actual business activity constitutes a public or private nuisance; or will be or is conducted in an unlawful, illegal or improper manner."

The use of the facility to act as a vehicle to promote homosexual activity is a nuisance in that the actual number of cases of A.I.D.S. (Acquired Immunodeficiency Syndrome) is more prevalent than any other group. According to the magazine Morbidity and Mortality Weekly Report, January 24, 1986 - Volume 35, No. 3, male

* Per sources, possibly refers to the use of an artificial device or manual stimulation on the male penis.

** Refers to young teenage homosexuals being offered to cater for older adult homosexuals.

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homosexuals account for the highest percentage of the total number of cases (69%). In the March 1st, 1986 Volume 35, No. 10 issue, the percentage jumped up to 73%. Thus, the spread of this disease is very likely among its members in the present situation. (See Exhibit 7.)

Section (K) "The licensee or any of its principals violates any condition imposed upon the license."

The activity subject to this report reveals that five of the fifteen conditions ordered by the Court and district Judge Miriam Shearing on June 14, 1985, have been violated.

Section (L) "The licensee or any of its principals has engaged in deceptive practices upon the public."

The businesses main function is to cater to the sexual needs of homosexual adults. Not only does it permit such activity, it promotes it by the sale of good stuff, hardware and elbow grease. Additionally, the advertisements previously introduced lend credence to the facts that this is not a "regular" health spa. Health spa would not be a correct description of the type of business Camp David is; yet that is what was described and represented to be when applications were submitted for licensing the latest, being as recent as March 28, 1985. The public has been deceived.

It is therefore recommended that this office proceed for requesting a Show Cause Hearing on the license of Camp David.

JD:ag

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 1
V. CITY ATTORNEY. ITEM E. LICENSE DISCIPLINARY ACTION - JTJ CORPORATION

MAYOR WILLIAM BRIARE:

Item E.

CITY ATTORNEY GEORGE OGILVIE:

Mr. Mayor, City Councilmen, yesterday I distributed a memorandum to each of you relating that the licensee in this matter, JTJ Corporation, has surrendered its license and for that reason the matter is, for all intense and purposes, moot. It will be my recommendation that the matter be stricken from the agenda. However, before a motion to that affect is made, I'd like to have made a part of the record of this proceeding and also a part of the permanent file on the licensee the Complaint and the backup material be made part of the permanent file of the licensee. The matter that is before you first came to the attention of my office through contact with the Clark County Health District and an investigator that the Health District had employed. The Health District was concerned that there was a health hazard being created at that location and felt the stipulated judgement that was entered into last summer was being violated. Subsequent investigation by the City confirmed the violations of the Consent Judgement and this prompted the Complaint to be prepared and presented to you today. However, since the license has been surrendered, according to the licensee for economic reasons, it's my recommendation that the matter be stricken from the agenda with those matters being made a part of the permanent file of the licensee.

COUNCILMAN BOB NOLEN:

I'D MAKE THAT MOTION, Your Honor.

MAYOR WILLIAM BRIARE:

Are there any comments? Cast your votes. Post. Motion is APPROVED.

(Motion carried unanimously)

END OF DISCUSSION

City of Las Vegas

000242

Date: May 27, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
George F. Gilie
CITY ATTORNEYSUBJECT: Ratification of Actions of City Attorney in Filing Complaint for
Injunction Against Tri-State Motor Transit Company re: Nuclear
Waste ShipmentsPURPOSE/BACKGROUND

The City has known for some time that the U.S. Department of Energy intends to ship by motor carrier spent radioactive fuel rods south from the test site along U.S. Highway 95 and then north to Idaho along Interstate 15. However, until the afternoon of Thursday, May 22nd, it was understood that the shipments would travel between U.S. Highway 95 and Interstate 15 along Cheyenne Avenue, away from the populated area of the City.

Late in the afternoon of May 22nd, however, the City learned that the trucking company that has been contracted to haul the spent fuel rods has refused to use the Cheyenne Avenue route and intends, instead, to bring the shipments south along the Oran K. Gragson Highway to the downtown interchange and thence north along Interstate 15. Since this route will bring the shipments into the heart of downtown Las Vegas, Councilman Lurie requested the City Attorney's office to attempt to enjoin the use of the proposed route for the shipments.

Due to the imminency of the proposed shipments (Tri-State has notified Clark County that the shipments could commence as early as Tuesday, May 27th), the City Attorney's office, without the approval of the remainder of the City Council, filed the attached Complaint which seeks such an injunction. Therefore, if the remainder of the City Council agrees with Councilman Lurie's request and the City Attorney's actions, it should ratify the filing of this Complaint.

FISCAL IMPACT

None

RECOMMENDATIONS

It is recommended that the City Council ratify the actions of the City Attorney in filing a Complaint against Tri-State Motor Transit Company which seeks to enjoin the proposed nuclear waste shipments.

Agenda Item

V-G

000243

1 CASE NO.
2 DEPARTMENT NO.

3
4
5
6 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF CLARK
8

9 CITY OF LAS VEGAS, NEVADA,)
10 a municipal corporation of)
the State of Nevada,)

11 Plaintiff,)

12 v.)

13 TRI-STATE MOTOR TRANSIT)
COMPANY, a Missouri)
14 corporation,)

15 Defendant.)

COMPLAINT FOR DECLARATORY
JUDGMENT, TEMPORARY
RESTRAINING ORDER,
PRELIMINARY INJUNCTION AND
PERMANENT INJUNCTION

16
17 1. Plaintiff, City of Las Vegas (sometimes hereinafter
18 "City"), is a municipal corporation operating under the laws of
19 the State of Nevada.

20 2. Defendant, Tri-State Motor Transit Company (some-
21 times hereinafter "Tri-State"), is a Missouri corporation.

22 3. Defendant is not authorized to do business in
23 the State of Nevada.

24 4. Defendant has contracted with EG&G Idaho, Inc.,
25 an Idaho corporation, to transport "spent nuclear fuel" by truck
26 into, through or out of the corporate boundaries of the City.

27 5. Plaintiff has not been formally apprised of the
28 exact nature of the "spent nuclear fuel."

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1 6. The "Hazardous Materials Transportation Act,"
2 49 U.S.C. §1801 et seq., regulates the transportation and handling
3 of hazardous materials.

4 7. A "hazardous material" is defined in 49 U.S.C.
5 §1802(2) as "a substance or material in a quantity and form
6 which may pose an unreasonable risk to health and safety or
7 property when transported in commerce."

8 8. 49 C.F.R. §§100 to 177, inclusive, set forth the
9 federal regulations that must be complied with for the transporta-
10 tion and handling of hazardous material.

11 9. On information and belief, the "spent nuclear fuel"
12 that Defendant threatens to transport into, through or out of the
13 corporate boundaries of the City is a "hazardous material"
14 regulated under the Hazardous Materials Transportation Act and
15 its associated federal regulations.

16 10. 10 C.F.R. Part 71 set out the regulations of the
17 Nuclear Regulatory Commission relating to the packaging and
18 transportation of radioactive material.

19 11. On information and belief, the "spent nuclear fuel"
20 that Defendant threatens to transport into, through or out of the
21 corporate boundaries of the City is the type of material that is
22 subject to the regulations of the Nuclear Regulatory Commission
23 set out in 10 C.F.R. Part 71.

24 12. 10 C.F.R. Part 73 sets out the regulations of the
25 Nuclear Regulatory Commission relating to a physical protection
26 system of special nuclear fuel in transit.

27 13. On information and belief, the "spent nuclear fuel"
28 that Defendant threatens to transport into, through or out of the

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1 corporate boundaries of the City is the type of material that is
2 subject to the regulations of the Nuclear Regulatory Commission
3 set out in 10 C.F.R. Part 73.

4 14. NRS 459.010 to 495.290, inclusive, set out a
5 statutory scheme for the control of radiation by the Health
6 Division of the Nevada Department of Human Resources.

7 15. NRS 495.201 et. seq. provide for a state licensing
8 scheme applicable to persons who receive, possess or transfer
9 radioactive materials and for a state licensing and regulatory
10 scheme of by-products, source materials, special nuclear fuels
11 and other regulated materials.

12 16. NAC 459.180 et. seq. set out regulations in
13 furtherance of the licensing and regulatory scheme provided in
14 NRS 459.201 et. seq.

15 17. On information and belief, the "spent nuclear
16 fuel" that Defendant threatens to transport into, through or out
17 of the corporate boundaries of the City is subject to the
18 statutory scheme set out in NRS 459.010 et. seq. and the provisions
19 of the Nevada Administrative Code associated therewith.

20 18. NRS 408.125(4) authorizes the Board of Directors
21 of the Nevada Department of Transportation to:

22 Designate by regulation alternative routes for
23 the transport of radioactive, chemical or other
24 hazardous materials over the highways or county
25 roads of this state, in lieu of the preferred
26 highways for such transport designated by the
27 United States Department of Transportation. . .
28 if the regulation. . . does not conflict with

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1 the standards for alternative routes established
2 by the United States Department of Transporta-
3 tion.

4 19. On information and belief, the "spent nuclear fuel"
5 that Defendant threatens to transport by truck using the high-
6 ways of the State of Nevada into, within or out of the corporate
7 boundaries of the City is subject to the alternative highway
8 designations authorized by NRS 408.125(4).

9 20. NRS 459.400 to 459.600, inclusive, set out a
10 statutory scheme regulating hazardous waste disposal.

11 21. NRS 459.590 makes it unlawful for any person to
12 transport hazardous waste without a manifest that complies with
13 the regulations adopted by the Environmental Commission of the
14 State Department of Conservation and Natural Resources.

15 22. NAC 459.865 et seq. sets out the regulations for the
16 transportation of radioactive waste in furtherance of the
17 statutory scheme provided for in NRS 459.400 to 459.600,
18 inclusive.

19 23. On information and belief, the "spent nuclear
20 fuel" that Defendant threatens to transport into, through or out
21 of the corporate boundaries of the City is subject to the
22 statutory scheme set out in NRS 459.400 to 459.600, inclusive, and
23 the provisions of the Nevada Administrative Code associated
24 therewith.

25 24. NRS 706.441 requires a permit from the Nevada
26 Public Services Commission to transport radioactive waste upon
27 the highways of the State of Nevada.

28 25. On information and belief, the "spent nuclear fuel"

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1 that Defendant threatens to transport by truck using the highways
2 of the State of Nevada into, within and out of the corporate
3 boundaries of the City is subject to the permit requirement of
4 NRS 706.441 and the provisions of the Nevada Administrative Code
5 associated therewith.

6 26. Sections 9.36.010 to 9.36.160, inclusive, of the
7 Las Vegas Municipal Code, a copy of which is attached as Exhibit
8 "A" hereto and by this reference made a part hereof, regulate
9 the transportation of hazardous materials into, through, within
10 and out of the City.

11 27. Section 9.36.060 of the Las Vegas Municipal Code
12 states that "a nontransferable permit for hazardous transport
13 shall be required annually for each person who transports hazardous
14 materials," and the Defendant has not complied with the terms of
15 said Section.

16 28. On information and belief, the "spent nuclear
17 fuel" that Defendant threatens to transport by truck into,
18 through, within and out of the City is a type of hazardous material
19 subject to the regulations of Sections 9.36.010 to 9.36.160,
20 inclusive, of the Las Vegas Municipal Code.

21 29. On information and belief, the manner in which
22 Defendant threatens to transport the "spent nuclear fuel" may
23 violate one or more of the regulations referred to in Paragraphs
24 6 to 28 above.

25 30. Subsection 1 of Section 2.180 of the Las Vegas
26 City Charter provides that the City Council may "provide for
27 safeguarding the public health in the city."

28 31. Subsection 6 of Section 2.250 of the Las Vegas City

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1 Charter provides that the City Council may "require any company
2 which owns or operates any means of transportation to provide
3 protection against injuries to persons or property."

4 32. Subsection 1 of Section 2.260 of the Las Vegas
5 City Charter provides that the City Council may "determine by
6 ordinance what are nuisances."

7 33. Subsection 2 of said Section 2.260 provides that
8 the City Council may "provide for the abatement, prevention and
9 removal of those nuisances at the expense of the person who
10 creates, causes or commits those nuisances."

11 34. Section 9.04.010' of the Las Vegas Municipal Code
12 defines a nuisance as "whatever is injurious to the senses, or an
13 obstruction to the free use of property, so as to essentially
14 interfere with the comfortable enjoyment of life or property, or
15 is against the interest of public morals, decency, peace and
16 order."

17 35. Section 9.04.020 of the Las Vegas Municipal Code
18 provides that "the creation or maintenance of a nuisance is
19 prohibited."

20 36. Section 10.47.010 of the Las Vegas Municipal Code
21 provides, in pertinent part, that "every act which is unlawfully
22 done and every omission to perform a duty, which act or omission
23 ...annoys, injures or endangers the safety, health, comfort or
24 repose of any person in a public place or any place to which the
25 public is invited...is a public nuisance."

26 37. Defendant's threatened transportation of "spent
27 nuclear fuel" into, through and out of the corporate boundaries
28 of the City will, if permitted to be implemented, constitute a

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1 nuisance unless Defendant has complied with all applicable federal,
2 state and local laws and regulations.

3 38. Plaintiff, as a result of the foregoing, will
4 suffer irreparable injury for which it has no adequate remedy
5 at law in that Defendant may be transporting "spent nuclear
6 fuel" into, through and out of its corporate boundaries in
7 violation of the laws of the United States, the State of Nevada,
8 and the City.

9 39. For the reasons set forth herein, a real controversy
10 exists between the Plaintiff and the Defendant as to Defendant's
11 threatened activity, and Plaintiff brings this action for a
12 declaratory judgment, temporary restraining order and preliminary
13 and permanent injunctions thereagainst pursuant to Chapter 30 of
14 the Nevada Revised Statutes.

15 WHEREFORE, Plaintiff prays judgment against Defendant
16 as follows:

17 1. That this Court declare that Defendant must comply
18 with all laws and regulations of the United States, the State of
19 Nevada, and the City relating to the transportation of "spent
20 nuclear fuel."

21 2. That this Court enjoin the Defendant from trans-
22 porting "spent nuclear fuel" into, through and out of the
23 corporate boundaries of the City.

24

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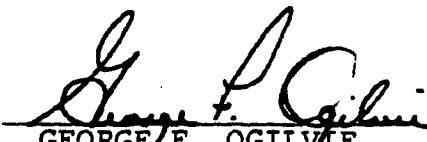
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1 3. For such other and further relief as this Court
2 deems proper in the premises.

3 DATED this 27th day of May, 1986.

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6 
7 GEORGE F. OGILVIE,
8 City Attorney
9 400 East Stewart, #906
10 Las Vegas, Nevada 89101
11 Attorney for Plaintiff
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9.32.070

9.32.060 Applicability of rules and regulations. The requirements of this Chapter and any rules and regulations of the District Department of Health shall not apply to licensed contractors engaged in the construction of swimming pools and shall not apply to licensed contractors engaged in work normally associated with a major renovation of swimming pools or facilities.

(Ord. 1231 § 5, 1966: prior code § 4-8A-5)

9.32.070 Compliance with Chapter provisions. All existing pool service agencies, swimming pool service technicians and swimming pool service technician apprentices shall comply with the requirements of this Chapter.

(Ord. 1231 § 6, 1966: prior code § 4-8A-6)

Chapter 9.36

TRANSPORTATION OF HAZARDOUS MATERIALS

Sections:

- 9.36.010 Purpose and intent.
- 9.36.020 Applicability.
- 9.36.030 Adoption of provisions by reference.
- 9.36.040 Substances subject to regulations.
- 9.36.050 Department of Fire Services—Authority to collect applicable information.
- 9.36.060 Permit—Required—Exceptions.
- 9.36.070 Permit—Grounds for denial, suspension or revocation.
- 9.36.080 Permit—Approval—Fee.
- 9.36.090 Permit—Action on application—Separate permits for each carrier for each class of hazardous material required.
- 9.36.100 Appeals.
- 9.36.110 Incidents involving hazardous materials—Reporting required.
- 9.36.120 Permit—Temporary suspension due to hazardous circumstances.
- 9.36.130 Designation of routes—Implementation of other restrictions.
- 9.36.140 Motor vehicle transportation.
- 9.36.150 Rail shipments.

9.36.010

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9.36.160 Violation—Penalty.

9.36.010 Purpose and intent. The purpose and intent of this Chapter is to protect the public health, safety and welfare from the potential hazards of fire, explosion and exposure to toxic substances that accompany hazardous materials incidents by regulating the transportation, and storage incidental to transportation, of hazardous materials into, through, within and out of the city.
(Ord. 3190 § 1 (part), 1985)

9.36.020 Applicability. This Chapter shall apply to all hazardous materials, as defined herein, which are transported into, through, within and out of the City and shall be in addition to all other sections of this Code regarding hazardous substances or materials or the rules or regulations of any City department, board or commission pertaining thereto. For the purpose of this Chapter a point of origin or destination, including loading docks or terminals where hazardous cargos are handled, within the area bounded by the corporate limits of the City shall be considered to be a point of origin or destination within the City.
(Ord. 3190 § 1 (part), 1985)

9.36.030 Adoption of provisions by reference. Those certain documents, three copies of which are on file in the office of the City Clerk and marked and designated as follows are hereby adopted by reference and made a part of this Chapter as if they were fully set forth herein:

(A) Title 49 of the Code of Federal Regulations, Parts 171 to 179, inclusive, of the Hazardous Materials Regulations, as from time to time amended, designated as Part 1 of this Chapter;

(B) Title 10 of the Code of Federal Regulations, Part 71, of the Nuclear Regulatory Commission, as from time to time amended, designated as Part 2 of this Chapter; and

(C) Title 49 of the Code of Federal Regulations, Parts 390 to 397, inclusive, of the Federal Motor Carrier Safety Regulations, as from time to time amended, designated as Part 3 of this Chapter.

When any provision of this Chapter is found to be inconsistent with the regulations adopted in subsections (A) to (C), inclusive, of this Section, the provision which establishes the greater level of protection for the health, safety and welfare of the public shall prevail.
(Ord. 3190 § 1 (part), 1985)

9.36.040 Substances subject to regulations. Transportation in commerce within the City of the hazardous materials identified in subsections (A) to (C), inclusive, of this Section, in the quantities set

000253
9.36.040

forth in or opposite their respective descriptions, shall be subject to the regulations set forth in Sections 9.36.050 to 9.36.160, inclusive, in addition to those regulations adopted in Section 9.36.030:

(A) Material	Quantity
(Numbers in parentheses refer to sections of Title 49 of the code of Federal Regulations)	
Class A Explosives (173.53)	any quantity
Class B Explosives (173.88)	any quantity
Poisonous Gases Poison A (173.326)	any quantity
Flammable solids (173.150) which require the DANGEROUS WHEN WET label (172.423) as specified in (172.101)	2500 pounds or more
Liquefied Petroleum Gas (172.101)	2500 pounds or more
Methane (Liquefied) (171.101)	2500 pounds or more
Liquefied hydrogen (173.316)	400 pounds or more

(B) Flammable liquids transported in quantities of one thousand gallons or more with flash points of seventy-three degrees or less as determined by tests listed in Title 49 of the Code of Federal Regulations, Section 173.115(d), with the exception of distilled spirits of one hundred forty proof or less (173.115(a)(2));

(C) Radioactive materials:

(1) Plutonium isotopes in any quantity and form exceeding two grams or twenty curies, whichever is less.

(2) Uranium enriched in the isotope U-235 exceeding twenty-five atomic percent of the total uranium content in quantities where the U-235 content exceeds one kilogram.

(3) Any of the actinides (i.e., elements with atomic number eighty-nine or greater) the activity of which exceeds twenty curies.

(4) Spent reactor fuel elements or mixed fission products

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9.36.050

associated with such spent fuel elements the activity of which exceeds twenty curies, and

(5) Any quantity of radioactive material specified as a "Highway route controlled quantity" in Title 49 of the Code of Federal Regulations, Section 173.403(L),

(6) Any quantity of radioactive materials required to be placarded by Title 49 of the Code of Federal Regulations, Part 172, Subpart F — Placarding.
(Ord. 3190 § 1 (part), 1985)

9.36.050 Department of Fire Services—Authority to collect applicable information. The Department of Fire Services is authorized and directed to do the following:

(A) To collect all available information with respect to the volumes, routes, locations of storage incident to transportation, risks and conditions of transport and storage of hazardous materials presenting the highest risk, by any mode of transportation, and to report annually to the City Council on the transportation of hazardous materials and the adequacy of the City's emergency response capabilities in cases of accidents;

(B) To collect information, as available, from the State on the routes and volumes of hazardous waste shipments through the City and to request that the State conduct surveys to determine the volumes, routes, compliance with Federal and State regulations, accident rates and other information on truck cargos of hazardous materials.
(Ord. 3190 § 1 (part), 1985)

9.36.060 Permit—Required—Exceptions.

(A) Except as is otherwise provided in subsection (B) of this Section, a nontransferable permit for hazardous transport shall be required annually for each person who transports hazardous materials in the quantities listed in subsections (A) to (C), inclusive, of Section 9.36.040.

(B) Producers or transporters, or both, of small quantities of specified radioactive materials intended for therapeutic and biomedical research or educational purposes shall not be required to obtain a permit for hazardous transport.

(C) Permits for hazardous transport shall be granted for:

(1) Hectocurie and kilocurie cobalt — sixty and cesium — one hundred thirty-seven teletherapy sources employed in therapeutic radiology and biomedical research or educational purposes and for medical devices designed for individual application, by way of illustration and not in limitation, cardiac pacemakers, containing plutonium

9.36.080

— two hundred thirty-eight, promethium — (forty-seven) or other radioactive material or wastes generated in these activities;

(2) Sealed industrial radiography sources up to one hundred curies.

(D) Any person required by this Section to obtain a permit for hazardous transport shall apply to the Department of Fire Services at least sixty days prior to the intended date of movement of hazardous materials into, through, within and out of the City. In addition to such information as the Department requires, the application for a permit for hazardous transport shall include:

(1) A description of the hazardous materials to be transported, including the volumes, quantities and forms;

(2) A written statement from the shipper of hazardous materials certifying that the material described in the application is properly classified, described, packaged and labeled and is in proper condition for transportation according to the applicable Federal and State regulations;

(3) Origin, route and destination of the shipment and, if a series of shipments is planned, the number of proposed shipments and the period of time over which such shipments are planned;

(4) A copy of the route plan when the preparation of one is required by Title 49 of the Code of Federal Regulations, Section 397.9(b);

(5) The name, address and telephone number of the carrier, the description, identification and registration of the motor vehicle or railcars and twenty-four-hour emergency response telephone numbers.

(Ord. 3190 § 1 (part), 1985)

9.36.070 Permit—Grounds for denial, suspension or revocation.
The Department of Fire Services shall deny, refuse to renew, suspend or revoke a permit for hazardous transport if:

(A) Adequate training, equipment and planning does not exist in the Department for an emergency response in the case of an accident with the specified materials.

(B) The containers to be used in the proposed shipments have been tested, in their current model, in order to determine the containers' ability to withstand the effects of puncture, impact and fire that could be encountered in severe accidents in the City and have been determined not to have such ability.

(Ord. 3190 § 1 (part), 1985)

9.36.080 Permit—Approval—Fee.

(A) Upon the final approval by the Department of Fire Services

000256

9.36.090

of an application for a permit for hazardous transport, the applicant shall pay a reasonable fee according to a schedule to be adopted by the City Council.

(B) The fee schedule shall reflect the costs of emergency response preparation and the costs of issuing the permits and may also reflect the relative hazard and potential risk to the public of the hazardous cargos to be transported within the City, based upon their volume, toxicity, combustion potential and other risk factors which the Department of Fire Services may consider appropriate.

(C) The fees collected under this Section shall be used to reimburse the costs of administration of the permit program, emergency response preparation and enforcement of the rules and regulations promulgated pursuant to this Chapter.
(Ord. 3190 § 1 (part), 1985)

9.36.090 Permit—Action on application—Separate permits for each carrier for each class of hazardous material required. Applications for a permit for hazardous transport shall be made to the Department of Fire Services and shall be acted upon with thirty days after the submission to the Department. The Department shall approve, deny or take such other action with respect to such application as the Department considers appropriate. A single permit shall be required for each carrier for each class of hazardous materials identified in Section 9.36.040.
(Ord. 3190 § 1 (part), 1985)

9.36.100 Appeals. Any person aggrieved by a decision of the Department of Fire Services in denying, refusing to renew, suspending or revoking a permit may appeal that decision within thirty days to the City Council by filing written notice of appeal with the Department. The City Council shall hear the applicant at its first regular meeting following the expiration of ten days after the City Clerk receives the notice of appeal.
(Ord. 3190 § 1 (part), 1985)

9.36.110 Incidents involving hazardous materials—Reporting required. Incidents involving hazardous materials occurring within the City are required to be reported immediately to the Department of Fire Services and the Department shall file a standing request with the Materials Transportation Bureau of the United States Department of Transportation for routine mailing to the Department of a copy of the written report required by Title 49 of the Code of Federal Regulations, Section 171.16.
(Ord. 3190 § 1 (part), 1985)

000257

9.36.140

9.36.120 Permit—Temporary suspension due to hazardous circumstances. The Department of Fire Services may temporarily suspend the operation of some or any vehicle employed in carrying hazardous materials, as defined in Section 9.36.040, without notice whenever road, weather, traffic or other hazardous circumstances warrant that action. (Ord. 3190 § 1 (part), 1985)

9.36.130 Designation of routes—Implementation of other restrictions.

(A) The Department of Fire Services is hereby authorized to designate routes and to implement other restrictions for the transportation of hazardous materials into, through, within, and out of, the City.

(B) For the purpose of applying Title 49 of the code of Federal Regulations, Section 379.9(a), the following restrictions to the transportation of hazardous materials by truck in the City are adopted:

(1) The use of City streets for the transportation of the hazardous materials specified in Section 9.36.040, in a situation in which there is neither a point of origin nor a point of destination within the City, is prohibited.

(2) The Department of Fire Services may require advance notification, a police escort or an inspection, or a combination thereof, of any cargo deemed to present a special risk, if an emergency response, in its judgment, may be enhanced by any such measure; provided, however, that, in all cases of radioactive shipments concerning which the U.S. Nuclear Regulatory Commission is currently required to pre-notify the Governor, the Department of Fire Services shall request that advance notification also be immediately forwarded to the City. (Ord. 3190 § 1 (part), 1985)

9.36.140 Motor vehicle transportation. The following regulations apply to the motor vehicle transportation within the City of the materials specified in Section 9.36.040:

(A) Traffic violations of transporters of hazardous materials shall be treated as violations of these regulations and shall be subject to, in addition to criminal penalties, the penalty provided in Section 9.36.160.

(B) Except when overtaking or passing in opposite directions of travel, all vehicles transporting hazardous materials shall maintain a minimum distance of at least three hundred feet from other vehicles carrying hazardous materials. This requirement shall apply whether or not such vehicles are moving or parked except when at a destination or point of origin.

(C) Except as to any route which has been designated by the Department of Fire Services as being more appropriate with respect to a

9.36.150

particular shipment, pursuant to subsection (A) of Section 9.36.130, a transporter of hazardous materials by truck shall use only State-designated routes, listed in subsection (D) of this Section, to reach its destination or to reach a point as close as possible to the destination.

(D) For the purposes of this Chapter, the following are considered State-designated routes:

- (1) Interstate 15;
- (2) U.S. Highway 95;
- (3) U.S. Highway 93.

(Ord. 3190 § 1 (part), 1985)

9.36.150 Rail shipments.

(A) With respect to rail shipments of hazardous materials, the Department of Fire Services, in order to ascertain if a local hazard exists, shall collect information from all railroads operating in or near the City or whose lines may present useful alternative routes to lines through the City. Such information shall include:

- (1) The annual volumes of specific cargos;
- (2) Containers used;
- (3) Routes and switchyard data on hazardous cargos handled;

- (4) Accident rates and track maintenance data;
- (5) Whether each railroad has utilized an acceptable methodology for determining routes and yards of lowest risk for such cargos;

(6) The adequacy of each railroad's emergency response preparation in the event of a rail accident on its main tracks or sidings or in its yards, including, but not limited to, the established response times, staffing and emergency phone numbers of the nearest emergency response units, listed by mileposts of rail track, and the availability of fire hydrants and other emergency resources.

(B) The Department of Fire Services, in order to remedy a local hazard related to rail shipments of hazardous cargos, may petition the Public Services Commission for remedial legislation or rulemaking.
(Ord. 3190 § 1 (part), 1985)

9.36.160 Violation—Penalty. In addition to criminal penalties, in the event of a hazardous materials incident, as described in Title 49 of the Code of Federal Regulations, Sections 171.15 and 171.16, requiring the response of the Department of Fire Services and others to control the incident, the transporter shall be liable to the City for the payment of all costs and expenses which the Department incurs in and about the use of its employees, apparatus and materials in the control and neutralization of the incident.

(Ord. 3190 § 1 (part), 1985)

June 4, 1986

Page 25

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

AGENDA

City of Las Vegas

ITEM Council Action Department Action

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

12:28 H. License Disciplinary Hearing of Family Child
Care Home License: Dalene Wiser dba Wiser
Family Care Home

(Time certain 2:00 p.m.)

Levy -
Motion to follow
recommendation of
Child Welfare Board
and Revoke Respon-
dent's Family Care
Home License carried
unanimously.

NOTE: All records
and documents
entered into record.

A verbatim
transcript made a
part of the final
minutes.

Deputy City Atty.
Terry Ponticello
and Aurora
Palmieri, Ass't
Family Care
Specialist,
appeared to
represent the
City of Las Vegas.

Atty. Lamond Mills
and Dalene Wiser
appeared.

11:30 I. Appeal of Work Card Denial:

Ms. Vickey Cook
2501 N. Englestad
North Las Vegas, Nevada 89030

Lurie -
DENIED Appeal
Unanimous

Clerk to notify

Appellant was
not present.

11:30 J. Swiss Gold & Silver Corporation -
License Disciplinary Action

Levy -
APPROVED Complaint
and Show Cause
Hearing for 7/2/86.
Unanimous

7/2/86 Agenda

K. Approval of Resolution Adopting Master Plan
of Clark County Regional Flood Control
District

NOTE: Action to be taken after the 2:00 P.M.
Public Hearing.

Levy -
APPROVED Resolution
Unanimous

(see page 35)

Staff to proceed

City of Las Vegas

AGENDA DOCUMENTATION

000260

Date: May 9, 1986TO:
The City CouncilFROM: *Jeresita L. Roncallo*
DEPUTY CITY ATTORNEYSUBJECT: License Disciplinary Hearing of Family Child Care Home License:
Dalene Wiser dba Wiser Family Care HomePURPOSE/BACKGROUND

This is the license disciplinary hearing of the family child care home license issued to Dalene Wiser dba Wiser Family Care Home. On April 16, 1986, the City Council approved the Recommendation for Revocation submitted by the Child Welfare Board and set a hearing date.

Attached for your consideration are copies of the following:

1. Order Approving Recommendation for Revocation and Notice of Hearing dated April 16, 1986.
2. Recommendation for Revocation dated April 10, 1986.
3. Certified letter addressed to Respondent, dated April 21, 1986, and acknowledged receipt dated April 23, 1986.
4. Family Child Care Home License Renewal Application.
5. Agenda Documentation to the City Council dated April 1, 1986, with the following attached documents:
 - a. Agenda documentation to the Child Welfare Board dated March 21, 1986.
 - b. Inspection report dated December 4, 1985.
 - c. Inspection report dated March 14, 1986.
 - d. Interoffice memorandum dated March 21, 1986, from Elizabeth Newburn, reference follow-up to March 14, 1986, inspection.
 - e. Interoffice memorandum dated March 21, 1986, from Elizabeth Newburn, reference to March 20, 1986, incident.
 - f. Letter dated March 24, 1986, to Respondent advising of Child Welfare Board.

FISCAL IMPACT

None

RECOMMENDATIONS

That the City Council revoke the Respondent's license following the disciplinary hearing.

Agenda Item

V - H

000261

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the matter of)
THE CHILD WELFARE BOARD on)
behalf of the City of)
Las Vegas, Nevada,)
Petitioner,)
vs.)
DALENE WISER, dba WISER)
FAMILY CARE HOME,)
Respondent.)

ORDER APPROVING
RECOMMENDATION FOR
REVOCATION AND
NOTICE OF HEARING

TO: DALENE WISER dba WISER FAMILY CARE HOME
4621 Amherst Lane
Las Vegas, Nevada 89107

The Recommendation for Revocation of the Child Welfare Board of the City of Las Vegas, Nevada, against the above-named Respondent, dated April 10th, 1986, 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 16th day of April, 1986, and the Council being satisfied that probable grounds exist for disciplinary action against the Respondent as alleged in the said Recommendation for Revocation.

IT IS HEREBY ORDERED that the issuance of said Recommendation for Revocation is hereby accepted and a hearing 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 21st day of May, 1986, beginning at the hour of three o'clock p.m., upon the charges in the Recommendation for Revocation served upon you. You may present

000262

1 any relevant evidence and you will be given full opportunity to
2 cross-examine all witnesses testifying against you.

3 YOU ARE FURTHER NOTIFIED that you must, not later than
4 five (5) days prior to said hearing date, file with the City Clerk
5 and serve a copy of the same upon the City Attorney, your answer
6 to the charges made in the Recommendation for Revocation and set
7 forth any affirmative defenses you intend to raise.

8 YOU ARE ALSO NOTIFIED that your failure to file an
9 answer or to appear at the hearing shall constitute an admission
10 of all matters and facts contained in the Recommendation as pro-
11 vided by Las Vegas Municipal Code §6.88.100.

12 DATED this 16th day of April, 1986.

13 THE CITY COUNCIL OF THE CITY
14 OF LAS VEGAS, NEVADA

15 By William H. Briare
16 WILLIAM H. BRIARE, MAYOR

17 ATTEST:

18
19 Carol Ann Hawley
20 Carol Ann Hawley, City Clerk

000263

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the matter of
THE CHILD WELFARE BOARD on
behalf of the City of
Las Vegas, Nevada,

Petitioner,

vs.

DALENE WISER, dba WISER
FAMILY CARE HOME,

Respondent.

RECOMMENDATION FOR
REVOCATION

COMES NOW the Petitioner, the Child Welfare Board of
the City of Las Vegas, Nevada, and makes this Recommendation for
Revocation of license against Respondent Dalene Wiser dba Wiser
Family Care Home, as follows:

1. The Respondent has been the operator of a family
child care home at 4621 Amherst Lane, Las Vegas, Nevada.

2. The Respondent has been the holder of a license
(NO2-969-9-14787) issued by the City of Las Vegas to Dalene
Wiser dba Wiser Family Care Home.

3. Said license authorizes Respondent to care for
up to five (5) children at the above-referenced location.

4. As holder of said license, Respondent is subject
to all licensing provisions applicable to her license as are
found in the Child Care Facilities Code (LVMC Chapter 6.24).

5. On March 20, 1986, two Las Vegas Metropolitan
Police Officers were dispatched to the address of 4621 Amherst
Lane. After investigating the premises, the officers found three
(3) young children under the age of one (1) year alone inside
the confines of the residence without any adult supervision.

000264

1 6. The three young children found alone at 4621
2 Amherst Lane on March 20, 1986 were under the care of the
3 Respondent.

4 7. The statements set forth in paragraphs 5 and 6
5 demonstrate that the Respondent has failed to comply with LVMC
6 §6.24.370 which states in pertinent part "No child, while in the
7 care of a facility, shall be left without competent adult super-
8 vision." This failure is sufficient cause for license disci-
9 plinary action under LVMC §6.24.114.

10 8. On December 4, 1985, an Assistant Child Care
11 Specialist of the City of Las Vegas inspected the Respondent's
12 facility and found at that time that the Respondent was caring
13 for three (3) children under the age of one (1) year.

14 9. On March 14, 1986, the said Assistant Child Care
15 Specialist inspected the Respondent's facility and found at that
16 time that the Respondent was caring for three (3) children under
17 the age of one (1) year.

18 10. The statements set forth in paragraphs 8 and 9
19 reveal that the Respondent has failed the requirement in LVMC
20 §6.24.400 which states: "The maximum number of children which
21 may be cared for in a family child care home at any one time is
22 six. No more than four children may be under the age of two,
23 and no more than two children may be under the age of one."

24 WHEREFORE, the Child Welfare Board respectfully requests
25 the City Council as follows:

26 1. To accept this Recommendation and order a disci-
27 plinary hearing held either before the Council or before a
28 Hearing Examiner appointed by the Council.

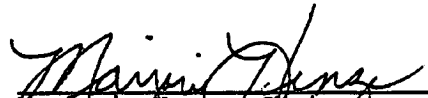
29 2. Following such disciplinary hearing, to revoke
30
31
32

000265

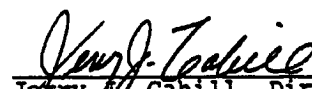
1 the license that is the subject of this Recommendation for
2 Revocation.

3 3. To grant such other relief as the Council deems
4 proper.

5 DATED this 10th day of April, 1986.

6
7
8 
9 Marjorie Henze, Chairman
Child Welfare Board

10 ATTEST:

11
12 
13 Jerry Cahill, Director
Department of Business Activity

City of Las Vegas

AGENDA DOCUMENTATION

Date: 000266

TO: The City Council

FROM: *Teressa L. Tonhelle*
Deputy City Attorney

SUBJECT: Approval of the Recommendation for Revocation of Family Child Care Home Licensee Dalene Wiser dba Wiser Family Care Home -- Set a Date for Hearing

PURPOSE/BACKGROUND

Attached hereto is a Recommendation for Revocation of the family child care home license issued to Dalene Wiser dba Wiser Family Care Home. The Child Welfare Board at its last regular meeting considered evidence against the licensee for her failure to comply with certain provisions of the Child Care Facilities Code (LVMC Chapter 6.24). The Board voted to recommend to the City Council that the family child care home license of Dalene Wiser be revoked.

The Recommendation for Revocation is based on the following incidents which occurred at the licensee's home, 4621 Amherst Lane. A representative from Dimension Cable TV testified to the Child Welfare Board that on March 20, 1986, he arrived at 4621 Amherst Lane to install cable equipment. There was no response to his knocks at the front door of the residence, however, he could hear a young child crying continuously inside the confines of the residence. He then checked the rear yard of the residence and still could not find anyone. After approximately twenty minutes of searching, he contacted the Las Vegas Metropolitan Police Department.

The Child Welfare Board also heard the testimonies of two police officers who were dispatched to the scene at 4621 Amherst Lane. After the officers discussed the problem with the Dimension Cable TV representative, one of the officers went to the rear of the residence and could see through a window three small children. The officers continued with negative results to raise someone within the confines of the residence. During the entire time, one of the small children was crying continuously. After approximately thirty minutes at the scene, a police officer was preparing to force open the front door of the residence and at that time the licensee arrived at her residence.

The licensee opened the front door of the residence and inside the residence were three small children, all under the age of one year, alone in the residence. The licensee was issued a misdemeanor citation, for contributory neglect, NRS 201.090. Based on this information, the Child Welfare Board recommended

FISCAL IMPACT

(continued)

RECOMMENDATIONS

Agenda Item

V-D

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 1, 1986TO:
The City CouncilFROM:
Deputy City Attorney 000267

SUBJECT: Approval of the Recommendation for Revocation of Family Child Care Home Licensee Dalene Wiser dba Wiser Family Care Home -- Set a Date for Hearing (cont.)

PURPOSE/BACKGROUND

revocation for the licensee's failure to comply with LVMC 6.24.370, which states "No child, while in the care of a facility, shall be left without competent adult supervision..."

In addition, the Child Welfare Board recommended revocation of the license for licensee's failure to comply with LVMC 6.24.400 which states "The maximum number of children which may be cared for in a family child care home at any one time is six. No more than four children may be under the age of two, and no more than two children may be under the age of one." (Emphasis added.) On two routine inspections (December 4, 1985 and March 14, 1986), the City staff found three children under the age of one year under the licensee's care.

Also attached hereto are the documents presented to the Child Welfare Board at its March 26, 1986 meeting. This includes:

1. Agenda documentation to the Child Welfare Board dated March 21, 1986.
2. Inspection report dated December 4, 1985.
3. Inspection report dated March 14, 1986.
4. Inter-office memorandum dated March 21, 1986, from Elizabeth Newburn, reference follow-up to March 14, 1986 inspection.
5. Inter-office memorandum dated March 21, 1986 from Elizabeth Newburn reference March 20, 1986 incident.
6. Letter dated March 24, 1986 to licensee advising of Child Welfare Board hearing.

Following the March 26th Child Welfare Board meeting, City staff advised the licensee that all parents of the children under the licensee's care will be notified of the pending license disciplinary matter.

Finally, attached hereto is the Order Approving Recommendation for Revocation and Notice of Hearing which directs the licensee to appear before the City Council for a hearing in this Recommendation

FISCAL IMPACT for Revocation.

RECOMMENDATIONS

It is recommended that the City Council approve the Recommendation for Revocation and set a date for the hearing thereon.

Agenda Item

V-D
2 of 2

City of Las Vegas

AGENDA DOCUMENTATION

Date: March 21, 1986

000268

TO: CHILD WELFARE BOARD

FROM: DEPARTMENT OF BUSINESS ACTIVITY

SUBJECT: CHILD WELFARE BOARD MEETING -- MARCH 26, 1986
ITEM FOR DISCUSSION AND POSSIBLE BOARD ACTIONPURPOSE/BACKGROUND

Appearing on the agenda under Item "7.a." is a report for discussion and possible action on the family child care home license issued to Dalene Wiser, 4621 Amherst Lane (5 children days). Mrs. Wiser has been licensed since October 1981.

Information furnished to the Board consists of an incident which occurred on March 20, 1986, and inspection discrepancies as follows:

1. On March 20, 1986, information was received by staff that Metro officers, upon being dispatched to the residence of Dalene Wiser, found three children (who were under her care) alone in the residence without any adult supervision.
2. Since approval of the renewal license by the Child Welfare Board on October 1, 1985, two routine inspections by staff revealed that on each occasion the licensee was caring for three children under the age of one. (L.V.M.C. states that no more than two children may be under the age of one.)

Attached for review by the Board are copies of the following:

1. Inspection report dated December 4, 1985.
2. Inspection report dated March 14, 1986.
3. Inter-office memorandum from Elizabeth Newburn dated March 21, 1986, reference follow-up to March 14, 1986 inspection. Correspondence from Dalene Wiser.
4. Inter-office memorandum dated March 21, 1986, reference March 20th incident.
5. Letter dated March 24, 1986 to licensee advising of Child Welfare Board hearing.

Personnel involved with the March 20th incident will be present at the meeting to present testimony and answer any questions the Board may have.

Marjorie Hether
Marjorie Hether, Chief
Privilege License Division

Agenda Item

Attachment 1

Item 7. a.

CITY OF LAS VEGAS

000269

INSPECTION REPORT - FAMILY CHILD CARE HOME

FACILITY Diane Wain X DISCREPANCY/COMMENT DATE/TIME Dec 4 1985
 ADDRESS 4621 Amsterdam Ave ✓ MEETS STANDARDS LIMIT: DAYS NIGHTS
 NA NOT APPLICABLE BEFORE/AFTER SCHOOL

✓ 1. Employee information current: (715-113) a. Police card expiration date <u>4-2-86</u> b. Health card expiration date <u>4-2-86</u> c. Household composition <u>C.G.F.</u> d. "Back-up" person <u>Stoddard</u> X 2. Children's information current: a. Health forms complete ✓ b. Registration cards complete ✓ c. Attendance accurately recorded ✓ d. Field trip permission ✓ e. Written policy statement ✓ ✓ 3. License & health permit posted ✓ ✓ 4. Expiration date of liability coverage <u>National Liability</u> <u>9-2-86</u> ✓ 5. Daily activities planned ✓ ✓ 6. Exits clear, evacuation plan posted, monthly drills recorded ✓ ✓ 7. How are nutritional needs of children being met <u>balanced diet</u> ✓ 8. Electrical outlets covered ✓ ✓ 9. Medication: a. Properly stored/inaccessible to children ✓ b. Written permission ✓ c. First aid: Supplies available/properly stored ✓ Training ✓ Chart posted ✓ ✓ 10. Cleaning agents/poisons inaccessible ✓ <u>Large shelf above kitchen</u> ✓ 11. Number/ages of children present: (3) <u>Brett 2 years 9-20-85</u> <u>Brian 3-20-85</u> <u>Amanda 4-8-85</u> ✓ 12. Disposable cups available ✓ ✓ 13. Working telephone/list of emergency numbers ✓	✓ 14. Fire extinguisher mounted ✓ ✓ 15. Date of last service <u>9-8-85</u> ✓ 16. Smoke detector installed ✓ ✓ 17. Cleanliness/condition of home: a. Kitchen ✓ b. Play areas ✓ c. Toilets ✓ d. Sleep rooms ✓ e. Furniture ✓ ✓ 18. Drapes in sleep room flame retardant ✓ ✓ 19. Potty chair/step stool available ✓ ✓ 20. Paper towels available/soap dispenser full ✓ ✓ 21. Means of unlocking bathroom readily available ✓ ✓ 22. Number & types of beds, etc. for: a. Nappers <u>4 beds 2 cots</u> b. Overnights <u>N/A</u> c. Linens available & laundered weekly ✓ ✓ 23. Adequate supply of toys/equipment for: a. Indoor play <u>books, toys, games</u> b. Outdoor play <u>trike, sled, etc.</u> X 24. Outdoor play area: a. Fenced <u>not in use</u> b. Free of hazards <u>manure on lot</u> c. Swimming pool fenced with self-closing gate <u>N/A</u> d. Shading available ✓ ✓ 25. Fireplace screened ✓ ✓ 26. Pets properly licensed/immunized ✓ <u>3 dogs, 37 birds, 1 fish; state</u> ✓ 27. Written approval for religious training ✓ ✓ 28. Discipline ✓

COMMENTS: On Dec 4 1985, inspection of 4621 Amsterdam Ave. (Diane Wain) was conducted. No discrepancies were noted.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS REPORT AND CORRECTIVE ACTION WILL BE TAKEN ON ITEMS REQUIRING CORRECTIVE ACTION.

REPORT PREPARED BY: Amanda Palmer

Diane Wain
 SIGNATURE
 LICENSEE OR PERSON IN CHARGE

CITY OF LAS VEGAS

000270

INSPECTION REPORT - FAMILY CHILD CARE HOME

FACILITY Dale's Home X DISCREPANCY/COMMENT DATE/TIME March 14 1986
 ADDRESS 4621 Amherst Lane V MEETS STANDARDS LIMIT: DAYS NIGHTS
 NOT APPLICABLE BEFORE/AFTER SCHOOL

1. Employee information current: (715413)
 a. Police card expiration date 9-2-86
 b. Health card expiration date 9-2-86
 c. Household composition CC, husband, brother 3 children
 "Back-up" person: Carol Stoddard
 2. Children's information current:
 a. Health forms complete ✓
 b. Registration cards complete ✓
 c. Attendance accurately recorded ✓
 d. Field trip permission yes
 e. Written policy statement yes
 3. License & health permit posted yes
 4. Expiration date of liability coverage National Casualty 9-2-86
 5. Daily activities planned yes
 6. Exits clear, evacuation plan posted, monthly drills recorded yes, 2-28-86
 7. How are nutritional needs of children being met parents bring food, snacks provided
 8. Electrical outlets covered yes
 9. Medication:
 a. Properly stored/inaccessible to children yes
 b. Written permission yes
 c. First aid:
 Supplies available/properly stored Kitchen cupboard
 Training 2 classes
 Chart posted yes
 10. Cleaning agents/poisons inaccessible above kitchen sink
 11. Number/ages of children present: (5)
Hand West 11-7-79 Joshua Kittrell
Beth Switzer 4-20-85 7-17-84
Amanda Leithman 9-9-85
Jennifer Coache 3-23-85
 12. Disposable cups available color-coded cups
 13. Working telephone/list of emergency numbers yes
 14. Fire extinguisher mounted yes
 15. Date of last service 9-85
 16. Smoke detector installed yes (1)
 17. Cleanliness/condition of home:
 a. Kitchen ✓
 b. Play areas ✓
 c. Toilets ✓
 d. Sleep rooms ✓
 e. Furniture ✓
 18. Drapes in sleep room flame retardant mini-blinds
 19. Potty chair/step stool available yes
 20. Paper towels available/soap dispenser full yes
 21. Means of unlocking bathroom readily available yes
 22. Number & types of beds, etc. for:
 a. Nappers 2 playpen 4 mats
 b. Overnighters N/A
 c. Linens available & laundered weekly yes
 23. Adequate supply of toys/equipment for:
 a. Indoor play legos books cars
 b. Outdoor play kitchen wagon truck +33 game
 24. Outdoor play area:
 a. Fenced yes
 b. Free of hazards ✓
 c. Swimming pool fenced with self-closing gate N/A
 d. Shading available yes
 25. Fireplace screened yes
 26. Pets properly licensed/immunized 3 dogs, 3 cats, 12 birds, 1 guinea pig
 27. Written approval for religious training N/A
 28. Discipline Set down for a short time, stand in the corner

COMMENTS: (1) Joshua Kittrell needs a DOT booster date (2) can also be a child under the age of one year (3) get backyard ready for children (4) Amanda Leithman cleaning in kitchen

- Follow up 2 weeks -

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS REPORT AND CORRECTIVE ACTION WILL BE TAKEN ON ITEMS REQUIRING CORRECTIVE ACTION.

REPORT PREPARED BY: Chunro Palmieri

SIGNATURE
 LICENSEE OR PERSON IN CHARGE

000271

Attachment To Inspection Report
Dated March 14, 1986

Re: Dalene Wiser
4621 Amherst Lane
5 Children Days

From: Aurora Palmiere
Assistant To Care Facility
Specialist

This worker did a routine inspection on March 14, 1986, at Dalene Wiser's home. When worker arrived, there were five children present. Three of the children were under the age of one year. Two of these three children were present at the December 4, 1985, inspection: Brett Switzer (DOB: 4-20-85) and Amanda Letterman (DOB: 9-8-85). The third child under one year was Jennifer Coache (DOB: 3-23-85). Jennifer's white card stated that she started in the middle of December at Mrs. Wiser's home. Dalene told worker that Jennifer really started at the end of February because her mom was looking for a job.

Worker was almost done with the inspection when Dalene stated that she had to leave the house in ten minutes to pick up the school children. As the inspection was being completed, worker mentioned to Dalene that a general housekeeping was needed. Mrs. Wiser became very upset and asked what was wrong with her house. At this point in time, the front door opened and five children came home from school. (This made a total of twelve children in the home: five day-care children, two children belonging to Mrs. Wiser that were home during the inspection, and five children that came in after school.) Also at this time, a parent rang the doorbell. She appeared to have a child with her. Dalene spoke with her very softly and the woman left quickly.

Mrs. Wiser asked again what was wrong with her house. Worker discussed and observed the following on that day:

1. The bird cage in the family room was messy. There was litter from the cage all over the table.
2. There were clothes on two couches in the family room. Also, Mrs. Wiser had to pick some clothes up off of the floor because they were blocking the hallway for the bathroom.
3. The carpet on the stairs looked dirty. (Stairs leading to the family room.)
4. Mini-blind in the living room was very dirty.
5. There was a plastic bag full of garbage hanging from the door knob in the kitchen.
6. A bag of pet food, plus a dish of food, was on the kitchen floor under the food preparation area.
7. The kitchen table and counters were messy. The kitchen floor was dirty.
8. Downstairs bathroom looked dirty; the floor, toilet, and sink needed to be cleaned. Also, the liquid soap bottle was very dirty.
9. The house had a very strong odor. It appeared to be caused by the animals in the house.
10. The floor of the family room was covered with toys. Although Mrs. Wiser stated that the children in her care do not use that room. This area is only for the after-schoolers.

000272

Attachment To Inspection Report
Dated March 14, 1986
Page 2

11. During the inspection, one of the babies spit-up on the carpet several times. Mrs. Wiser took a kleenex tissue and wiped up the spot, and the children continued playing in the area.
12. One child, Jennifer Coache, has had an eye infection since birth. On this day, she had a large mark that was crusted over from the drainage. Mrs. Wiser stated that she could not wipe this off the child's face.
13. Also, Mrs. Wiser was putting two children in the same playpen without changing the pad or cleaning it off.
14. There was a large pile of papers, diaper bags, and other things as you entered the kitchen. Worker almost tripped over this pile.

Worker did not have time to discuss all of the above with Mrs. Wiser because she had to leave the house. Mrs. Wiser stated that she would not sign the inspection form because she did not think her house needed to be cleaned.

As worker was leaving, one more child went into the Wiser home. This made a total of thirteen children.

Worker also observed Mrs. Wiser put all of these children in her van so she could leave the house. Worker was unable to determine if Mrs. Wiser used child restraints in her vehicle.

RA:vh

CITY COUNCIL MINUTES - JUNE 4, 1986
CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date

March 21, 1986

000273

TO:	FROM:
MARJORIE HETHER, CHIEF PRIVILEGE LICENSE DIVISION	ELIZABETH NEWBURN CARE FACILITY SPECIALIST
SUBJECT:	COPIES TO:
DALENE WISER 4621 AMHERST LANE	

March 17, 1986 -- Aurora Palmiere discussed with me her inspection report of 3/14/86 at Dalene Wiser's home, and her findings at the facility. (See attached report by Aurora.) Since the majority of concern regarding the facility pertained to housekeeping and health standards, it was determined that the Health Department would be contacted regarding the matter and a health inspection requested.

Later in the day, a letter was received from Dalene Wiser regarding the inspection. Attached to her letter were photographs of some of the areas which Aurora had indicated were in need of cleaning; two letters, one from a neighbor and one from a parent; and a letter from the animal clinic regarding Dalene Wiser's cat. (See these documents on file.)

March 18, 1986 -- I went to the Health Department to talk with the sanitarian or her supervisor regarding the condition of the Wiser home. When I arrived, neither the sanitarian nor her supervisor were on the premises.

March 20, 1986 -- Again, I was going to proceed to the Health Department to discuss the Wiser situation and to request a joint inspection. Before I was able to do so, I received a call from Metro requesting me to proceed to the Wiser residence to assist them with an incident in progress. (See attached report.)

EN:ag

CLV 7007

3.

CITY COUNCIL MINUTES - JUNE 4, 1986

CITY OF LAS VEGAS

Date

March 21, 1986

INTER-OFFICE MEMORANDUM

TO: MARJORIE HETHER, CHIEF PRIVILEGE LICENSE DIVISION	FROM: ELIZABETH NEWBURN CARE FACILITY SPECIALIST -
SUBJECT: REPORT REGARDING UNSUPERVISED CHILDREN DALENE WISER 4621 AMHERST LANE	COPIES TO: 000274

On March 20th at approximately 10:20 a.m., I received a phone call from Metro dispatch requesting that I proceed to the home at 4621 Amherst Lane regarding children possibly being left unsupervised. Metro stated that a woman was attesting to be a licensed babysitter but that she couldn't produce a license.

I immediately proceeded to the facility. When I arrived, there were two police officers and two other men (whom I later found out were Dimension Cable representatives) standing outside the residence. Standing in the door of the residence was another Metro officer. At the door, the officer directed my attention to three babies inside the residence, one in a playpen, one in a swing, and one in a parent's arms. He then took me outside where he explained the incident.

He related that a Dimension Cable representative had arrived at the home for an appointment and after knocking at the door and not getting a response, he heard a baby crying. He went to a neighbor to ask about Mrs. Wiser's whereabouts and the neighbor indicated ignorance of her whereabouts but assured him she would be back soon. When no one returned to the residence, Metro was contacted. The officer stated that when he arrived he inspected the outside of the residence to see if anyone was around. In the back he looked through the sliding glass door and noted that there was more than one child in the house. He was about to break the front door in when Mrs. Wiser arrived back home.

The officer asked her where she had been and why the babies were left alone. She stated that the children were in the care of her brother. When asked where her brother was, she said he was taking a shower. The officer asked to see her brother, who was found not to be on the premises.

The officer expressed a great deal of concern regarding the unkempt condition of the home, and the presence of a hunting knife and gun in the brother's room. Upon advising the officer that Mrs. Wiser was a licensed facility, the officer stated that he had her license and that the parents had been called to pick up the children.

After speaking with the officer, I noted that Frank Casey, Metro Child Abuse Detail, was present outside the residence. I then proceeded into the residence to talk with Dalene Wiser.

CLV 7007

Dalene Wiser
March 21, 1986
Page Two

000275

In the residence were Dalene, a mother and five children. The children present were:

<u>*Name</u>	<u>Date of Birth</u>
Male Juvenile	11 months
Female Juvenile	6 months
Female Juvenile	11 months
Male Juvenile	3 years
Female Juvenile	---

The mother present was the mother of Amanda Letterman.

Dalene explained that she had called to the vet for an appointment to take her guinea pig for a checkup, as the animal just had babies that had died. The vet had told her he could see the animal if she could bring it in right away. Dalene reportedly knocked on her brother's bedroom door, told him she was going to the vet and asked him to watch the babies. She stated she thought he said "OK". She got the babies situated; one in a playpen, one in a walker and one in a baby swing. She then left the home taking Jordan and Vanessa with her.

I told Dalene that her brother was not an authorized backup person as she had not listed him as such. It was not determined as to why she didn't get her listed backup person who was just next door.

While I was talking with Dalene, Brett's mother arrived and shortly after, Jordan and Jennifer's mother arrived. All the mothers were supportive of Dalene, stating she has always been reliable and has never to their knowledge left the children alone. They stated to Dalene that they did not blame her for the incident.

During my conversation with Dalene and the parents, Frank Casey came in with the first police officer and presented Dalene with a citation for leaving the children improperly supervised. Her court date was set for April 3.

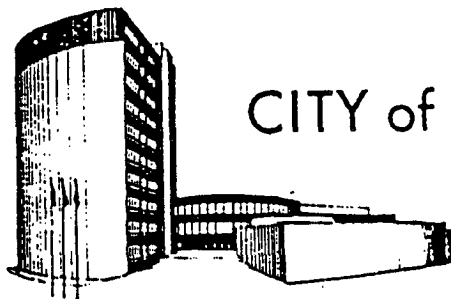
I told Dalene that this was a serious incident and that the matter would have to be brought to the attention of the Child Welfare Board for possible action. The mothers asked if they could write letters of support, to which I answered in the affirmative. We continued discussing the matter until the mothers left with the children. The neighbor then came over to be with Dalene and to give her support.

Prior to leaving the residence, I asked to see the brother's bedroom. In the room I found a large hunting knife laying close to the edge of the dresser and standing in the corner of the room was a rifle. On the wall was an array of bows and arrows. This room is normally locked and inaccessible to the children.

EN:ag

*The names and dates of birth have been omitted for confidential purposes.

MAYOR BILL BRIARE
COUNCILMEN
RON LURIE
AL LEVY
BOB NOLEN
W. WAYNE BUNKER
CITY ATTORNEY
GEORGE F. OGILVIE
CITY MANAGER
ASHLEY HALL



CITY of LAS VEGAS

HAND DELIVER

March 24, 1986

Mrs. Dalene Wiser
4621 Amherst Lane
Las Vegas, NV 89107

RE: Family Child Care Home
License #N02-00969-9-014787

Dear Mrs. Wiser:

This letter will serve as official notification that a report regarding an incident and violations of the Las Vegas Municipal Code Child Care Facilities Ordinance will be presented to the Child Welfare Board for discussion and possible action against your above-referenced license.

Las Vegas Municipal Code Sections 6.24.114 and 6.24.116 pertaining to the authority of the Child Welfare Board regarding suspension and/or revocation of a license are attached for your review.

Following are the specific areas of noncompliance which will be presented to the Board:

- 1) Incident on March 20, 1986, wherein officers of the Las Vegas Metropolitan Police Department upon being dispatched to your home found three children, who were under your care, alone in your residence without any adult supervision.

Las Vegas Municipal Code Section 6.24.370 states: "No child, while in the care of a facility, shall be left without competent adult supervision...."

- 2) Inspections of your facility by staff from this department conducted on December 4, 1985 and March 14, 1986, on each occasion revealed three children in your care under the age of one.



CLV-7009

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

5.

000277

Mrs. Dalene Wiser
March 24, 1986
Page Two

Las Vegas Municipal Code Section 6.24.400 states: "The maximum number of children which may be cared for in a family child care home at any one time is six. No more than four children may be under the age of two, and no more than two children may be under the age of one."

The Child Welfare Board meeting will commence at 3:30 p.m. on Wednesday, March 26, 1986, and will be held in the Council Chambers at City Hall, 400 E. Stewart Avenue.

It will be necessary for you to attend this meeting.

Sincerely,

Jerry J. Cahill, Director
Department of Business Activity

By: Marjorie Hether
Marjorie Hether, Chief
Privilege License Division

JJC:MH:ag

Enclosures

000278

OFFICE OF THE CITY ATTORNEY
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
(702)386-6201

GEORGE F. OGILVIE
CITY ATTORNEY

JOHN EDWARD ROETHEL
CHIEF CIVIL DEPUTY CITY ATTORNEY

TERESITA L. PONTICELLO
DEPUTY CITY ATTORNEY

CERTIFIED MAIL

April 21, 1986

Dalene Wiser
dba Wiser Family Care Home
4621 Amherst Lane
Las Vegas, NV 89107

Re: In the Matter of The Child Welfare Board
on Behalf of the City of Las Vegas, Nevada
v. Dalene Wiser, dba Wiser Family Care Home

Dear Ms. Wiser:

Enclosed please find a copy of the Order Approving
Recommendation for Revocation and Notice of Hearing and a
copy of the Recommendation for Revocation.

If you have any questions, please contact me.

~~Very truly yours,~~

Teresita L. Ponticello

Teresita L. Ponticello,
Deputy City Attorney

TLP/ph
Enclosure



000279

Form 3811 Jan. 1979

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.....
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Dalene Wiser
 dba Wiser Family Care Home
 4621 Amherst Lane
 Las Vegas, NV 89107

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 193577
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
 Dalene Wiser

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

GPO : 1979 225-848

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300



RETURN
TO

Teresita L. Ponticello

(Name of Sender)

Deputy City Attorney

400 East Stewart #906

(Street or P.O. Box)

Las Vegas, Nevada 89101

(City, State, and ZIP Code)

CITY OF LAS VEGAS
DEPARTMENT OF BUSINESS ACTIVITY
LICENSE RENEWAL APPLICATION - CHILD CARE FACILITY

000280

LICENSE NO. N02 969 9 14737

TYPE OF FACILITY (check one)

☒ Family Care Home ☐ Group Care Home ☐ Child Care Center
☐ Preschool ☐ Infant & Toddler Nursery ☐ Institution

FACILITY

Wiser Family Care Home
 Name (as it is to appear on the license)
4621 Amherst Lane 89107 870-4785
 Address Zip Telephone
newborn - 4 yrs. preschool 6.0 A.M. - 12.0 P.M. Mon-Fri
 Age range of children Days and hours of operation
 Director (if applicable) _____
 Name Social Security Number

PURPOSE OF APPLICATION

☐ Renewal only ☒ Renewal and change in license limit: (increase/decrease)

FROM: 4 children days; 0 nights; ? before & after schoolTO: 5 children days; 0 nights; ? before & after school

LICENSEE INFORMATION

Name Dalene Wiser Date of Birth 4-02-53
4621 Amherst Lane 89107 870-4785
 Address Zip Telephone
348-48-9462 Three - 8 yrs; 6 1/2 yrs; 3 1/4 yrs.
 Social Security Number Number and ages of your children
Edward Craig Wiser 6-11-50 361-44-2970
 Spouse's Name Spouse's Birthdate Spouse's Social Security No.

DO NOT WRITE IN THIS SPACE

APPROVALS:

Fire <u>Charles M. Briggs</u>	Date <u>4-26-85</u>
Police <u>Dean E. H.</u>	Date <u>9-26-85</u>
Health <u>Myra D. H.</u>	Date <u>9-18-85</u>
License <u>Ken T. H.</u>	Date <u>11-8-85</u>
DATE LICENSE FEE PAID <u>9-9-85</u>	AMOUNT \$ <u>20.00</u>
DATE APPROVED/DENIED BY CHILD WELFARE BOARD <u>10-1-85</u>	
LICENSE ISSUED FOR: <u>5</u> children days; <u>0</u> nights; <u>0</u> before & after school	

I, the undersigned, have answered all questions in the above application, and to the best of my belief, all answers are true and correct. I hereby authorize the City of Las Vegas to verify all pertinent information regarding my renewal application.

Dalene Wiser
 Signature of Licensee

8-27-85
 Date

Jerry J. Cahill, Director
 Department of Business Activity

License mailed
 11-6-85. E.H.

By: Elizabeth L. H.

000281

THE CITY COUNCIL

RECEIVED

OF THE CITY OF LAS VEGAS, NEVADA

MAY 16 4 14 PM '86

CITY CLERK

In the matter of
 THE CHILD WELFARE BOARD on
 behalf of the City of
 Las Vegas, Nevada,

Petitioner,

vs.

DALENE WISER, dba WISER
 FAMILY CARE HOME,

Respondent.

ANSWER TO THE CHILD
WELFARE BOARD'S
RECOMMENDATION FOR
REVOCATION

COMES NOW the Respondent, DALENE WISER, by and through her attorney, LAMOND R. MILLS, ESQ., and for answer to the Recommendation For Revocation dated April 10, 1986, admits, denies and alleges as follows:

I.

Respondent admits the allegations contained in Paragraphs 1, 2, 3, 4, 6, and 9.

II.

Respondent is without knowledge or information sufficient to form an opinion as to the truth or falsity of the allegations contained therein, and therefore denies the allegations contained in Paragraphs 5 and 7.

III.

Respondent denies the allegation contained in Paragraph 8, wherein Respondent was caring for three (3) children under the

000282

1 age of one (1) year at the same time, but that the Schofield
2 baby was late being picked up and another child under the age of
3 one (1) year had arrived on its scheduled time thus creating the
4 situation.

IV.

5 Respondent denies the allegation contained in Paragraph
6 10.

7 WHEREFORE, Respondent respectfully requests The City
8 Council take no action to revoke Respondent's license.

9 DATED this 16th day of May, 1986.

MILLS GIBSON & CARTER

By 

LAMOND R. MILLS, ESQ.

825 Clark Avenue

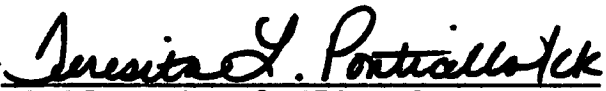
Las Vegas, Nevada 89101

Attorneys for Respondent

RECEIPT OF COPY

16 RECEIPT OF A COPY of the foregoing ANSWER TO THE CHILD
17 WELFARE BOARD'S RECOMMENDATION FOR REVOCATION is hereby
18 acknowledged this 16th day of May, 1986.

CITY OF LAS VEGAS

By 

TERESITA L. PONTICELLO, ESQ.

Deputy City Attorney-Civil

400 East Stewart Avenue

Suite 905

Las Vegas, Nevada 89101

TRANSCRIPT - CITY COUNCIL MEETING - MAY 21, 1986

V. CITY ATTORNEY AGENDA

ITEM D - LICENSE DISCIPLINARY HEARING OF FAMILY CHILD CARE HOME LICENSE:
DALENE WISER DBA WISER FAMILY CARE HOME

PAGE 1

MAYOR BRIARE:

Item D on Council's page 23, this is Roman Numeral V, the City Attorney's agenda.

CITY ATTY. GEORGE OGILVIE:

Yes, I was advised during the recess that the applicant has decided to surrender her license and that would render the proceedings mute. I would like to read the letter that was handed to me just a few moments ago and it is not quite the same as I understood it to be. "This is to advise that Dalene Wiser has decided not to go forward with the above mentioned matter and pursuant to our agreement, will surrender her license with the intention of filing for renewal at the time of expiration. In so doing, it is our understanding that the above matter will be taken off calendar so that no adverse findings by the City will be on her record."

COUNCILMAN LEVY:

Oh, no.

CITY ATTY. GEORGE OGILVIE:

Now, the difference between what is represented in this letter and what would happen if you proceeded with the revocation, would be that she would not be eligible to reapply for a full year if you went through the revocation proceedings. If she -- what's in this letter, she would be eligible to reapply --

COUNCILMAN LEVY:

And everything we have in -- all our backup would not be able to be used?

CITY ATTY. GEORGE OGILVIE:

Certainly it would be material in the consideration of whether or not she should be relicensed. She would have to go through the full licensing procedure. Everything would be relative to that licensing, however, the only difference would be she would be entitled, under this letter, to apply for licensing the first of October rather than have to wait a year or first of November.

COUNCILMAN LEVY:

I mean, I'll tell you. The backup that we have here is factual and I can't understand why it wouldn't be. This woman ain't going to have no license.

COUNCILMAN NOLEN:

I'm certainly not willing to go along with that. What I'd suggest, if it's -- or the City Attorney feels it's alright, let's postpone this and notify counsel that we intend to proceed with the full hearing. If they were willing to surrender the license with prejudice, I could go for it, but under the terms and

TRANSCRIPT - CITY COUNCIL MEETING - MAY 21, 1986

000284

V. CITY ATTORNEY AGENDA

ITEM D - LICENSE DISCIPLINARY HEARING OF FAMILY CHILD CARE HOME LICENSE:
DALENE WISER DBA WISER FAMILY CARE HOME

PAGE 2

COUNCILMAN NOLEN: conditions of that letter, that's not acceptable to me.

CITY ATTY. GEORGE OGILVIE: That would be my recommendation, Your Honor.

COUNCILMAN NOLEN: I'LL PUT THAT IN A FORM OF A MOTION then, Your Honor.

COUNCILMAN LEVY: What does that mean? Does that mean the woman's in operation right now?

COUNCILMAN NOLEN: No, she hasn't been in operation since we instituted these proceedings as I understand -- Marge, how long ago -- how long has she been out of operation?

MARGE HETHER: She ceased operation after the hearing before Child Welfare Board which was in March.

COUNCILMAN LEVY: Fine, I just wanted to make sure that she's not in operation.

MAYOR BRIARE: She's not in operation today?

MARGE HETHER: She's not. We've been checking on that.

COUNCILMAN NOLEN: I think -- the problem -- there was a quasi agreement downtown of the City Attorney's office with him being unaware of the content of the letter and I think it would be safer to postpone it until the meeting of June 4th.

COUNCILMAN LEVY: I leave it up to the City Attorney to set the date when he reaches the Counsel for them.

CITY ATTY. GEORGE OGILVIE: June 4th would be very satisfactory.

COUNCILMAN LEVY: Put the burden on them. If they're not in operation --

COUNCILMAN NOLEN: Let's say we're having the meeting.

MAYOR BRIARE: Keep them on the agenda as long as they stay closed.

CITY ATTY. GEORGE OGILVIE: Carol has something.

TRANSCRIPT - CITY COUNCIL MEETING - MAY 21, 1986

V. CITY ATTORNEY AGENDA

000285

ITEM D - LICENSE DISCIPLINARY HEARING OF FAMILY CHILD CARE HOME LICENSE:

DALENE WISER DBA WISER FAMILY CARE HOME

PAGE 3

CITY CLERK CAROL HAWLEY: I just want to clarify just exactly what it is, just continue with this matter?

CITY ATTY. GEORGE OGILVIE: Continue it to the June 4th meeting.

COUNCILMAN NOLEN: Is that the recommendation, City Attorney?

CITY ATTY. GEORGE OGILVIE: Yes.

COUNCILMAN NOLEN: That'll be what my motion is THAT WE FOLLOW THE RECOMMENDATION.

MAYOR BRIARE: Okay, Bob, what is your motion then?

COUNCILMAN NOLEN: THAT WE FOLLOW THE RECOMMENDATION OF CITY ATTORNEY AND IT --

MAYOR BRIARE: And it'll come back to us when the City Attorney --

COUNCILMAN NOLEN: No, JUNE 4th specifically. Notify them specifically that we intend to hold the meeting that day.

CITY ATTY. GEORGE OGILVIE: Two o'clock on June 4th -- three o'clock on June 4th.

COUNCILMAN LEVY: No, two o'clock.

MAYOR BRIARE: How about 2:30?

COUNCILMAN LEVY: Because as sure as we do, we'll get through at 2:30 and then we'll have to sit around for a half an hour.

CITY ATTY. GEORGE OGILVIE: Alright, two o'clock on June 4th.

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

END OF DISCUSSION

000286

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of)
THE CHILD WELFARE BOARD)
on behalf of the City of)
Las Vegas, Nevada,)
Petitioner,)
vs.)
DALENE WISER, dba WISER)
FAMILY CARE HOME,)
Respondent.)

ORDER

The above-entitled matter having come on before the Las Vegas City Council on the 4th day of June, 1986, and the Respondent having appeared in person and through counsel and the Council having made its findings of fact and conclusions of law, and good cause appearing therefor,

IT IS HEREBY ORDERED that the family child care home license issued by the City of Las Vegas to Dalene Wiser dba Wiser Family Care Home at the premises of 4621 Amherst Lane, Las Vegas, Nevada, is hereby revoked.

DATED this 4th day of June, 1986.

William H. Briare
WILLIAM H. BRIARE, MAYOR

ATTEST:

Carol Ann Hawley
CAROL ANN HAWLEY, CITY CLERK

6-26-86

000287

1 THE CITY COUNCIL
2 OF THE CITY OF LAS VEGAS, NEVADA
3
4

5 In the Matter of)
6 THE CHILD WELFARE BOARD)
7 on behalf of the City of)
8 Las Vegas, Nevada,)
9)
10 Petitioner,)
11 vs.)
12 DALENE WISER, dba WISER)
13 FAMILY CARE HOME,)
14 Respondent.)

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

13 This matter having come on for hearing before the Las
14 Vegas City Council on the 4th day of June, 1986, the Respondent
15 appearing in person and through counsel and the hearing having
16 been concluded, the Council hereby makes the following findings
17 of fact and conclusions of law.

18 FINDINGS OF FACT

- 19 1. That the Respondent has been the operator of a
20 family child care home at the premises of 4621 Amherst, Las Vegas,
21 Nevada.
- 22 2. That the Respondent has been the holder of a
23 family child care home license, issued by the City of Las Vegas,
24 which authorizes Respondent to care for up to five (5) children
25 at the premises of 4621 Amherst Lane.
- 26 3. That on March 20, 1986, officers of the Las Vegas
27 Metropolitan Police Department found three (3) children under the
28 age of one (1) year alone inside the confines of the licensed
29 premises without any competent adult supervision.
- 30 4. That the three (3) children found alone at the
31 licensed premises on March 20, 1986 were under the care of the
32 Respondent.

4 6. That on March 14, 1986, the said Assistant Child
5 Care Specialist found that the Respondent was caring for three
6 (3) children under the age of one (1) year.

9 A. That by leaving three (3) children alone at the
10 licensed premises constitutes a violation of LVMC §6.24.370
11 which states that no child, while in the care of a facility,
12 shall be left without competent adult supervision.

13 B. That by caring for three (3) children under the
14 age of one (1) year on two occasions constitutes a violation of
15 LVMC §6.24.400 in that the maximum number of children that may
16 be cared for under the age of one is two children in a family
17 care home.

18 C. That the activities and omissions set forth above
19 constitute good cause for disciplinary action pursuant to LVMC
20 §6.24.114.

William H. Briare
WILLIAM H. BRIARE, MAYOR

25 Carol A Hawley
CAROL ANN HAWLEY, CITY CLERK

26 Ther Lurie
27 COUNCILMAN / RON LURIE

28 COUNCILMAN AL LEVY

29
30

Bob Molen
COUNCILMAN BOB MOLEN

31 W. Wayne Bunker
COUNCILMAN W. WAYNE BUNKER

Approved
L.B.

6-26-86

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MAYOR BRIARE:

Back on the City Attorney's agenda then, I think I said page 25. We will go to the -- I believe it's the last public hearing for this afternoon. This is for license disciplinary hearing of Family Child Care license for Dalene Wiser doing business as Wiser Family Care Home. Mr. Ogilvie.

CITY ATTY. GEORGE OGILVIE:

Yes. Deputy City Attorney Terry Ponticello will handle the case for the City.

MAYOR BRIARE:

Counselor.

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Let the record reflect that Mr. Lamond Mills is here representing the respondent Dalene Wiser. Opposing counsel and the City have agreed to the stipulations, facts regarding the March 20, 1986 incident at 4621 Amherst Lane, the respondent's residence. The stipulated facts are as follows: On March 20th, 1986, a Mr. Wilfred Mares, Dimension Cable TV arrived at 4621 Amherst Lane. He knocked at the door and no one responded. Mr. Mares could hear a young child crying continuously inside the confines of the residence. He continued knocking on the door and he checked the rear of the residence. Upon finding nobody for approximately 15 minutes, he contacted the Las Vegas Metropolitan Police Department. Two police officers were dispatched to 4621 Amherst Lane. They attempted to raise someone inside the confines of the house and Officer Custer went to the rear of the residence where he could see three small children through a window at the rear of the residence. One of the children was crying continuously. Both officers continued to raise someone within the house and still negative results. At that point, Officer Custer was prepared to force open the front door of the residence. At that point, the respondent Dalene Wiser arrived. She, thereupon, opened the front door of the residence and inside the house were three small children under the age of one alone. Before you is the agenda documentation which was presented to you at the last City Council meeting. Included in this packet is the Order Approving the Recommendation for Revocation and the Notice of Hearing dated April 16th, the Recommendation for Revocation is dated April 10th, a certified letter to the respondent advising her of the meetings, her Family Child Care Home license renewal application and in addition to that, the agenda with documentation

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DEPUTY CITY ATTY.
TERRY PONTICELLO:

to the City Council dated April 1st, which was presented to you at the April 16th hearing. Attached to that were similar documentation and reports. It's all listed for you on your agenda documentation. I would move to have all these records and documents admitted into the record.

MAYOR BRIARE:

Good afternoon.

LAMOND MILLS, ATTY.:

Good afternoon. As indicated, I'm Lamond Mills. Mr. Chairman, we have no objection to that and we stipulate to the facts as sent forth. We, of course, do have some explanation and discussion regarding that following.

MAYOR BRIARE:

Thank you, Counselor. Is there a next step now that you want to take?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Well, I'd just like to advise the Council that the City, because of the stipulated facts and the documents and records that have been admitted, that the City will not be presenting any witnesses at this time. However, the witnesses have made themselves available to the Council if the Council has any questions. Out here in the audience is, I believe, are Officer Custer and Officer Hardin of the Las Vegas Metropolitan Police Department, Mr. Wilfred Mares, the Dimension Cable representative who discovered the young children, and the City Child Care staff. In addition to that is Mrs. Marjorie Henze, Chairman of the Child Welfare Board. She is also present here to answer any questions. I submit the case to you.

MAYOR BRIARE:

Mr. Mills, would you -- unless any Council member has a question right now of staff, we'll see if Mr. Mills -- yes, Mr. Mills, would you like to respond now?

LAMOND MILLS, ATTY.:

Yes, thank you, Mr. Chairman. I -- by response I thought initially I would have Mrs. Wiser simply tell how it happened. It did happen. Our position is that it was unintentional. It was unfortunate and so with that, I thought I would just allow her to give kind of a narrative and tell exactly what happened and then we'll pick it from there. So why don't you, Dalene, go ahead and tell them what happened on that day.

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DALENE WISER:

One of my daughter's pets were ill. I called the vet up to make an appointment for later in the day. They told me that --

LAMOND MILLS, ATTY.:

You're going to have to --

DALENE WISER:

Okay. Anyhow, I went downstairs and knocked on my brother's door and heard a response acknowledging me. So I left. I took the two older children with me. One was my own four-year old daughter and the other one was a three-year old little boy so that they could use it as a field trip to see them examine the pet, and then when I came back --

LAMOND MILLS, ATTY.:

How old is your brother?

DALENE WISER:

I'm sorry. My brother, he's 31 and he's been with us for three years and he's always held down one job if not two. But at this particular time, he was only -- had the one job and he was normally off on Thursday and this is what day this happened on. When I came back home, I saw all the police sitting out, the cars, and all I could think of was a fire and then I thought my brother had a problem. Maybe one of the children had choked and upon leaving the van, the policemen came over to me and started asking did I know that no one was home and I'm saying, "No, my brother's here." He doesn't answer the door unless he knows that there's a parent coming and upon further investigation, my brother wasn't there, and I'm really sorry. I never --

MAYOR BRIARE:

In other words, you thought that your brother was going to be --

DALENE WISER:

And when I knocked on his door, I heard a man's voice coming back at me saying, "Yes, Okay," and his --

COUNCILMAN LEVY:

Does he live with you?

DALENE WISER:

Yes. We have a tri-level and his bedroom is in the lower level and his bedroom door, he keeps it open, and I found out --

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COUNCILMAN LEVY: Did you give this excuse to our Child Welfare Board? Did you tell this story to them?

DALENE WISER: Yes.

LAMOND MILLS, ATTY.: How long have you had this Child Day Care Center?

DALENE WISER: This is going on my fifth year.

LAMOND MILLS, ATTY.: Have you ever had anything like this happen before where you left the children?

DALENE WISER: Never.

LAMOND MILLS, ATTY.: And I think you testified to the fact that at the time you thought that your brother was there and would be watching the children, is that correct?

DALENE WISER: Yes, I heard a man's voice answering and acknowledge me.

LAMOND MILLS, ATTY.: Have you since verified that that was not your brother?

DALENE WISER: Yes, I did. It was my next door neighbor out in his side yard and my brother's bedroom window is right there and it just -- and since that time, I -- when her little boy is out in the back yard and my children are in the back yard and I hear somebody call "Mommy" I come running and it's her little boy over the fence. (Ms. Wiser cries.)

LAMOND MILLS, ATTY.: Would you have gone if you would have known that a responsible adult was not there to provide care for those children?

DALENE WISER: I may have gone, but I would have taken the children with me because I have inset car seats that are strapped in and anchored in the floor of the van. And I have taken the children on trips, either to the grocery store for some diapers --

MAYOR BRIARE: Mr. Mills, how long of a period of time was it that the licensee was away from the facility thinking that her brother was there taking care of the three little ones?

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LAMOND MILLS, ATTY.:

I believe it was approximately 50 minutes.
Is that 45 to --

DALENE WISER:

It's about 45 minutes.

LAMOND MILLS, ATTY.:

45 to 50 minutes.

DEPUTY CITY ATTY.

TERRY PONTICELLO:

Mr. Mayor, our records show that the Dimension Cable representative was at the residence for approximately 50 minutes and thereafter contacted Las Vegas Metropolitan Police Department. They responded and then the respondent arrived.

LAMOND MILLS, ATTY.:

She wasn't keeping -- we don't -- it could have been an hour.

MAYOR BRIARE:

Right, I understand, Counselor.

LAMOND MILLS, ATTY.:

The issue is she thought that her adult brother who is living with them at the time and had an apartment in their basement was there. Had he watched the children before?

DALENE WISER:

Yes.

LAMOND MILLS, ATTY.:

So --

COUNCILMAN LURIE:

That's the problem I have is that Mrs. Wiser is the one who's licensed for the child care facility. In my opinion, she had no business leaving the children under her care with anybody else who the City or the Child Welfare Board has no investigative background check on, knows probably nothing about child care and I have a problem with that -- with the whole application. I don't think there's any excuse for leaving the children with somebody else when she's the responsible licensee.

LAMOND MILLS, ATTY.:

I think -- it was -- she had someone else, a neighbor, who generally when she left in an emergency kind of thing or in a pinch, was the only time she left them with her husband, if he was home, or with her brother. That was not the standard operating procedure and I have discussed that with Mrs. Wiser. I had that same concern when I went through it, but it was not standard operating procedure for her to do that and she did have a backup. In this case, she was going to run to the

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LAMOND MILLS, ATTY.: vet. It took longer than she thought and she thought that he was there. It was wrong. There's no question about, but it was inadvertent.

DALENE WISER: My brother does have the F.B.I. check and he does have a police card and he is the second oldest of five -- out of six children and --

COUNCILMAN LEVY: But he still does not have the approval to work for your --

LAMOND MILLS, ATTY.: Right, he did not. That's right and that was wrong in that regard. Like I say, she doesn't do that as a practice.

COUNCILMAN LEVY: She's a very lucky person that she's here today with nothing else on her conscience.

LAMOND MILLS, ATTY.: Yes.

MAYOR BRIARE: Counselor, also the licensee we presume is familiar with the regulations and the rules that are set forth by the Licensing Board and the Licensing Department of the City. You're aware of all the rules and regulations? I guess there's a good number of them. You're aware of them all? Please don't say you're not aware of them.

DALENE WISER: I'm sorry, I am aware of them.

MAYOR BRIARE: You know why I'm saying that, Counselor?

LAMOND MILLS, ATTY.: Yes.

MAYOR BRIARE: Yes.

DALENE WISER: Right.

LAMOND MILLS, ATTY.: If I might --

COUNCILMAN LEVY: You're leading the witness.

LAMOND MILLS, ATTY.: If I might. We are not making any kind of an excuse. We understand coming into it that it was wrong. It was one of those things that happens on a spur of a moment when something happens and there's excitement and she thought she had covered it and she was wrong.

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LAMOND MILLS, ATTY.:

I guess what I'm really saying is that it was not willful and it was not a willful intention disregard for the welfare of the children or for the rules. I don't know if you have had a chance to review all the letters. We just got a few more that we've add to the fire -- to the file and -- a Freudian slip. The people who have been with her are very loyal to her and the fact that she does care and the children, when they leave her home are -- they're happy there and she's a very caring and concerned person. I think that -- I don't think that's really in dispute. It did happen and it's unfortunate that it happened and it was an error on her part. This is a very important part of the family income. What we're asking is not for revocation. If this Board feels so inclined that punishment is necessary, perhaps a short suspension might be in order, but a revocation would have very serious consequences of a financial nature. I think she's very serious about this. She's very concerned about it. She's been extremely upset every time she's talked to me. Very sorry that it happened and she loves children and she obviously loves the children she cares for and I think that's reflected in the attitude of the parents who leave their children with her. So that would be my request in this case.

MAYOR BRIARE:

Counselor -- go ahead, Councilman Bunker.

COUNCILMAN BUNKER:

In addition, however, to leaving them unattended, there seems to have been some deficiencies in inspections of the home itself and apparently, she needs some counsel apparently on what the requirements of maintaining a home are and I don't think the City referred to these inspection reports. They are not a part of the stipulation, are they not?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

No, the inspection reports and the problems that came up during the investigation are not part of this allegation, the allegations in this complaint.

COUNCILMAN BUNKER:

So, we only have one item before us and that's leaving them unattended?

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DEPUTY CITY ATTY.
TERRY PONTICELLO:

Actually there are two items. Number 1 is leaving the children unattended without adult supervision; and Number 2 is on two occasions, the respondent had left three children under the age of one -- had been taking care of three children under the age of one. The maximum number that you can take care of, I believe, is two and that is documented in the inspector reports that you have before you.

COUNCILMAN BUNKER:

There were three.

COUNCILMAN LEVY:

When you got there, there were three.

LAMOND MILLS, ATTY.:

We're not prepared about the deficiencies because those were not made part of the allegations. We would be and we could certainly bring in letters and reports from parents who have been in the home many many times and a home, as my own wife's home sometimes with our children, gets a little that way, but I think the parents would testify as, those that I have had contact with, that that is not the standard and it's not before us. The other issue concerning the -- twice that she had children -- three children the age of one -- in talking to her, again she's available. On one occasion on December 4th, one parent had -- one parent dropped off her child which was under the age of one and another parent was late picking her up and it was an overlap. And that sometimes happens when you have children coming in at various times. That was not intentional. On the second occasion on the March 5th, she did have three children. One of them was -- lacked, how many days?

DALENE WISNER:

About 8 or 9.

LAMOND MILLS, ATTY.:

Eight or nine days from being one year, so she said okay, go ahead and she was wrong. She should not have taken that child. She knew that it was less than two weeks away from one year, but the other was simply an overlapping which happens from time to time and was an intentional thing and not under her control. Again, we don't have -- the serious allegation, of course, is the leaving of the children. We don't have a willful and intentional act. We

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LAMOND MILLS, ATTY.:

recognize the seriousness. We simply ask that this Board not take away her license and revoke it because of the consequences that follow from that.

MAYOR BRIARE:

Counselor, do -- are there staff members here that could make a comment to us that would lead us to a conclusion that perhaps this is an isolated instance or is there a pattern of some sort? We have a lot of material and unfortunately with xeroxed materials, sometimes, especially if it's a xerox of a xerox, it's kind of hard and I'm not so certain I can tell from our backup material or make a judgement right now and I'd rather hear from one of the specialists that take care of these things to determine -- save and except this incident, how are things generally run by Mrs. Wiser?

COUNCILMAN LEVY:

Basically, you already said that they had their problems.

MAYOR BRIARE:

Well, I'm reading that, Councilman Levy, and I wanted to hear it from somebody who's --

COUNCILMAN LEVY:

Fine.

MAYOR BRIARE:

Who does this on a day-to-day basis.

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Okay, on the last few inspections, Aurora Palmare, who is Assistant Care Specialist from the Child Care Licensing staff, has done the inspections at the respondent's home and I would like to call her forward if you would like to ask her some questions and she can also give a report on what she's inspected.

MAYOR BRIARE:

Mrs. Palmare, I'm looking at your report of March the 14th and then again as I say, it's a xerox of a copy and so forth. In going down there, it would seem to me that most of the answers are -- well, some answers are yes and some answers are no, depending on how it should be -- but I can't interpret it as to whether this is a good report or an average report or a poor report because I have nothing else to compare it with. If there's a agency that is -- or a child care home facility that is absolutely perfect as compared to a child care facility who should be shut down forever, I want to know where does this one fit in in your opinion based on the

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MAYOR BRIARE: investigations that you've made. I noticed there's a few in here, or at least a couple, by yourself.

AURORA PALMIERE: Alright, let me --

MAYOR BRIARE: Have others made inspections other than yourself?

AURORA PALMIERE: Yes, my supervisor has over the years.

MAYOR BRIARE: What is your opinion on a scale of the perfect one, and there's no such thing as a perfect one, a perfect one and the worst one, where would this one stand?

AURORA PALMIERE: Well, I don't know if I can give you a rating per se, but the important thing about these inspections is that Mrs. Wiser was caring for three children under the age of one. We consider that a very serious problem.

MAYOR BRIARE: You bet and I guess you're allowed two?

AURORA PALMIERE: Yes. It's not unusual for us to write down something about the shot records of the children, something -- well it may seem more menial than some of these other things, but the important thing on these two inspections is that she was not within the licensing limits.

COUNCILMAN NOLEN: I have a question, Your Honor. I have a question.

MAYOR BRIARE: Councilman.

COUNCILMAN NOLEN: How long have you been doing this kind of work?

AURORA PALMIERE: Two years and I also did this same type of job for three years in New York State.

COUNCILMAN NOLEN: So you've got five years experience in this type of work?

AURORA PALMIERE: That's correct.

COUNCILMAN NOLEN: If you were sitting in our position at this point, is it your recommendation that we take this lady's license away based on your expertise?

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MAYOR BRIARE: Well, just pretend like you're sitting up here.

AURORA PALMIERE: You're putting me under a spot.

COUNCILMAN NOLEN: Well, that's your job. That's what you're here for.

AURORA PALMIERE: It is my -- it is my feelings that Mrs. Wiser did make a serious mistake.

COUNCILMAN NOLEN: That's not was I asked you. I asked you in your opinion, your professional opinion, in your profession, does the action and/or inaction of this lady justify pulling her license? "Yes" or "No?"

AURORA PALMIERE: I would have to say, "Yes" to that.

COUNCILMAN NOLEN: Thank you.

LAMOND MILLS, ATTY.: May I ask. Absent the situation where the children are left, would that be your recommendation?

AURORA PALMIERE: I would have to say, "Yes" to that that would be my recommendation. The -- may I say why?

MAYOR BRIARE: You certainly may say why.

AURORA PALMIERE: Okay. It's because I feel that Mrs. Wiser should have made sure that her brother was in the house on that particular day. That she shouldn't have just listened to the voice through a door.

COUNCILMAN LEVY: No, you didn't hear what Mr. Mills said.

LAMOND MILLS, ATTY.: No. I said if that event had not occurred.

COUNCILMAN LEVY: In other words, everything else besides that event?

LAMOND MILLS, ATTY.: We recognize how serious that is and no one wants to mitigate that. If that event had not occurred, would you be here recommending she lose her license?

COUNCILMAN BUNKER: Based on the three children only? In other words, that's essentially what we're talking about?

LAMOND MILLS, ATTY.: That's really what it is. That's the only violation.

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AURORA PALMIERE:

Well, I guess I would have to recommend some action be taken. I don't know. That might be a little serious -- too serious.

COUNCILMAN BUNKER:

But what you're saying is intentional or unintentional or slight negligence versus gross negligence, the fact is the children were left alone and there were three of them under the age of one who had no protection, fire, anything, any kind of protection. Those children just didn't have any protection.

AURORA PALMIERE:

That's correct.

COUNCILMAN BUNKER:

And that is a very serious. Intentional or unintentional, Counselor, that's something that we just really can't -- we can't --

LAMOND MILLS, ATTY.:

We recognize that, Councilman Bunker. We recognize that completely. I guess what I wanted to find out though, absent of that, hers is not the kind of home that which they'd come in and recommend a revocation of license. I don't wish to mitigate that, but I simply wanted to make sure that this Board realizes that if we exclude that, hers is not the type -- she's not the kind of person and not the type of home in which they'd come in and pull her license. Then we can focus on that and see what would be appropriate punishment for that and again, I recognize that that's very serious for the very reasons you've stated.

COUNCILMAN NOLEN:

Lamond, I have to say that however unintentional it was, it happened. You've stipulated to that --

LAMOND MILLS, ATTY.:

It did.

COUNCILMAN NOLEN:

-- and it's that simple.

LAMOND MILLS, ATTY.:

It did happen.

COUNCILMAN NOLEN:

And, you know, this Board hasn't an obligation to protect the public and especially the children that we license her to care for and her obligation is every bit as strong as ours.

LAMOND MILLS, ATTY.:

True.

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COUNCILMAN NOLEN:

And it's -- I don't see that there's anything that we can avoid in that. That obligation is there and no matter what excuse is made, the bottom line is she should have checked. She should have made sure. You don't knock on a door and assume that someone's going to take care of children. Knocking on a door -- you know, you go and get an agreement. "I have to leave there's three children here. Are you going to take care of them?" You don't just walk away. You know, that's totally unexcusable to me and to me, that shows a total lack of judgement, a total lack of judgement, and how can I vote to let her continue in this type of a business when she's shown that lack of judgement. Now if you show a lack of judgement in selling hamburgers at McDonalds, who gets hurt? The consequences of her lack of judgement here could have -- she could be standing before a court of law, as you're well aware.

LAMOND MILLS, ATTY.:

I'm well aware of that.

COUNCILMAN NOLEN:

I'm suprised. I'm not sure that if I'd been one of the officers that have been out there, that I wouldn't have booked her for contributory neglect.

LAMOND MILLS, ATTY.:

Well.

COUNCILMAN NOLEN:

It's that serious to me.

LAMOND MILLS, ATTY.:

Well, I understand that and, again, she was under the impression, however mistaken that it was, that there was someone there who could pinch hit, who had done that before. I'm not asking the Board to say, "Darn, don't do that again." I'm simply saying give her the chance at some point so that she can continue to work. I think she's a conscientious caring person. She did make a mistake and it was a serious one. I'm just saying don't revoke, suspend for a period of time that will be a very severe punishment.

COUNCILMAN NOLEN:

I'm not saying that she's not a concerned person. I'm saying that she has demonstrated a lack of judgement, and when you're dealing with young children, especially the babies that we're talking about, judgement is so important and, candidly speaking, in my mind, I cannot vote a mere suspension.

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MAYOR BRIARE:

Counselor, would you -- would you address your comment to the possibility of this Board considering something less than a total revocation of license.

DEPUTY CITY ATTY.
TERRY PONTICELLO:

I can only suggest to you what has been recommended by the Child Welfare Board. The Child Welfare Board heard all the witnesses that are present today. They heard the testimony presented to them and Mrs. Wiser was there, and after full consideration in giving them their options to suspend, revoke or no action, they recommended the revocation and Mrs. Wiser's license.

MAYOR BRIARE:

You see, the Board's -- the Board's action was based on the fact that there were three children under the age of one, but it was not only in this instance, am I wrong? I believe there were other occasions when there were more than two children age one.

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Yes. Their recommendation is based on the two allegations presented to you; and that is the time when she left three children without competent supervision and on two specific occasions when our child care staff went to inspect her premises, they found she had more than the number -- she had more than two children under the age of one under her care.

MAYOR BRIARE:

Then, Counselor, just so it can be very clear, after the first time that was discovered, the licensee was aware that she was being criticized for that situation?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Absolutely.

MAYOR BRIARE:

Then it happened again?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Each time --

MAYOR BRIARE:

And then, did it happen again?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

No. Each time that the child care inspector goes to the facility, she fills out an inspection report which is presented to you and she marks down her comments. She goes over it with the licensee and both of them sign it and on both instances, Mrs. Wiser and Ms. Aurora went over this material. At

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986

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V. CITY ATTORNEY AGENDA

ITEM H - LICENSE DISCIPLINARY HEARING OF FAMILY CHILD CARE HOME LICENSE:

DALENE WISER DBA WISER FAMILY CARE HOME

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DEPUTY CITY ATTY.
TERRY PONTICELLO:

the third occasion, when three children under the age of one were there, this was discovered by Dimension Cable representative. It was not an inspection.

MAYOR BRIARE:

Counselor, what do you say in rebuttal to that?

LAMOND MILLS, ATTY.:

Well, like I indicated before, Mr. Chairman, as I understand it, the first one was an overlap and the second time, we had someone that was very very close and then the final incident, we have discussed was the event that happened and we have given the reason. We understand the seriousness and again, we're simply requesting that it not be a full revocation of her license privileges.

MAYOR BRIARE:

Mr. Mills, I think you've kind of made a summary statement, but I'm going to ask you to make a summary statement after our --

COUNCILMAN NOLEN:

I have one more question, Your Honor.

MAYOR BRIARE:

Pardon me.

COUNCILMAN NOLEN:

Yes. How old are some of the other children that she cares for in this house?

LAMOND MILLS, ATTY.:

I'd have to ask --

COUNCILMAN NOLEN:

About what age?

COUNCILMAN LEVY:

She said four and five.

DALENE WISER:

I'm licensed for five children and they've ranged anywhere from newborn up to 12, 13, 14 years.

COUNCILMAN NOLEN:

What do you normally care for then in your house?

DALENE WISER:

Normally care for? The older children, but I --

COUNCILMAN NOLEN:

What age group?

DALENE WISER:

Age group? Normally 2, 3 years and up.

COUNCILMAN NOLEN:

Up to what?

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986

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DALENE WISER:

Oh, up to 14. I've had a 14 year old who -- I think the only reason I really had him in was because he was not a mature 14 year old. He had --

COUNCILMAN NOLEN:

The only -- one other area of concern that I have about that is that, you know, there's some indication in the backup documentation of weapons that was in your brother's room and, you know, knowing the natural curiosity of children in the age groups, you know, 5, 6, 7, 8 and up in that area, that also is an area of concern for me. You know, we read all the time about tragic incidents where kids get their hands on weapons and that's just scary to know that this would be allowed to be laying around a child care facility.

LAMOND MILLS, ATTY.:

I think that the brother's room as I understand is downstairs and the door is closed and locked so that they don't have access to this.

DALENE WISER:

There's also two -- and they -- all steel gates and there were two gates put up that the children would have to have passed through and no child goes into the other room without my knowledge.

MAYOR BRIARE:

Just one other question, Mr. Mills, and that is, are any of the recommendations from users of the facilities -- I suppose their guardians or parents of children who use the facility --

LAMOND MILLS, ATTY.:

Yes.

MAYOR BRIARE:

Were any of these letters that we received today or whatever you have in here from previous today, are any of them parents or guardians of the three that were under age one?

LAMOND MILLS, ATTY.:

No.

MAYOR BRIARE:

Any other comments? Would you like to make a closing comment, Counselor?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

The only closing comment I'd like to make is that the facts have been presented to you. There's no argument, no doubt about the facts of what had occurred at Mrs. Wiser's residence that March 20th, 1986. Opposing Counsel seems to allege that she didn't willfully intend to leave the children there.

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986

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DEPUTY CITY ATTY.
TERRY PONTICELLO:

I suggest to you that this isn't an intentional regulation. She has a duty and as part of a duty of a child care licensee, she must use her utmost care in providing for the health, safety and well being of these children. Opposing Counsel has also asked for an alternative disciplinary action. Again, I only suggest that I have presented the recommendation of the Child Welfare Board who have heard all the testimony presented to you. In addition to that if the Council moves to revoke her license as part of the privilege license regulatory procedure, she may not reapply for a license for another year from the date of revocation. So she is not precluded from reapplying in the future. I think there's sufficient evidence in the record and the facts and all the testimony that you have heard to find that Mrs. Wiser's license should be revoked.

COUNCILMAN LEVY:

Mr. Mayor.

LAMOND MILLS, ATTY.:

Thank you. I did not attend the prior hearing so I'm not sure what was presented or in the manner. I think this body has the facts before them and I believe I've stated our position and it's simply one of recognition, acknowledgement, concern and a request that she not be given revocation because of the difficulty of getting another license when it's been revoked and for the severe hardship that it would envoke on her. Again, I've spent a lot of time with her. There's just no doubt concerning her -- her concern over it and I seriously doubt, in my own mind, that would ever happen again. She -- it has been extremely traumatic to her and she is a person, as I think those letters indicate and evidence, who cares a great deal about children and this incident did happen unfortunately, but I would hope that she would be given another opportunity without this stigma of revocation attached to her. Thank you.

MAYOR BRIARE:

Councilman Levy.

COUNCILMAN LEVY:

Yes, Mr. Mayor. First of all, Mr. Mills, I appreciate what you have said and I think the woman is a caring woman, but I have to agree with Councilman Nolen. Her decision making is not the best and I think that she's very fortunate today to be here with only the minor portion of the fact that she's

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ITEM H - LICENSE DISCIPLINARY HEARING OF FAMILY CHILD CARE HOME LICENSE:

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COUNCILMAN LEVY:

going to lose her license or not lose her license compared to what it could have been and thank God it didn't. With listening to everything that has been said, I'LL MOVE TO FOLLOW THE RECOMMENDATION OF THE CHILD WELFARE BOARD AND REVOKE THE RESPONDENT'S LICENSE.

COUNCILMAN BUNKER:

May I ask one comment before we take the vote?

MAYOR BRIARE:

Okay.

COUNCILMAN BUNKER:

Was the recommendation of the Child Welfare Board unanimous?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

Yes, it was.

MAYOR BRIARE:

Other comments or questions? I have a tendency to want to be a little bit less than an absolute revocation. I'm not going to try to second guess our very competent Child Welfare Board. We're indebted to you for the tough --

COUNCILMAN LEVY:

It's tough.

MAYOR BRIARE:

The thankless job that you have, but based on -- you know, based on this information, I wish that the Council could consider something else other than the stigma of an absolute revocation. There are a number of alternatives, but I'm not up here -- it's not my job to be up here to offer some mitigations of some sort and it would seem to me that there are at least two members of this Board who feel quite strongly that it should be a total revocation and so if I go much further, it's going to sound like I'm pleading your case, Mrs. Wiser, and I'm not. I do think that maybe something in between. Perhaps a suspension which could very ultimately lead to your being out of the business if you were suspended for a period of time or it might be just onerous to be suspended as it is to be revoked -- I don't know -- or to change. Are there licenses that are available for child care of different age groups where maybe young -- the real babies could not be cared for, but only older children, is there such a thing?

DEPUTY CITY ATTY.
TERRY PONTICELLO:

No, we don't have those licenses.

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MAYOR BRIARE:

Well, that's the only thing I wanted to comment on. Any other comments?

COUNCILMAN NOLEN:

Actually, Your Honor, I have to agree with what you're saying. I wish that we didn't have to take this type of action, but I feel such a strong obligation in this area that I have no other choice but to vote for revocation. When you're experimenting with children's lives, and that's what I see it as, when you use that bad judgement and walk away without making sure there's adequate facilities, protection and someone there to take of them, I'm not willing to put guinea pigs up there.

MAYOR BRIARE:

Well then it happened not just once. Any other comments by Council members? You heard the motion, cast your votes. Post. The motion's APPROVED. Councilman, pardon me, Counselor, the request has been DENIED. (Motion carried unanimously.)

END OF DISCUSSION

**THE FOLLOWING
PAGE(S) ARE
ILLEGIBLE/POOR
QUALITY**

6-1-86

000308

To Whom it May Concern -

Daleen Wiser babysat my 9-year old for approximately six months. She has always been a very caring & responsible person. Whenever I picked up my son, he was always happy & had enjoyable projects to do. She always went out of her way to see that he was happy & cared for.

Sincerely,
Barbara Hudgath

000309

To Honorable Mayor Corcoran,

I have been a neighbor of John Moore for approximately 6 years. During this time she has done children in her home Moore has been most conscientious about the care of these children trusting to me that she does a tremendous service that to have private nursing for service.

It is my opinion that John Moore never intentionally neglects or abuses the children. She concerns by making the children to go to school three or four times a day depending on class schedule. Living as near as she does most people would not have believed, in fact.

The children in Moore's care seem to be happy, clean & well loved for you have dropped in unannounced.

I believe it would be a terrible mistake to disallow Moore's home as a childcare provider. She is a very fine person who made a mistake I trust to not penalize Moore, her family & children whom she could love in care for in the future.

Thank you!
Carol Stedman

June 3, 1986
8781489

000310

April 2, 1986

To Whom It May Concern:

My name is Conny Schofield.
During the Christmas Season
Dale Wiser was the sitter
for my infant. On the day
of December 4, I came to
pick up my child and the
health inspector was there.
The only other infant present
at the same time was
Amanda.

Conny G. Schofield

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To Whom it may concern:

This is written in regard to the alleged misconduct of Mrs. Dalene Wisen. I observed Mrs. Wisen for 5 months walking children she babysat, to and from school everyday, as well as talked to parents whose children she babysat, so I would feel assured my child was in good hands. When Mrs. Wisen watched my child there were times I would show up sooner than expected to pick up my child just to see how things were. My daughter is 6 years old and capable of repeating anything and everything that goes on. Mrs. Wisen's house is extremely clean and picked up, for having as many children around daily that she has. There are toys or books around occasionally but when children are around that's natural. Mrs. Wisen is someone who takes time to help the children with learning as well as just watching them.

Mrs. Wisen explained the incident that occurred that led to this whole mess and I feel quite sure it was an unfortunate mix up. The thing that bothers me most concerning this is the way the situation was handled by the police officers involved. I know the parent of one of the little girls who was present when this incident occurred and she was scared of police officers after this incident. I understand the officers were doing their job but I tend to wonder if they weren't

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overzealous in their actions and comments. The police officers in Las Vegas have a difficult job and like every profession there are always a few who really don't represent the public like they should.

Mrs. Wiser is an excellent babysitter and person. I have no hesitation about her watching my child again once this incident is over with. I checked Mrs. Wiser out thoroughly before originally placing my daughter in her home to watch and being a foster parent for 3 yrs. I was well aware of the type of people who are abusive to children and wanted to be sure I had one who wasn't. I'm quite confident that checking back through those who licensed and inspected Mrs. Wiser it is apparent that there wasn't a problem in her home in cleaning or other respects (safety, etc.) or it would mean she wouldn't have a license. Above all I feel Mrs. Wiser's character is what speaks for itself. She is a truly honest and fine person who is being unfairly persecuted for a slight mixup that injured no one; but Mrs. Wiser's reputation.

Thank You,

Catherine J. Nelson
4712 W. Dover Place
L.V., N.C. 89107
878-0086

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MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

AL LEVY

BOB NOLEN

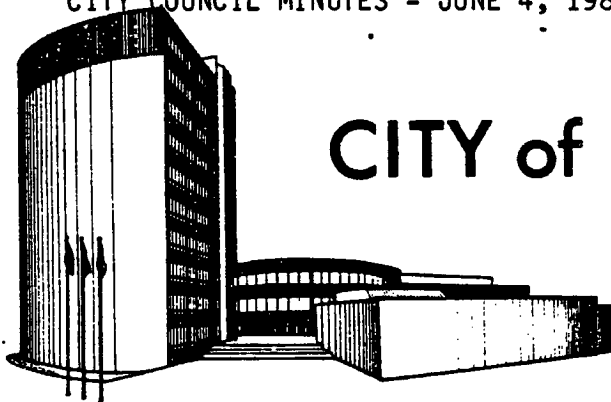
W. WAYNE BUNKER

CITY ATTORNEY

GEORGE F. OGILVIE

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

May 22, 1986

Ms. Vickey Cook
2501 N. Englestad
North Las Vegas, Nevada 89030

RE: Work Card Appeal

Dear Ms. Cook:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. Please be advised that this matter will be heard on Wednesday, June 4, 1986, at the regularly scheduled City Council Meeting. This matter will be heard sometime between 10:00 A.M. and 12 Noon. I would advise you to be present at 10:00 A.M. and wait your turn. This meeting will be conducted in the Council Chambers at 400 East Stewart Avenue.

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

Sincerely,

Carol Ann Hawley
CAROL ANN HAWLEY
City Clerk

CAH:jp

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



000314

May 22, 1986

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

RE: Work Card Denial

Dear Ms. Hawley:

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

Sincerely, *Vickey Cook*

Vickey Cook
2501 N. Englestad
North Las Vegas, Nevada 89030

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

City of Las Vegas

000315

Date: May 28, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM: *Robert Yeagor*
Robert Yeagor
Deputy City Attorney

SUBJECT: Swiss Gold & Silver Corporation -- License Disciplinary Action

PURPOSE/BACKGROUND

This agenda item concerns a complaint for license disciplinary action against Swiss Gold & Silver Corporation, which does business at 1507 Las Vegas Boulevard South. The proposed complaint is based on the licensee's failure to obey provisions of the Las Vegas Municipal Code governing secondhand dealers. Specifically, officers of the Las Vegas Metropolitan Police Department found when they visited the premises on May 13, 1986, that the permanent record of transactions required by LVMC §6.74.110 was not available for inspection. When they returned the next day, they found that the record did not include complete information as required by LVMC §6.74.110(A)(3) regarding the persons with whom business was transacted. They also found that the record of a purchase on May 6, 1986, inaccurately described a class ring and failed to describe the name engraved on it, as required by LVMC §6.74.110(A)(5). A copy of their report is attached.

Note that this complaint addresses only the secondhand dealer's license held by the Respondent. The Respondent also holds a license for the sale of new jewelry, but the Metropolitan Police submitted no grounds that would support disciplinary action against that license.

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-J

000316

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of)
The Department of Business)
Activity on behalf of the)
City of Las Vegas, Nevada,)
Petitioner,)
v.)
Swiss Gold & Silver)
Corporation,)
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 Swiss Gold & Silver Corporation, as follows:

1. The Respondent is the holder of a business licenses issued by the City of Las Vegas (S03-114-6-19745), which permits a secondhand dealer's business to be conducted at 1507 Las Vegas Boulevard South in the City of Las Vegas.

2. The Respondent failed on May 6, 1986, to record on Ticket #9205 all letters and marks inscribed on a ring that it purchased on that date, as required by LVMC §6.74.110(A)(5). Specifically, it listed the ring as a 1985 class ring from the University of Nevada, Las Vegas, rather than as a 1973 class ring, which it actually was. Further, the Respondent failed to record a name engraved inside the ring.

3. The Respondent has failed to maintain complete records of transactions involving secondhand merchandise, as required by LVMC §6.74.110(A). Representatives of the Las Vegas Metropolitan Police Department found on May 14, 1986, that Respondent's permanent records contained only the ticket number, a vague description of the item bought, the date of the trans-

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1 action and the amount paid for the item.

2 4. The Respondent failed on May 13, 1986, to keep
3 the transaction records available for inspection of the
4 Las Vegas Metropolitan Police Department during ordinary
5 business hours, as required by LVMC §6.74.110(B). On that
6 date, Respondent was unable or unwilling to produce said
7 records for inspection by police officers.

8 5. The Respondent's omissions as set forth in
9 Paragraphs 2, 3 and 4 are grounds for license disciplinary
10 action under LVMC §6.02.330(B), because they constitute a
11 failure to satisfy requirements imposed by this Code on second-
12 hand dealers.

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

15 1. To approve this Complaint and order a disciplinary
16 hearing held either before the Council or before a Hearing
17 Examiner appointed by the Council.

18 2. Following such disciplinary hearing, to revoke
19 the licenses that are the subject of this Complaint.

20 3. To grant such other relief as the Council deems
21 proper, including the expenses incurred by the City of Las Vegas
22 in bringing this disciplinary action.

23 DATED this 29th day of May, 1986.

24
25 *Jerry J. Cahill by M. Fletcher*
26 JERRY J. CAHILL, Director
27 Department of Business Activity
28
29
30
31
32

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

MEMORANDUM

Date: 5-14-86

To : LT. HASH HANIEF, SPECIAL INVESTIGATIONS

Subject : SWISS GOLD & SILVER CORPORATION, 1507 LAS VEGAS BLVD. SOUTH

On 5-07-86, I was instructed by you to conduct an investigation of the above business. The following are the results of that investigation:

On 5-13-86, myself along with Detective Lannis Mills of the LVMPD Burglary Division, responded to Swiss Gold. While there, we contacted the sole occupant of the establishment, identified as Rosemary Pifer. I identified myself to Ms. Pifer and inquired as to why she had not contacted me after the City Council hearing on 5-07-86 as instructed to do by the City Council. She stated that she had to "speak to someone first." I explained our purpose for being in the store on 5-13-86 in that we were there to check her transaction book. Ms. Pifer's expression turned to one of surprise and didn't seem to understand what I was asking for. I explained that City Ordinance 6.74.110 in the Secondhand Dealers Section, required her to keep a transaction book that must be available to inspection by LVMPD at all times. Ms. Pifer stated that she did not have the book, that it had been at her accountant's office for three weeks. She stated that her accountant is one Dick Coombs but she did not have an address for him as he works out of his residence. I advised Ms. Pifer that the transaction books must be kept on the premises at 1507 Las Vegas Boulevard South at all times. She proceeded to hand me the secondhand ticket books containing her copy of secondhand tickets, to which I advised her that was not the same as transaction records. I also advised Ms. Pifer that her tickets did not contain enough information, were often unreadable and it appeared that she turns very few tickets in at all. I advised Ms. Pifer that she had 24 hours in which to produce the transaction record book and that Det. Mills and I would respond on 5-14-86 to inspect the book.

On 5-14-86, Det. Mills and myself responded to Swiss Gold and contacted Ms. Pifer, who turned over her transaction record book to us. Upon going through the book, it was noted that several items required in Section 6.74.110, were missing. Specifically, number (3), the name, age, drivers license number, etc. data. This transaction book contained the ticket number, vague description of the item bought, the date and the amount given for the item. She was advised that this did not constitute full and complete records of the "buys" or secondhand transactions she was making.

Ticket #9205 contained several items of jewelry, namely rings. Ms. Pifer was asked to produce these items, as the buy occurred on 5-06-86, thus the 10 day hold was still in affect.

Lt. H. Hanief
May 14, 1986
Page -2-

On this ticket, Ms. Pifer listed a 10k UNLV class ring, year being 1985. Upon examination of the ring, both Det. Mills and myself observed the ring to be a ladies 10k class ring, UNLV clearly listed and the year 1973 appeared in bold numbers. Inside this ring, there was a name engraved. I advised Ms. Pifer that she incorrectly listed the ring as 1985 when in fact it was from the year 1973 and she did not list the name engraved inside on the ticket. I advised Ms. Pifer that she has been advised in the past, that all engraved information must be contained on the secondhand tickets or the LVMPD Pawn Section cannot process the tickets in the proper manner, namely to match up stolen property with property taken in by secondhand establishments. Due to this fact, I requested again of Ms. Pifer that all information be noted on the tickets in a clear and concise fashion.

It should be noted that there are two other secondhand business establishments located two doors away and across the street from Swiss Gold. Both stores report good business in secondhand transactions. It is difficult to believe that Ms. Pifer is doing such a poor volume of business as she reported to myself and Det. Mills. In fact, the LVMPD Pawn Section received 3 tickets in March, 1986, 4 tickets in April, 1986 and 3 tickets in May (to date), from Swiss Gold. It is interesting to note that the secondhand businesses located near Swiss Gold turned in a great deal more tickets, indicating they are doing a higher volume of business. One store turned in 104 tickets in March and 86 in April, the other store turned in 279 tickets in March and 218 in April.

The LVMPD Pawn Section has received information from informants that there are great numbers of people going in and out of Swiss Gold. This would seem to indicate that Swiss Gold is doing a better business than reported by Ms. Pifer.

Due to the above circumstances and the fact that Ms. Pifer acted disinterested by our visit, it is requested that City Business License investigators conduct an audit of Swiss Gold & Silver Corporation to determine if Ms. Pifer is operating an honest and reputable establishment.

Respectfully Submitted:


Geleen Irvine,
LVMPD Pawn-Gun-Secondhand Section,
Senior Clerk/Enforcement

cc: City of LV Business Activity

000320

THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

In the Matter of)
The Department of Business)
Activity on behalf of the)
City of Las Vegas, Nevada,)
Petitioner,)
v.)
Swiss Gold & Silver)
Corporation,)
Respondent.)

ORDER APPROVING COMPLAINT
AND NOTICE OF HEARING

TO: SWISS GOLD & SILVER CORPORATION
1507 Las Vegas Boulevard South
Las Vegas, Nevada 89104

The Complaint of the Department of Business Activity of the City of Las Vegas, Nevada, against the above-named Respondent, dated May 29, 1986, 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 June, 1986, 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 July, 1986, beginning at the hour of 2 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

000321

1 five (5) days prior to said hearing date, file with the City
2 Clerk and serve a copy of the same upon the City Attorney, your
3 answer to the charges made in the Complaint and set forth any
4 affirmative defenses you intend to raise.

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

9 DATED this 4th day of June, 1986.

10 THE CITY COUNCIL OF THE
11 CITY OF LAS VEGAS, NEVADA

12 
13 By WILLIAM H. BRIARE, Mayor

14 ATTEST:

15
16 
17 CAROL ANN HAWLEY, City Clerk



TRANSCRIPT - LAS VEGAS CITY COUNCIL MEETING - JUNE 4, 1986
V-J -- SWISS GOLD & SILVER CORPORATION - LICENSE DISCIPLINARY ACTION Page 1

MAYOR BRIARE: Item J is the Swiss Gold and Silver Corporation.

CITY ATTORNEY OGILVIE: Yes, Your Honor, at the last meeting the City Council directed staff to look into the allegations that were raised concerning the operation of the Swiss Gold and Silver Exchange with the possible goal of bringing the matter back for approval of a Complaint and Order to Show Cause. The matter before you this morning is merely the approval of the Complaint and Order to Show Cause. If approved, this would set the hearing for the meeting of July 2.

COUNCILMAN LEVY: I'LL MOVE FOR APPROVAL.

MAYOR BRIARE: Are there comments? (No response.) Cast your votes.
Post. MOTION'S APPROVED.

(VOTE: Unanimous approval of motion by all members of the Council.)

(End of discussion on this matter.)

/ch

City of Las Vegas

AGENDA DOCUMENTATION

Date May 30, 1986

TO:
The City CouncilFROM: *George F. Ogilvie*
George F. Ogilvie
City AttorneySUBJECT:

Resolution Adopting Master Plan of Clark County Regional Flood Control District

PURPOSE/BACKGROUND

The technical committee of the Clark County Regional Flood Control District met on May 6, 1986, to consider the adoption of the District's proposed master plan and unanimously approved the following motion:

That Volume I and II of the Master Plan be recommended for adoption by the Clark County Regional Flood Control District as a conceptual document to provide the long-range guidance necessary for the development of flood control facilities within the County; such recommendation, however, subject to a provision of a practical method to periodically update and revise the plan as conditions may require.

NRS 543.590(5) provides that a master plan for any hydrographic area shall not become final until it is adopted by the governing body of the county and each city, all or part of the territory of which is included within that hydrographic area, as components of the respective master plans that they have adopted pursuant to Chapter 278 of the Nevada Revised Statutes. The City's Planning Commission, on May 27, 1986, unanimously adopted a resolution in which it recommends the adoption by the City Council of Volumes I and II of the proposed master plan, subject to the same condition that is stated in the foregoing motion of the technical committee, and the resolution that is before you, if it is adopted, will adopt the proposed master plan as a component of the City's General Plan.

FISCAL IMPACT

NONE

RECOMMENDATIONS

It is recommended that the City Council approve the attached Resolution and that the Mayor be authorized to execute the same on behalf of the City.

DISPOSITION

Approved ☐
Disapproved ☐
Held ☐

Status Due: _____

Agenda Item

V-K

RESOLUTION

1
2 WHEREAS, Chapter 425, Statutes of Nevada 1985, amends
3 the Flood Control District Law to require, among other things,
4 the restructuring of the boards of directors of flood control
5 districts that are organized thereunder and the preparation of
6 master plans for the control of floods; and .

7 WHEREAS, any such master plan must set forth the most
8 effective structural and regulatory means for correcting the
9 existing problems of flooding and ameliorating the probable
10 effects that future growth may have upon flooding; and

11 WHEREAS, the Flood Control District Law requires that
12 the governing body of the county and each city, all or part of
13 the territory of which is within each hydrographic area that is
14 the subject matter of such a master plan, to adopt such master
15 plan as components of the respective overall master plans that
16 they have adopted pursuant to Chapter 278 of the Nevada Revised
17 Statutes; and

18 WHEREAS, the Clark County Regional Flood Control
19 District, a flood control district that is organized and subject
20 to the Flood Control District Law, has completed the preparation
21 of its Regional Flood Control Master Plan; and

22 WHEREAS, pursuant to said Chapter 278, the City Council
23 of the City of Las Vegas adopted said City's General Plan in
24 January of 1985, which includes, as an objective thereof, a
25 diversified flood control system to protect life and property
26 from severe flood damage at reasonable cost; and

27 WHEREAS, a public hearing was held by the Las Vegas
28 Planning Commisison on the 27th day of May, 1986, to consider the
29 adoption of said Regional Flood Control Master Plan as a supple-
30 ment to said General Plan; and

31 WHEREAS, by a resolution that it adopted on the 27th day
32 of May, 1986, said Planning Commission recommends the adoption of

000325

1 Volumes I and II of said Regional Flood Control Master Plan as a
2 supplement to said General Plan.

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of
4 the City of Las Vegas that Volumes I and II of the "Regional
5 Flood Control Master Plan" of the Clark County Regional Flood
6 Control District, dated April, 1986, be, and the same hereby are,
7 adopted as conceptual documents, together to form a supplement to
8 the Public Facilities Service and Financing Element of said
9 City's General Plan, which element provides the long term
10 guidance that will be necessary for the development of flood
11 control facilities within said City; provided however, that such
12 adoption is subject to the inclusion in said Master Plan of a
13 provision for a practical method of providing for its periodic
14 update and revision as the conditions may require.

15 PASSED, ADOPTED AND APPROVED this 4th day of June, 1986.

16 APPROVED:

17
18 By William H. Briare
19 WILLIAM H. BRIARE, Mayor

20 ATTEST:

21 Carol Ann Hawley
22 CAROL ANN HAWLEY, City Clerk

23
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31
32
6-6-86

AGENDA*City of Las Vegas*

000326

June 4, 1986

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES

11:31

- A. BILL NO. 86-18 - ANNEXATION NO. A-10-85(A), PROPERTY LOCATED ON THE NORTH SIDE OF DEL REY AVENUE, EAST OF RAINBOW BOULEVARD; PETITIONED BY: TIMOTHY H. MCCARDELL TRS., ET AL; ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).

Committee: Councilmen Lurie and Levy

First Publication: Review-Journal, 5/22/86

Committee Recommendation:

Adoption at the 6/4/86 City Council meeting.

Lurie -
Second Reading and
Bill ADOPTED
Unanimous

Clerk to proceed
with second
publication.

33

- B. BILL NO. 86-19 - ADJUSTS THE BOUNDARIES OF THE VARIOUS CITY COUNCIL WARDS (First Amendment).

Committee: Councilmen Levy and Lurie

First Publication: Review-Journal, 5/22/86

Committee Recommendation:

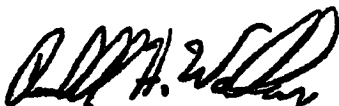
Staff to meet with Dr. James McMillan, Nevada Black Chamber of Commerce, Reverend Jesse Scott, NAACP, and Lois Larson and make their recommendations to the Committee.

Levy -
Held in ABEYANCE
until next meeting.
Unanimous

6/18/86 Agenda

Dr. James McMillan
and Reverend
Jesse Scott
appeared.

APPROVED AGENDA ITEM



000327

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA)
)
 COUNTY OF CLARK) ss

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 13th day of May, 1986, at the hour of 11:30 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, May 19, 1986, 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

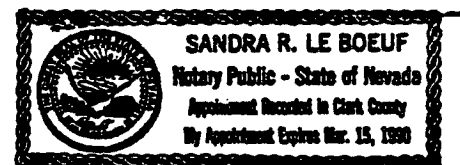
City Clerk's Office
 DEPARTMENT

Subscribed and sworn to before me this

13th day of May, 1986

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

My Commission expires: 3-15-90



000328

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 9th day of May, 1986, 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, May 19, 1986 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)

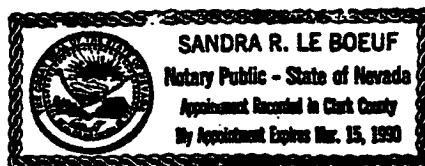
Subscribed and sworn to before me this

9th day of May, 1986

Sandra R. Le Boeuf

NOTARY PUBLIC in and for said County and State.

My Commission expires: 3-15-90



NOTICE

The following Bills proposed for adoption by the City Council of the City of Las Vegas will be subject of PUBLIC COMMENT before their respective committees at the hour of 4:00 P.M., Monday, May 19, 1986, in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

- A. BILL NO. 86-18 - ANNEXATION NO. A-10-85(A), PROPERTY LOCATED ON THE NORTH SIDE OF DEL REY AVENUE, EAST OF RAINBOW BOULEVARD; PETITIONED BY: TIMOTHY H. McCARDELL TRS., ET AL: ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT).
Committee: Councilmen Lurie and Levy
- B. BILL NO. 86-19 - ADJUSTS THE BOUNDARIES OF THE VARIOUS CITY COUNCIL WARDS.
Committee: Councilmen Levy and Lurie
- C. BILL NO. 86-20 - ALLOWS CERTAIN DEVELOPMENTS IN THE N-U, R-A AND R-E ZONING DISTRICTS TO FRONT ON PRIVATE STREETS.
Committee: Councilmen Lurie and Levy
- D. BILL NO. 86-21 - PERMITS SERVANTS' QUARTERS IN THE N-U, R-A AND R-E ZONING DISTRICTS.
Committee: Councilmen Lurie and Levy
- E. BILL NO. 86-22 - AMENDS THE CABLE TV ORDINANCE.
Committee: Councilmen Nolen and Lurie
- F. BILL NO. 86-23 - GRANTS MISCO, INC., A FRANCHISE TO OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM.
Committee: Councilmen Nolen and Lurie
- G. BILL NO. 86-24 - GRANTS VALLEY COMMUNICATIONS, INC., A FRANCHISE TO OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM.
Committee: Councilmen Nolen and Lurie
- H. BILL NO. 86-25 - REMOVES PROVISION PERMITTING CITY TO PROVIDE ANIMALS TO NEVADA MEDICAL SCHOOLS AND HOSPITALS FOR RESEARCH PURPOSES.
Committee: Mayor Briare and Councilmen 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

CITY OF LAS VEGAS

Date

000330

INTER-OFFICE MEMORANDUM

May 20, 1986

TO:

FILE

FROM:

CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
MAY 19, 1986

COPIES TO:

5/21/86 and 6/4/86 City Council Blue Books
City Attorney
Dept. of Community Planning and Development
Business Activity
Animal Control

MEETING HELD:

City Manager's Conference Room, City Hall,
Las Vegas, Nevada, beginning at 4:00 P.M.
and adjourning at 5:40 P.M. on Monday,
May 19, 1986.

ATTENDANCE:

Councilman Ron Lurie
Councilman Al Levy
Councilman Bob Nolen
City Manager Ashley Hall
Deputy City Manager Randall Walker
Deputy City Manager Larry Barton
City Attorney George Ogilvie
Deputy City Attorney John Roethel
Harold Foster, Director, Dept. of Community Planning & Dev.
Rose McKinney James, Management Analyst
Carol Ann Hawley, City Clerk
Linda Owens, Deputy City Clerk
Dr. James McMillan, Nevada Black Chamber of Commerce
Jesse Scott, NAACP
Lois Larson, Citizen
Dart Anthony, Nevada Animal Fanciers Organization
Dan Metcalf, Misco, Inc.
Atty. Eric Taylor representing Misco, Inc.
Jay Levine, NFAPO
Jean Pemberton, Nevada Dog Fanciers
Harold Hyman, Las Vegas SUN
Lisa Roche, Las Vegas Review-Journal
Brian Greenspun, Dimension TV
Robert Bauchman, Valley TV
Stephen Bauchman, Valley TV

EXCUSED:

Mayor William Briare

000331

Recommending Committee Minutes
May 19, 1986
Page 2

- A. BILL NO. 86-18 - ANNEXATION NO. A-10-85(A), PROPERTY LOCATED ON THE NORTH SIDE OF DEL REY AVENUE, EAST OF RAINBOW BOULEVARD; PETITIONED BY: TIMOTHY H. McCARDEL TRS., ET AL; ACREAGE: APPROXIMATELY 5.15 ACRES; ZONED: R-E (COUNTY CLASSIFICATION) N-U (CITY EQUIVALENT)
Committee: Councilmen Lurie and Levy

No one appeared in opposition to this proposed bill. Committee recommended adoption at the 6/4/86 City Council Meeting.

- B. BILL NO. 86-19 - ADJUSTS THE BOUNDARIES OF THE VARIOUS CITY COUNCIL WARDS
Committee: Councilmen Levy and Lurie (FIRST AMENDMENT)

Deputy City Manager Walker stated the reason this bill had been introduced was in order that the boundaries of the various wards could be adjusted due to a disparity that currently exists in the population as a result of growth in the north and west areas of the city. He indicated this bill would require a second amendment wherein Precinct #51 would have to be placed back into Ward 1 rather than the proposed addition to Ward 3 as there was a small area of that precinct that was not contiguous to Ward 3. Rev. Jesse Scott, President of Las Vegas Branch of the National Association for Advancement of Colored People addressed the Committee and indicated his Association's desire to have consideration/representation insofar as creation of the boundary lines. Dr. James McMillan, representing the Nevada Black Chamber of Commerce emphasized that the Black community had taken a keen interest in voter registration/participation in the past 15 years and their desire to have representation from the voting district. He stated the proposed bill would further dilute the Black district and such would not be fair. He urged the Committee to revise the proposed boundary map and add Black precincts growing to the west that would be contiguous to Ward 3. Dr. McMillan illustrated to the Committee how they could add predominantly black precincts and at the same time equalize the four voting wards. Lois Larson indicated she agreed with Dr. McMillan and supported Ward 3 picking up precincts in the western area of the City. The Committee requested that Rev. Scott, Dr. McMillan, and Lois Larson meet with Deputy City Manager Walker and Harold Foster, Director of Community Planning & Development to develop an amended boundary line plan and report their recommendations to the Council prior to the June 4, 1986 meeting at which time the Council will take action on the proposed bill.

- C. BILL NO. 86-20 - ALLOWS CERTAIN DEVELOPMENTS IN THE N-U, R-A AND R-E ZONING DISTRICTS TO FRONT ON PRIVATE STREETS
Committee: Councilmen Lurie and Levy

No one spoke in opposition to this proposed bill. Harold Foster proposed that the bill be amended as follows: -Add at the end of the first sentence on sections 19.10.150, 19.12.110 and 19.14.110, Page 2 the following "except that additional lots may be authorized by the Planning Commission." He stated this amendment is comparable to that of Clark County. He stated this bill was at the request of citizens annexed recently into the City. Committee recommended adoption as amended at the 6/4/86 City Council Meeting.

Recommending Committee Minutes
May 19, 1986
Page 3

000332

D. BILL NO. 86-21 - PERMITS SERVANTS' QUARTERS IN THE N-U, R-A AND R-E ZONING DISTRICTS.

Committee: Councilmen Lurie and Levy

No one appeared in opposition to this proposed bill. Councilman Lurie stated he introduced this ordinance based on the requests of citizens recently annexed to the western part of the City who were concerned as to whether servants' quarters were legal in these zoning districts. The Committee recommended adoption at the 6/4/86 City Council Meeting.

E. BILL NO. 86-22 - AMENDS THE CABLE TV ORDINANCE.

Committee: Councilmen Nolen and Lurie

City Attorney Ogilvie stated that on April 30 he received a substantial ordinance proposed by Dimension Cable Television of which he has not incorporated into the proposed bill. He said since that time he had met with Valley and Misco to go over Dimension's proposal and also had met with Dimension, the present franchisee. He stated he felt the concerned parties were at an impasse and that the basic disagreement was such that the bill as presently written contemplates that an applicant could apply for all or any part of the City in his franchise and once he's granted a franchise thereafter when he wanted to serve a specific area, he would file notice with the City that he intended to serve a particular area (i.e. file a map of proposed service areas, what public rights of way to be used in the service area, estimated cost of construction to serve the area and specify the length of time estimated it would take to complete construction and start service); whereas, Dimension representatives felt such was too liberal and that a franchisee should not have a franchise without some obligation to commence serving the area and that Dimension proposed that instead of franchise that could cover the entire city and then permits thereafter, that individual franchises be required for the individual areas (a cable company could apply for multiple franchises to serve multiple areas or it could just be one) but when the franchise is granted, all of the compulsory items attached to the permit would be attached to that franchise and a franchisee would have to start service within a specific area.

Robert Bauchman, President, Valley Communications stated he was in agreement with the bill as presently prepared by the City Attorney and urged the Committee to recommend adoption. Dan Metcalf, General Manager of Misco, indicated he generally concurred with Valley Communication's position, that they had waited almost 8 months and were anxious to begin their business in the City and urged the Committee to go forth with the proposed ordinance as currently written.

Brian Greenspun representing Community Cable TV dba Dimension stated if the City was to give up public property, i.e. the rights of way to string the cable on, under or through, that it must take back a concomitant obligation by the franchisee to do something and when you grant a franchise to build a cable system, there should be the obligation that the system will be built, and part of the determining factors on what that obligation is are construction schedules, type of equipment, location of head-ends, capital necessary to build it, where it's going to be, what the schedule is going

Recommending Committee Minutes
May 19, 1986
Page 4

to be in order that city planning personnel can plan their street progress, construction, reconstruction, avoid unnecessary tear up of streets, etc. Mr. Greenspun indicated the City Attorney's explanation of their position relating to multiple franchises was not their real position and that their real position is that if you're going to grant a franchise for the whole city, then have a cable system built in the entire city and that short of that due to economics, you grant certain franchises in specific areas within the city, but you must obligate whoever it is to build a system, that you can't give public property away without getting the public good back.

Mr. Greenspun stated the sample ordinance they had submitted was compiled from three or four major cities and that it was a tough cable tv ordinance, but it was the kind of ordinance that other cities require cable companies to comply with and that such was in the City's best interest. He stated they had been through the same thing in the County and that the preferred case had been heard by the Supreme Court which may take the cities and local entities totally out of the business of franchising cable tv and that that decision is anticipated to be handed down by the Supreme Court prior to July 1 of this year. He stated the County's position was to hold the matter in abeyance until after the preferred case came down so they could look at the decision, see how it affects them and would give them time to create an ordinance that takes into account all the standards and requirements that Dimension's been suggesting the City should take. He emphasized this was a prudent course of action.

Eric Taylor, Attorney, representing Misco emphasized there was no philosophical difference but what existed was one company was in business and wants to stay in business without competition and wanting to put up as many obstacles as they can to the other two companies that want to come in or other companies besides these two. He stated any time there was a delay that in essence was a victory for Dimension. He stated a franchise for every area of the city they might want to go into made it too costly to compete. He stated the proposed permit system would work fine, they endorsed it and the proposed ordinance, and that they would have a real problem being bound by something that the existing franchisee is not bound by. He urged for a decision by the Council as soon as possible.

Don Metcalf indicated all the concerns Mr. Greenspun had mentioned were covered under the proposed ordinance but were covered in the permitting phase. He stated Mr. Greenspun's proposed ordinance would mean they were unfairly restricted in their competitive activities with Dimension.

Brian Greenspun stated Dimension would come off their position as to granting of smaller franchise areas within the City if such is based on the same terms and conditions as was granted in their franchise at the onset which at the time included requirements from the Public Service Commission. He stated he was not aware of a single jurisdiction in the entire country that has granted a cable television franchise without first requiring from the applicants certain conditions to be met. He stated the permitting process of the present ordinance requires no conditions and that one can get a franchise without any obligation to file a permit and such was "back asswards."

Recommending Committee Minutes
May 19, 1986
Page 5

000334

Mr. Greenspun emphasized the franchisee should have an obligation to come to the City indicating his desire to build a system, where it is to be built, reveal what it will do to the public rights of way, how long it will take and when the citizens can expect service, and that based on that type of presentation the City Council should then decide whether to grant a franchise or not and not the other way around that says give us a franchise and we the company will decide when and where we're going to build. Mr. Greenspun strongly expressed his opinion that the City should not grant a franchise without an express obligation to build a system. Councilman Nolen stated he had strong concerns with the ordinance insofar as the permit process was concern and was too weak; however, he indicated he did not share Mr. Greenspun's views regarding the granting of the franchise and the rights of the applicants insofar as giving away the public right of way because the franchise fee was a form of remuneration to the City. Mr. Greenspun in his discussion with Councilman Nolen inferred that granting permits for certain areas of the City would encourage "cherry picking," and that Federal legislation discourages "cherry picking" and speaks to this situation in that the local entities must do everything in their power to discourage same.

Councilman Lurie stated the City Attorney had provided the Committee with two recommendations -- one, to issue a license to Valley and Misco on a temporary basis which he opposed, or hold the applications until such time as necessary amendments are made to the original cable television ordinance which is what is before the Committee presently. He stated a third point to consider would be the pending court case before the Supreme Court and that by July, the city could be out of the franchise business insofar as regulating cable television. Councilman Lurie emphasized that while he believed in the free enterprise system and he could appreciate the inconvenience to the applicants, but that it might well be best to hold on the matter until after the court had ruled.

Attorney Eric Taylor argued strongly for a decision to be made and stated that if the proposed ordinance wasn't sufficient then make a decision under the existing ordinance regarding cable television. He said it could be a much longer wait than July for a decision by the Supreme Court and that that issue was one more example that made them wait and as a result meant no competition for Dimension. Councilman Nolen indicated he was not in favor of waiting until the Supreme Court ruled. Brian Greenspun cited the City of Henderson made a hasty decision and as a result of Legislation that occurred two weeks later, their hasty decision cost them millions of dollars over the life of their cable television franchise. He also told them that less than a week after Henderson granted the franchise, it was then offered to Dimension for sale and that is what happens with franchises when granted without obligations to build. Eric Taylor again strongly urged a decision be made.

Representatives from Dimension, Valley and Misco continued to present their positions before the committee and after considerable discussion, the Committee decided to withhold any recommendation to allow for further time for the Council to study the ordinance and instructed the City Clerk to place this bill back on the agenda for the 6/2/86 Recommending Committee Meeting.

Recommending Committee Minutes
May 19, 1986
Page 6

000335

F. BILL NO. 86-23 - GRANTS MISCO, INC. A FRANCHISE TO OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM

Committee: Councilmen Nolen and Lurie

No recommendation was made by Committee. Clerk instructed to place back on 6/2/86 Agenda of the Recommending Committee.

G. BILL NO. 86-24 - GRANTS VALLEY COMMUNICATIONS, INC. A FRANCHISE TO OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM

Committee: Councilmen Nolen and Lurie

No recommendation was made by Committee. Clerk instructed to place back on 6/2/86 Agenda of Recommending Committee.

H. BILL NO. 86-25 - REMOVES PROVISION PERMITTING CITY TO PROVIDE ANIMALS TO NEVADA MEDICAL SCHOOLS AND HOSPITALS FOR RESEARCH PURPOSES

Committee: Mayor Briare and Councilman Nolen

City Attorney Ogilvie stated this bill was drafted at the request of the Coalition of Animal Rights Group and would prohibit the City as well as private individuals from making their animals available to the medical schools and hospitals in the State. Dart Anthony appeared in favor of this bill but indicated he would support an amendment to exclude private individuals from being covered by this proposed ordinance. The Committee instructed the City Attorney to so amend the bill and recommended that it be adopted at the June 4, 1986 City Council Meeting as per First Amendment.

A TAPE RECORDING OF THIS MEETING IS ON FILE IN THE OFFICE OF THE CITY CLERK.

City of Las Vegas

AGENDA DOCUMENTATION

Date: April 21, 1986

TO:
The City CouncilFROM: *Val Steed* 336
Val Steed
Deputy City AttorneySUBJECT: Bill No. 86-18
Annexation No. A-10-85(A)PURPOSE/BACKGROUND

The proposed ordinance annexes certain real property located on the north side of Del Rey Avenue, east of Rainbow Boulevard. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 13, 1986) is set by this ordinance.

The following is pertinent information:

Annexation No.:	A-10-85(A)
Property Located:	On the north side of Del Rey Avenue, east of Rainbow Boulevard
Petitioned By:	Timothy H. McCardell Trs. et al. 1600 E. Desert Inn Road Las Vegas, NV 89109 Bernard T. & Theresa C. Baca 6761 Holmby Avenue Las Vegas, NV 89102
Acreage:	Approximately 5.15 acres
Zoned:	R-E (County classification) N-U (City equivalent)

FISCAL IMPACTRECOMMENDATIONS

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

000337

AGENDA*City of Las Vegas*

June 4, 1986

Page 27

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)C. BILL NO. 86-22 - AMENDS THE CABLE TV
ORDINANCECommittee: Councilmen Nolen and Lurie

First Publication: NONE

Committee Recommendation:

The Committee has not yet made a recommendation on this proposed bill. This bill will be on the agenda of the Recessed Recommending Committee Meeting to be held immediately after the City Council Meeting on June 4, 1986, in the City Manager's Conference Room, 10th Floor, City Hall.

No action has been
taken on this matterD. BILL NO. 86-23 - GRANTS MISCO, INC., A
FRANCHISE TO OPERATE A COMMUNITY ANTENNA
TELEVISION SYSTEMCommittee: Councilmen Nolen and Lurie

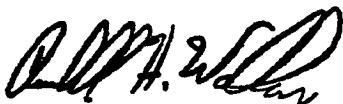
First Publication: NONE

Committee Recommendation:

The Committee has not yet made a recommendation on this proposed bill. This bill will be on the agenda of the Recessed Recommending Committee Meeting to be held immediately after the City Council Meeting on June 4, 1986, in the City Manager's Conference Room, 10th Floor, City Hall.

No action has been
taken on this matter

APPROVED AGENDA ITEM



000338

June 4, 1986

Page 28

AGENDA*City of Las Vegas*

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

ITEM

Council Action

Department Action

VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)

- E. BILL NO. 86-24 - GRANTS VALLEY COMMUNICATIONS INC., A FRANCHISE TO OPERATE A COMMUNITY ANTENNA TELEVISION SYSTEM

Committee: Councilmen Nolen and Lurie

First Publication: NONE

Committee Recommendation:

The Committee has not yet made a recommendation on this proposed bill. This bill will be on the agenda of the Recessed Recommending Committee Meeting to be held immediately after the City Council Meeting on June 4, 1986, in the City Manager's Conference Room, 10th Floor, City Hall.

- F. BILL NO. 86-25 - REMOVES PROVISION PERMITTING CITY TO PROVIDE ANIMALS TO NEVADA MEDICAL SCHOOLS AND HOSPITALS FOR RESEARCH PURPOSES.

Committee: Mayor Briare and Councilman Nolen

First Publication: Review-Journal, 5/22/86

Committee Recommendation:

Adoption as per First Amendment at the 6/4/86 City Council meeting.

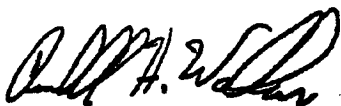
No action has been taken on this matter.

Nolen -
Second Reading and
Bill ADOPTED as
per First Amendment.
Unanimous

Clerk to proceed
with second
publication.

NOTE: City Attorney stated there is a technical error in this Bill on Line 23 of Page 1 which does not require an amendment.

APPROVED AGENDA ITEM



City of Las Vegas

000339

AGENDA DOCUMENTATION

Date: May 2, 1986

TO:
The City CouncilFROM:
George F. Ogilvie
George F. Ogilvie
City AttorneySUBJECT: Bill No. 86-25 -- Removes Provision Permitting City to Provide
Animals to Nevada Medical Schools and Hospitals for Research Purposes.PURPOSE/BACKGROUND

Section 7.32.250 of the City Code presently provides that animals, including those that are in the custody and control of the City's Animal Shelter, may be provided to Nevada medical schools, hospitals and laboratories for the purposes of scientific experiments and investigations. A coalition of animal rights organizations in the southern Nevada area has requested that this provision be repealed.

Bill No. 86-25, if it is adopted, will comply with that request.

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 - F

000340

AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM**Council Action****Department Action****VI. REPORTS FROM RECOMMENDING COMMITTEES (Cont'd)****G. BILL NO. 86-26 - PROVIDES FOR INCREASE IN SEWER USER CHARGES.**Committee: Councilmen Bunker and Lurie

First Publication: Review-Journal - 5/24/86

Committee Recommendation:

Committee recommended approval in concept. Councilman Bunker will meet with staff for further review of rates prior to the 6/4/86 City Council Meeting and will report to the full Council.

Bunker -
Second Reading and
Bill ADOPTED as
per First Amend-
ment.
Unanimous

Clerk to proceed
with second
publication.

11:56

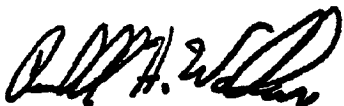
H. DISCUSSION AND POSSIBLE ACTION ON THE OFFER TO PURCHASE PROPERTY GENERALLY LOCATED AT PENNWOOD AND DECATUR.Committee: Councilmen Levy and BunkerCommittee Recommendation:

Committee recommended approval of offer with \$25,000 earnest money and a 120 day escrow.

Council referred
matter back to
staff for further
research.

(See Verbatim Transcript which is
part of Final Minutes of this meeting.)

MORNING SESSION RECESSED AT 12:15 P.M.

APPROVED AGENDA ITEM


City of Las Vegas

000341

Date: May 15, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
George P. Quinn
CITY ATTORNEY

SUBJECT: Bill No. 86-26 -- Provides for increase in sewer user charges

PURPOSE/BACKGROUND

The Department of Financial Management has recently concluded an analysis of the City's sewer enterprise fund which indicates that that fund is being depleted at a rate which will result in its insolvency unless the present sewer user charges are increased for the fiscal year which commences on July 1, 1986. Additionally, it is anticipated that the City will receive permission sometime during the 1986-'87 fiscal year to commence construction of its proposed expansion to the wastewater treatment plant, which will also require an increase in the user charges.

It is anticipated that increasing the present equivalent residential unit ("ERU" herein) charge rate from \$46.03 (total billing charge of \$53.78, including the \$5.00 per ERU that the City pays to Clark County as its share of the debt service on the NWT plant) to \$77.25 (total billing charge of \$85.00), with corresponding increases in the respective charge rates per ERU for the high strength users, will generate sufficient revenues to maintain the solvency of the sewer enterprise fund and to pay the annual debt service on the bonds that the City anticipates issuing to finance the construction of the proposed sewer plant expansion. It is further anticipated that, unless the present water quality standards and effluent limitations are made more stringent, this increase should provide adequate revenues for a period of five years.

Bill No. 86-26, if it is adopted, will effect the proposed increase in the sewer user charges.

FISCAL IMPACT

The proposed increase in the sewer user charges will not have an adverse impact upon the City.

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 - G

City of Las Vegas

000342

Date: May 14, 1986

AGENDA DOCUMENTATION

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGERSUBJECT: DISCUSSION/ACTION ON THE OFFER TO PURCHASE PROPERTY GENERALLY LOCATED AT
PENNWOOD AND DECATURPURPOSE/BACKGROUND

We have received an offer from Real Corporation, a licensed real estate broker, in the amount of \$1,223,000 which, after subtracting the realtor's fee of \$122,000, leaves a net of \$1,101,000. The offer proposes \$10,000 earnest money and requests a 120-day escrow with three 30-day options to extend escrow, if needed. We originally received an offer of approximately \$900,000 net, at which time the staff advised that the minimum offer which would be recommended would be \$1,000,000 net. This resulted in an offer of \$1,000,000 net from two bidders. Both bidders were then advised that they would be given an opportunity to submit one more bid and that the highest bidder would be recommended to the Council. The \$1,101,000 represents the highest bid.

FISCAL IMPACTRECOMMENDATIONS

City Manager recommends that the offer of Real Corporation in the amount of \$1,223,000 (less \$122,000 commission) be accepted and staff be authorized to open escrow as expeditiously as possible.

Agenda Item

VI - H

TRANSCRIPT - CITY COUNCIL MEETING - JUNE 4, 1986 - 10:00 A.M. - PAGE 1
VI. REPORTS FROM RECOMMENDING COMMITTEES. ITEM H. DISCUSSION AND POSSIBLE ACTION ON THE OFFER TO PURCHASE PROPERTY GENERALLY LOCATED AT PENNWOOD AND DECATUR. 000343

MAYOR WILLIAM BRIARE:

Item H. Discussion and Possible Action on the Offer to Purchase Property Generally Located at Pennwood and Decatur. Before we get to that, is there anyone present today in the Chambers that's here for the purpose of the Downtown Redevelopment meeting? Is there anyone? The reason I say that is because that meeting is going to be held at 1:55 this afternoon, unless there's any objections by the Council members. We're slightly late in calling that meeting to order so we might as well wait until 1:55, inasmuch as there is no one in the audience that was here for the purpose of Downtown Redevelopment. Now, Councilman Levy.

COUNCILMAN AL LEVY:

Your Honor, you appointed a committee of Councilman Bunker and myself to sit down and go over the offer that the Real Corporation proposed to the City. There were some problems in the offer that we felt had to be worked out. They have been worked out. At the time, of course, to be very truthful, we have -- at our meeting some of the citizens came before us who live in the neighborhood and were very upset regarding the idea of us selling the property for a -- rather than using it for a park. We have been able successfully, since all our duty was to negotiate, and that was what you set up that committee for and not to judge whether we should put a park there. Let me just go over our portion of the situation. We have changed the earnest money -- excuse me, we have changed the earnest money from \$10,000 to \$25,000. We have a closing date of October 15. The option times to extend the escrow have been knocked out. There will no longer be extensions. Councilman Bunker and myself felt that was fine and felt that was a fair offer for both the City and the purchaser, but I think it would only be our duty to turn it over to the Mayor and conduct it and let some of these people who have been very kindly sitting in the audience say their peace, also.

COUNCILMAN RON LURIE:

Mayor, at that meeting the citizens that were there, through their spokesman, Gary Morris, requested that we do some backup

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VI. REPORTS FROM RECOMMENDING COMMITTEES. ITEM H. DISCUSSION AND POSSIBLE ACTION ON THE OFFER TO PURCHASE PROPERTY GENERALLY LOCATED AT PENNWOOD AND DECATUR. 0344

COUNCILMAN RON LURIE:

research on that piece of property. At the time, you and I were the only ones on the Board when this property was discussed and the City Clerk did discover that back in July of 1978 that the City did pass a Resolution. Number one, the authorization for the City was to acquire a park site with Bureau of Park & Recreation funds and Convention Authority funds, which was approved. Also, at the same time we adopted a Resolution of the City of Las Vegas authorizing the acquisition of the property for the purpose of a park site, which we do have a copy of that Resolution that was adopted unanimously by the City Council in July of 1978, which, in my opinion, kind of puts us in a situation that the property cannot be sold at this time with this Resolution authorizing that site to be a park site.

MAYOR WILLIAM BRIARE:

Councilman Levy.

COUNCILMAN LEVY:

I think there has been some further study. Can I ask Mr. Hall to give us some further --

CITY MANAGER ASHLEY HALL:

The research that we did had to do basically with the agreement itself that the City had entered into and required quite a bit of research back in the archives because it was back in 1978 and that material was in the archives. As I have reviewed that, a document dated August 28, 1978, and signed by a gentleman by the name of John L. Mender, Administrator of the Parks and Recreation Division of the State of Nevada at that time. There were provisions that it would be for a park site, but there were also stipulations in the agreement that it had to be -- the agreement itself was for a three year period running through on the time period of July 25, 1978 through September 30, 1981. It further stipulated that, quoting from the final page of that: "In the event construction has not commenced on this project within an eighteen month period from the date of this agreement, this agreement is null and void." It's basically the conclusion of the City Manager and the staff, first of all, we have clear title to the property. Secondly, it's really at the disposition of the Council as to what they want to do with that property. As we've indicated to you, both in private as well as in other meetings, public meetings, that we

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CITY MANAGER ASHLEY HALL:

do not have sufficient funds at the present time to develop it into a park. The funds that were to be used, basically from Federal grants and some State grants and some matching money, that money has since run out completely and there's just no funds at the present time for the City to develop it into a park site.

MAYOR WILLIAM BRIARE:

In view of the growth of the city and the annexation rules or laws that we're living under right now, is it likely that there would, in the future, be a use for a City park at that location?

CITY MANAGER ASHLEY HALL:

Not in that area. That area is not annexable by the City and it's bordered on two sides by the County and on two sides by the City.

MAYOR WILLIAM BRIARE:

So before we hear from some of the folks out there, it should probably be made clear that if the time were to come when there is no need for a City park in that area, if there are not sufficient numbers to warrant the expenditure of funds to build a park, then that's the decision that somewhere along the line someone is going to have to bite the bullet and make a decision as to whether it should stay as a park site, or whether it should be used for some other purposes. The record that Councilman Lurie just read here was pretty evident that at the time that the Council, or the Commission it was called at that time, when the City Commission approved this that there was some hope or some possibility, although no funds were available then that there might be some time in the future, so now here we are in the future. Senator, do you want to make a comment there or are you just listening? Assemblyman O'Donnell. I'm giving you a little plug there, Bill. I shouldn't say that, should I?

ASSEMBLYMAN BILL O'DONNELL:

Assemblyman Bill O'Donnell.

MAYOR WILLIAM BRIARE:

I said Senator. It just popped into my mind.

ASSEMBLYMAN BILL O'DONNELL:

I appreciate that, but I haven't made it yet, and hope they will, but that's up to the voters. Three things, representing the State, the money that was given to you people, or the City of Las Vegas, by the State is State money and --

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DECATUR.

COUNCILMAN AL LEVY: It will be returned.

ASSEMBLYMAN BILL O'DONNELL: Pardon?

COUNCILMAN AL LEVY: It will be returned.

ASSEMBLYMAN BILL O'DONNELL: That's my point. If it's going to be returned to pay off a loan that the City has acquired from the State --

COUNCILMAN AL LEVY: It wasn't a loan.

ASSEMBLYMAN BILL O'DONNELL: Are we going to benefit by holding that land? Benefit by the increased value of that land, only to repay a \$135,000 loan with no interest and no amortization. It doesn't seem fair. It doesn't seem fair statewide. Number two, as a police officer in this town, and that was my district, that is one of the highest density areas in Las Vegas. To put a park there seems only feasible. To put more apartment complexes there seems utterly disastrous; it's just not feasible. Number three, I commend the City Commission for their outstanding job in the way of economic development, but don't let the wheels of progress roll through the cornfields that feed you; it's not right. That's my two cents.

COUNCILMAN AL LEVY: What are you saying? Is this City Council -- are you suggesting that we sit on the property, Senator, or Assemblyman?

ASSEMBLYMAN BILL O'DONNELL: Develop it. When you were given --

COUNCILMAN AL LEVY: Pardon?

ASSEMBLYMAN BILL O'DONNELL: When you were given the money way back in 1978 to produce a park there --

MAYOR WILLIAM BRIARE: To acquire land for the possible use of the park.

ASSEMBLYMAN BILL O'DONNELL: You had three years to develop it. Because you didn't follow through with developing that park --

COUNCILMAN AL LEVY: No. I think it was because it was right there with the County and the City and I think, you know, because of the fact that that property basically -- and the County

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COUNCILMAN AL LEVY: has had no stomach to help pay for a park is why it's never been built and probably never will be built.

ASSEMBLYMAN BILL O'DONNELL: I'm only to assume then --

COUNCILMAN AL LEVY: Do you remember that issue?

ASSEMBLYMAN BILL O'DONNELL: I'm only to assume then that this is another one of those County/City problems that nobody can get together with.

COUNCILMAN AL LEVY: No. You're familiar with them, I'm sure, but we have since that time buried the hatchet, but we -- there just doesn't seem to be any funds on either side at this time for that park.

ASSEMBLYMAN BILL O'DONNELL: I'll defer to my good friend.

MAYOR WILLIAM BRIARE: Just before we hear from Mr. Morris. Mr. Hall, did you indicate in your comments what the existing zoning is on that piece of land?

CITY MANAGER ASHLEY HALL: It is my understanding that it is C-3.

COUNCILMAN AL LEVY: R-3.

CITY MANAGER ASHLEY HALL: R-3, sorry.

MAYOR WILLIAM BRIARE: It is zoned that way right now? When was it zoned?

CITY MANAGER ASHLEY HALL: Mr. Saylor, have you got --

SPECIAL PROJECTS MANAGER DON SAYLOR: I believe it was zoned that way at the time of acquisition in 1978, Mayor.

MAYOR WILLIAM BRIARE: And what does R-3 allow? What are some --

SPECIAL PROJECTS MANAGER DON SAYLOR: Apartments, approximately 24 units per acre.

MAYOR WILLIAM BRIARE: So we are not in a zoning meeting.

COUNCILMAN AL LEVY: No.

MAYOR WILLIAM BRIARE: Okay, Bill?

ASSEMBLYMAN BILL O'DONNELL: Understandably.

MAYOR WILLIAM BRIARE: We're not -- this is not a zoning meeting.

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ASSEMBLYMAN BILL O'DONNELL: This is a common sense meeting.

MAYOR WILLIAM BRIARE: This is as to whether the City should sell a piece of property, not zone it. We're not talking about zoning. Gary.

COUNCILMAN RON LURIE: I have one thing I'd like to say before Assemblyman sits down. One thing that you could do. If the City opted not to sell this or trade this land, the thing you might like to do, going back up to the legislature, is introduce the bill that's going to give the City additional monies to develop recreation sites and park sites, since you control our budgets about 96% and I usually don't get a chance -- usually I'm on the other side asking you, but since you're on the other side, I'll ask you. Now that you -- give us some assistance so we can develop the park sites and make them available for the --

COUNCILMAN AL LEVY: Give the City some assistance, period.

ASSEMBLYMAN BILL O'DONNELL: I stand before the County Commission and they say the same thing to me. I -- sometimes I feel like I'm the only guy up here from the State Legislature that has the guts to stand up here and say something.

COUNCILMAN RON LURIE: We don't see too many of you too often, so when we get a chance to take a bite out of you, we're going to do it.

ASSEMBLYMAN BILL O'DONNELL: I appreciate that and I will let you know that we'll take a look at that and I would like very much so that if you decide not to sell this land and to produce a park, I would very much like to work with you and the County to see if we can resolve that particular piece of land for. If it means putting it in the County and developing it under the County Recreation or annexing it into the City, fine, but let's work together.

COUNCILMAN AL LEVY: We can't annex into the city. Don't you remember the Legislature last year?

ASSEMBLYMAN BILL O'DONNELL: Well, and that's coming up.

MAYOR WILLIAM BRIARE: Mr. Morris.

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GARY MORRIS:

Thank you, Your Honor. I'm Gary Morris, 4628 Rip Van Winkle. I live there with my wife and daughter. A little history on how this particular last seven days got started. We didn't know in our area, at least most of us did not know that there was public land that was going to be sold without us being told. We read that in the newspaper. Well, we immediately had an emergency Neighborhood Watch meeting last Wednesday evening. We have a very active Neighborhood Watch Program in our area. We decided that we would take the ball and run with it and see if we couldn't at least forestall the sale of this property because, quite frankly, the residents in that area don't want any more parks. We feel the density is just too great. We set down. We decided we'd make a petition so we drew up a petition on Friday. We circulated that on Sunday and brought it in on Monday morning to the City Clerk's office, 314 signatures not wanting apartments, but wanting a park.

MAYOR WILLIAM BRIARE:

Gary, read the Preamble, would you, please. How long is the Preamble to the petition?

GARY MORRIS:

It's only two paragraphs.

MAYOR WILLIAM BRIARE:

Would you read it?

GARY MORRIS:

"We, the undersigned, are concerned about the sale of Pennwood Park to an apartment developer. The reasons are many, but basically we feel that this was a dedication to our area and has been for a long time. Obviously, if we in this neighborhood lose this parcel to a sale, we have lost it forever, as have the future residents of this enchanted area. We respectfully suggest that this matter be given further consideration and that the legitimate concerns of the undersigned be recognized." At that meeting Councilman Levy was so kind to let us express our opinions. They were just a few, I suppose, but they are very important. We asked the question, is it so urgent and necessary that we sell this planned park now? Can we not wait six months to a year and see what the economy and the overall situation brings about. Maybe there's Federal monies out there at some point in time or maybe as our Assemblyman here said, maybe there would be some State funds. All we're asking for is time -- time to review the past contracts. We asked for the

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000350

GARY MORRIS:

research and came up with this Resolution that you all signed in '78 that says the said property will be used for a City of Las Vegas park site and, of course, obviously, you all did some more research and found that that codicil was dead after three years. Maybe there is some more research to be found in there. We don't know, but that's why we're here, Your Honor, asking. It just seems like it came about awful quick and I'll tell you the magic we created in our neighborhood in the last seven days of bringing together hundreds of people is nothing short of a major democratic governmental ---

MAYOR WILLIAM BRIARE:

In action.

GARY MORRIS:

--success. That's correct, sir. That's correct.

MAYOR WILLIAM BRIARE:

That's fine, Gary. What is this Council -- what is the discussion -- In other words, the recommendation -- we have a recommendation. Is it the Council's intention to take some action on the recommendation of the committee or to do what?

COUNCILMAN WAYNE BUNKER:

My thinking, Your Honor, would be that in view of the Resolution which was passed many years ago for us, before I would vote on rescinding that Resolution I would want more of an exhaustive study made and consultation with the County to see what their position might be, whether a neighborhood park can be justified. I think we've had some problems with smaller parks, what our overall concept of parks will be, where our priorities are. I don't think I'm ready to vote to rescind the Resolution. I didn't know it existed.

GARY MORRIS:

And neither did we, sir.

COUNCILMAN WAYNE BUNKER:

And I think that before we vote to sell it, we have to -- I think we would be in effect rescinding it and --

GARY MORRIS:

We're just asking for time to examine the alternatives.

COUNCILMAN WAYNE BUNKER:

I would like our staff to do more exhaustive research as to what their park plans are, where they're going to be, what their priorities are, the timetable, and particularly what the County's position is.

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DECATUR.

MAYOR WILLIAM BRIARE:

That would be interesting to know since it's, a park, apparently from what the City Manager indicates to me that the City -- if it were a City park, it would serve most out in the County area, which I have no objections to. When the kids want to play in parks, I don't care where they come from.

GARY MORRIS:

Your Honor, two sides of that park butt up to the County, two sides to the City.

MAYOR WILLIAM BRIARE:

Obviously, it's in the city, of course, but the people, the population that it would serve would be mostly in the County, so maybe the County Commissioners would be delighted to buy that piece of property for the purpose of a park, or whatever, but in any event, unless any of the Council members feel differently about it, I feel there should be some staff research done on this, particularly, I'm going to say it again, and, Ashley, if I'm wrong, correct me. This property is zoned today as we sit here for apartment use.

CITY MANAGER ASHLEY HALL:

Yes, I understand it is R-3.

MAYOR WILLIAM BRIARE:

There's not qualification on that. Gary, you're a good spokesman, Gary. You're highly qualified. You understand that.

GARY MORRIS:

Thank you, sir.

MAYOR WILLIAM BRIARE:

You do understand that that property today it is, it carries zoning for apartments. We're not talking about whether it's zoned for apartments or whether it's zoned industrial or whether it's zoned for residential estates. We can't do anything about it; it's zoned for apartments. The only discussion is, should the City sell it for whatever use, or should the City not sell it and hold onto it?

GARY MORRIS:

And hold on to see what the future might bring or what research might show.

COUNCILMAN AL LEVY:

In our Committee --

MAYOR WILLIAM BRIARE:

If we kept it within those constrictions, then we could have a logical and reasonable discussion on it, but if we're going to go off into zoning, then we're going in the wrong direction.

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DECATUR.

GARY MORRIS:

Oh, I'm not here to talk about zoning. I don't know anything about it.

MAYOR WILLIAM BRIARE:

No, and that's why I asked you to read the Preamble. Whoever wrote the Preamble did a darn good job because it addresses specifically the point that the people were signing. They didn't sign it -- so many petitions will go around and say, "Do you want apartments on that project?" Heck, no, I don't want apartments on that project and sign your name right here. That's not the issue. The issue is, should the City sell it or not sell it.

COUNCILMAN AL LEVY:

And our Committee certainly did not address it, except we gave his group an opportunity to comment.

COUNCILMAN RON LURIE:

But it's a case where the City is rushing into a situation to sell a piece of ground that maybe we shouldn't be rushing into it and we should do more research on these pieces of ground before we send them to the Real Estate Committee for action like what happened the other day. I'd recommend, Mayor, that we refer this item back to staff to research any other documents that might be available on this piece of land and also that they contact the County to find out exactly what the County has intentions of doing in the area for possible a joint venture with the City on developing a park or maybe they can develop it themselves and then report back to the Council and the neighbors as soon as you get that information.

COUNCILMAN AL LEVY:

I think we also should find out what we have planned for parks and I disagree on another point. We're not rushing into anything on the sale of this piece of property. What happened is we had this piece of property and seven other parcels for sale. It just happened that this one hit and we assure you, staff didn't get into this -- our situation, or anybody else. It was not a rush job at all.

MAYOR WILLIAM BRIARE:

Gary, there's no question about it. There has been a value established for that property. You might mention that to the County Commissioners. There's no question. I bet the City is just as willing to sell it to the County for its appraised value as it would be to sell it to anybody else.

GARY MORRIS:

That's another alternative.

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DECATUR.

MAYOR WILLIAM BRIARE:

Yes.

GARY MORRIS:

Thank you for listening to us.

MAYOR WILLIAM BRIARE:

Does the City Manager know how to get ahold of you, Gary? I know you know how to get ahold of Mr. Hall, and ladies and gentlemen, unless there's some objection by the Council, it's just going to be left in the hands of the City Manager for the further discussion that was requested by Mr. Morris.

END OF DISCUSSION

AGENDA*City of Las Vegas*

June 4, 1986 000354

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

ITEM

Council Action

Department Action

VII. BOARDS AND COMMISSIONS

2:08

A. CHILD WELFARE BOARD - 3-Year Term

1. John Sarb - Term Expires 10/16/87
(Resigned)

Nolen -
Motion to concur
with Mayor's
appointment of
Vern Bushgens,
3470 Oreana Avenue,
Las Vegas, NV 89120
(649-3611) to the
Child Welfare
Board carried
unanimously.

Clerk to notify

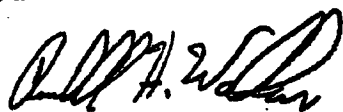
B. LAS VEGAS SENIOR CITIZENS ADVISORY BOARD
3-Year Term

1. Dr. William Thompson - Term Expires
3/3/87
(Resigned)

Lurie -
Motion to concur
with Mayor's
appointment of
Ann Alu, 414
Horizon Drive,
Henderson, NV
89015 (home 565-
7012, office 739-
3656) to the
Las Vegas Senior
Citizens Advisory
Board carried
unanimously.

Clerk to notify

APPROVED AGENDA ITEM



CITY OF LAS VEGAS

Date

000355

INTER-OFFICE MEMORANDUM

May 20, 1986

TO:

CAROL ANN HAWLEY
CITY CLERK

FROM:

DEPARTMENT OF BUSINESS ACTIVITY

SUBJECT:

CHILD WELFARE BOARD
Resignation

COPIES TO:

Attached is a copy of a letter from John Sarb, member of the Child Welfare Board, who has resigned effective May 1, 1986.

Also attached are copies of letters of recommendations to fill the vacancy created, as follows:

1. Letter dated 5/15/86 from Mr. Sarb recommending Mr. Michael Gorman.
2. Letter dated 4/30/86 from Child Welfare Board member Marianne Kenney recommending Patricia Devlin.

Marjorie Hether
Marjorie Hether, Chief
Privilege License Division

MH:sp

Attachments

1
6/4/86
Council Agenda

RECEIVED
MAY 21 3 56 PM '86
CITY CLERK

VII. A.

WE CAN

**WORKING TO ELIMINATE
CHILD ABUSE AND NEGLECT**

421 South Sixth Street
Las Vegas, Nevada 89101
(702) 384-0713

- To educate the community about child abuse and neglect;
- To support communication among community resources;
- To develop and sponsor services for children and families.

A United Way Agency

**Southern Nevada Chapter
NATIONAL COMMITTEE FOR THE
PREVENTION OF CHILD ABUSE**

Mayor William Briare
City Hall
400 Stewart Ave.
Las Vegas, Nv. 89101

April 9, 1986

Dear Mayor Briare,

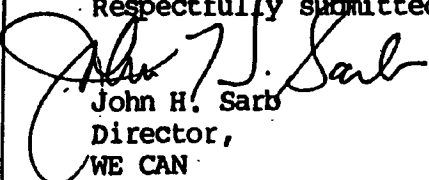
Please accept my resignation as a member of the City of Las Vegas Child Welfare Board effective May 1, 1986. I have recently accepted a new position with United Way Services and I do not feel I will have the time available to give to the Board.

I have enjoyed the opportunity of serving on the Board since 1981. During my tenure I have seen the complexity of issues before the Board increase tremendously. What were once one hour meetings are now rarely over in three. Public concerns about the safety of children in licensed care have caused Board members to deal with issues of child abuse and neglect, liability insurance, applicant backgrounds, confidentiality, and due process. To the credit of the Board and staff they have handled these difficult issues with responsibility and diligence. I think you can be proud of their service as I have been in working with them. The process of citizens volunteering to help their City become a better place to live works well.

I recommend that my replacement also have a background in child abuse and neglect prevention and treatment. While incidents of abuse in licensed child care have been rare, public concern about it is strong. I would be happy to suggest names for a replacement if you so desire.

I am honored that you appointed me to this position and I hope I have lived up to your confidence and trust.

Respectfully submitted,


John H. Sarb
Director,
WE CAN

REC'D
APR 15 11:22 AM '86

**WE CAN
WORKING TO ELIMINATE
CHILD ABUSE AND NEGLECT**

421 South Sixth Street
Las Vegas, Nevada 89101
(702) 384-0713

To educate the community about
child abuse and neglect;

To support communication among
community resources;

To develop and sponsor services
for children and families.

A United Way Agency

Southern Nevada Chapter
NATIONAL COMMITTEE FOR THE
PREVENTION OF CHILD ABUSE

Ms. Marjorie Hether
Chief, Privilege License Division
Dept. of Business Activity
City of Las Vegas
400 E. Stewart
Las Vegas, Nevada 89101

May 15, 1986

Dear Ms. Hether,

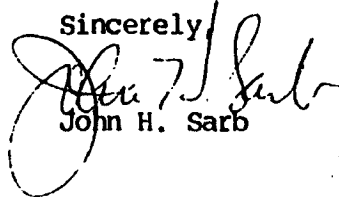
I would like to recommend to you Mr. Michael Gorman, M.S.W., to be my replacement on the City of Las Vegas Child Welfare Board.

Mr. Gorman resides at 103 Hyacinth, Las Vegas, 89107, which is within the City boundaries.

Mr. Gorman is the Director of Family Counseling Service and is licensed as a Marriage and Family Counselor by the State of Nevada. I find him to be one of the best therapists in our community and an extremely able administrator. He has an excellent background dealing with all types of child abuse and neglect cases.

I think Mr. Gorman would be a fine addition to the Child Welfare Board and I recommend him to you most highly.

Sincerely,


John H. Sarb

I would

Recommend

Patricia Dorian

to the Club House

Room

Very active lady

in the community.

Lived here for more

than 30 years

died at 100

John May born

(John)

Went to Attorney

William J. Kennedy

4-30-86

CITY OF LAS VEGAS

Date

000359

INTER-OFFICE MEMORANDUM

MAY 20, 1986

TO:

CAROL HAWLEY, CITY CLERK

FROM:


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

SUBJECT:

LAS VEGAS SENIOR CITIZENS ADVISORY BOARD

COPIES TO:

Let this memo serve as notification of Dr. Thompson's resignation from the Las Vegas Senior Citizens Advisory Board and the Board's recommendation to submit Ann Alu's name to the City Council for approval as a replacement.

Please note attached.

CJS:gs

6/4/86 Council Agenda
CH

CITY CLERK

MAY 21 11 21 AM '86

RECEIVED

VII.B.

000360

May 8, 1986

To: City Council, City of Las Vegas
From: William N. Thompson
Re: Senior Citizens Advisory Board



As I will be starting a sabbatical research year in Europe, beginning later this month, I regret the necessity to resign my position as member and vice chairman of the Las Vegas Senior Citizens Advisory Board. It has been a distinct pleasure to serve on the Board over the past two years, and I look forward to working with the Center in the future. I feel that it is very important that the University of Nevada, Las Vegas, have a participating member on the Board who can serve as a liason with the University Community. It was my honor to nominate Mrs Ann Alu, Coordinator of University Programs for Senior Citizens, to be my replacement. As the nomination was concurred upon by the full board, I urge that the City Council select Mrs. Alu as my replacement.

000361

BACKGROUND ON THE NOMINEE SELECTED FOR DR. WILLIAM THOMPSON'S REPLACEMENT
ON THE LAS VEGAS SENIOR CITIZENS ADVISORY BOARD.

ANN ALU:

414 Horizon Drive
Henderson, NV 89015
phones: home - 565-7012
office - 739-3656

Ms. Alu has been on staff at UNLV since 1975 where she was recently appointed by President Maxson to be Director of the Senior Citizens Education Program. This program enables seniors 62 and over to take up to six credits at no tuition charge. Although this program started only last fall, over 250 seniors have already taken advantage of it. Ms. Alu has a keen interest in seniors and is working diligently to see this program grow.

5/15/86

000362

June 4, 1986

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AGENDA*City of Las Vegas*

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

ITEM

Council Action

Department Action

VIII. NEW BILLS TO BE REFERRED TO A STUDY
COMMITTEE OR RECOMMENDING COMMITTEE

2:10

A. Bill No. 86-27 -- Adopts 1985 Edition of
the Uniform Building Code

Sponsored by: Councilman Ron Lurie

First Reading and
referred -
Lurie and Levy

6/16/86 Recommend-
ing Committee
Meeting

B. Bill No. 86-28 -- Revises the setback
requirements for corrals and stables and
the rear yard setback requirements in the
N-U, R-A and R-E Zoning Districts

Sponsored by: Councilman Ron Lurie

First Reading and
referred -
Lurie and Levy

6/16/86 Recommend-
ing Committee
Meeting

000363

AGENDA*City of Las Vegas*

June 4, 1986

Page 32

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

- 2:15
- A. PUBLIC HEARING to consider the report of expenses to recover costs for litter abatement on property generally described as an easement area running behind the 1501 Block of North Eastern Avenue between Hinkle and Owens.

Nolen -
APPROVED as recommended by City Manager.
Unanimous

Staff to proceed
No one appeared in favor or opposition.

APPROVED AGENDA ITEM

Larry L. Burton

City of Las Vegas

AGENDA DOCUMENTATION

000364

Date: May 23, 1986

TO:
The City CouncilFROM:
ASHLEY HALL
CITY MANAGERSUBJECT: PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COSTS FOR LITTER
ABATEMENT ON PROPERTY GENERALLY DESCRIBED AS AN EASEMENT AREA RUNNING BEHIND
THE 1501 BLOCK OF N. EASTERN AVENUE BETWEEN HINKLE & OWENS.PURPOSE/BACKGROUND

The subject property is a narrow easement strip of land which runs behind the 1501 block of North Eastern, between Hinkle and Owens. The easement strip is under separate ownership and a location map is attached. The easement was littered with trash, broken concrete, tumbleweeds, and brush with a high concentration of litter being toward the Hinkle end of the easement. Since the easement was under separate ownership, it was not maintained by any of the other properties abutting it and was a source of complaint.

When legal due process of notification failed to yield any corrective action or appeal on the part of the owner, the Department of Building and Safety hired Weaver Construction to clean the strip of land. Work was completed by Weaver Construction on April 23, 1986 at a cost of \$858.00.

The procedure set forth in Title 9, Chapter 12 of the Las Vegas Municipal Code for Litter Abatement requires that a public hearing be held to consider the Report of Expenses together with any objections or protests. The City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the charges can then be declared a personal obligation on the part of the property owner or may be assessed against the property by means of a Lien of Assessment. In this particular case, we recommend Lien of Assessment. If approved, certified copies of the recorded Lien of Assessment will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. The amount of the assessment will be added to the next regular tax bill levied against the parcel and all laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment.

Attached for your information are the following:

1. Location Map.
2. Report of Expenses.
3. Notice of Public Hearing.
4. Chronological List of Events.
5. Copy of the Notice and Claim of Lien of Assessment.
6. Copy of the appropriate section of the Litter Abatement Code.

FISCAL IMPACT

\$858.00 paid to Weaver Construction.

RECOMMENDATIONS

The City Manager recommends that the City Council:

1. Approve the Report of Expenses in the amount of \$858.00
2. Order that the above charges be assessed against the property constituting a special assessment and lien.
3. Authorize the Notice and Claim of Lien of Assessment be duly recorded and filed with the County Treasurer's Office for collection.



CITY OF LAS VEGAS

Date

000366

INTER-OFFICE MEMORANDUM

May 2, 1986

TO:

CAROL ANN HAWLEY
CITY CLERK

FROM:

CLAY HYMER, DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
LITTER ABATEMENT

COPIES TO:

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code "Litter", Title 9, Chapter 12, the Department of Building and Safety caused the property shown below to be cleaned.

Work was completed on April 23, 1986, by Weaver Construction at a cost of \$858.00 and accepted by the Department of Building and Safety.

2 Trucks for a total of 10 truck hours @ \$52.50 per hr.	\$525.00
1 Loader for 4 hrs. @ \$60.00 per hr.	240.00
1 Water Truck for 1 hr. \$45.00 per hr.	45.00
Dump fees 24 yrd. of solid waste	<u>48.00</u>
TOTAL	\$858.00

Owner of Record:
(Per Assessor's Records)

Mr. Larry Storjohann
P. O. Box 19207
Las Vegas, Nevada 89132

Property Abated:

Area behind 1501 block of N. Eastern
between Hinkle and Owens.

Assessor's Parcel:

020-060-012

Legal Description:

Portion of the NE $\frac{1}{4}$, of the NE $\frac{1}{4}$,
Sec. 26-20-61

MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

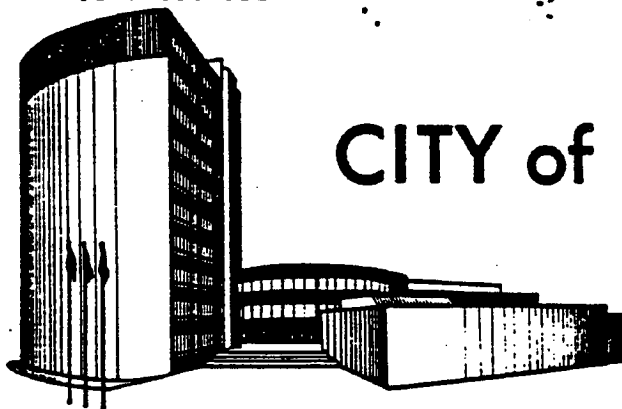
AL LEVY

BOB NOLEN

W. WAYNE BUNKER

CITY MANAGER

ASHLEY HALL



CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

JUNE 4, 1986

NOTICE IS HEREBY GIVEN that on Wednesday, June 4, 1986, at the hour of 2:00 P.M. in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider a report by the Director of Building & Safety of the expense incurred by the City of Las Vegas to clean the property located in the area behind 1501 block of North Eastern, between Hinkle and Owens. This hearing is being scheduled pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code, Litter Abatement.

The above property is legally described as:

A portion of the NE1/4 of the NE1/4 of Section 32, T20, R61.

The Director of Building & Safety certifies in the report that the sum of \$858.00 was expended to Weaver Construction Company for the cleaning of the property located in the area behind 1501 block of North Eastern, between Hinkle and Owens. If upon hearing the report, the City Council is satisfied with the correctness of the expense incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the report of the Director of Building & Safety. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK



CHRONOLOGY OF EVENTS

AREA BEHIND THE 1501 BLOCK
OF NORTH EASTERN AVENUE
BETWEEN HINKLE AND OWENS

December 17, 1985	Original complaint filed indicating easement area filled with trash and other debris.
December 18, 1985	Property inspected and condition verified.
January 8, 1986	Ownership of easement finally determined and a Request to Abate sent certified mail to the owner. Notification signed for and accepted on January 21, 1986.
February 10, 1986	Property reinspected - no change.
February 10, 1986	A Litter Abatement Notice and Order sent certified mail to the owner of record. Owner signed for and accepted notification on February 11, 1986.
February 24, 1986	Property reinspected - no change.
March 10, 1986	Requested contractor to give a bid price on cleanup.
April 8, 1986	Contractor submitted price of \$780.00 - told to proceed.
April 23, 1986	Property cleaned by contractor at a cost of \$858.00.
May 2, 1986	Report of Expenses filed with City Clerk. Property owners notified by Clerk's Office of set date for public hearing meeting.
May 21, 1986	City Council set a date of June 4, 1986, at 2:00 PM for the public hearing. Notice of Public Hearing sent to property owner by Clerk's Office.
May 22, 1986	Notice of public hearing posted on property.

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

000369

TO:- MR. LARRY STORJOHANN
P. O. Box 19207
Las Vegas, Nevada 89132

(Reputed Owner)

On April 23, 1986, as provided in the Las Vegas Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of litter on the following property after due notification.

Address: Easement area behind the 1501 block of N. Eastern between Hinkle and Owens.

Assessor's Parcel Number: 020-060-012

Legal Description: Portion of the NE $\frac{1}{4}$, of the NE $\frac{1}{4}$, Sec. 26-20-61

Expenses in the amount of \$ 858.00 were incurred by the City of Las Vegas in the above litter abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on June 4, 1986, ordered the above charges in the amount of \$ 858.00 assessed against the property by means of a Lien of Assessment, such lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessments and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

This lien shall continue until the assessment which forms the subject matter thereof shall have been paid in full.

Carol Ann Hawley
CAROL ANN HAWLEY, CITY CLERK
400 East Stewart Avenue
Las Vegas, Nevada 89101
Telephone: (702) 386-6311

STATE OF NEVADA)
COUNTY OF CLARK)

CAROL ANN HAWLEY, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated therein are true of her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

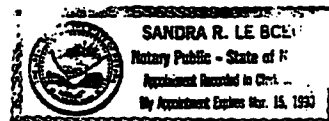
SUBSCRIBED and SWORN to before me
this 6th day of June, 1986.

Carol Ann Hawley
CAROL ANN HAWLEY

Sandra R. LeBeyec
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
BUILDING & SAFETY DEPARTMENT
400 E. STEWART AVENUE
LAS VEGAS, NEVADA 89101



Chapter 9.12

LITTER

000370

Sections:

- 9.12.010 Findings—Purpose.
- 9.12.020 Definitions.
- 9.12.030 Compost piles, firewood and stored materials.
- 9.12.040 Declaration of nuisance.
- 9.12.050 Litter on private property.
- 9.12.060 Owner to maintain premises free of litter.
- 9.12.070 Litter in public places.
- 9.12.080 Noncompliance with regulations—Order to comply.
- 9.12.090 Noncompliance with regulations—Right of appeal by owner.
- 9.12.100 Noncompliance with regulations—Failure to comply with notice.
- 9.12.110 Violation—Penalty.

9.12.010 Findings—Purpose. Whereas the daily volume of litter carelessly deposited in the City has reached alarming proportions; the heedless avalanche of paper, wrappings, bottles, cans and waste of every conceivable kind is a cause of civic disgrace; litter is unsightly, dirty and offensive; it is a fire, health and safety hazard; litter has a deleterious effect on property values; it destroys community pride and makes the City a less desirable place in which to live; combating litter is a costly waste of men, money and material, it is the purpose of this chapter to bring about a public awareness of the problem and to effect a litter control program.
(Ord. 1876 § 1 (part), 1977: prior code § 8-3A-1)

9.12.020 Definitions. In the construction of this Chapter, the following definitions shall be observed unless the context clearly requires otherwise:

(A) "Garbage" means refuse, animal and vegetable matter from a kitchen, market, store, or any source, including every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruits or vegetables, and all foul, noisome and filthy substances.

(B) "Litter" means garbage, refuse or rubbish as defined in this Section and all other waste material which, if thrown or deposited as herein prohibited, is unsightly, dirty or offensive or tends to create a fire hazard or danger to public health, safety or welfare.

(C) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(D) "Public place" means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

(E) "Refuse" means all solid and liquid wastes including, but not limited to, garbage, rubbish, ashes, street cleanings, dead animals, abandoned vehicles, dismantled vehicles, parts of dismantled and abandoned vehicles, and commercial and industrial wastes.

(F) "Rubbish" means all old metal, wood, paper, glass or synthetic containers, old metal, wire, rope, cordage, rubber and nonserviceable tires, paper, wood shavings, and all unusable or nonserviceable materials, including, but not limited to, old plaster, brick, cement, glass, old building materials, leaves, yard trimmings, weeds and similar matter.

(Ord. 2113 § 1 (part), 1980: Ord. 1876 § 1 (part), 1977: prior code § 8-3A-2 (A-F))

9.12.030 Compost piles, firewood and stored materials.

(A) Nothing in this Chapter shall be so construed as to prevent persons from creating and maintaining a compost pile as permitted by Health Department regulations, to accumulate and store firewood if there is a fireplace on the premises, to store serviceable vehicular parts for owned vehicles and to store useable materials for use on the property, provided such parts and materials are not stored in quantities or locations prohibited by any other provision of this Code. All such compost, firewood and stored materials shall not:

- (1) Be visible from the street;
- (2) Constitute a public nuisance or nuisance to neighbors;
- (3) Create a health or fire hazard; or
- (4) Be stored in the front or side yards.

(B) Storage in the back yard shall be permitted if the yard is enclosed by a six-foot high opaque fence; however, if the abutting property is undeveloped, the opaque fencing shall not be required until the adjacent property is developed.

(Ord. 2113 § 1 (part), 1980: Ord. 1876 § 1 (part), 1977: prior code § 8-3A-2(C))

9.12.040 Declaration of nuisance. Litter, as defined in Section 9.12.020, and for the purpose of this Chapter, is a nuisance.
(Ord. 1876 § 1 (part), 1977: prior code § 8-3A-3)

000371

9.12.050 Litter on private property. No person shall throw or deposit litter on any private property within the City, whether owned by such person or not, except in receptacles for collection in such manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

(Ord. 1876 § 1 (part), 1977: prior code § 8-3A-4)

9.12.060 Owner to maintain premises free of litter. The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in suitable receptacles or in appropriate enclosures for collection. Debris that may be subject to being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property shall regularly be securely deposited in appropriate receptacles or other enclosures for collection and disposal.

(Ord. 3153 § 1, 1985; Ord. 1876 § 1 (part), 1977: prior code § 8-3A-5)

9.12.065: The owner or person in control of any construction site within the City shall clear that site each day of all construction debris. All such debris shall be securely deposited in appropriate receptacles for collection in such manner that it will not be carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

9.12.070 Litter in public places. No person shall throw or deposit, or cause to be thrown or deposited, in or upon any street, sidewalk or other public place within the City any litter.

(Ord. 1876 § 1 (part), 1977: prior code § 8-3A-6)

9.12.080 Noncompliance with regulations — Order to comply. Upon determination by the Director of Building and Safety that private property is maintained or allowed to remain in violation of this Chapter, the Director may issue an order to correct the offending condition. Such order shall be served upon the owner of the property, as shown by the Clark County Assessor's records, by mailing a copy of the order by certified mail, return receipt requested, to the address of the owner as shown by the records of the Clark County Assessor. In the alternative, the notice may be delivered by hand to the owner of the property or the person in control of the property. The order shall describe the offending condition and request correction or compliance within ten days from the date of the mailing of the notice or seven days from delivery of the notice by hand.

(Ord. 3153 § 2, 1985; Ord. 1876 § 1 (part), 1977: prior code § 8-3A-7(A))

9.12.090 Noncompliance with regulations — Right of appeal by owner. Any owner who may claim that his property is not in the condition described in Section 9.12.080 and that he is not subject to such order may, within seven days after the order has been mailed or three working days after the order has been delivered by hand, apply in writing to the City Council for an order rescinding such order. Upon application being made, the order to comply shall be stayed pending a decision by the Council. The Council shall forthwith order a hearing on the appeal, of which at least five days' notice shall be given to the owner and, after the hearing, shall either rescind, modify or affirm the order of compliance.

(Ord. 3153 § 3, 1985; Ord. 1876 § 1 (part), 1977: prior code § 8-3A-7(B))

9.12.100 Noncompliance with regulations — Failure to comply with notice.

In the event the owner fails to comply with the order and correct the conditions specified therein, the Director of Building and Safety is authorized and empowered to cause or employ City personnel and equipment or other persons and equipment to enter upon the premises and correct the offending condition.

9.12.110: The Director of Building and Safety shall keep an itemized account of the expense incurred by the City pursuant to Section 9.12.100. The director shall file with the City Clerk a report specifying the work done pursuant to Section 9.12.100, the itemized and total cost of the work, a description of the real property upon which the work was done, and the date on which the work was done.

9.12.120: The City Clerk shall present the report described in Section 9.12.110 to the City Council for consideration. The City Council shall fix a time, date, and place for hearing that report and any protests or objections to it. The City Clerk shall cause notice of the hearing to be posted upon the property involved, published once in a newspaper of general circulation in the City, and served by certified mail, postage prepaid, addressed to the owner of the property as shown by the records of the Clark County Assessor. Such notice shall be given at least 10 days before the date set for hearing and shall specify the day, hour and place where the City Council will hear and pass upon the director's report, together with any objections or protests which may be filed as provided by this Chapter by any person interested in or affected by the proposed charge.

9.12.130: Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time before the time set for the hearing on the report. Each such protest or objection must contain a description of the property in which the signer is interested and the grounds of the protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received, and shall present such protests or objections to the City Council at the time set for the hearing.

9.12.140: At the hearing, the City Council shall hear and pass upon the report of the director, together with any objections or protests. The City Council may make such revision, correction or modification in the report or the charge as it may deem just. When it is satisfied with the correctness of the charge, the City Council shall confirm or reject the report (as submitted or as revised, corrected or modified) together with the charge. The decision of the City Council on the report and the charge, and on all protests or objections, shall be final and conclusive. 000373

9.12.150: The charge as confirmed by the City Council pursuant to Section 9.12.140 shall be a special assessment and a lien on the property involved. The lien shall be perfected by filing with the County Recorder a statement by the City Clerk regarding the amount of the expenses that are due and unpaid and describing the property subject to the lien. The lien, which shall be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessments and general taxes, shall continue until the assessment is paid.

9.12.160: After confirmation of the report, certified copies of the assessment shall be given to the County Treasurer, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes

9.12.170: The amount of the assessment shall be collected at the same time and in the same manner as ordinary taxes are collected, and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to levy, collection and enforcement of property taxes shall be applicable to such assessment.

9.12.180: Any person violating any of the provisions of Sections 9.12.050, 9.12.060, or 9.12.070 of this Chapter shall upon conviction be punished by a fine of not less than fifty dollars nor more than five hundred dollars, imprisonment in the City Jail for not less than thirty days or more than six months, or both. Every day of such violation constitutes a separate offense.

AGENDA*City of Las Vegas*

000374

June 4, 1986

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

2:16

- B. PUBLIC HEARING to consider the report of expenses to recover costs for cleaning the premises at 513 Salem Drive in conjunction with the abatement of dangerous building requirements.

Nolen -
APPROVED as recommended by the
City Manager.
Unanimous

Staff to proceed
No one appeared
in favor or
opposition.

APPROVED AGENDA ITEM .

Larry L. Burton

City of Las Vegas

AGENDA DOCUMENTATION

Date: May 23, 1986

TO: The City Council

FROM: ASHLEY HALL
CITY MANAGER

000375

SUBJECT: PUBLIC HEARING TO CONSIDER THE REPORT OF EXPENSES TO RECOVER COSTS FOR
CLEANING THE PREMISES AT 513 SALEM DRIVE IN CONJUNCTION WITH THE ABATEMENT
OF DANGEROUS BUILDING REQUIREMENTS.PURPOSE/BACKGROUND

When this complaint was originally received, the house in question was occupied. The owner was sent appropriate litter abatement notification; however, no cleanup took place.

Ultimately, the house was abandoned by the owners leaving the yard in need of cleaning. Although the house remained secure, notification for dangerous building abatement and cleaning the premises was sent. The yard remained littered with old tires, mufflers, oil barrels, miscellaneous auto parts, and other trash and debris. The appearance of the property made it a source of complaint in the neighborhood.

Since due process of notification failed to yield any corrective action or appeal, the Department of Building and Safety hired Weaver Construction to clean the premises of all junk and trash. Because the structure remained secure, boarding was not necessary at this time. Work was completed by Weaver Construction on April 23, 1986, at a cost of \$480.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Building and Safety and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings, 1982 Edition", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed by means of a Lien of Assessment. In this particular case, we recommend Lien of Assessment.

If the Lien of Assessment is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment and the amount of the assessment will be added to the next regular tax bill levied against the parcel.

Attached for your information are the following:

1. Report of Expenses.
2. Notice of Public Hearing.
3. Chronological List of Events.
4. Copy of the Notice and Claim of Lien of Assessment.
5. Copy of the appropriate sections of the Uniform Code for the Abatement of Dangerous Buildings.

FISCAL IMPACT

\$480.50 Paid to Weaver Construction.

RECOMMENDATIONS

The City Manager recommends that the City Council:

1. Approve the Report of Expenses in the amount of \$480.50.
2. Order that the above charges be assessed against the property constituting a special assessment and lien.
3. Authorize that the Notice and Claim of Lien of Assessment be duly recorded and filed with the County Treasurer's Office for collection as ordinary property taxes.

CITY OF LAS VEGAS

Date

000376

INTER-OFFICE MEMORANDUM

May 2, 1986

TO:

CAROL ANN HAWLEY
CITY CLERK

FROM:

Clay Hymer
CLAY HYMER, DIRECTOR
DEPARTMENT OF BUILDING & SAFETY

SUBJECT:

REPORT OF EXPENSES
513 SALEM DRIVE

COPIES TO:

After giving due process, notification, and an opportunity for an appeal hearing as specified in the "Uniform Code for the Abatement of Dangerous Buildings," the Department of Building and Safety caused the premises of the vacated house to be cleaned of all junk and debris.

Work was completed on April 23, 1986, by Weaver Construction at a cost of \$480.50 and accepted by the Department of Building and Safety.

Truck for cleanup, 5 hrs. @ \$52.50 per hr.	\$262.50
Loader for 3 hrs. @ \$50.00 per hr.	150.00
Labor for 3 hrs. @ \$20.00 per hr.	60.00
Dump fees, 4 yds. solid waste	8.00
TOTAL	\$480.50

Owner of Record at
Time of Abatement:MAIDA P. THOMPSON
513 Salem Drive
Las Vegas, Nevada 89107

Assessor's Parcel:

070-118-002

Legal:

Lot 15, Block 1, Charleston Heights Tract #22

Addressed as:

513 Salem Drive

You are hereby requested to present the above report to the City Council at their meeting on May 21, 1986, to set a date, time, and place for a public hearing for recovery of costs and to hear any objections thereto.

KT

Attachment

MAYOR BILL BRIARE

COUNCILMEN

RON LURIE

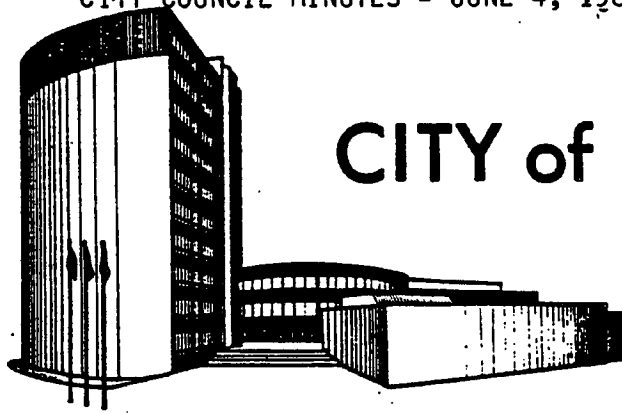
AL LEVY

BOB NOLEN

W. WAYNE BUNKER

CITY MANAGER

ASHLEY HALL



000377

CITY of LAS VEGAS

NOTICE OF PUBLIC HEARING

JUNE 4, 1986

NOTICE IS HEREBY GIVEN that on Wednesday, June 4, 1986, at the hour of 2:00 P.M., in the Council Chambers, City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, the City Council will consider a report by the Director of Building & Safety of the expense incurred by the City of Las Vegas to abate the dangerous building and clean the premises on property located at 513 Salem Drive. This hearing is being scheduled pursuant to Section 902 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code.

The above property is legally described as:

Lot 35, Block 4, Twin Lakes Village No. 6

The Director of Building & Safety certifies in the report that the sum of \$480.50 was expended to Weaver Construction Company for the abatement of the dangerous building and the cleaning of the premises on property located at 513 Salem Drive. If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the report of the Director of Building & Safety. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

Carol Ann Hawley
CAROL ANN HAWLEY
CITY CLERK



000378

CHRONOLOGY OF EVENTS

513 SALEM DRIVE

October 24, 1985	Original complaint filed with Central Action Office indicating yard littered.
October 25, 1985	Correction Notice for cleanup issued to occupant.
October 30, 1985	Property reinspected - no change.
November 4, 1985	A Litter Abatement Notice and Order sent certified mail to owners. Mail was returned unclaimed on 11-25-85.
November 27, 1985	Litter Abatement Notice and Order posted on house.
December 30, 1985	Property reinspected - no change.
January 3, 1986	Property reposted.
January 13, 1986	Property reinspected - clean at this time.
January 30, 1986	Second complaint filed with Central Action Office. House now abandoned and yard littered again.
February 3, 1986	Property inspected and complaint verified.
February 7, 1986	Notice and Order to abate dangerous building and clean premises sent certified mail to owners of record. Mail returned unclaimed on 2-25-86.
February 26, 1986	Notice and Order posted on property.
March 26, 1986	Property reinspected - house secure but yard still littered.
April 3, 1986	Assigned to Weaver Construction for bid price.
April 8, 1986	Contractor submits a bid of \$580.00. Informed to proceed.
April 23, 1986	Weaver Construction cleans premises at a cost of \$480.50. (Structure remained secure).
May 2, 1986	Report of Expenses filed with City Clerk. Property owners notified by Clerk's Office of set date for public hearing meeting.
May 21, 1986	City Council set a date of June 4, 1986, at 2:00 P.M. for the public hearing. Notice of Public Hearing sent to property owner by Clerk's Office.
May 22, 1986	Notice of public hearing posted on property.

NOTICE AND CLAIM
OF
LIEN OF ASSESSMENT

000379

TO: MAIDA P. THOMPSON
 (Owner)
 513 SALEM DRIVE, LAS VEGAS, NEVADA 89107
 (Owners Address)

On April 23, 1986, as provided in the Uniform Code for
 (Date)
 the Abatement of Dangerous Buildings, adopted by reference in Las Vegas Municipal Code
 16.08.010, the City of Las Vegas caused the abatement of the following dangerous
 building(s):

Assessor's Parcel No.: 070-118-002
 Commonly known as: 513 Salem Drive
 Owner of Record on the above date: Maida P. Thompson
 Legal: Lot 15, Block 1, Charleston Hts. Tract #22

Expenses in the amount of \$ 480.50 were incurred by the City
 of Las Vegas in the above abatement procedure.

The City Council at a duly noticed public hearing held on June 4, 1986,
 has ordered the above charges in the amount of \$ 480.50 shall be assessed against
 the property and that said assessment shall constitute a special assessment against
 and a lien upon the property as provided in the Uniform Code for the Abatement of
 Dangerous Buildings Section 905(c).

This lien shall be subordinate to all existing special assessment liens
 previously imposed upon the same property, and shall be paramount to all other liens
 except for state, county and municipal taxes, and it shall be on a parity with the Lien
 for those taxes.

All or any portion of this lien of assessment which remains unpaid after 30
 days from the date of the recording thereof on the assessment roll shall become
 delinquent and shall accrue interest at the rate of 7 percent per annum from and after
 said date.

This lien shall continue until the assessment which forms the subject
 matter thereof, and all interest due and payable thereon, shall have been paid in full.

Carol A. Hawley
 CAROL ANN HAWLEY, City Clerk
 400 East Stewart Avenue
 Las Vegas, Nevada 89101
 Telephone: (702) 386-6311

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

CAROL ANN HAWLEY, being duly sworn, deposes and says that she is the person
 who executed the foregoing instrument on behalf of the City of Las Vegas and that she
 has read the same and knows the contents thereof, that the matters stated therein are
 true of her own knowledge, except such matters as are stated to be on information and
 belief, and as to those matters, she believes them to be true.

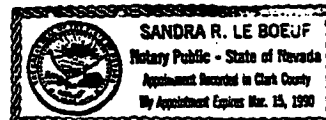
Carol A. Hawley
 CAROL ANN HAWLEY

SUBSCRIBED and SWORN to before me
 this 6th day of June, 1986.

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

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
 BUILDING & SAFETY DEPARTMENT
 400 E. STEWART AVENUE
 LAS VEGAS, NEVADA 89101



Chapter 7 ENFORCEMENT OF THE ORDER OF THE BUILDING OFFICIAL OR THE BOARD OF APPEALS

Compliance

Sec. 701. (a) General. After any order of the building official or the Board of Appeals made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.

(b) Failure to Obey Order. If, after any order of the building official or Board of Appeals made pursuant to this code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the building official may (i) cause such person to be prosecuted under Subsection (a) of this section or (ii) institute any appropriate action to abate such building as a public nuisance.

(c) Failure to Commence Work. Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:

1. The building official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

DANGEROUS BUILDING DO NOT OCCUPY

It is a misdemeanor to occupy this building,
or to remove or deface this notice.

Building Official
.....of.....

2. No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the building official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

3. The building official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

Extension of Time to Perform Work

Sec. 702. Upon receipt of an application from the person required to conform to the order and an agreement by such person that he will comply with the order if allowed additional time, the building official may, in his discretion, grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal his notice and order.

Interference with Repair or Demolition Work Prohibited

Sec. 703. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction or with any person who owns or holds any estate or interest in any building which has been ordered repaired, vacated or demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of this jurisdiction, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

(as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the legislative body of this jurisdiction on the report and the charge, and on all protests or objections, shall be final and conclusive.

Personal Obligation or Special Assessment

Sec. 905. (a) General. The legislative body of this jurisdiction may thereupon order that said charge shall be made a personal obligation of the property owner or assess said charge against the property involved.

(b) Personal Obligation. If the legislative body of this jurisdiction orders that the charge shall be a personal obligation of the property owner, it shall direct the attorney for this jurisdiction to collect the same on behalf of this jurisdiction by use of all appropriate legal remedies.

(c) Special Assessment. If the legislative body of this jurisdiction orders that the charge shall be assessed against the property it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property.

Contest

Sec. 906. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is placed upon the assessment roll as provided herein. Any appeal from a final judgment in such action or proceeding must be perfected within 30 days after the entry of such judgment.

Authority for Installment Payment of Assessments with Interest

Sec. 907. The legislative body of this jurisdiction, in its discretion, may determine that assessments in amounts of \$500.00 or more shall be payable in not to exceed five equal annual installments. The legislative body's determination to allow payment of such assessments in installments, the number of installments, whether they shall bear interest, and the rate thereof shall be by a resolution adopted prior to the confirmation of the assessment.

Lien of Assessment

Sec. 908. (a) Priority. Immediately upon its being placed on the assessment roll the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for state, county and property taxes with which it shall be upon a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid.

(b) Interest. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the rate of 7 percent per annum from and after said date.

Report to Assessor and Tax Collector: Addition of Assessment to Tax Bill

Sec. 909. After confirmation of the report, certified copies of the assessment shall be given to the assessor and the tax collector for this jurisdiction, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

Filing Copy of Report with County Auditor

Sec. 910. If the county assessor and the county tax collector assess property and collect taxes for this jurisdiction, a certified copy of the assessment shall be filed with the county auditor on or before August 10th. The descriptions of the parcels reported shall be those used for the same parcels on the county assessor's map books for the current year.

Collection of Assessment: Penalties for Foreclosure

Sec. 911. The amount of the assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected; and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.

If the legislative body of this jurisdiction has determined that the assessment shall be paid in installments, each installment and any interest thereon shall be collected in the same manner as ordinary property taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for sale as provided for ordinary property taxes.

Repayment of Repair and Demolition Fund

Sec. 912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the treasurer of this jurisdiction, who shall credit the same to the repair and demolition fund.

Chapter 8 PERFORMANCE OF WORK OF REPAIR OR DEMOLITION

General

Sec. 801. (a) Procedure. When any work of repair or demolition is to be done pursuant to Section 701 (c) 3 of this code, the building official shall issue his order therefor to the director of public works and the work shall be accomplished by personnel of this jurisdiction or by private contract under the direction of said director. Plans and specifications therefor may be prepared by said director, or he may employ such architectural and engineering assistance on a contract basis as he may deem reasonably necessary. If any part of the work is to be accomplished by private contract, standard public works contractual procedures shall be followed.

(b) Costs. The cost of such work shall be paid from the repair and demolition fund, and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the legislative body of this jurisdiction shall determine is appropriate.

Repair and Demolition Fund

Sec. 802. (a) General. The legislative body of this jurisdiction shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the director of public works to defray the costs and expenses which may be incurred by this jurisdiction in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.

(b) Maintenance of Fund. The legislative body may at any time transfer to the repair and demolition fund, out of any money in the general fund of this jurisdiction, such sums as it may deem necessary in order to expedite the performance of the work of repair or demolition, and any sum so transferred shall be deemed a loan to the repair and demolition fund and shall be repaid out of the proceeds of the collections hereinafter provided for. All funds collected under the proceedings hereinafter provided for shall be paid to the treasurer of this jurisdiction who shall credit the same to the repair and demolition fund.

Chapter 9 RECOVERY OF COST OF REPAIR OR DEMOLITION

Account of Expense, Filing of Report; Contents

Sec. 901. The director of public works shall keep an itemized account of the expense incurred by this jurisdiction in the repair or demolition of any building done pursuant to the provisions of Section 701 (c) 3 of this code. Upon the completion of the work of repair or demolition, said director shall prepare and file with the clerk of this jurisdiction a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Subsection (c) of Section 401.

Report Transmitted to Council—Set for Hearing

Sec. 902. Upon receipt of said report, the clerk of this jurisdiction shall present it to the legislative body of this jurisdiction for consideration. The legislative body of this jurisdiction shall fix a time, date and place for hearing said report and any protests or objections thereto. The clerk of this jurisdiction shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in this jurisdiction, and served by certified mail, postage prepaid, addressed to the owner of the property as his name and address appear on the last equalized assessment roll of the county, if such so appear, or as known to the clerk. Such notice shall be given at least 10 days prior to the date set for hearing and shall specify the day, hour and place when the legislative body will hear and pass upon the director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

Protests and Objections—How Made

Sec. 903. Any person interested in or affected by the proposed charge may file written protests or objections with the clerk of this jurisdiction at any time prior to the time set for the hearing on the report of the director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The clerk of this jurisdiction shall endorse on every such protest or objection the date it was received by him. He shall present such protests or objections to the legislative body of this jurisdiction at the time set for the hearing, and no other protests or objections shall be considered:

Hearing of Protests

Sec. 904. Upon the day and hour fixed for the hearing the legislative body of this jurisdiction shall hear and pass upon the report of the director together with any such objections or protests. The legislative body may make such revision, correction or modification in the report or the charge as it may deem just; and when the legislative body is satisfied with the correctness of the charge, the report

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AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

2:16

- C. PUBLIC HEARING on the Assessment Roll for Las Vegas, Nevada, SPECIAL IMPROVEMENT DISTRICT NO. 433 (Highland Drive).

Improvements: Include the installation of a parking lane from Lake Mead Boulevard to Carey Avenue, standard "L" type curbs and gutters, street lighting, sewer laterals from Charleston Boulevard to Carey Avenue.

Location: Along both sides of Highland Drive from Charleston Boulevard to Carey Avenue.

Levy -
APPROVED
Unanimous

Staff to proceed
Nancy Payan, CLV,
and Bernard
Hawkins,
Missionary
Baptist Church,
appeared.

APPROVED AGENDA ITEM

Larry L. Burton

000384

1 NOTICE OF THE FILING OF THE ASSESSMENT ROLL FOR LAS VEGAS,
2 NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 433; OF THE OPPORTUNITY
3 TO FILE WRITTEN OBJECTIONS TO THE ASSESSMENTS CONTAINED THEREIN;
4 AND OF THE PROTEST HEARING THEREON.

5 NOTICE IS HEREBY GIVEN that the assessment roll for
6 Las Vegas, Nevada, Special Improvement District No. 433, in and
7 of the City of Las Vegas, Nevada, has been prepared by the
8 City Engineer of said City, that same was filed in the Office
9 of the City Clerk of said City on the 7th day of May, 1986, and
10 that since said time said assessment roll has been and now is
11 on file therein and is available for examination during regular
12 office hours by any interested person. Said Improvement District
13 consists of seven (7) separate and distinct assessment units
14 and constitutes the areas to be assessed for the installation
15 of parking lanes along portions of Highland Drive, in Assessment
16 Unit No. I thereof, the installation of standard "L" type curbs
17 and gutters along portions of Highland Drive, in Assessment
18 Unit No. II thereof, the installation of street lighting along
19 portions of Highland Drive, in Assessment Unit No. III thereof,
20 the installation of standard concrete sidewalks along portions
21 of Highland Drive, in Assessment Unit No. IV thereof, the
22 installation of standard commercial driveway approaches along
23 portions of Highland Drive, in Assessment Unit No. V thereof,
24 the installation of sanitary sewer laterals along portions of
25 Highland Drive, in Assessment Unit No. VI thereof, and the
26 installation of standard residential driveway approaches along
27 portions of Highland Drive, in Assessment Unit No. VII thereof.
28 Such areas include all of the properties which abut said
29 improvements in each assessment unit and are situate within
30 those boundaries designated in Section 3 of Ordinance No. 3076
31 for the respective assessment units.

32 The City Council of said City will meet to hear and
consider objections to said assessment roll by the owners of

000385

1 the property specially benefited by the improvements in each
2 assessment unit of said District and proposed to be assessed, by
3 any party interested in the regularity of the proceedings in
4 making such assessments and by all parties aggrieved by such
5 assessments on Wednesday, the 4th day of June, 1986, at 2:00
6 o'clock p.m., in the City Council Chambers at the City Hall,
7 400 East Stewart Avenue, Las Vegas, Nevada 89101. The owner
8 or owners of any property which is assessed in said assessment
9 roll, whether named or not in such roll, may, not less than three
10 (3) days prior to said hearing, file with said City Clerk his
11 or her specific written objections to such assessment.

12 Said assessments shall be due and payable at the office
13 of the City Treasurer of said City within thirty (30) days after
14 the ordinance which levies the assessments become effective, with-
15 out interest and without demand, or all or any part of such
16 assessments may, at the election of the owner, be paid thereafter
17 in ten substantially equal annual installments of principal until
18 paid in full, with interest in all cases on the unpaid and
19 deferred installments of principal from the date of publication
20 of said ordinance at a rate or rates per annum which shall not
21 exceed by more than 1% the Bond Buyers Index of 20 Municipal
22 Bonds which was most recently published before the date on which
23 the ordinance levying the assessments is adopted. Penalties
24 shall be due for delinquencies, and all installments may be pre-
25 paid.

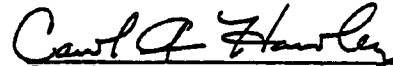
26 Any objection to the regularity, validity or correctness
27 of the proceedings, of said assessment roll, of the estimated
28 maximum benefits, of each assessment contained therein, and of
29 the amount thereof levied against each lot or parcel of property
30 shall be deemed waived unless it is presented at the time and
31 in the manner herein specified.

32 At the time and place so designated for hearing such

000386

1 objections, said City Council shall hear and determine all
2 objections which have been so filed by any party interested in
3 the regularity of the proceedings in making such assessment, in
4 the correctness of such assessment or in the amount levied
5 against any particular lot or parcel of property to be assessed,
6 and said City Council shall have the power to adjourn such
7 hearing from time to time and by resolution shall have the power,
8 in its discretion, to revise, correct, confirm or set aside any
9 assessment and to order that such assessment may be made de novo.

10 DATED this 7th day of May, 1986.

11
12 
13 CAROL ANN HAWLEY, City Clerk

AGENDA*City of Las Vegas*

000387

June 4, 1986

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CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

- 2:19 D. PUBLIC HEARING to consider if the City of Las Vegas' General Plan should be amended to include the Clark County Regional Flood Control District Master Plan as adopted by the Clark County Regional Flood Control District Board.

Levy -
APPROVED Volumes I and II of the Clark County Regional Flood Control District Master Plan to the City of Las Vegas' General Plan.
Unanimous

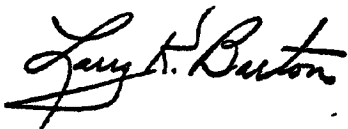
Staff to proceed

Richard Goecke,
CLV, Virginia
Bax, Gen. Mgr.,
Clark County
Regional Flood
Control District,
and Stan Jones,
Citizens Advisory
Committee
appeared.

Note: Companion
Resolution was
adopted at this
meeting. See City
Attorney's Agenda,
Page 25, Item K.

No one appeared
in opposition.

APPROVED AGENDA ITEM



City of Las Vegas

AGENDA DOCUMENTATION

Date: May 28, 1986TO:
The City CouncilFROM:
LARRY BARTON
DEPUTY CITY MANAGER

000388

SUBJECT: PUBLIC HEARING to consider if the City of Las Vegas' General Plan should be amended to include the Clark County Regional Flood Control District Master Plan as adopted by the Clark County Regional Flood Control District Board

PURPOSE/BACKGROUND

On May 6, 1986, a Special Technical Meeting was held of the Clark County Regional Flood Control District to discuss the adoption of the Draft Master Plan. The Clark County Regional Flood Control District Technical Committee, by unanimous vote of all members, approved the following motion:

That Volume I and II of the Master Plan be recommended for adoption by the Clark County Regional Flood Control District as a conceptual document to provide the long term guidance necessary for the development of flood control facilities within the County; such recommendation, however, subject to a provision of a practical method to periodically update and revise the plan as conditions may require.

At their regular meeting held on May 27, 1986, the Planning Commission reviewed and unanimously approved the above mentioned documents. The adoption was in the form of a Resolution and a copy is attached for your information.

FISCAL IMPACT

There will be no fiscal impact.

RECOMMENDATIONS

The Departments of Public Works and Community Planning & Development have reviewed, in depth, Volumes I and II, and strongly support and recommend the adoption of the Master Plan.


RICHARD D. GOECKE
DEPARTMENT OF PUBLIC WORKS

Agenda Item

IX. D.

000389

RESOLUTION
OF THE PLANNING COMMISSION
OF THE CITY OF LAS VEGAS

WHEREAS, A8169 of the 1985 Nevada Legislature amended NRS 543, Flood Control District Law, restructuring the Clark County Flood Control District and mandating the preparation of a master plan for the control of floods; and

WHEREAS, the master plan must set forth the most effective structural and regulatory means for correcting the existing problems of flooding and dealing with the probable effects of future growth; and

WHEREAS, the Clark County Regional Flood Control District has prepared a Regional Flood Control Master Plan; and

WHEREAS, NRS 543 requires that each governing body within a major drainage area adopt the flood control plan as a part of its overall master plan pursuant to NRS 278; and

WHEREAS, pursuant to NRS 278, the City Council of the City of Las Vegas adopted the City of Las Vegas General Plan in January, 1985, which included as an objective, a diversified flood control system to protect life and property from severe flood damage at reasonable cost; and

WHEREAS, a public hearing was held before the Planning Commission on May 27, 1986 to consider adoption of the Regional Flood Control Master Plan as a supplement to the City of Las Vegas General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Las Vegas Planning Commission:

1. That the City of Las Vegas Planning Commission does hereby adopt Volumes I and II of the "Regional Flood Control Master Plan" dated April, 1986, as a conceptual document to be a supplement to the Public Facilities Services and Financing Element of the City of Las Vegas General Plan, which element provides the long term guidance necessary for the development of flood control facilities within the City; subject to a provision of a

practical method to periodically update and revise the Plan as conditions may require.

2. That certified thusly, this amendment shall be submitted to the City Council of the City of Las Vegas for their endorsement and adoption.

PASSED, ADOPTED AND APPROVED this 27th day of May, 1986.

CITY OF LAS VEGAS PLANNING COMMISSION

BY Sherry Tracy
SHERRI TRACY, CHAIRMAN

ATTEST:

BY [Signature]
HAROLD P. FOSTER, SECRETARY

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AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

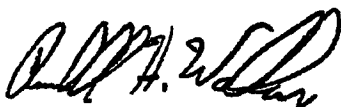
- E. PUBLIC HEARING on advisability of granting Valley Communications, Inc., a franchise to operate a community antenna television system in the City of Las Vegas.

ABEYANCE of Items E and F until 6/18/86, 2 P.M., meeting.

6/18/86 Agenda

NOTE: To be continued to a Time Certain

APPROVED AGENDA ITEM



000392

AGENDA*City of Las Vegas*

June 4, 1986

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

ITEM

Council Action

Department Action

IX. 2:00 P.M. - PUBLIC HEARINGS

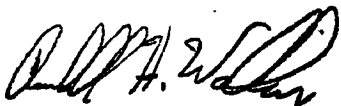
- F. PUBLIC HEARING on advisability of granting Misco, Inc., a franchise to operate a community antenna television system in the City of Las Vegas.

ABEYANCE of Items E and F until 6/18/86, 2 P.M., meeting.

6/18/86 Agenda

NOTE: To be continued to a Time Certain.

APPROVED AGENDA ITEM



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ITEM

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Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR**

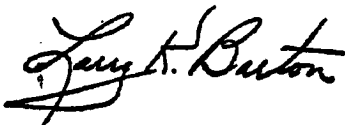
The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

In addition, all items shall conform to the following standard conditions:

ZONING APPLICATIONS:

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 system 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.
5. Satisfaction of City Code requirements and design standards of all City departments.

APPROVED AGENDA ITEM



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**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR**

6. Approval of the parking and driveway plans by the Traffic Engineer.
7. Repair any damage to the existing street improvements resulting from this development as required by the Division of Land Development of the Department of Community Planning and Development.
8. Provision of fire hydrants and water flow as required by the Department of Fire Services.

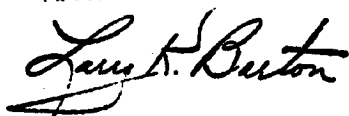
SUBDIVISION APPLICATIONS:**Tentative Maps:**

1. Approval of the tentative map shall be for no more than twelve months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve 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.

APPROVED AGENDA ITEM



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ITEM

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Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
HAROLD P. FOSTER, DIRECTOR**VACATION APPLICATIONS:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom.
2. Conformance to code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.
4. If the Order of Vacation is not recorded within one 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.

VARIANCE AND USE PERMIT APPLICATIONS:

1. Conformance to the plot plan and elevations.
2. Satisfaction of City Code requirements and design standards of all City departments.

APPROVED AGENDA ITEM

Larry L. Burton

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ITEM

Council Action

Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)**

- * CONSENT ITEMS - ITEMS A AND B may be acted upon in one motion.

Staff recommends APPROVAL of all items. The Planning Commission has recommended approval of Items A and B (subdivision maps).

A. TENTATIVE MAPS*1. Lewis Homes - Rainbow Park #8**

Property located on the southwest corner of Vegas Drive and Rock Springs Drive, N-U Zone (under Resolution of Intent to R-CL).

Owner/Subdivider: Lewis Homes of Nevada

No. of Acres: 8 No. of Lots: 58

Subject to:

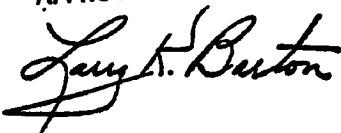
1. Conformance to the conditions of approval for Z-41-83.
2. Vehicular access to Vegas Drive from the abutting lots is prohibited.
3. Submit a hydrology and drainage study to the Land Development Division of the Department of Community Planning and Development.

Staff Recommendation: APPROVAL - with a revised layout.

Lurie -
APPROVED Items A-1,
A-2, B-1, C-1, C-2,
C-3 and C-4.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



To: The City Council
Re: Community Planning and Development Agenda Item
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*A. TENTATIVE MAPS

1. Lewis Homes - Rainbow Park No. 8

A Tentative Map was submitted on this property in 1983 and was held in abeyance at the request of the applicant. Due to this time frame staff requested a new map be submitted.

At the Planning Commission meeting, staff recommended the subdivision layout be redesigned so that the three lots which front on Rock Springs Drive would be an integral part of the subdivision and not across from future commercial nor be located on this collector street which will carry a substantial volume of traffic. The Planning Commission felt the layout was acceptable as submitted.

Planning Commission Recommendation: APPROVAL - as submitted

Staff Recommendation: APPROVAL - with a revised layout



HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

Council Action

Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)*****A. TENTATIVE MAPS****2. Valley West 8 - Unit 4**

Property located on the northeast corner of Peccole Strada and Odette Lane, N-U Zone (under Resolution of Intent to R-1).

Owner/Subdivider: Bailey & McGah
No. of Acres: 28.1 No. of Lots: 98

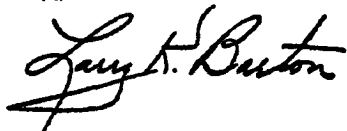
Subject to:

1. Conformance to the conditions of approval for Z-34-81.
2. Vehicular access to Peccole Strada from the abutting lots is prohibited.
3. Provide a drainage and hydrology study as required by the Land Development Division of the Department of Community Planning and Development.

Lurie -
APPROVED Items A-1,
A-2, B-1, C-1, C-2,
C-3 and C-4.
Unanimous

Clerk to notify
and Planning to
proceed.

APPROVED AGENDA ITEM



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X.

To: The City Council
Re: Community Planning and Development Agenda Item
June 4, 1986 City Council Agenda

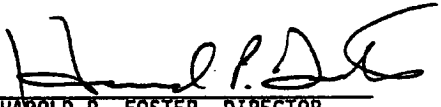
*A. TENTATIVE MAPS

2. Valley West 8 - Unit 4 (Revised)

The Tentative Map conforms to the Subdivision Regulations. It was previously approved by the City Council but has been revised because the development will not extend further south as originally planned.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPRDVAL


HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT

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AGENDA*City of Las Vegas*

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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
*B. FINAL MAPS 1. Baycliff Creeks Unit 1 Property located on the northwest corner of Crystal Water Way and Lake North Drive, N-U Zone (under Resolution of Intent to R-PD12). Owner: West Sahara Investments Subdivider: Diversified Development No. of Acres: 2.9 No. of Units: 34 Subject to: 1. Conformance with the conditions of approval for the Tentative Map.	Lurie - APPROVED Items A-1, A-2, B-1, C-1, C-2, C-3 and C-4. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

Larry L. Burton

To: The City Council
Re: Community Planning and Development Agenda Item
June 4, 1986 City Council Agenda

X.

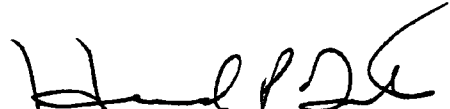
*B. FINAL MAPS

1. Baycliff Creeks, Unit 1

The Final Map is in conformity with the Tentative Map and with the Subdivision Regulations.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL


HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
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ITEM	Council Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u>	Lurie - APPROVED Items A-1, A-2, B-1, C-1, C-2, C-3 and C-4. Unanimous	Clerk to notify and Planning to proceed.
C. <u>REINSTATEMENT AND EXTENSION OF TIME</u> 1. <u>Z-4-84 - Becker Enterprises</u> Request for a Reinstatement and Extension of Time on property located on the southwest corner of Smoke Ranch Road and Jones Boulevard, R-E Zone (under Resolution of Intent to R-1 and R-3). Planning Commission unanimously voted to recommend APPROVAL, subject to: 1. Extension of Time to expire on February 15, 1987. 2. Conformance to all ordinance amendments enacted subsequent to the original approval. Staff Recommendation: APPROVAL - for a one year extension		

APPROVED AGENDA ITEM

Larry L. Burton

To: The City Council
Re: Community Planning and Development Agenda Item
June 4, 1986 City Council Agenda

X.

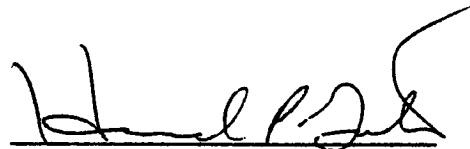
C. REINSTATEMENT AND EXTENSION OF TIME

1. Z-4-84 - Becker Enterprises

This is the second request for an Extension of Time. The applicant is proposing to build a 120 unit apartment development on the subject property and adjoining property to the north. The plot plan for the development was approved by the Planning Commission last month.

Planning Commission Recommendation: APPROVAL - for a one year extension

Staff Recommendation: APPROVAL - for a one year extension


HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
C. <u>REINSTATEMENT AND EXTENSION OF TIME</u>		
2. <u>Z-2-85 - Nevsur, Inc.</u>		
Request for a Reinstatement and Extension of Time on property located approximately 400 feet south of Lake Mead Boulevard, east of Lorenzi Boulevard, N-U Zone (under Resolution of Intent to C-1).		
Planning Commission unanimously voted to recommend APPROVAL, subject to:		
1. Extension of Time to expire on March 6, 1988.		
2. Conformance to all ordinance amendments enacted subsequent to the original approval.		
Staff Recommendation: APPROVAL, for a two year extension		
	Lurie - APPROVED Items A-1, A-2, B-1, C-1, C-2, C-3 and C-4. Unanimous	Clerk to notify and Planning to proceed.

APPROVED AGENDA ITEM

Larry R. Burton

To: The City Council
Re: Community Planning and Development Agenda Item
June 4, 1986 City Council Agenda

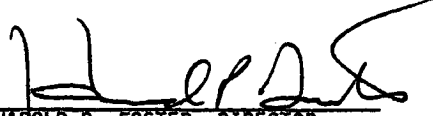
C. REINSTATEMENT AND EXTENSION OF TIME

2. Z-2-85 - Nevsur Insurance Agency, Inc.

This is the first request for an Extension of Time. The applicant is requesting a two year because he does not anticipate developing the property until the improvements on Lake Mead Boulevard are installed by means of a Special Improvement District. The C-1 zoning is still appropriate for this property.

Planning Commission Recommendation: APPROVAL, for a two year extension

Staff Recommendation: APPROVAL, for a two year extension


HAROLD P. FOSTER, DIRECTOR
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ITEM Council Action Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)C. EXTENSION OF TIME3. Z-23-84 - Lewis Homes of Nevada

Request for an Extension of Time on property located on the southwest corner of Alta Drive and Rainbow Boulevard, R-1 Zone (under Resolution of Intent to R-CL).

Planning Commission unanimously voted to recommend APPROVAL, subject to:

1. The Extension of Time will expire on May 2, 1987.
2. Conformance to all ordinance amendments enacted subsequent to the original approval.

Staff Recommendation: APPROVAL - for a one year extension

Lurie -
APPROVED Items A-1,
A-2, B-1, C-1, C-2,
C-3 and C-4.
Unanimous

Clerk to notify
and Planning to
proceed.

* APPROVED AGENDA ITEM



000407_x

To: The City Council
Re: Community Planning and Development Agenda Item
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C. EXTENSION OF TIME

3. Z-23-84 - Lewis Homes of Nevada

This is the second request for an Extension of Time by the applicant. The applicant indicated he is currently building the final phase of the adjoining R-CL subdivision to the north and then will proceed with development on this property.

Planning Commission Recommendation: APPROVAL - for a one year extension

Staff Recommendation: APPROVAL - for a one year extension


HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
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ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
C. <u>EXTENSION OF TIME</u>		
4. <u>ZC-94-85 - Blaine Equipment Co.</u>		
Request for an Extension of Time on property located on the west side of Rancho Drive, north of Tropical Parkway, N-U and C-2 Zones (under Resolution of Intent to C-2).		
Planning Commission unanimously voted to recommend APPROVAL, subject to:		
1. The Extension of Time will expire on May 22, 1987.		
2. Conformance to all ordinance amendments enacted subsequent to the original approval.		
Staff Recommendation: APPROVAL - for a one year extension		
APPROVED AGENDA ITEM <i>Larry R. Burton</i>	Lurie - APPROVED Items A-1, A-2, B-1, C-1, C-2, C-3 and C-4. Unanimous	Clerk to notify. and Planning to proceed.

To: The City Council
Re: Community Planning and Development Agenda Item
June 4, 1986 City Council Agenda

C. EXTENSION OF TIME

4. ZC-94-85 - Blaine Equipment Company

This is the first request of the applicant for an Extension of Time. The applicant is awaiting the outcome of a Nevada Department of Transportation study involving access to Rancho Road. Rancho will be developed to freeway standards and there will be no direct access to this street in the future. As soon as arrangements for satisfactory access from other streets are worked out, he will proceed to develop this property.

Planning Commission Recommendation: APPROVAL - for a one year extension

Staff Recommendation: APPROVAL - for a one year extension



HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
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ITEM

Council Action

Department Action

X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT
(CONTINUED)

3:05

D. ZONE CHANGE1. Z-32-86 - GARY L. HOOVER

Request for reclassification of property located at 1530 E. Charleston Boulevard (southeast corner of Charleston Boulevard and Chapman Drive).

From: C-1 (Limited Commercial)

To: C-2 (General Commercial)

Proposed Use: Used Car Lot

Planning Commission unanimously voted to recommend DENIAL.

If approved, subject to:

1. Resolution of Intent with a twelve month time limit.
2. Installation of a six-foot high concrete block wall along the south property line bordering the alley and extending along Chapman Drive northward along the property line to a point which lies 124' from the north side of Charleston Boulevard.
3. Extension of the proposed five-foot wide planter along the northern side of the property southward along Chapman Drive as requested by the Department of Community Planning and Development.
4. No test driving of vehicles on Chapman Drive.

Staff Recommendation: DENIAL - not compatible zoning

APPROVED AGENDA ITEM

PROTESTS: 31

Larry L. Burton

Lurie -
DENIED
Unanimous

Clerk to notify

Applicant was not present.

No one appeared in opposition.

To: The City Council
Re: Community Planning and Development Agenda Item
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D. ZONE CHANGE

1. Z-32-86 - Gary L. Hoover

The request is to change the zoning from C-1 to C-2 for a used car lot at the southeast corner of Charleston Boulevard and Chapman Drive. An application for C-2 zoning to allow a used car lot was denied on this property in 1983. The zoning pattern on both sides of Charleston Boulevard is C-1 except for two parcels of C-2, one at the southwest corner and the other immediately to the north at Charleston at 16th Street. The lot to the north is presently used as a parking lot for a bank and the C-2 parcel to the west was approved for an automobile leasing operation that was changed to a used car lot. At your last meeting, the used car lot was approved to expand to the south. The general area to the south is developed on an R-1 basis. The lot immediately to the south is zoned P-R. The applicant is proposing to pave most of the property for the used car lot operation with some landscaping along the street frontage. At the Planning Commission meeting, staff pointed out the expansion of C-2 zoning would not be compatible along Charleston Boulevard nor would allowing additional used car lots be appropriate. There was a substantial protest factor from the residents to the south who indicated the used car lot would have a detrimental affect on their neighborhood and that people use their residential streets to test drive the vehicles causing a hazard to their children.

Planning Commission Recommendation: DENIAL, not compatible zoning

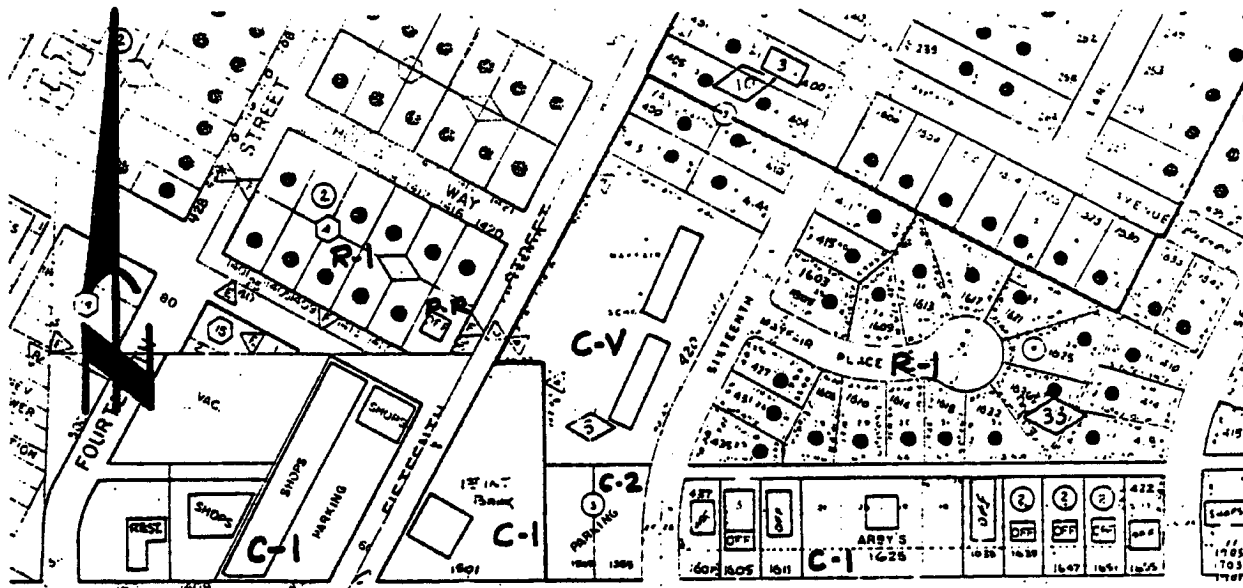
Staff Recommendation: DENIAL, not compatible zoning

PROTESTS: 31 (2 letters, 2 petitions with 26 protests, 3 at meeting)

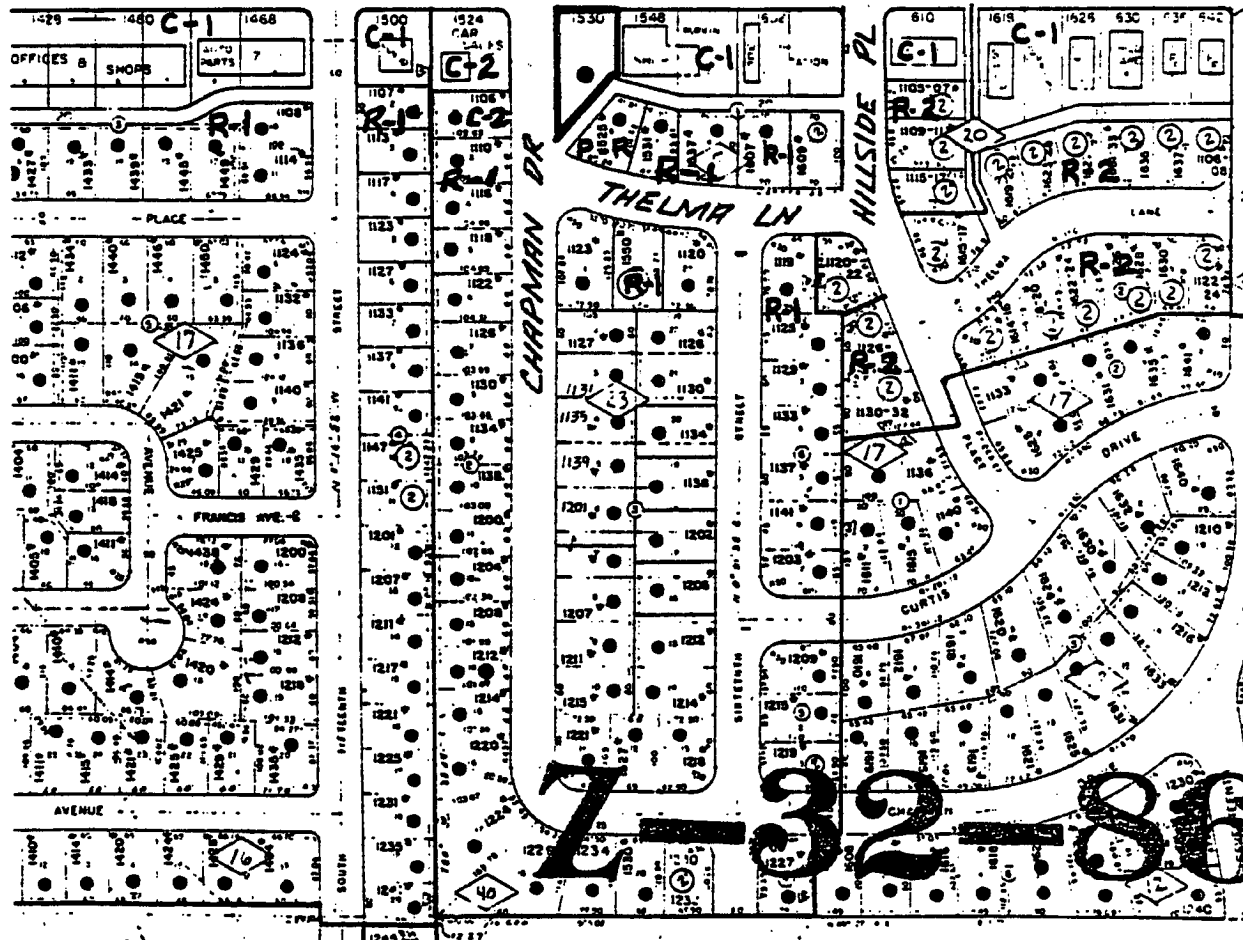
SEE ATTACHED LOCATION MAP



HAROLD P. FOSTER, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT



CHARLESTON BLVD



Z-32-86

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ITEM	Council Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u>		
E. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION AT ITS MAY 27, 1986 MEETING.	VAC-11-86	6/18/86 Agenda
F. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING HEARD MAY 22, 1986.	NONE	NONE

APPROVED AGENDA ITEM

Larry R. Burton

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ITEM

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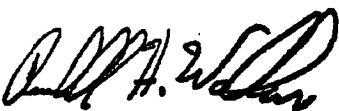
Department Action

XI. ADDENDUM ITEMS

NONE

NONE

APPROVED AGENDA ITEM



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ITEM

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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 date.

NONE

NONE

MEETING ADJOURNED AT 3:05 P.M.

APPROVED AGENDA ITEM

