

***CITY COUNCIL MEETING OF
December 20, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 46 AND
ITEM 47**

Discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$100,000)

Discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport (\$300,000)

APPEARANCE LIST:

OSCAR GOODMAN, Mayor

BRAD JERBIC, City Attorney

LAWRENCE WEEKLY, Councilman

GARY REESE, Councilman

LOIS TARKANIAN, Councilwoman

STEVE WOLFSON, Councilman

TOM MCGOWAN, Las Vegas resident

GREG TOUSSAINT, The Lakes resident

BURTON STEINBERG, The Lakes resident

DONNA TOUSSAINT, 9030 West Sahara Avenue

CHARLES JONES, Summerlin resident and member of the Aviation Committee

STEPHEN BLUM, 10870 Carbonia Court

GARY GROTE, Sun City Summerlin resident

CYNTHIA ABNEY, 8300 Opal Cove Drive

JACK FORD, 3044 Yankee Clipper Drive

JERRY ONEAL, West Las Vegas resident

LARRY BROWN, Councilman

RONI RONEMUS, City Clerk

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(1:31:51 - 2:10:32)

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MAYOR GOODMAN

All right. Items 46 and 47. Forty-six is discussion and possible action to retain the consulting services of Williams Aviation to assist the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport. And 47 is discussion and possible action to retain legal services of Chevalier, Allen and Lichman to represent the City of Las Vegas in an appeal of the FAA record of decision regarding the proposed right turn at McCarran International Airport. Mr. Jerbic.

BRAD JERBIC

Thank you, Your Honor. I've asked that both of these items be put on the agenda this morning. As you're aware, the FAA has been discussing a possible change to the departure route at McCarran International Airport, which has been commonly referred to as a right hand turn. This has been studied in late 2005 and in 2006. Public comment ended in March of this year. The FAA in November of this year issued what we expected. It's called a finding of no significant impact in record of decision. That is the final action by the FAA which found that they believe in their opinion, there's no significant impact in changing the take off patterns of McCarran International Airport to include approximately 60 percent of the flights using a right hand turn. What that essentially means is that airplanes taking off from an east to west direction, instead of making a left hand turn over unoccupied parts of the valley as they head east, will make a right hand turn, putting the planes over Summerlin, West Las Vegas, some of the more densely populated areas of the Las Vegas valley.

If the City or citizens wish to challenge that decision, we're on a time frame now. Sixty days from the time the FAA enters a finding of no significant impact and record of decision, a challenge may be mounted only in the Federal Court of Appeals in the circuit in which the decision was made, in our case, the Ninth Circuit Court of Appeals or the District of Columbia. The City of Las Vegas had retained, during the comment period, the services of Williams Aviation and the services of Chevalier Litchman in Southern California, a very

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fine law firm that does FAA work, to be our advisors on this matter. We're at a point in time right now where decision needs to be made as to whether or not we're gonna go to that next step, which is to appeal the FAA decision in the Court of Appeals. We have 60 days, as I said, from the decision that was rendered in November, which brings us essentially to January 11, would be the final date for paperwork to be filed in the Court of Appeals to begin that process. With that presentation, Ill be glad to answer any questions.

MAYOR GOODMAN

All right. Well, thank you. The January 11 date would require the filing of a limited document. But the document, even though limited in its physical presence would have, would require a substantial amount of preparation because each of the allegations which will be contained in that document must be attributed to a citizen who was objecting to the right hand turn. Is that correct?

BRAD JERBIC

That's correct, Your Honor.

MAYOR GOODMAN

And we've had several public hearings where citizens have expressed themselves. In order for their expressions to be preserved by the attorney, the attorney is going to have to get the permission of that citizen to include that person in the lawsuit caption. Is that correct?

BRAD JERBIC

That's correct.

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MAYOR GOODMAN

Okay. I and of course, I'm gonna have the other Councilmembers address this because we're all vitally interested in this. There's a lot of money that's at stake here but to me, the important issue is public safety. I've said that from day one. Councilman Wolfson has stressed that in his neighborhood meetings. Councilwoman Tarkanian has pegged it up a notch by calling attention to the crashes that have taken recently, have taken place recently in the North Las Vegas area, which will definitely be affected by what's happening, if in fact the right hand turn is utilized as suggested. But at the same time, we have to be prudent in the way we are the stewards of taxpayers dollars. There has been monies that have been set aside for the expert thus far, that has not been expended. Is that correct?

BRAD JERBIC

That's correct.

MAYOR GOODMAN

I'm gonna suggest for today's purposes that we authorize the attorney to prepare the document, but not file the document until the attorney comes before the Council. Because I want to have certain assurances from the attorney as to the prospects of success. I don't want to feel as though we're flushing money down the toilet. I wanna feel as though we're going to be able to accomplish something in our efforts with the FAA. And as pointed out by the Mayor Pro Tem to me in the office this morning, he was saying we've had issues with the FAA in the past, that perhaps had no been resolved to our complete satisfaction regarding helicopters. And he's been intimately involved with that, with Chris Conjulieane at his side. So what I would like is, I would like this Litchman to appear in front of us at our next Council Meeting, to have the document ready to go on January the 11. The next Council Meeting is January the third. Is that correct, Ms. Ronemus? Okay. I'd like her to appear in front of us. I want her to assure us of several things. I want her to assure that she will give us a monthly report as to her progress, as to her billing and as to

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her prognosis of success without jeopardizing her legal position. Because I know the way lawyers have to keep a couple cards close to the vest. And I wouldn't expect her to do that. But we're all her clients here. And, the least that I would expect her to do is to go down the hallway during our briefings and to brief us so that we know that, in our hearts, we're doing the right thing here. And that we're doing it for the right reason in order to make this community a safe place. This is not, and I will call it as long as I live, this is not an issue of rich and poor. The media has tried to play that stupid game, saying that this is a Summerlin issue. And then you get the cartoonist talking about the rich people up in Summerlin. This is a situation that these planes will be coming right over the heart of our entire city. And we, unfor, Councilman Weekly, I wish we we're all rich okay? Right. We're not all rich, and it's gonna go right over your home and you're one of the poorest guys that I know, okay. And it's gonna go over

COUNCILMAN WEEKLY

Now, that's about the most honest thing Ive ever heard you say.

MAYOR GOODMAN

Wait, I'm gonna go one step further. It's gonna go over my home, too. And I'm one of the richest guys I know. So, it's

COUNCILMAN WEEKLY

Now that's true also.

MAYOR GOODMAN

This is a wonderful country, okay.

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COUNCILMAN WEEKLY

Rich and poor together.

MAYOR GOODMAN

That's correct. That's why we're a wonderful country here. And, of course when we evaluate what is victory. Lawyers look at victories a lot of different ways. You get a serial killer and, you know, he doesn't go to the electric chair that maybe a victory. In this particular matter, as I understand it, the FAA's proposal going to affect 60 percent of all the departures of McCarran will use the right hand turn, which will go over out into entire core of our city with the major population base. The lawsuit could, of course, cause a reversal of that decision, that's a complete victory. Okay. If we reverse what the FAA says. But at the same time, I know in negotiations, and Councilman Wolfson knows about negotiations in a legal situation, you trade off some things. If we can make a substantial impact on the 60 percent and drive that down. that could be considered in some ways a less victory, but a victory being in and of itself. That what's I want Ms. Litchman to be able to talk to us about , to make sure we're doing our job right. Because we're charged with the responsibility protecting the public safety. That's the role of the Mayor and the City Council. And, that's where I stand on this thing. All right. I'm happy to hear from the other Councilmembers

COUNCILMAN WEEKLY

Your Honor.

MAYOR GOODMAN

Yes.

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COUNCILMAN WEEKLY

Just real briefly. Councilman Wolfson, I know you have a strong story on this. But, and I do wanna say, you know, we do understand the pain over in a large portion of my district because we deal with the North Las Vegas Airport. And I know that many of you all have seen recently there was a crash that had taken place over in one of my neighborhoods here. So, we deal with it constantly. When you talk about planes are gonna be flying over my neighborhood, Mayor, we already get it. We get low-flying planes from North Las Vegas, we get helicopters. Thank goodness for Metro who patrols our area there. We get those helicopters. We have UMC in our neighborhood, Valley Hospital with helicopters. And so, we're inundated with aviation in Ward 5, believe me. So, we feel the pain.

MAYOR GOODMAN

Good. Thank you. Mayor Pro Tem.

COUNCILMAN REESE

Yes. I just want to reiterate our conversation this morning. About 12 years ago when I was elected, I met with some of the neighbors that live close to the Strip. And we had helicopters flying within a hundred, two hundred feet of their houses. (inaudible) legislator, she did create a bill that created a group that could meet and discuss. There's been many, many meetings. I was part of the group that met to do something. I talked to the FAA, and as far as I know, nothings ever happened except maybe the helicopters flying a little bit higher. The area I represent, we do have a lot of air traffic from Nellis. It seems like every night there's always four, five jets, helicopters flying over my house also. It is a problem, and I think we need to look at it as, I don't want people to feel like we have to look at it as reasonable issue. This was brought up because of the right turn. And all the other issues are just sidelines, I think, of what we're really trying to do. But I just want people to know that I do support, and I have supported for 12 years, trying to get rid of some of these nuisances that we have in our neighborhood. And sometimes you feel like

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just batting your head up against the wall because they just look at you and turn their nose at you. And I just hope this is not what happens in this case. I just hope we can get a little, I guess bang for our buck, so to speak. And that we can be, at least, make sure that most people that are out here today, and that have been her feel that we are trying to do our best.

MAYOR GOODMAN

Thank you.

COUNCILWOMAN TARKANIAN

Mr. Mayor.

MAYOR GOODMAN

Councilwoman Tarkanian.

COUNCILWOMAN TARKANIAN

I would like to state that the words you spoke, we strongly support in Ward 1. And Helen Cannon, who was here at the last meeting, called me and we spoke this morning. And she just wanted to go on the record as saying, it's all about safety. And, that she strongly, along with a large group of citizens in her area, are very supportive of our continuing the fight to do what's right as far as this turn is concerned.

MAYOR GOODMAN

Thank you very much. Councilman Wolfson.

COUNCILMAN WOLFSON

Thank you, Mayor Goodman.

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COUNCILMAN WOLFSON

Just for anybody's who's listening in our audience today, as well as who watches. The agenda items, the way they read were talking about monies for Williams's Aviation in the amount of 100,000 dollars. And monies for the law firm, Chevalier, Allen and Lichman of 300,000 dollars. We have the opportunity, Mayor, to sit down with at least Ms. Lichman, the lawyer from the law firm. It's my understanding, Mr. Jerbic that these are amounts that are possible projected high-end amounts. We're not being asked to award a 100,000 dollar contract to Williams Aviation or a 300,000 dollar contract to this law firm. What we're being asked and what the Mayor is moving to abey to the next meeting is for an amount up to those amounts. And I agree with Your Honor, when you talk about the need for prudence, to have monthly reporting. So that should this Council vote at our next sessions to make these awards, once again, we're not writing checks for these amounts. Basically, what we're doing is we, if we vote this way, is we have the ability to spend up to these amounts if we think it's prudent. But along the way, if we feel that it is not prudent to spend these entire amounts, we don't have to. I think these were projections by the consultant and the lawyer as to how much it could cost, if we fought all the way. And we don't know if we're gonna fight all that way. So, we may spend much less than that, that's number one

MAYOR GOODMAN

Right. And of course, Councilman, when we get these reports on a every other week basis at our Council meeting, we'll be able to measure the progress against the expenditure.

COUNCILMAN WOLFSON

That's exactly right.

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MAYOR GOODMAN

And if it gets out of whack, then we could always go back.

COUNCILMAN WOLFSON

You're exactly right. Another aspect of this, it's my understanding that regardless of what we may file in January, and I have a pretty good confidence level that we're gonna file something in January to preserve our rights and to move forward with this appeal. But these planes are gonna start flying in March.

BRAD JERBIC

Probably.

COUNCILMAN WOLFSON

But if there's nothing that we're gonna be able to do in January or February, as I understand it from the meeting with the lawyer, it's gonna cause the FAA to stop what they intend to start. We're not filing anything asking for injunctive relief, for example. We're not filing anything as I understand it, to ask that the FAA's right turn, which is scheduled to begin in March, to not start. I don't think we can prevent that. My point is that come March and April, we're gonna get a pretty good idea about these airplanes because they're gonna start flying. And we're gonna start seeing exactly the kind of potential impact they have. Thirdly, I wanna say this that I had the occasion to conduct two town hall meetings in the last couple, three weeks out in my ward. And one of the subject matters was this FAA proposed right turn. And Mr. Jerbic, you did a great job by coming and addressing my constituents and providing them with the current update. But I took the opportunity at that time to ask my constituents. Now, once again, this is in my ward and only my ward. But I did a little informal unscientific survey. And I told these people, I said, "If we had to spend hundreds of thousands of dollars to make this fight, who'd be willing to authorize the City Council to send us a message that it is a good thing?" And every hand went straight up in

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the air, Mayor. At these town halls, everybody was willing to cast their vote and to send the message to this Council that they thought it was a good idea to spend this money because it's the right kind of fight. So I just wanted to put that on the record. And finally, Mayor, I think there are some people here that may want to speak.

MAYOR GOODMAN

Okay. Fine. If, by show of hands, may I see how many may wanna speak? All right then, we'll put a two minute time limitation on it then.

BRAD JERBIC

If I could, Your Honor, before the citizens get to speak, I wanna correct the record. Mr. Touissant is in the audience and he may get up here and speak in a moment. He's been a real leader in this and a real good source of information for my office. The number that I spoke on the record was incorrect. It's not 60 percent, it's 30 percent. But I wanna put that in perspective. Right now five percent of the planes take off using runway twent, two point five, that's the east west runway, make a right hand turn. If it goes from five percent to 30 percent, it's over 200 flights a day that will end up over the most densely populated area of the valley. It's a pretty significant increase.

MAYOR GOODMAN

Thank you. All right. Yes, sir.

TOM McGOWAN

Tom McGowan, Las Vegas resident with a background of US Naval Air in the Korean War. There is a viable alternative. Before you leave, there is a viable alternative

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MAYOR GOODMAN

Ill be listening back there.

TOM MCGOWAN

You can. I can hold, you can hear me back there, that's all right. And what I need to say to this Council, you can stand up (inaudible). But you need not. It's not entirely necessary. The viable alternative is available. Not only to this Council but to everybody in this country. The important ingredient is first you have to care enough to ask what it is. Thank you.

COUNCILMAN REESE

Thank you. Toussaint.

GREG TOUSSAINT

Good morning. Greg Toussaint, Lakes resident. We always, we call you politicians, Councilmen, Councilwoman, Mayor. That's not always meant in a positive way by many people because a lot of times our elected officials duck the hard issues. They don't necessarily represent their constituents. They often represent special interest. We've seen our County Commissioners duck this issue entirely. Some have said they were in favor of the right turn. Most said they had no opinion. This is a federal issue, they're not involved. Despite the fact that they operate our airport. Our Congressional delegation, Senators, none of them, not a single one would stand up and say they were opposed of this right turn and support the needs of their constituents. And that's the kind of behavior, unfortunately, that gets a negative connotation in the word politician. I'm happy to say that the City Council is an exception to that rule. You guys have been involved in this thing from day one, a year ago now. It's been a year. You've led the charge. You formed the citizen panels to fight this. You've caused the FA to extend the public comment period twice. You've hired consultants and attorneys. I think you've done everything so far that we could

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ask you to do, as public servants, not as politicians. So, I wanna thank you on behalf of myself and, I think, a lot people in your community on what you've done for us so far. It's been very, very refreshing experience for me and for so many other people. We're now considering spending up to perhaps 400,000 dollars or you are. Excuse me for one second.

MAYOR GOODMAN

Sure.

GREG TOUSSAINT

That 400,000 dollars represents less then one dollar for each of the 500,000 people who live under this flight of this flight path. That's not necessarily a bad investment. I think its worth, it's really worth your time. Thank you.

MAYOR GOODMAN

Thank you very much, 'preciate that.

BURTON STEINBERG

Mr. Mayor, Councilmen, Councilwoman. Burton Steinberg, resident of the Lakes for 19 years. I have attended two of the three forums set up by the Federal Aviation Administration and I've read many articles in the newspaper regarding this entire issue. And the only thing I'll say is that this is strictly for the benefit of the airlines and that is one thing that was definitely said, stated in the newspaper. And airplanes coming over our homes at 5,000 feet really isn't anything great for the quality of life. Thank you very much.

MAYOR GOODMAN

Thank you.

DONNA TOUSSAINT

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Good morning, everybody, Mayor, City Council. My name is Donna Toussaint, 9030 West Sahara. And I really wanna thank the Mayor for putting the important issue on the table. It's been really a fun thing for the media to say this is a noise issue, this is a Summerlin issue, it's not. When these planes go over, and they go over the County seat, that's not in Summerlin. This building isn't in Summerlin. The Fremont Street Experience is not in Summerlin. Councilman Weekly does not live in Summerlin. This is gonna affect everybody. Right now we do get arrivals, we do have airplane noise, we do have that. But one thing that really is disconcerting to me as a citizen is that nobody is really talked about the security issue. And the security issue is you have a plane fully loaded with fuel making a right hand turn going belly up, its blind, going over the heart of the city. And we're saying over this building. And when I came into this building today, I had to go through a metal detector, why was that? You know we have to be concerned about security. I don't where Homeland Security is on this issue. But the reality is we're giving someone who might potentially want to do harm to us the ability to that. When nine eleven hit it impacted the city of Las Vegas and the Clark County business area to the point where thousands of people lost their jobs. If the unthinkable were to happen to Las Vegas, you not going to have to worry about a supermarket in Ward 5, 'cause guess what? There's not gonna be anybody here to buy food. We need to think about security of us. And going over the heart of the city, over 500 million people, as opposed to going left and going over an area that's less densely populated and worry about the desert tortoises. It's something that I just can't get my mind around. So I want to thank you. You guys are wonderful. And you know what, we're very lucky to have you. Thank you.

MAYOR GOODMAN

Thank you. The record should be corrected. You misspoke yourself. Five hundred thousand, not 500 million.

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DONNA TOUSSAINT

That's true.

MAYOR GOODMAN

Right. Yes.

CHARLES JONES

Mr. Mayor, City Council. My name is Charles Jones. I live in Summerlin. But the airplanes aren't going to be flying over where I live. I was one of eight people that was on your Aviation Committee. And I'm gonna say some very harsh things here. There just gonna be a reality check. I talked to Councilman Wolfson the other day, and he asked that I come today and make the same statement so I'm going to.

First of all, I think the decision for the right turn was an academic decision, it was not a safety decision. It was a selfish decision by the FAA, not taking into consideration what the aviation panel came up with, what your desires are, what the people live in Las Vegas. And it's a Las Vegas FAA problem, not necessarily a County problem. They've opted out, haven't done anything. But after the decision was made, well, before the decision was made, I did an awful lot of studying on the area. And I think the first conversation I ever had with the Mayor was one of the FAA meetings, it's strictly a safety exit prevention issue. So I geared myself up after the FA decision. Went out to the base, spent several days watching the traffic out there, just to make sure that I was up to speed. I went in the control room, talked to all 15 controllers. Talked to everybody out there. And the FA's decision to mingle traffic with Las Veg, with Nellis Air Force Base was a very very poor decision. And the reason I call her an academic decision because I believe anybody that made the decision came out and watched the traffic in this valley. And Ive spent weeks at all different locations watching the traffic in the valley, watching the traffic out of Nellis. It's gonna take me about 15 minutes. But I will say, and I'll be glad to sit down and discuss this with anybody. I've been approached by Williams Aviation. They've come and talked to

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me. I said I will cooperate with the attorneys. And I say that this was a scheme by the FAA to use Summerlin against the people that live under the existing traffic. And it became a conspiracy. And I have a letter signed with names of where the FAA approached people who live under existing traffic, to start a fuss with Summerlin, and that's when all these issues came up in the letters to the editor. The RJ and the Sun came out with articles really not telling the truth of what the problem was. I called each one of the people that wrote the articles up. A couple of them came up to my house with, excuse me. We talked; nothing got changed in the paper. So I believe a judge and judge or jury hearing the position of this Council. Those of us that were on the panel would certainly give a new, some light to this. I don't think the FAA has a leg to stand on if it goes before a judge and a jury. We gave them alternatives that they could use. Its just not been a good situation.

MAYOR GOODMAN

It will not go before a jury. The way it works, this is a very. I've come into two, it's interesting. Two areas, one was Yucca Mountain, that when you have litigation regarding Yucca Mountain, it ends up in a United States Court of Appeals, either in the Ninth Circuit because that's where Yucca Mountain is situated or back in DC. The same things true here. Very unusual. This will be a decision that will be made by three judges in the Ninth Circuit. And, of course, you can always petition for a rehearing in bonk, where you ask for all the judges of the Ninth Circuit to hear it, then the United States Supreme Court. But we will not have a jury trial on the issue.

CHARLES JONES

Well, I believe efforts should be made to get an injunction to stop this, to stop it before it ever starts. If it gets started, knowing how things operate with the Federal Government, it's gonna be very hard to stop it

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MAYOR GOODMAN

That's one of the things I wanna talk to the attorney, when the attorney's here on this third.
Thank you.

COUNCILMAN WOLFSON

Mayor Goodman, if you don't mind

MAYOR GOODMAN

Yes.

COUNCILMAN WOLFSON

Mr. Jones just gives us a little bit about your background. I mean anybody can come up and stand up and give an opinion. But I think it's a good thing for you to tell us who you are.

CHARLES JONES

Well, I'm a retired Air Force General. And that and a buck and a quarter will get you a cup of coffee in most places. But I did spend about 34 years wearing a uniform and flying. I flew my entire career in the Air Force. And I was a test pilot, several different jobs. Wing Commander for 15 years. So I've been around aviation business quite a bit. I left the Air Force after I had 9 years and I went with the FAA as an Air Carrier Inspector on the 727s, 37s. I was current in the airplanes. I have an airline transport rating. And I flew in and out of Las Vegas giving check rides to the pilots quite a bit. And I've flown in and out of Nellis Air Force Base from 1956 through 1986 when I retired. So, I'm familiar with this area. And I go out to the base all the time. And I started flying when I was 16 years old as a young kid. So I got about 45 years of the aviation experience. And I got involved in this situation because about two years ago, I was kinds disgusted with the airplanes coming over the mountains, over Red Rock, putting their gearing flaps down from low altitude.

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Coming out, up on the power and dragging into the pattern. I was also a little concerned about an airplane that takes off out of there and turns right about 4:15 in the morning and every hour thereafter til about 8 o' clock. And so I talked and I had done consulting work for that company. So I asked the vice president if they would consider taking off straight out, going around Mount Charleston and getting that noise away from the valley. Because going over that ridge, it's an echo chamber. It just echoes lot louder then just the middle of the valley. Well, I called the Administrator, the FAA up. When I couldn't get things done locally. And the Chief of Staff of the FAA had Mr. Withacom, who's in charge of the Western Region, and I think it was Mr. Cocker, or a name is close to that, is in charge of the air traffic and Dell Meadows and myself meet out at McCarran Airport. Well, they, end result was we got the airplanes coming in high, blowing the power back but waiting to put their gearing flaps down like they should. And it got very quiet over the valley. The second part of that was, I got the company that made, excuse me, made those early takeoffs in the morning to go the, I asked 'em to go around Mount Charleston. Well, their company wouldn't buy that. But they did agree to go the other side of the mountains so that echo wouldn't happen in mornings. And they did that for a long time.

One of the reasons I have said this morning that there is a conspiracy to get the people complaining about Summerlin spreading some of the noise. And Summerlin is really the underdog in this fight. Well, soon as the FAA announced they were going to make that right turn, low and behold, one or two airplanes three or four times a week would come right back over the old route, noise again in the valley. So I contacted the man that runs it. I said, "Why are you making the right turn when we agreed you would fly the other side of the mountains?" He said, "Well, the FAA is turning us right, we would prefer to go out seven miles, make the right hand turn, keep it quiet for public relations. But the FAA is turning us right occasionally." That gave me the impetus to get back in this. And there's no need for those airplanes turning short. And I've complained about it. I called the FAA Administrator again. She was in India, I think. at the time. A new Chief of Staff got on the phone and I went over the entire issue with him. And I said, I'm just a civilian, just a

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citizen. I think you oughta rethink that right turn and save everybody a lot of money. Well, I never ever got any response back. I even said, You, Mr. Chief of Staff, and you, the FAA Administrator, should come out here and look and see that this was just an academic decision. You oughta see what goes on the valley here. You should not be mingling air carrier traffic with military traffic. They punched out of two airplanes this year out there, a F22 and a F16. Now if they'd been taking off towards the city, God knows what, excuse me, where the airplanes would've gone. It is really, really almost criminal to mingle this traffic with Nellis. And maybe y'all don't know this, and I found this out, that Nellis controls the IFR, the instrument traffic into North Las Vegas. So, you got people working on different frequencies, different times. And I can give you lots of, we don't have time here, but I can give you lots of what if's from my own experience from flying. And if an accident can happen, it probably will some day. And I think I can stand up in front of a judge and be very convincing about this right turn. I can go on a lot more but I think I probably said enough. Maybe give you so some comfort to go a head and take legal action.

MAYOR GOODMAN

Thank you, sir. Yes, sir.

STEVEN BLOOM

Thats a hard act to follow. Mr. Mayor, Councilors. My name is Steven Bloom, 10870 Cabonia Court. I just want to thank you on behalf of my family for all your efforts today and would encourage you to continue to do so. To paraphrase St. Augustine, it's better to have tried and failed than not to have tried at all. Thank you.

MAYOR GOODMAN

Thank you, sir. Yes, sir.

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GARY GROTE

Gary Grote, Sun City Summerlin. Councilman's Brown district. I'd like to concur with the General. I was 22 years in the airlines, five in the military. Don't let it start. Once it gets started, it won't stop. The noise level, as long as it, as well as the safety. They are running the airplanes in the morning, 4 o'clock, 5 o'clock about every second, third day over. Running 'em north on this side of the mountains. Now the other question, if we come in the third we will know for sure whether you're gonna take action or not, would that be a fair statement?

MAYOR GOODMAN

Yes.

GARY GROTE

Thank you.

CYNTHIA ABNEY

Good morning, Mayor, City Council.

MAYOR GOODMAN

Good morning.

CYNTHIA ABNEY

My name is Cynthia Abney, 8300 Opal Cove Drive. There comes a time when the needs, welfare and safety of the citizens of Las Vegas need to be put first. I don't begrudge anyone the benefits of commerce, and those residents who've watched this town grow from a little bitty town to this giant urban sprawl that we have now, have always put tourism and commerce first. But the time has come for the city residents safety to come first over commerce. Based on my experiences, on your panel where we came forward and gave you

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our information that we had learned about the inadequacy and the weakness of the FAA's proposal to reinstate the right turn, I strongly encourage and deeply appreciate the City going forward to fight the FAA's plan. Thanks again.

MAYOR GOODMAN

Thank you. Yes, sir.

JACK FORD

Mayor Goodman, Councilman. My name is Jack Ford, 3044 Yankee Clipper Drive. I'm a retired Navy Air Traffic Controller with 17 years in that business. Everything that has been said here is true. I never in my life encourage, ever saw where they changed departure pattern from a sparsely populated area to one entirely populated. This is abomination and I thank you for your support.

MAYOR GOODMAN

Thank you, sir. 'Kay. Anybody else?

JERRY O'NEAL

My name is Jerry O'Neal, West Las Vegas. I'd came up to give my moral and blessing to all of you that is going through the changes out there. And with those moral and those blessings maybe some day you may have a chance to also lend a moral support to someone else that's going through changes also. So God bless you and may you get what you want.

MAYOR GOODMAN

Anybody else? All right. Thank you, folks. Councilman Brown.

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COUNCILMAN BROWN

Thank you, Your Honor. I just, if I could briefly reemphasize some points. And one is certainly we've heard from the members of this Council and the citizens that we're all currently impacted out in the Northwest. And I share this with Councilman Ross; we have the North Las Vegas Airport that a lot of the incoming traffic literally goes right over our backyards. And that's just the way of life out there. And we have the helicopters, emergency response and Metro training. So don't think this whole issue of equity, I think everybody in this valley is somehow impacted by aviation. It's a part of being in a metropolitan area. And somewhere in the justification of the reasoning at the airport the issue, as far as the impact of McCarran on this community has been raised, as far as necessity to become more efficient in such. And, so I stipulate that there's probably some reasonability in some of the arguments. But it seems to come back, and this is what I certainly support. The citizens and certainly this Council, that the safety issue is the one that seems to be ignored. If we acknowledge there's equity in the valley, as far as aviation or people are going to be impacted, and we acknowledge that there's probably some efficiencies to protect the commerce of McCarran, which impacts our economy, that's fine. But the safety issue that's been raised by the Mayor and the Council members is the one that seems to be suppressed and not addressed adequately in this whole process. They seem to talk about a lot of other things but the safety issue. And that seems, appears from your comments, Your Honor, to be our direction if we move forward with legal council is, let's raise that safety issue. Let's raise it to the point where the facts are brought forth, and certainly some of the experts that spoke today know far better than I. But that's what I'm interested in hearing. Our experts with input from additional people in our community. What's this all about from a safety standpoint? And I just, I wanna, as the attorney comes back with some kind of report with this Council, I would like that to be a one of the priorities that we hear at the next Council meeting. Thank you.

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MAYOR GOODMAN

Thank you. Any other comments at this time? All right. Thank you very much. Mayor Pro Tem.

COUNCILMAN REESE

Your Honor, I think we're on the right track. Id just like to make **a motion to follow Staff Recommendation**

MAYOR GOODMAN

(inaudible)

BRAD JERBIC

That would be hold this in abeyance for two weeks, both items?

MAYOR GOODMAN

What we're gonna do is, where going to not hold them in abeyance but what we're going to do, well **hold them in abeyance with the directive that Ms., Dr. Lichman comes here at our next meeting.** That in the meantime shell prepare the document which will give us standing to proceed in the Ninth Circuit Court of Appeals and that we'll be ready to go, pending our approval at the next meeting. Fair enough?

BRAD JERBIC

Very good, Your Honor.

MAYOR GOODMAN

And both of these items will come back when January, the third. And if a gentleman ask, there will be an answer at that time. Okay, let's vote. Yes.

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RONI RONIMUS

Is this the motion for both Items

MAYOR GOODMAN

Yes.

RONI RONEMUS

Forty-six and 47?

MAYOR GOODMAN

Yes Let's vote, please. Post. Motion carries. Thank you. [UNAIMOUS] And thanks to everybody for coming down expressing your support. 'Preciate that.

(END OF DISCUSSION)

/sw;cv