

City of Las Vegas

REAL ESTATE COMMITTEE MEETING
CITY HALL, 400 STEWART
CITY MANAGER'S CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
TUESDAY, NOVEMBER 2, 1999
3:00 P.M.

REAL ESTATE COMMITTEE - COUNCILMEN REESE AND M. McDONALD

CALL TO ORDER.

ANNOUNCEMENT RE. COMPLIANCE WITH OPEN MEETING LAW

MINUTES Approval of the Minutes of the Regular meeting of October 18, 1999.

NEW BUSINESS:

1. **ABEYANCE ITEM** - Discussion and possible action to approve a request from Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project (\$3,670,000.00/Nevada Department of Transportation)
2. Discussion and possible action to approve a First Amendment to Lease Agreement between the City of Las Vegas and Variety Day Home, adding a provision for reimbursement to the City for security guard service expenses incurred by Variety Day Home
3. Discussion and possible action to approve a Memorandum of Understanding between the City of Las Vegas and Clark County School District, relinquishing the City's interest in approximately 20 acres of land in the vicinity of Ann Road and Campbell

CITIZENS PARTICIPATION

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

93✓

(Mailing required under the provisions of NRS Chapter 241)

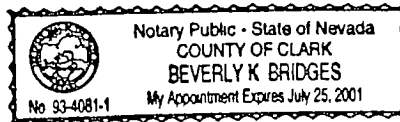
Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **25th** day of **October, 1999**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **A Real Estate Committee Meeting** to be held on the **2nd** day of **November, 1999** was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Ernst

City Clerk
DEPARTMENT

25th day of October, 1999

Suzanne K. Bridges
NOTARY PUBLIC in and for said County and State



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. In the Senior Citizens Center, 450 E. Bonanza Road;
3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near the entrance to the Court Clerk's Office); and
5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (in the walkway area between Metro and Municipal Court).

Beverly K. Singer
NOTARY PUBLIC in and for said County and State



**ANNOTATED MINUTES
REAL ESTATE COMMITTEE MEETING
CITY HALL, 400 EAST STEWART AVENUE
8TH FLOOR CONFERENCE ROOM
3:00 P.M.
TUESDAY, NOVEMBER 2, 1999**

CALL TO ORDER: Councilman McDonald called the meeting to order at 3 07 p m

ATTENDANCE: Michael McDonald, City Councilman
Lynette Boggs McDonald, City Councilwoman (Via Telephone
conference for Item No. 1)
Teri Ponticello, Deputy City Attorney
David Roark, Manager, Real Estate & Asset Management
Steve Houchens, Deputy City Manager
John McNellis, Public Works

EXCUSED: Gary Reese, City Councilman

MINUTES:

The Minutes of the Regular meeting of October 18, 1999, were approved by reference.

(3:08)
1-16

- 1 **ABEYANCE ITEM** - DISCUSSION AND POSSIBLE ACTION TO APPROVE A REQUEST FROM NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) TO PURCHASE THE CITY'S CHARLESTON HEIGHTS NEIGHBORHOOD PRESERVATION PARK IN ACCOMMODATION OF THE PLANNED US95 WIDENING PROJECT (\$3,670,000.00/NEVADA DEPARTMENT OF TRANSPORTATION)

APPEARANCES

JOHN McNELLIS, Deputy Director, Public Works
ROB STEPPKE, Clark County School District
BARBARA ROTH, 112 Temple Drive
ROGER PATTON, Louis Burger Consultants
JUANITA CLARK, 137 Lorenzi Street
STEVE HINSON, Nevada Department of Transportation
TOM McGOWAN, 720 South Casino Center Boulevard
JUNE INGRAM, 505 N Torrey Pines

NOTE A Verbatim Transcript is made a part of the Final Minutes

Councilman McDonald recommended that Item 1 be forwarded to the Full Council with no recommendation.

(3 29 - 4 32)
1-706

2 DISCUSSION AND POSSIBLE ACTION TO APPROVE A FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND VARIETY DAY HOME, ADDING A PROVISION FOR REIMBURSEMENT TO THE CITY FOR SECURITY GUARD SERVICE EXPENSES INCURRED BY VARIETY DAY HOME

David Roark, Manager, Real Estate & Asset Management, stated that Sister Diane, Variety Day Home, desires to contract for a security guard through the City's annual contract. An amendment was added to the existing agreement with Variety Day Home to hire the guard. Variety Day Home would be paying all the expenses and will be billed on a monthly basis

Mr Roark submitted for the record a list of the Board of Trustees of the non-profit organization as required by the Disclosure Resolution and recommended approval

Tom McGowan, 720 South Casino Center Boulevard, verified with Mr Roark that Variety Day Home is a non-denominational, non-profit organization supported by the State and Federal government in providing child care services to various low income families Mr. McGowan added that an in-depth and comprehensive audit should be conducted of all care facilities, particularly of the credentials of all persons that are involved with professional care givers for those places. Throughout the country there have been a number of instances of abuse in care facilities, and it is time the City take a very pro-active, responsible stance on this issue

There was no further discussion

Councilman McDonald recommended that Item 2 be forwarded to the Full Council with a "Do Pass" recommendation.

(3:08 - 3:11)
1-25

3 DISCUSSION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS VEGAS AND CLARK COUNTY SCHOOL DISTRICT, RELINQUISHING THE CITY'S INTEREST IN APPROXIMATELY 20 ACRES OF LAND IN THE VICINITY OF ANN ROAD AND CAMPBELL

David Roark, Manager, Real Estate & Asset Management, explained that many months ago the Clark County School District asked that the City relinquish the property for the purpose of constructing a middle school. A Memorandum of Understanding between the City and the School District states that the land will revert back to the City if the School District fails to receive approval by BLM for the construction of the school.

Rob Steppke, Clark County School District, presented a new school site design plan located on the south side of Ann Road, north of Hammer, west of El Capitan and east of Campbell. Originally, the school site was running in a north and south direction on the 20 acres owned by the City. Area residents asked that the plan be re-evaluated because of concerns about traffic impacts on Campbell Street if the school is built. Several weeks ago Mr Steppke met again with the residents and showed them the different configuration of the school site. The school bus drop off was moved to El Capitan Way and the ball field areas were moved further to the south.

Juanita Burrows, 5565 Campbell Street, stated that this is a designated rural preservation area and in 1996 the Master Plan showed that the site would eventually become a park. Most of the residents built their homes on that premise and would like to have this area preserved as a rural area. Ms. Burrows submitted a petition with 134 signatures opposing the construction of the school. Mr. Roark clarified with Councilman McDonald that his office did not receive the petition. However, some residents called his office wanting to remove their names from the petition because the School District redesigned the site plan.

Ms. Burrows noted that the plan presented by Mr. Steppke is not the one she saw two weeks ago. It seems that every time the School District meets with the residents, the plan is modified. However, she gave Mr. Steppke credit for trying to work with the neighbors. She realizes that there is a need for a school, but it is needed in a more populated area. Most of the children that attend the grade school in the area are bused in. The School District was given four alternate sites by County Commissioner Malone at the last meeting, and one was an 80 acre site with room for expansion.

Juanita Clark, 137 Lorenzi, noted that when a plan is modified the residents in the area must be notified well in advance of any changes to make sure that their concerns have been addressed.

Tom McGowan, 720 South Casino Center Boulevard, concurred with the previous speakers. The process needs to be made as coherent as possible with public involvement at the pre-decision stage, not after a decision has been made.

Bonnie Peterson, 8888 Hammer Lane, stated that when she bought her house she was told that a park would be built on this particular site. Originally she was strongly opposed to the school, but the School District has done a good job working with the residents to redesign the school in order to lessen the impact on the neighbors. She is happy with the new plans and hopes that the school will be built as redesigned.

Mr. Roark explained that the City of Las Vegas sent out notices notifying the public regarding this item and that the mailing list was obtained through Bureau of Land Management. Councilman McDonald pointed out that the site is in Councilman Brown's Ward and that he needs to be made aware of this decision. Ms. Burrows asked whether the item can be held in abeyance at City Council. Councilman McDonald suggested that she speak with Councilman Brown before the City Council meeting.

Councilman McDonald thanked Mr. Steppke for taking the time to meet with the residents and for modifying the plans.

Councilman McDonald recommended that Item 3 be forwarded to the Full Council with a "Do Pass" recommendation.

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CITIZENS PARTICIPATION:

Tom McGowan, 720 South Casino Center Boulevard, read and submitted his comments for the record regarding public notification for public meetings.

Barbara Roth, 112 Temple Drive, asked if it is possible to hold the City Council meeting in the evening when most concerned residents would be able to attend. Councilman McDonald replied that he would pose that question to the Mayor and Council.

(4:32 - 4:37))

1-3340

ADJOURNMENT:

The meeting adjourned at 4:37 p.m.

/ac

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**VERBATIM TRANSCRIPT - ITEM 1 - ABEYANCE ITEM - DISCUSSION AND POSSIBLE ACTION TO
APPROVE A REQUEST FROM NEVADA DEPARTMENT OF TRANSPORTATION TO PURCHASE THE
CITY'S CHARLESTON HEIGHTS NEIGHBORHOOD PRESERVATION PARK IN ACCOMMODATION OF THE
PLANNED US95 WIDENING PROJECT**

COUNCILMAN McDONALD

That moves us on to – our first item - Discussion and possible action to approve a request from the Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation for the planned US95 widening project for \$3,678,000, excuse me, 300, \$3,670,000, Nevada Department of Transportation. Mr. Ward, Ms. McNellis. Okay.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Councilman, I'll be representing this item. John McNellis with the Department of Public Works. This is an abeyance item that we're seeing for the second time in front of Real Estate. This is where the City is trying to formally acknowledge and respond to the NDOT offer to purchase our Charleston Heights Neighborhood Preservation Park for \$3.67 million.

As staff looks at this, this is in accordance with previous City Council actions to support the US95 widening project. Staff would recommend that the City go ahead and accept the \$3.67 million offer. Staff also recommends a couple of conditions that would go along with this sale. That would be that we take the proceeds of this, that we allocate \$1.17 million back for repurchase and reconstruction of a smaller, passive neighborhood park. This would be an approximate two-acre site that would be the far west edge of the existing Adcock Elementary School site after it's demolished in the future. And that the City also take the remaining two and half million dollars and dedicate that for future public park projects. That the future public projects are not on a list right now. This would be an item that we would bring back in front of City Council for formal allocation by the City Council, where that money would go.

Staff is also requesting approval from Council to go forward and work with the NDOT for salvage of certain items on the existing park site right now. Those would include the soccer lights that are out there, the playground equipment, anything that we can reasonably haul away and utilize it at another park site.

The NDOT has responded that they have placed a value on – those salvage items out there. Staff has recommended and requested a ceiling of \$25,000 to be used for the salvaged cost items. The salvage will come in way less than that, but we'd just certainly like to keep our options open. We will have to hire some help to try to get some of these salvage items off from the site.

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So that's, staff's recommendation is to proceed forward, accepting the offer.

COUNCILMAN McDONALD

Thank you, Mr. McNellis. Ms. McDonald.

COUNCILWOMAN McDONALD

Yes, Councilman. Just a couple of points, I thought, need to be, I guess, clarified for the record. As Mr. McNellis had stated, kind of the triggering, or the, I guess perspective triggering of the dominoes here is the US95 expansion in a area that, where our two wards come together there, at Torrey Pines, and the need to rebuild Adcock Elementary School. And I think that if John or David could just clarify for the record that that was the sequencing of events, that it's US95 needing to take Adcock Elementary that is triggering the need to utilize a City Park.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Yes. And, Councilwoman, I'll just step through that. What the sequence of events would be is that to get the project started, the NDOT certainly needs to acquire the properties that they will ultimately need for the US95 expansion. A component part of this is the – Adcock school, at present, will be impacted by the US95 expansion. The School District and NDOT are working together to rebuild Adcock Elementary within this neighborhood. To make that happen, what the sequence is is that they need to provide a space for the new site, for the new school to be built on. That would be our present park site.

COUNCILWOMAN McDONALD

Right. Now, just for, again, for the record, so if the City did not give the site to NDOT and decided that we did not want to enter into this agreement, what would be the impact of Adcock Elementary?

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

That, I don't know if I could even dream up the impact. Rob Steppke is also here from the School District. Certainly the school needs to be moved out of the physical way of the US95 expansion. Possibly, they could come up with a different school configuration, but with the school and the age of the school, I -- doubt if anybody desires to just do a remodel job.

Mr. Steppke may want to throw something in, so I'll turn the mike over to him.

ROBB STEPPKE, CCSD

Councilwoman, Robb Steppke, Clark County School District. If we were to have to close the school because of the NDOT action and if the property currently owned by the City of Las Vegas was not available, the challenge would be to find

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suitable acreage in the general area, which, I believe, probably would be extremely difficult given the density. We would probably have to look at locating, relocating Adcock outside of the given area at this point in time. The other impact is that until that school, the replacement for Adcock can be (inaudible) turn key. We really cannot afford to give up the seats we currently have at the Adcock School. So we're really needing to have something we can just walk into and open the doors to say, okay, here's where class is gonna be from now on, before anything can happen to the existing Adcock.

COUNCILWOMAN McDONALD

Right. And, again, I just, you know, mention those comments and thank you for mentioning those points, because, you know, from my perspective, it's then somewhat of a catch-22, you know, all along, is, at least how the facts have been presented to myself. That we truly have a challenge of whether preserving a – neighborhood park and losing a neighborhood school or possibly impacting the existing elementary schools in the area. I guess, a possible scenario would be sending – I mean, I don't even know. I'm, again, is – City Council business is not building schools or setting zones, and that type of thing for school children. But as a parent, I would just think common sense would tell you that, if the school had to leave, one or two things would happen: You'd either have to send the 600 children out of the neighborhood or impact the other neighborhood schools Burk Warren, for example, just up the street a little bit, I'm assuming they too have 600 plus students there and probably don't have the facilities to accommodate another 600.

That would, I would, I guess, that would be correct and if you could speak to that.

COUNCILMAN McDONALD

Rob?

ROBB STEPPKE, CCSD

Well, your point is well taken, Councilwoman. The, again, the impact from the surrounding schools is gonna be felt. Obviously, we would not be able to say what schools would be felt more than others --

COUNCILWOMAN McDONALD

Right.

ROBB STEPPKE, CCSD

-- without taking the matter and study further.

But suffice to say I, we don't have a vacancy problem with schools in this Valley right now. So, this area is not, is included in that.

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COUNCILWOMAN McDONALD

Right. I do have, I guess, a question of staff as the, not having – Again, I was planning to attend the meeting, and so I apologize that I have to conduct my business here by phone. But the question I had from, not having the contract language in front of me, I'm assuming that this is contingent on the EIS being approved and the US95 expanding. So, therefore, if this never occurred, this would be a moot point.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

That is the way staff is taking their present offer. NDOT is in the (inaudible) if they're as a non-concurrent. They are.

COUNCILWOMAN McDONALD

Okay. And then the question would be if for some, whatever reason, the School District decided to not build a school on our site for whatever reason; is there a provision in the contract that that site would remain, or revert back to the City of Las Vegas? Is there language to that effect in the contract?

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

We'll certainly include that in the contract.

COUNCILWOMAN McDONALD

Okay. And I guess the third condition or provision that I would want to see is that, and I believe Councilman McDonald concurred, again, having just to the east of Torrey Pines his Ward begins, and, beginning January 1, all of this will be his, included in his Ward. But I would want to have language to state that the \$2.5 million is expended in the impacted area within, and I define that as the Charleston Preservation area. And, within those boundaries, I think, you know, I feel very strongly that those residents -- And again, I live in this neighborhood myself and my child takes advantage of these facilities that are, that may be lost. But, you know, again, as a parent, it's more important for me, given a choice between a neighborhood school and a neighborhood park, I'll choose the school any day of the week.

So, therefore, I think it's very important that those dollars, if there is 2.5 approximately residual remaining, it would be my desire to see that that is reprogrammed into the Charleston Heights Preservation area.

JOHN McNELLIS, DEUTY
DIRECTOR, PUBLIC WORKS

We – hear your comments. As I said before, we'll certainly have this item come up in front of the full Council so that allocations could be done at that time. But we certainly hear your direction.

COUNCILWOMAN McDONALD

Thank you. And thank you, Councilman McDonald.

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COUNCILMAN McDONALD

Thank you. I think it's important to some of the, messages that were sent. We worked diligently to get this park put in far back as '95, July of '95 is when we first started to get the property back. It was slotted to be a income, low-income apartment complex, federally funded, then it went back to density of houses. Everything that we fought, we finally saw the day come forward when we did receive it. It is a challenge right now with what has come before us, and I concur with Councilwoman McDonald that we have fought for years trying to develop a wonderful park. We finally developed the park, and now we're gonna put a freeway right through the middle of it. So, if the funding was brought, this money definitely does has to stay in the area of the neighborhood preservation of Charleston Heights.

We have – I can't tell you the extensive work we've done to keep this neighborhood together. We've fought businesses that wanted to come in that didn't belong. We've taken up stances on day cares that didn't belong there, illegal businesses that opened up, which we're still fighting all the way to the Supreme Court, it looks like. And now the park, so –

I know there's representatives here that wanna speak, and I definitely wanna hear from them, as well.

Councilwoman, did you have your meeting?

COUNCILWOMAN McDONALD

We did have a meeting on the – I can't remember – last, a week ago, Monday, at Johnson Middle School. This, you know, topic came up again, you know. Not that there was, I would say, we characterized it as anything that was resolved. You know, I tried to give a – history of the, this particular site, and you are correct. It was something that in the 70's it was owned by NDOT. NDOT gave it to the City sometime in the 80's. The, and the City gave it to the Housing Authority sometime in the 80's. The Housing Authority was prepared to sell it to a developer to put in, as you mentioned, high-density, low-income housing in the neighborhood, and the City, you know, stepped in to try to put in a – use that was more desirable to the residents. So, again, it has been very a long process and a lot of entities that have been involved in the mix.

But, again, I think the, you know, the – sense that I had that, you know, how, can we reprogram the – soccer fields, for example, you know, there's been comments that we're losing the two soccer fields. And, yes, we will be most likely,

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based on the new configuration, losing those soccer fields, but at the same time the City has already approved, I believe – John, correct me – between 10 or 16 new soccer fields that will be going in at Lake Mead and Tenaya. And, I, too, have also recently received a unsolicited proposal to possibly develop a private soccer park at Buffalo and Washington by, on BLM land just north of the Summerlin Parkway.

And so, I – while we may be losing those immediate, those two soccer fields, there are others coming on line very close, five minutes away from the site. And so we try to take into context those things as well as how can we reprogram these \$2.5 million and things from, you know, the Mirabelli and Gary Dexter Park. Some of those that are, again, within the – immediate vicinity of Charleston Heights. You know, how could, we're, you know, tasking our staff to then come back with more specifics as to if we go through with this, how can we reprogram those dollars to have, you know, significant benefit to the residents losing the park site.

COUNCILMAN McDONALD

Thank you. Open to the floor, public.

BARBARA ROTH

Okay, the City Council should not allow the sale or the agreement of sale of the Charleston – I'm sorry?

COUNCILMAN McDONALD

Name and address.

BARBARA ROTH

Oh, I'm sorry. Barbara Roth, 112 Temple Drive. The City Council should not allow the sale or – agreement of sale of the Charleston Heights Preservation Park because the future of the widening of US95 is unclear. It would be unconscionable to agree to sell the park or, under the – objections and concerns by the US EPA as it now stands.

There were over 20 objections or concerns against the, this particular project, many of them dealing with US95. Since EPA's response to NDOT's US95 project draft environmental statement came back, the widening status has been in question due to conformity, to non-conformity with the Clean Air Act as well as the National Environmental Policy Act and Statute 40, CFR 1500 to 1508 and the Council on Environmental Qualities. These are the same laws that under 40CFR 771101, the F – the Federal Highway Department must also follow.

Also the Federal Highway Administration, according to US, to 23 USC, describes policies and procedures of FHWA for the implementation of the exact Federal statutes, or the

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same statutes as I stated before, cited by US EPA. 23CFR 771.113 states final design activities, property acquisition shall not proceed until the following have been completed: A final EIS has been approved and a record of decision has been signed. According to NDOT, the F – EIS will take about 30 days; is that correct, Roger?

ROGER PATTON

We're hoping that (inaudible) You want me to formally respond?

BARBARA ROTH

Yeah, I – Go ahead.

ROGER PATTON

Roger Patton, Louis Burger & Associates, Project Manager for the US95 Widening. The final Environmental Impact Statement has been sent to Carson City to the Federal Highway Administration for signature. The normal procedure is that once they sign it, there's a 30 days period public and other public comment period prior to the final decision of yes or no, a go or no go on the project.

BARBARA ROTH

Who sends it to the EPA? Do you or do they?

ROGER PATTON

We will be sending it to the EPA directly from our office as soon as we get a signature on the – document.

BARBARA ROTH

Oh, I see. Okay, all right. Well, that process takes about --

COUNCILMAN McDONALD

Thank you, Roger.

BARBARA ROTH

-- it takes about 30 days, I think, for – your end of it. Then the EPA will probably have it about another 30 days. And then 771.127 in the same law states that a record of – decision shall be signed no sooner than 30 days after publication in the federal register. So you're looking at around 90 days, which is three months. So there is really no rush on this.

I would like to also state that the EPA questions the basic premise that air quality would be improved by this project and that transportation would be improved – in the intermediate as to long-range. They question that also. EPA's interest is – in air quality and health of the people and their major premise is that more lanes neither help transportation nor air in the middle to long term. Studies of other regions of the US back them up. For this region, for this reason alone this project is in jeopardy.

Further, I have about 20 things listed here, but I won't read them all --

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COUNCILMAN McDONALD

Thank you. Barbara, if you want to make that -- Barbara, if you want to make a copy and make that part of the record, --

BARBARA ROTH

Yes.

COUNCILMAN McDONALD

-- after the meeting we can make a copy and -- leave those 20 complaints in there.

BARBARA ROTH

Okay, all right. Fine, we'll do that. All right. And -- there's more. I spent Saturday in the park. It was filled with kids from 9:00 to 4:00. I talked to parents who knew nothing about the taking of this part, some of them didn't even know about the widening of the highway, which shows how long this process has been going on. They asked me, and they could not be here because 3:00 is when stay at home parents pick up their children and -- of course, there's many, many families in which both parents work. So this is a really bad time to have a meeting. But they were very upset that they might lose their fields. They said even if you build more soccer fields, as Miss Boggs, Boggs-McDonald stated, they will -- they need those right now. They need them yesterday. They, I mean, people will, I -- one night I went over to the park and at 5:00 in the afternoon the people that were going to use the park at 6:00 were already there because they were so afraid they wouldn't get a soccer field.

So, soccer fields and parks are very, very much in demand. Especially in our area. And it's interesting this doesn't just affect our area. It affects apparently a very large area because people drive for miles to get to that park. So it isn't just a, along US95 issue. It does affect the whole City. And I have Rick Grenell, he's a state soccer, he's in the State Soccer Office, if anyone would like to contact him. And I've been talking to Noreen Kanaups, her name is, with the Girls City Soccer League who's -- very interested in this too. There are probably maybe five or six different soccer leagues that they named off to me.

All right. Another thing that you all must consider is that before this can be sold, the City must declare this an insignificant park and it had, according to what I read, it had to be done when the alternative was being chosen. And I'm getting -- Well, I would like to make the note that of course the local officials, that is the City of Las Vegas that have, that are over the park and take care of the park, are the local officials that would have to determine this park to be insignificant. If it's not declared insignificant, then it is

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considered to be significant. This is under a federal statute, which I also have listed here.

Then we have a few more things here. The reason that the EPA is rather opposed to the widening of US95 is that more lanes mean more vehicle miles traveled, which cause more VMTs which equal more pollution. That's one of their, the basic things that they are – stressing. These additional lanes are predicted to congest within as little as two years and an NDOT official said that himself. Tom Stephens in 1993 in an article in the Sun, I'm sorry, 1996 in an article in the Sun, stated that more lanes just cause more traffic to fill up, in the additional lanes.

Also, there's a fallacy that air is getting cleaner because cars are being manufactured with cleaner burning emissions is negated by the large amount of people moving here. And you kind of, and you have to look at who some of these people are. Sometimes if a hotel opens and they hire 30,000 people, the majority of these people will be service workers who don't make large salaries. So they drive older to medium size cars. The retired people moving here also tend to hold onto their cars longer. If we had a static population, the theory would hold that eventually our air would get much cleaner because new cars would replace the old. But with – people always moving in, you're, there'll always be that problem.

And there are some EPA objections which cannot be changed or negotiated away. And those are ones that the EPA objects to significant impacts to establish poor neighborhoods. I imagine that's a neighborhood like mine, one that's closest to downtown and "F" facilities.

The EPA objects to the noise along US95. Some areas register 69 to 77 decibels. I think as I recall it – 67, am I correct, Roger, 67 decibels is what the Federal Government allows. I realize that sound walls can help this to a degree, but this highway will probably be at 85 decibels by the time it's – opened.

COUNCILWOMAN McDONALD

Mr. Chairman, I – not to interrupt --

BARBARA ROTH

Excuse me. Another thing is -- Yes.

COUNCILMAN McDONALD

Hold on. Barbara, hold on one second. Go ahead, Councilwoman.

COUNCILWOMAN McDONALD

I just had again a question, not to interrupt Barbara there,

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again, the sequencing that Mr. McNellis talked about that what, again what is before us today, and as I understood it was an agreement that is contingent upon the Nevada Department of Transportation receiving that record of decision. That if they did not receive the approval and the record of decision, that this whole discussion is moot, as it relates to this park site.

COUNCILMAN McDONALD

Mr. McNellis?

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

That is very true.

COUNCILMAN McDONALD

So, --

COUNCILWOMAN McDONALD

So everything that Barbara stated as far as things that have to occur is correct, that yes, all those things need to occur, and if they do in fact occur and NDOT gives the thumbs up to proceed, they will expand and Adcock must be taken.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

That is true. What really is happening is that many different aspects of the project are all moving forward in parallel. And that, you know, certain hurdles are being hopefully accomplished today. There's -- other hurdles that still need to be accomplished in the future, all going toward this project. If everything comes together, it will move forward as a -- completed, approved project. If any of those hurdles isn't --

COUNCILWOMAN McDONALD

Right.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

-- passed over, the -- you know, any one of those could stop the project.

COUNCILWOMAN McDONALD

Because I don't want anyone to be, I guess the reason why I bring that up is that I think there's an impression somehow that if US95 is not expanded, we somehow have sold the park to the State of Nevada Department of Transportation.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

No, that --

COUNCILWOMAN McDONALD

And that -- I mean, and that --

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Everything is contingent on the highway project moving forward. If it does not move forward, there's no reason for the City to sell the park.

BARBARA ROTH

So what are we doing here? Is this just to get a basic

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agreement with the City in case it does go forward?

COUNCILMAN McDONALD

This is an if-come. It's almost like an if-come. If it moves forward and they do meet the recommendations, they do meet the requirements of what you stipulated and addressed here today, as well as what the documentation which you're going to give us for the record, then they would move forward, the sale aspect would move forward if the recommendation to sell the property to the State for the acquisition.

COUNCILWOMAN McDONALD

To Bill Adcock Elementary, because I think, Councilman, that, again what is the triggering event for the, is the need to build Adcock Elementary School in that neighborhood. That's the only reason, at least in my view, that we'd even entertain selling a park to the Nevada Department of Transportation.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

To put just a little different light on it, what -- really is trying to happen is -- we're trying to I guess set the stage is that different players are saying either yes or no to the EIS. There are certain assumptions that have been written into the EIS as mitigation measures. One is that the City will sell our park site. Another one is that the School District will work with NDOT, that NDOT will fund a brand new Adcock and all of these pieces of the puzzle really need to be dealt with kind of as they're all laying on the table here. So, -- what it is is just one step in a multi-step process.

COUNCILMAN McDONALD

When do you think that'll come before us, as far as the following study that Barbara's brought up as well as the comments that Councilman McDonald. Do we have a time line? I mean, this is something --

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Maybe let Mr. Patton respond to that time line-wise.

COUNCILMAN McDONALD

All right. I'll defer that one until later. Roger, want to take a stab at it now?

ROGER PATTON

Yeah. Roger Patton, Louis Burger & Associates. What is being said here is very true. First of all, you know, all of the comments, the EPA, Barbara Roth, many, many people have commented on the draft Environmental Impact Statement. We have responded to all those comments in the manner that's appropriate for such a document. We have sent them, sent our responses to all the comments to the Federal Highway Administration in Carson City and San Francisco and have gotten a -- finding of legal sufficiency on

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the document as it now stands, which would allow the Federal Highway Administrator in Carson City to sign the document.

The three 30-day comment periods that Barbara Roth is talking about actually run concurrently. So that I would – guess that we're probably less than 60 days out from a decision of either yes or no. In other words, we've done everything we possibly can. Now it is going to be up to the Federal Highway Administration, EPA either to yes, say yes or to say no on the project.

If they say yes on the project, then the reconstruction of Adcock Elementary School is on the critical path for the entire highway project to go forward. NDOT would like to get everything set up and ready to go so that when it, when and if it is approved, then the proje – then the acquisition of the school, acquisition of the park and school can be finalized and the project can – reconstruct that school as soon as possible. Because they can't do anything with the highway until the school is completely finished.

BARBARA ROTH

May I ask --

ROGER PATTON

So we're just trying to make, set things up so that they can go as fast as possible once and if it is actually approved.

COUNCILMAN McDONALD

Barbara.

COUNCILWOMAN McDONALD

And also -- Go ahead, I'm sorry.

COUNCILMAN McDONALD

Go ahead.

BARBARA ROTH

May – I ask a question? Then if, okay, you're trying to – do this now on a tentative basis. You're not actually buying this park at this point; is that correct?

ROGER PATTON

I – think what we're trying to do is to set up all the agreements so that federal money can be used to buy he park the minute the record of decision is received.

BARBARA ROTH

Okay. If it goes on the table, that is.

COUNCILMAN McDONALD

Councilwoman McDonald.

COUNCILWOMAN McDONALD

And again, the question about Adcock being on the critical path and maybe our School District representative can speak to this, but it's my understanding the intent is to have as little impact to the current Adcock school children so the

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desire was to build a brand new school first and then move those children into that new facility before the current Adcock was demolished; is that correct?

ROBB STEPPKE, CCSD

Robb Steppke, Clark County School District. Yes, that is correct.

BARBARA ROTH

Mr. Steppke, could I ask a question?

ROBB STEPPKE, CCSD

Sure.

BARBARA ROTH

Was Adcock recently remodeled?

ROBB STEPPKE, CCSD

No.

JUNE ABRAHAM

Yes. Yes, it was.

ROBB STEPPKE, CCSD

There was -- some --

JUNE ABRAHAM

(inaudible)

ROBB STEPPKE, CCSD

I don't think it was a total rehab. There was some, something was done.

AUDIENCE

(inaudible)

BARBARA ROTH

But nothing major, you're saying.

ROBB STEPPKE, CCSD

To my understanding, there was some major renovation planned for the school and --

BARBARA ROTH

This is what I got from the parents and I wasn't sure parents really knew.

ROBB STEPPKE, CCSD

Yeah. Well, I don't -- fortunately I am not the person that handles the rehab and modernization for the District. However, I can tell you that there was some major rehab planned and when discussions were underway about replacing Adcock, I know that some very important, major things that were critical were performed, just to insure safety and so forth. The other -- wish list, as it were, was not performed.

BARBARA ROTH

Okay. Now, the other -- I didn't finish my objections that can't be changed or negotiated. May I finish those, Councilman McDonald?

COUNCILMAN McDONALD

How many more do you have, Barbara?

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BARBARA ROTH I have about three or four. I won't read all -- of them.

COUNCILMAN McDONALD Who else wish to speak on this item?

TOM McGOWAN I.

COUNCILMAN McDONALD Okay, anyone else? Juanita, you have a long presentation?

JUANITA CLARK No.

COUNCILMAN McDONALD Barbara --

BARBARA ROTH Juanita has a map she wants to show you --

COUNCILMAN McDONALD Continue, Barbara. Go ahead.

BARBARA ROTH Okay. The Las Vegas Valley is seriously (inaudible) nonattainment, as we all know, for CO and PM10. And neither air nor transportation will improve until Las Vegas seriously addresses growth issues according to EPA. That's when they get into the adding of more lanes causing more VMTs as not a good thing.

EPA views this untenable the choice of taking part of a historical archeological dig or 65 houses in one other significant area along the highway. So there are a lot of things that deal with a highway that come back to the park again.

All right. Growing evidence studies, and this is since, these are studies since the 1940's, I'm sorry, suggest additional highway capacity generates additional travel and EPA, and thus more VMTs, thus more emissions. EP, as I said before, they also object to the impacts to the (inaudible) facilities. There are eight in that five mile area. That would be Lorenzi Park, which will be closer to the highway, Western High School, of course Adcock, Garside's grounds and the Water District. And of course Mirabelli park and the park that we're talking about. There are three parks and four schools and the Water District, to boil it down. And I think that's all that I need to say for right now. I have some other statutes but we'll leave that for later.

COUNCILMAN McDONALD Also if we get copies of what you want to submit for the record.

BARBARA ROTH Okay.

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COUNCILMAN McDONALD	Ask you to make copies, give them to our Clerk.
BARBARA ROTH	Okay, I sure will. Be happy to.
COUNCILMAN McDONALD	Ms. Clark.
JUANITA CLARK	Yes, Juanita Clark, 137 Lorenzi in the City of Las Vegas, Nevada. I – want to address some comments that were made in the previous Real Estate meeting that this kind of a commitment had to be made and this, I don't know if this is a direct quote or not, but the commitment must be made to NDOT so they can, for federal funding purposes. And I – find this – questionable that if it must be made, I'm under the impression that the City of Las Vegas actually does not have to do this at all. And I would like a response from either NDOT, Mr. Harison (sic) or – John, whoever.
UNIDENTIFIED WOMAN	(inaudible)
UNIDENTIFIED WOMAN	Could you quote the federal statute that says it has to be done now?
STEVE HINSON, NDOT	Well, my name is Steve Hinson. I'm with the Nevada Department of Transportation, 123 East Washington. And we don't expect to finish this particular transaction until after the – final EIS is approved, if it is approved. And I think that's --
JUANITA CLARK	And the record of decision?
STEVE HINSON, NDOT	-- and the record of decision, yes.
JUANITA CLARK	Yes, uh huh.
STEVE HINSON, NDOT	And that's – the whole point that we're trying to make today. This, we have a lot of work to do in order to carry this on in the event it is approved and we're trying to get a head start in case it is approved. And the -- issue regarding funding and so forth, it, if the transaction doesn't happen until after the record decision, then the funding is a moot point because federal funding would be available after that record is – approved, if in fact it is.
JUANITA CLARK	Are we moving forward a little too quickly then?
STEVE HINSON, NDOT	We have a lot of work to do. There's a lot of work to do in – regard to this. We have agreements – and so forth and naturally it's got to go through City Council and we have,

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there's a lot of things that have to be done.

JUANITA CLARK

Juanita Clark again. Mr. Hinson, and I apologize for mispronouncing your surname, have you acquired other property agreements to acquire other property already?

STEVE HINSON, NDOT

No, not yet. This is the only transaction that we've even discussed with anybody has been with the Clark County School District and also the City of Las Vegas.

COUNCILMAN McDONALD

Is that because they're government entities?

STEVE HINSON, NDOT

Pardon me?

COUNCILMAN McDONALD

Is that because they're government entities?

STEVE HINSON, NDOT

Well, it's primarily because of the fact that we have to construct Adcock Elementary. There's roughly a year and a half lead time we need to do that.

COUNCILMAN McDONALD

Right

STEVE HINSON, NDOT

And in order to – get started, we have to – finish this transaction.

COUNCILMAN McDONALD

Okay. Miss Clark.

JUANITA CLARK

I would – surmise from – his discussion that actually the – past two meetings and this – type of a meeting, a Real Estate Committee meeting is – very premature, has not been – discussed with the – population that's involved in this, is concerned with this. That even – though our government is to be representing us, to say that this must be done at this time, that it is a premature issue, that it be waited until this – agreement is made. It would be very nice to have things ahead of time. I would like to get my Christmas presents yesterday, it doesn't happen. No birthday presents though, thank you.

It's – one of those things that would be nice and when governments work together, they get things accomplished at the expense of the population. And I think – that each one of you knows this, when you – analyze it, you know the effect of, on your own lives of government. And it's not to the advantage of the population when we are left out of – the – issue. And here again, we say how in the world did they find out and yet there were meetings being held, and we're not a secret organization and we certainly try not to be subversive. We want to be right out with our government

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officials, talk with them, we tell you what we think. Hopefully, you would share with us what we -- this -- has really not occurred. This was brand new to us two weeks ago, we heard this information for the first time. And -- we're in a state of shock, so to speak.

We have had two weeks in, to collect signatures, to contact soccer players, to contact our neighborhood. That's not enough. We do not have the facil -- paid staff, we're not paid here today, as a lot of you are. We aren't. And many people that we asked to be here are not here for reasons that Barbara mentioned as well as for that very reason. I feel that it's premature. I -- notice with added horror that this was actually discussed at the City Council meeting last time? Is that correct?

COUNCILMAN McDONALD

No, I believe the -- No.

JUANITA CLARK

Was it --

COUNCILMAN McDONALD

See the way this -- Go ahead, Councilwoman.

COUNCILWOMAN MCDONALD

No, but it -- Councilman, again, I can emphasize and again this would be in my own neighborhood, but I would have to disagree that the taking of Adcock Elementary School is something that's just come up in the last two weeks. Because I have attended many of the public hearings that the Nevada Department of Transportation has held, both in the neighborhood as well as at, you know, West Sahara and different locations. And this is dating back to 1998 and 99, earlier the year. I, myself, when we had a Charleston Heights neighborhood meeting at West Charleston, we brought a drawing that showed the proposal of rebuilding Adcock Elementary School and that was at least two months ago. So this is not something that Adcock having to be rebuilt is not something, I would have to take exception to that, that it's something that has been discussed at public hearings for at least a year that I'm aware of.

JUANITA CLARK

Councilwoman, I agree with you. I also have attended all those meetings, including the US95 Citizens Review Committee meetings, except one. And I am aware of that situation. The fact that the City was going to make an agreement prior to the acceptance by the EPA of the study is what I'm -- referring to, Councilwoman.

COUNCILWOMAN McDONALD

Okay. Okay, all right. That's fair. That's fair.

JUANITA CLARK

Not the fact of that. However, I would along since this -- has

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come up, the plan that was presented to us as fact, with a colored map no less, of the amount of property that was going to remain once the Adcock School was rebuilt on this vacant piece of land at the time, currently a park. Fortunately, we had exactly 100 – we've had exactly one year, the park is one year old as – we classify it Sunday. And what is occurred was that the amount of land, the size of the soccer fields, the baseball field that was placed on this map cannot really happen on the land that will remain.

And also I appreciate the idea that the money go to the particular area. I'm just – wondering again at some point in time, we would like to hear the difference between the 3.67 million and the 25, the 2.5 million and if that is regarding the taking off of the fences and the lights and this type of thing. How does that – difference come up in the numbers?

COUNCILMAN McDONALD

So basically, John, we'll be saving money by reusing the lights, the yardage --

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Well, what it is is the State is actually buying our park site which is a little bit over seven acres for \$3.67 million. Now, what happens is that they have set a value on the park site for their purchase. Now, as – the Adcock School gets relocated, as the old Adcock School gets torn down, there's going to be approximately two and a quarter acre residual site that NDOT could, they – do not have a specific use for it, so they've offered it back to the City. What we are doing is that we are buying the property back for the same price that they originally purchased the park site from us for. So what we're doing is in essence selling a seven plus acre site to them, we're ending up with a two plus acre site back. And the difference is, there's \$3.67 million that they buy the park from us. We – are allocating \$1.17 million to repurchase the two acres of left over property plus the reconstruction of a smaller placid park on that two acre site. Now taking the 1.17 away from the 3.67, we end up with two and a half million dollars surplus money that we are saying, suggesting to Council that we need to allocate that to other park uses.

COUNCILMAN McDONALD

Okay. In the area.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

In the area, yes. And there's \$25,000 maximum salvage value rights that would go along with this to give staff some flexibility to remove some of the items that are on the site at present. But that's a very small part of it. So, the bulk of the money is the purchase. We've got 1.17 that goes back into the neighborhood and then we've got two and a half

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million dollars to be shared around the neighborhood.

UNIDENTIFIED WOMAN

Uh --

JUANITA CLARK

Mr. McNellis, obviously you are -- an expert in this and you're -- doing this focus item very, very well. Whoever's responsibility it is to know, what's going to replace this in the area? Because you did mention last time that it would be researched. I would -- think that if I was going to come and take half of your yard, that you would expect me to also tell you well, you will have another, this piece over here that you can use for your yard. That hasn't occurred and I'm sure this isn't -- your job to do that, to have researched that and have decided well, these people will have this center, this is a center of Las Vegas and of course I kind of compare this to what happened to Gary Reese's area when, because -- we kind of know how that looks. And -- because we know how that looks, we're kind of looking at our neighborhood, we're kind of trying to prevent that, in a way.

And not to vote against anybody, we do have our particular geographical area blocked up with masking tape on this map. And this map does show public vacant land as well as parks. As it currently is, this is not shown as a park here. And of course that is the currently Charleston Heights Neighborhood Preservation Park. So, looking -- at our neighborhood area, in the masking tape and some areas out to the side, you can see where the private/public land is. It's the flesh colored, the salmon colored --

UNIDENTIFIED WOMAN

And the green is parks? Is it --

JUANITA CLARK

The -- green -- is parks. Actually, the parks -- are green. And I don't know if anybody else wants to see that.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

As I put on the record, we do have the two and a half million dollars that we will have to get back in front of the City Council for -- the Council to allocate where they want to spend that money. Staff certainly has ideas where we could spend the money, but we're waiting to take direction from Council.

JUANITA CLARK

We have no problem with staff having ideas on how to spend money. I have no problem, and we do also.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

And -- the other --

JUANITA CLARK

We would just like to be involved with that. And I did

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mention to Councilwoman McDonald that we would like to be – present at the – meetings.

COUNCILWOMAN McDONALD

Yes.

JUANITA CLARK

Not – to be scheduled as speakers or scheduled as presenters necessarily, we would just like to be in on that for -- What I see happening here today I feel should have happened in – a meeting other than a formal, scheduled meeting in front of microphones and – I don't care if we're taped or whatever, but I'm just saying this – dialogue -- is too late.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Well, Councilwoman McDonald had --

JUANITA CLARK

I mean, it should have been done before and I just – feel that making a decision today on such a thing is very premature.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

Councilwoman McDonald has made her commitment that City staff will come out and work with the neighborhood to figure out what will be rebuilt on the two plus acre site in the neighborhood. So certainly we're – offering to work with the neighborhood on what the neighborhood would see as being something complimentary to a much smaller park, but still within the neighborhood.

COUNCILMAN McDONALD

And, Juanita, this still has to go before the Council tomorrow, to be voted on by the entire Council and the Mayor.

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

And just to get one more thing on the record, certainly whatever happens today at Real Estate Committee and whatever happens at City Council tomorrow, there will be a formal purchase and sale agreement that will come back in front of City Council that will list all of the items that were brought up today as contract terms. That would certainly be the agreement that we would put in any of the kickers that if the project does not move forward, this agreement is null and void. If the School District would fall out of the equation, that the – park sale is most likely not going to go forward also. That – would be where all the – glitches within the contract would be put into written format so that Council could act upon that agreement also.

BARBARA ROTH

Then the Councilmen will -- Barbara Roth. The Councilmen then will have to make a decision whether to vote for parks in an area that has very few parks or not. That's the

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bottomline, isn't it? And you could talk about money, if there's no land to put the parks on what good does the money do?

JOHN McNELLIS, DEPUTY
DIRECTOR, PUBLIC WORKS

And that, that's been staff's dilemma all the time, is that there are no large vacant pieces of property that we can just relocate our park site on. So we're having to make good with the very challenging perimeters that have been handed to us.

COUNCILMAN McDONALD

Ms. Clark, can we move forward? Are you done?

JUANITA CLARK

Yes.

BARBARA ROTH

Yes.

COUNCILMAN McDONALD

Mr. McGowan.

TOM McGOWAN

I'll be brief as possible. Tom McGowan, 720 South Casino Center Boulevard. It's really inspirational. What you've all forgotten to mention so far is that you're talking about available money today and available land today which, neither one of which may be available five or ten years from today. A totally different ball game as far as price range. If you can't afford to buy it today, you are not going to be able to even talk about buying it in future. So you have to have an index, an endowment fund of some kind probably.

Now, I note with interest that NDOT has not indicated flexibility in terms of a higher price. Now nothing mandates that they do, of course. But I notice very, with interest, that they haven't bothered to say so anything broaching that topic. And they're not required to. But I note with interest that they haven't. They've been rather quiet.

This item has a striking similarity to the Yucca Mountain DOE/EPA issue. No, I'm serious because you'll find very striking resemblances.

COUNCILMAN McDONALD

How can you compare the two, Tom?

TOM McGOWAN

Because it's an (inaudible) process involving parallel initiatives proceeding simultaneously and converging relentlessly. We have government agencies that will not be denied. One of which happens to be in this case NDOT. The other one is the City. And somewhere in the pack somewhere is what we call the public. So, it's rather easy to predict what the final outcome may be. But I think the most important thing of all is to insure that the process itself

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proceed with integrity and as little interruption from media as possible.

Now if all of the interested and affected residents were duly advanced noticed and availed of an opportunity to provide public query and comment upon the agenda item at an open public meeting of the City Council and any subdivisions thereof, which is what this is, and if the total gross sum of purchase price offered by NDOT is fair and equitable in terms of comparisons of the remuneration provided to dislocated homeowners and also fair and equitable in terms of compensation and remuneration for the loss of neighborhood preservation park acreage proximate location, facilities, amenities, services, necessity and convenience (inaudible) impacted upon the interested and effected residents and children and if all hereto applicable law has been complied with and contingent upon completion of the 90 days or 60 days or 30 years, nobody knows really, procedural term. I would recommend that you eventually are going to approve this item, because the sun comes up tomorrow; okay? And this place is changing.

The point is how you approve it. Who stays whole and who is not made whole. That's the point. But if any one or all of those requirements, any one or all, is not met or have not been met, disapprove and deny the item until such time as they shall all have been met. Now, on a technical matter, and this I'll summarize very quickly, Mr. Chairman, with your indulgence, --

COUNCILMAN McDONALD

Please.

TOM McGOWAN

Let the record reflect that the verbatim text of the abeyance item number one is inaccurate, misleading, incomplete and thereas in violation of NRS 241.020(2)C(1) the Nevada Opening Meeting Law. Since NDOT is advisory only to and non-directive of either the Real Estate Committee and/or the City Council. And since both the hereto pertinent and initially advance public notice and posted Real Estate Committee meeting agenda itemized text dated on Monday, 18 October 99, and the City Council meeting agenda item text that was dated on Wednesday, 20 October 99, utilized the purpose definitive term quote offer, but the herein abeyance text, if you'll look on your agenda you'll see it glaring out there dated Tuesday, 2 November 99, which is today, omits the term offer and instead utilizes the term request, which is non-coincident to and non-interchangeable with the term offer. Has an entirely different meaning, in terms of specific purpose and intent. Hence is unlawful and

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makes this an unlawful meeting and makes all action taken by and during the meeting null, void, non-binding and (inaudible). Somebody says premature, you have no idea how premature. What you need to do if you build a highway this way I am not going on that highway. But if you conduct your meetings as close as possible to the parameters and boundaries of – established procedural integrity, you may have a prayer of getting together somewhere along the line here. And I encourage you to do that. In public comment later, I'll say something nice. But there is a remedy to this.

JUANITA CLARK

In conclusion to that, we – do ask that this be held in abeyance until approval is – received or disapproval is received from, regarding the Environmental Protection Agency, from them.

COUNCILMAN McDONALD

Anybody else wish to be heard. Seeing none --

JUANITA CLARK

I think we have --

JUNE INGRAM

I'd like to say something.

COUNCILMAN McDONALD

Oh, I'm sorry.

JUNE INGRAM

Concerning the school -- June Ingram, 505 North Torrey Pines. Concerning the school, it was rehabbed or whatever you call it, either last summer or the summer before. And I called the School District today and the person who could tell me how much was spent there wasn't in there. I wanted to bring to the figures to you.

COUNCILMAN McDONALD

Okay.

JUNE INGRAM

And this one million that's, we're losing here some place, we're getting two and a half acres back, but that's pretty expensive property, a million dollars for two and a half acres. We'd be paying, we'd say keep the million dollars and we'll get the two and a half acres back. And if I destroy her house, I need to put it back just like I found it. Same size, same everything. And I've not heard anything said about what, they said the school would be more efficient. I'm not, heard anything about the plans for the school. What kind of school we talking about? How many square feet? How many whatever. Nothing's been said about the size of the school.

COUNCILMAN McDONALD

Robb, do we know, off-hand?

ROBB STEPPKE, CCSD

Yes, the – in the initial discussions with NDOT the school

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would be built, my understanding, is similar to the 1994 prototype for elementary schools, that appear in other parts of the Las Vegas Valley. I can't tell you the square footage number off the top of my head, but it's the – current configuration (inaudible) of elementary schools done around the (inaudible)

COUNCILMAN McDONALD	It's built to the spectrum, to the specs, excuse me, of a modernized school.
ROBB STEPPKE, CCSD	Correct.
COUNCILMAN McDONALD	Square footage wise, layout.
ROBB STEPPKE, CCSD	Yeah.
JUNE INGRAM	So the same square foot as the old school?
BARBARA ROTH	How about parking and playground?
ROBB STEPPKE, CCSD	No.
JUNE INGRAM	Okay, there's about 6 to 700 kids there now; would that school accommodate 6 to 700 kids?
ROBB STEPPKE, CCSD	The – previous – Adcock School is obviously an older school. We're no longer using that footprint. The footprint that would be used for this school would be the current modern design and the 9 month capacity would be at roughly 650, a year round capacity, if it were necessary, would be somewhere around the 800 number.
UNIDENTIFIED GENTLEMAN	800, I lost you there.
JUNE INGRAM	For year round; 800 for year round, with staggered. Okay, this is – the 9 month school area; isn't it.
JUANITA CLARK	And he said 650, they've got that. If you, you know what the pop, what the – enrollment is at Rose Warren?
ROBB STEPPKE, CCSD	I'm sorry?
JUANITA CLARK	Do you know the enrollment at Rose Warren? The student enrollment?
ROBB STEPPKE, CCSD	Off the top my head I do not. I'd have to check some figures.
JUANITA CLARK	All right.

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JUNE INGRAM And the Vail Pitman School which is in the area too, they're building on now to that. So the --

ROBB STEPPKE, CCSD Yeah.

JUNE INGRAM These -- are older homes, these are 30 year old --

ROBB STEPPKE, CCSD I'm sorry. I didn't come to this meeting prepared with all these numbers to --

JUNE INGRAM Okay. These are -- 30 year old homes so we know that people who've raised their kids there are moving out into better homes or condos or whatever. So that's the reason that we're having so many, we have so many kids in an area, 'cuz young families are moving in there. So that's the reason we have so many children there. And it's going to continue to be that way, seems like. So we, we're not, it doesn't look as if they're going to decrease the number of children there, decrease. So we're going to have to be rebuilt to accommodate at least the amount that are going to school there now.

ROBB STEPPKE, CCSD And that's what is. That's what the District's understanding is from NDOT (inaudible)

UNIDENTIFIED WOMAN (inaudible)

JUNE INGRAM Is understanding enough or do we have -- a contract?

ROBB STEPPKE, CCSD We, the District recently passed a conceptual agreement with NDOT regarding the school and in that conceptual agreement that the Board of School Trustees approved was that NDOT built us a school similar to the 1994 footprint that would accommodate roughly 600 students, 650 on the 9 month calendar.

COUNCILMAN McDONALD Rob, thank you. I know you weren't prepared to answer a lot of questions, but you, I appreciate you giving it a shot.

JUNE INGRAM Yeah, they -- would still bus kids there if they do, so -- Kids are being bused there now.

COUNCILMAN McDONALD Yeah. Looks like (inaudible). They almost have the same capacity, hopefully to be able to facilitate, have the experience to look at some of the plans from 1994. Serving on the Debt Commission, I know it's an improved school. I believe this was built in the 60's, I want to say 60's, early 70's. So, it'll definitely be an improvement for our area.

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The, anyone else wish to be heard?

JUNE INGRAM

Anyway the park is very much needed there, so let's keep it if we can.

COUNCILMAN McDONALD

And I agree with you. I sponsored a softball, a baseball team, Little League and a soccer team. So, I hear more than anybody that we have needs for the area --

JUNE INGRAM

Did you, yeah. But it's -- Yeah. And that highway goes through there, our neighborhood'll be just like the eastside. (inaudible) doesn't happen.

BARBARA ROTH

Our -- wish, what would make us very happy if the expansion, widening, whatever it is of that four and a half, five miles happ -- is -- approved by -- for federal funds, that this park site not be acquired until all of the other property for the expansion of US95 is acquired. Because there will be time to still build a school after that.

UNIDENTIFIED WOMAN

I'm not.

COUNCILMAN McDONALD

Anyone else wish to be heard on this? Seeing no one, we'll close the public part of it. I have to agree with the comments on both sides. I have to admit that enlightened the process, Mr. McNellis and some of the comments by Councilman (sic) McDonald that were brought forward raised good arguments. It wasn't pointed out to me until obviously when Juanita mentioned it at a City Council meeting, it's on tape, that they're taking the park and I thought they weren't. And it was pointed out they were that I questioned why do we even put a park there to begin with if they're going to be taking property.

JUNE INGRAM

And it's such a short time.

COUNCILMAN McDONALD

Exactly. And that's no fault to anyone sitting in this room or the staff or the previous Council. I just question sometime the motives. So, I'm going to forward this without a recommendation. I think this has to be answered to and heard by the entire board, including the Mayor and City Council tomorrow. I believe points were raised, again reiterating the point that the expansion of US95 as well the improvements to the school, the problems we're having with the school, the need we have in the neighborhood that was just raised, as well as the comments that were made by Councilwoman McDonald dealing that we do have to take the school first. The need for the school outweighs the

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need for the park.

So that'll be the recommendation tomorrow. If you do wish to be heard on this, I believe you should come down for the Real Estate part of it. You can voice your concerns to the Mayor and City Council. I believe I was enlightened here as well as several members of the public that are sitting around to the needs. And I give credit to Councilwoman McDonald as well as the staff that are sitting here today. So, please come down for tomorrow meeting. I know you'll be there, Juanita, and --

JUANITA CLARK

And -- what time is it, Councilman?

COUNCILMAN McDONALD

We start at 9:00. It, this'll be on the recommending -- on the Real Estate Committee, so depending how fast the --

JUANITA CLARK

Is there a meeting prior -- to -- 9:00?

COUNCILMAN McDONALD

No. The Council meeting starts at 9, and it starts on time. So that'd be my recommendation.

(END OF DISCUSSION)

/gpb; vwd

TM/PLE COMMUNITY ~~Item 3P~~ Nov 15 Nov '99 (800 P/L) (McDm/Reese)

Item 1. (ILA/UNLV/GM ST. SCHOOL) (College of Extended Studies)

" < (40") > "

TM. 720 So.

I request a copy of the Interlocal Agreement:

- * WHAT'S THE TOTAL NUMBER OF STUDENTS AND THE TOTAL NUMBER OF STANDARD AND HANDICAPPED PARKING SPACES?
- * HOW IS THE TUITION FUNDED?
- * WHERE DO THE STUDENTS RESIDE AND WHAT ARE THE AGE RANGES?
- * WHAT PORTION OF THE LAND AREA IS DEDICATED TO LAWNS AND LANDSCAPING?
- * WHERE WILL THE CURRENT OCCUPANT CITY EMPLOYEES BE RELOCATED TO, AND AT WHAT COST? \$/W.
- * AND, ... IF THE UPRR PROPERTY WAS NOT CONSIDERED AS AN ALTERNATIVE SITE, ... WHY NOT? ..

12
= 24

I RECOMMEND DIS-APPROVAL OF THE AGREEMENT. ~ THANK YOU.

Item 2. (ILA/UNLV/GM ST. SCHOOL) (College of Architecture)

" < (30") > "

TM. 720.

\$3 W.

7
= 14

- * SAME REQUEST.
- * SAME QUESTIONS.
- * SAME RECOMMENDATION

-- AS THE PRECEDING ITEM #1A.

~ THANK YOU.

(P/C) TM. 720.

" < (30") > "

(~ Wednesday Agenda-Itemized Words 5 and 6 Appointments Process MAY NOT BE A 'SOLID LOCK', ... FOR REASONS NOT NECESSARILY RELATED TO THE APPOINTMENT PROCESS, PER SE. -- ALSO, AND FOR SEPARATE REASONS, ... MY APPROVED APPOINTMENTS ACTION MAY NOT BE SUSTAINABLE SUBSEQUENT TO FRIDAY 19 NOV. 99.

12
= 24

I REQUEST A BRIEF PRIVATE AND PERSONAL MEETING W. C.M. McDONALD IMMEDIATELY FOLLOWING A RE-APPOINTMENT, REGARDING AN IMPORTANT UNRELATED MATTER.

(P. 1.) -

~ THANK YOU.

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: NOVEMBER 2, 1999

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald

ABEYANCE ITEM - Discussion and possible action to approve a request from Nevada Department of Transportation (NDOT) to purchase the City's Charleston Heights Neighborhood Preservation Park in accommodation of the planned US95 widening project (\$3,670,000.00/Nevada Department of Transportation)

Fiscal Impact

☐

No Impact

Amount: \$3,670,000.00 incoming revenue

☐

Budget Funds Available

Dept./Division: Public Works/Parks/Open Spaces

☐

Augmentation Required

Funding Source: NDOT

PURPOSE/BACKGROUND:

In accommodation of the planned US95 widening project, staff has been working with NDOT for an acceptable purchase price for this park. NDOT has completed an appraisal of the park site at the northwest corner of Torrey Pines Drive and Hyde Avenue and, as a result, NDOT has made an offer to the City to purchase this park.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Offer to Purchase
3. Summary of Appraisal
4. Vicinity Map

AGENDA MEMO

REAL ESTATE COMMITTEE MEETING DATE: NOVEMBER 2, 1999

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: Request from NDOT to purchase Charleston Heights Neighborhood Preservation Park

In accommodation of the planned US95 widening project, Staff has been working with the NDOT to arrive at an acceptable purchase price for the City's existing Charleston Heights Neighborhood Preservation Park. The NDOT has recently completed an appraisal of the park site at the northwest corner of Torrey Pines Drive and Hyde Avenue. As a result of that appraisal, the NDOT has made an offer to the City to purchase this park. The NDOT is offering \$3,670,000 for the park site. The offer reflects the appraised value of the land (\$1,745,000) and the park improvements thereon (\$1,925,000). Public Works Staff has reviewed the offer and find the appraisal values acceptable. We recommend acceptance of the purchase offer. (Copies of the purchase offer, a summary of the appraisal and a vicinity map are attached as backup.)

Note must be made that the City will have certain obligations associated with the purchase offer. The Environmental Impact Statement for the US95 Project requires that impacted "Section 4(f) Resources" be mitigated. Because the existing park is being impacted by the proposed highway project, an appropriate "mitigation" must be proposed to and accepted by the Federal Highway Administration to ensure federal funding. The proposed mitigation plan for this park is two-fold. First, part of the purchase funds received will be utilized to repurchase a smaller site (toward the west edge of the existing Adcock Elementary School site following its demolition) and to reconstruct a smaller, passive neighborhood park on this reclaimed site. Second, the remaining purchase funds should be utilized elsewhere for other park facilities benefiting the public. The second part of this mitigation plan would "functionally replace" the programmable features (ie, the soccer fields) that will not fit on the smaller, replacement park being reconstructed in the Charleston Heights neighborhood. To ensure that the impacted park and public park facilities are mitigated in accordance with the requirements of the Environmental Impact Statement, we recommend that the proceeds from the sale of the Charleston Heights Neighborhood Preservation Park be dedicated for the above-noted purposes. As a final note, the City will be allowed salvage rights to the park facilities, however, any items salvaged from the existing park will affect the purchase price and the excess proceeds available for the planned replacement park and other future parks projects. The value of all items contemplated for salvage should less than \$25,000. We request authority to purchase salvage items as determined by Public Works' Parks Division.

RECOMMENDATION:

- 1) Acceptance of NDOT's offer of \$3,670,000 (minus salvage costs).
- 2) Allocate \$1,170,000 of the proceeds for repurchase and reconstruction of a smaller, passive neighborhood park.
- 3) Allocate \$2,500,000 (minus salvage costs) of the proceeds for future public park projects.
- 4) Authorize Staff to salvage items from the existing park with total costs not to exceed \$25,000.



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
P.O. Box 170, Las Vegas NV 89125-0170
August 10, 1999

KENNY C. GUINN, Governor

TOM STEPHENS, P.E., Director

Mr. Richard Goecke
Director, Public Works
City of Las Vegas
400 S. Stewart Street
Las Vegas, NV 89101

Project: SPF-095-2(035)
E.A. 72493
US 95 Widening
Charleston Heights Neighborhood
Preservation Park (Torrey Pines
Park) APN: 138-35-111-003

Dear Mr. Goecke:

As you know, the Nevada State Department of Transportation (NDOT) is still in the design phase for the US 95 widening project. The draft environmental impact statement has been completed, and public hearings were held June 9th and 10th, 1999. We anticipate a Final Record of Decision from the Federal Highway Administration (FHWA) in November or December, 1999. At that time, we will know if the project will go forward.

In the meantime, Nevada Department of Transportation officials have decided to use State funds on two "time consuming" properties, namely: the Torrey Pines Park, and the O. K. Adcock Elementary School. Even though Federal funds have not been approved for these properties, we will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Doing so, will allow NDOT to seek reimbursement from the FHWA in the event the Final Record of Decision is favorable.

The environmental impact statement is the basis for the FHWA's Final Record of Decision, and schools and parks are "protected" properties which must be preserved, or mitigated. Over the past two years, there have been numerous discussions and meetings among the City of Las Vegas, Clark County School District, NDOT, and FHWA officials. The general consensus, and the intent of the parties from the onset, was to offer the School District the "Functional Replacement" of Adcock Elementary, and to construct a City park facility on a portion of the old school site. Under this program the FHWA would pay for the construction of a new school on the Torrey Pines Park site (which was bare land at the time our discussions began), then demolish the old school and encourage the City to build a park in its place. After which, the City of Las Vegas and the Clark County School District would continue to share their facilities to enhance both ownerships.

Richard Goecke
August 10, 1999

What appears to be a relatively simple concept, is actually quite complicated. The Functional Replacement program requires that the School District's *prevailing standards* be followed. One of the prevailing standards for an Elementary School, in the Las Vegas area, is that the site be a minimum of ten acres in size. Following these guidelines, the Clark County School District must occupy ten acres in the "after condition". This will leave approximately two to three acres available along the west side of the remainder for City ownership. In addition, the City of Las Vegas would have the shared use of the facilities at the new, reconstructed Adcock Elementary School.

The State's offer for the City's 7.35 acres of land, and all of the improvements, is \$3,670,000.00. This includes \$1,745,000.00 for the land, and \$1,925,000.00 for the improvements. I have been informed by your staff, that the City of Las Vegas is not interested in retaining any of the improvements at this time, however, if you so choose, NDOT will establish retention values on items of your choice. If you elect to do so, the above offer will be reduced by the amount of the retention value. As an attachment to this offer, please find a brochure entitled "Nevada Highways and Your Property", a sketch map depicting the 7.35 acres of land, and an Appraisal Summary Statement.

This offer is contingent upon the City of Las Vegas buying back all available property located on the Adcock Elementary remainder site. NDOT will own or control the remainder site and it will be available at the same "bare land" square foot price which we are offering the City of Las Vegas, that is \$5.45 per square foot. It is also contingent upon the City of Las Vegas constructing a park on the remainder site, at the City's expense, and amending the "OPEN SCHOOLS - OPEN DOORS COMMUNITY ACCESS AGREEMENT" dated September 6, 1995, between the Clark County School District and the City of Las Vegas. The Clark County School District has expressed their willingness to cooperate with NDOT and the City by amending the agreement.

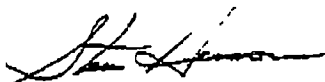
If the City of Las Vegas agrees with this proposal, our respective Agencies will be complying with statements made in the Environmental Impact Statement, and honoring the commitments made to neighborhood groups and the public at large. These commitments were made at various City Council meetings, Citizens Advisory Committee meetings, and Public Hearings.

Upon conceptual approval of this proposal, it will be necessary to enter into an agreement to specify the obligations of our respective Agencies. Additionally, and more immediate, is the need to address the shared use concept between the City and the School District. If an agreement for shared use is not completed soon, the Federal Highway Administration has indicated that the Final Record of Decision may be postponed until the agreement is finalized (shared use is a major component in Environmental Impact Statement).

Richard Goecke
August 10, 1999
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I encourage the Citys' acceptance of this offer, and hope that you take advantage of this opportunity to contribute further to the betterment of the traveling public, and the community at large. Time is of the essence on this project, and I am hopeful that we can complete this transaction by September 30, 1999. If you have any questions, please contact me at (702) 385-6540.

Sincerely,



Steve Henson
Asst. Chief Right-of-Way Agent

SH/clc

cc: Carson City R/W

APP SAL REVIEW
ESTIMATE OF VALUE

Project: US 95 Widening
 E.A.: 72189
 Parcel: APN 138-35-111-003
File 99-105

☒ Original ☐ Revision

Owner The City of Las Vegas, a Municipal Corporation

Property Location Northwest corner of Torrey Pines and Hyde, aka at the southwest corner of the US 95/
 Torrey Pines grade separation (Torrey Pines Park)

☒ Urban ☐ Rural Zoning R-E, City of Las Vegas

Appraiser	Appraisal Date	Valuation Date	Partial	VALUE
Foster L. Clark, MAI	5/11/99	5/04/99	\$ N/A	\$ 3,670,000
			\$	\$
			\$	\$
			\$	\$

It is my opinion that the just compensation for the taking is determined as follows:

PARTIAL ACQUISITION

Parcel	Land	Improvements	Damages	Other	Total
NOT APPLICABLE	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
TOTALS	\$	\$	\$	\$	\$

Damages: ☐ Acc. Loss; ☐ Chg. H&B Use; ☐ Chg. Size or Shape; ☐ Cost-to-Cure; ☐ Consequential
 Benefits: ☐ Yes; ☐ No

TOTAL ACQUISITION

Parcel	Land	Improvements	Other	Total
138-35-111-003	\$ 1,745,000	\$ 1,925,000	\$ -0-	\$ 3,670,000

I understand that this determination is to be used in a Federally-aided or State of Nevada Transportation Project. I have reviewed the above listed appraisals and other pertinent information submitted. I have visually inspected the subject property and the properties listed in the appraisal reports as being sales of a comparable nature, and have independently reached this determination without direction or collaboration. I have no direct or indirect, present or contemplated future personal interest in the subject property or in any way benefit from the acquisition of such property appraised.

Reviewing Appraiser Larry J. Balmer, ASA
 NV Certified General Appraiser #00096

Assignment Date 5/12/99
 Review Date 5/26/99
 Submittal Date 5/26/99

☒ See attached comments; ☐ Remarks:

DOT
 030-201
 rev. 9/86

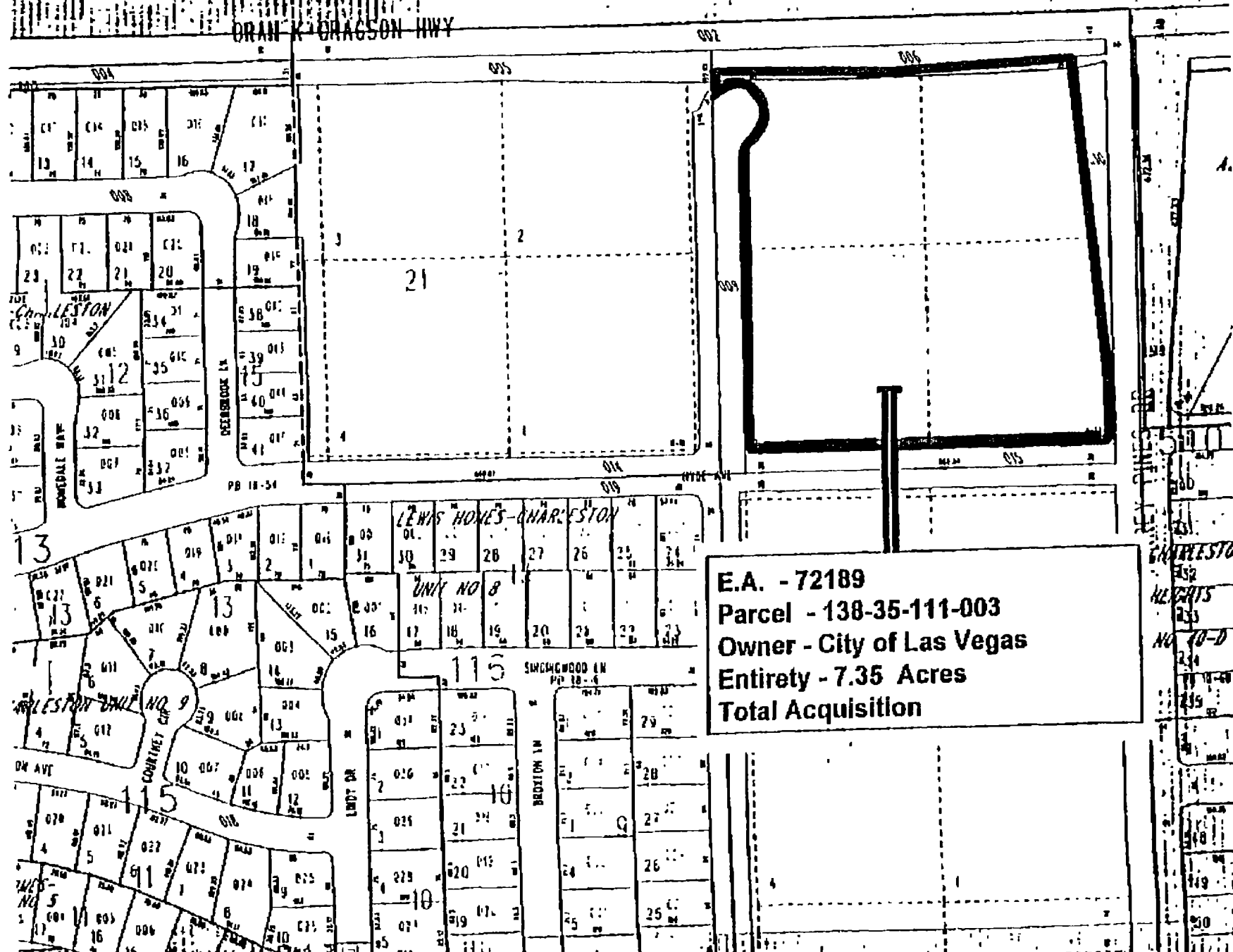
COY. LOI NUM8

Scale: 1" = 200'

Rev:11/01/94

SKETCH MAP

FRANK DRACSON HWY



E.A. - 72189

Parcel - 138-35-111-003

Owner - City of Las Vegas

Entirety - 7.35 Acres

Total Acquisition

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: NOVEMBER 2, 1999

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: SHARON SEGERBLOM

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald

Discussion and possible action to approve a First Amendment to Lease Agreement between the City of Las Vegas and Variety Day Home, adding a provision for reimbursement to the City for security guard service expenses incurred by Variety Day Home.

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Variety Day Home desires to contract for a security guard through the City's annual contract. The City will be reimbursed for the expense in its entirety by Variety Day Home within 10 days of invoice.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

1. First Amendment to Lease

①
While project is

The City Council should not allow the sale of Charleston Heights Preservation Park because the future of the the widening of US 95 is unclear. It would be unconscionable to agree to sell this park or sell this park under objections and/ or concerns by the USEPA. Since the EPA response to NDOT's US 95 Project Draft Environment Statement came back, the widening's status has been in question due to nonconformity with the Clean Air Act as well as the National Environmental Policy Act and Federal Statute 40 CFR 1500-1508 and the Council on Environmental Quality. The Federal Highway Administration, according to 23 USC 771.101 prescribes the policies and procedures of FHWA for implementation of the exact Federal Statutes are are **the same Statutes cited by USEPA. Again, 23 CFR 771.113 states "...final design activities, property acquisition. . . shall not proceed until the following have been completed. . . (iii) a final EIS has been approved . . . and a record of decision has been signed".**

Listed below are over 20 objections/reasons by the EPA to not add additional lanes to US 95 as stated by USEPA in reponse to the NDOT DEIS of the US 95 project in Clark County. Also listed are FEDERAL STATUTES the US 95 Project would not conform to and how these STATUTES disallow a build scenario and EPA's over 20 objections/concerns against the US 95 project are listed below:

(1) EPA questions the conclusion, the BASIC PREMISE that air quality will be improved by this project and that transportation will be improved in the intermediate to long range. EPA's interest is in air quality and the health of the people. EPA's major premise is that more lanes neither help transportation nor air in the middle to long term. Studies of other regions of the US back them up. For this reason alone this project is in jeopardy. Further;

(2) EPA states the effectiveness of TDMs is not stated; data is inadequate on the effectiveness of new TDMs.

(3) Model results for VMT and v/c ratios show only minor improvements, **wrong growth projections could eliminate air quality benefits of the project.**

(4) **Growth** projections have been **significantly historically underestimated.** Small changes in model assumptions could easily eliminate the projected air quality benefits.

(5) If congestion is not significantly improved, VOC, CO, PM10, would be worse than existing conditions due to the larger amount of cars on a ten from six lane wideing.

(6) EPA believes a regional conformity analysis would not show conformity using current growth projections.

(7) Northwest Las Vegas is in a serious nonattainment zone. Violations would still occur under the build scenario.

(8) (Emphasized) This area must fully address intermediate and long term growth needs. If growth needs are not resolved, transportation nor air quality needs will not be met.

(9) (Emphasized) More aggressive implementation of TDMs is required to achieve permanent long term reduction in traffic congestion and improvement in air quality.

(10) Since growth projections could be over or underestimated, the DEIS could both overestimate travel activity in the no-build scenario and underestimate it in the build scenario.

(11) Growing evidence suggests that additional highway capacity generates additional travel. (EPA research based on studies since 1940.)

(12) Widening US 95 would provide a minor improvement in level of service (LOS F to D)

(13) (Objection) EPA objects to significant impacts of highway generated noise.

(14) (Objection) EPA objects to impacts to established core neighborhoods and 4 (f) facilities. Both alternatives impact these 4(f) facilities.

(15) The action could could set a precedent for future road widenings that collectively result in significant air quality, noise, and community impacts without adequately addressing intermediate or long-term transportation needs.

(16) The DEIS does not provide sufficient information on the relative transportation benefits of each project component such as TDM measures or widening US 95.

(17) Proposed project and continued development pose a significant cumulative impact on

1560.3 In order - Binding on all federal agencies (quote)

flood control .

(18) EPA views as untenable the choice between taking 65 homes or part of a Historical Archaeological District listed on the National Register of Historic Places.

(19) Air quality nor transportation gains will be made until growth problems are resolved.

(20) EPA notes the size of the fixed guiderail alternative in the MIS based was based on anticipated ridership versus actual size that is available. (Note: ridership based on small sample)

(21) EPA suggests mass transit be implemented before development of costly and harmful highway construction projects. They offer other suggestions including: short term projects be done first and reevaluating at each step to see if long term components need to be implemented, a phased approach.

The above points were based on NEPA, the Clean Air Act, 40 CFR 1500-1508, the same Statutes that FHWA must heed according to 23 CFR 771.101. More lanes will equal more Vehicle Miles traveled which equal more emissions which equal more CO pollution. This is crucial in the CO serious nonattainment area, the Las Vegas Valley, and widenings would create a situation in which air quality would not improve due to more VMTs caused by additional lanes which are predicted to congest within 2 years or less, due to inaccurate projections of population plus uncontrolled growth in the Northwest. Also the fallacy that air is getting cleaner is because cars are being manufactured with cleaner burning emissions is negated by the large amount of people moving here and the type of people drawn here. New hotels attract lower wage service persons. These new residents move here in overwhelming numbers, 30,000 per hotel, a large majority service workers. Their salaries are not large and they tend to drive older to medium age cars. Retirees, another large incoming population, move here and tend to drive cars longer. So the newer, cleaner car theory is swallowed by sheer numbers of the above. This is not an area with the same population from year to year eventually changing their car for new cars.

The concern of Federal Statutes, both environmental and highway, is Air Quality. EPA suggests light rail as an intermodal choice as it is less destructive than additional lanes and results in cleaner air. A light rail with interconnected schedules to CAT buses is an option that should be seriously explored. Studies accumulated by EPA and reflected by national news organization are covering this important new dynamic: adding more lanes do not lower congestion to an appreciable degree while adding more pollution. FHWA and NDOT are basically highway planners. This gives neither the right to ignore EPA recommendations nor its objections. Las Vegas Valley residents health has been under assault for years as 90% of CO comes from vehicles. A Desert Research Institute speaker in a "Smart Growth" meeting said that although cars are becoming cleaner, the extreme amount of vehicles that come into the valley negate the "newer vehicles are cleaner" concept that this will improve air quality; further,

The following EPA observations/objections cannot be changed or negotiated away.

(1)The EPA objects to significant impacts to established "core neighborhoods" and 4(f) facilities (community resources: four schools, historical water district, three parks) and to the noise and of additional lanes.

(2) The EPA objects to significant noise currently on US 95. (Some areas register 69 to 77 decibels, higher than Federal standards. Increasing lanes will lift decibels to the mid-eighties. Sound walls have not and will not reduce noise effectively. Ask anyone along US 95.) Decibels cannot be changed presently and will increase. Also by interchanges where there are breaks in sound walls, where sound is loudest. Citizens were told by a Louis Berger representative that no readings were taken where major streets intersected, according to R. Patton, consultant, as highway noise only should be measured. However the intersections are where the noise is the worst, coming from both highway and major streets and causes the undesirable impacts EPA

REHEARSAL ROOM HOURLY RATES FOR CHAC AND RWCC:

COMMERCIAL

\$40 per hour

STANDARD

\$20 per hour

NON-PROFIT

\$10 per hour

Division program's rehearsals and classes have first use priority. Rental agreements will be made for up to three months in advance for conference rooms, rehearsal rooms and ballroom with an option to renew for the next three months. Renewal months are: December for January through March; March for April through June; June for July through September; and September for October through December.

BALLROOM AREA AT CHAC: PER HOUR MINIMUM RENTAL 3 HOURS, GROUP NOT TO EXCEED 855. Group limit is for standing room, no tables or chairs. If tables and chairs are set up, group capacity is reduced. Capacity of ballroom will be determined by the Center Coordinator at the time of application and approved by the Production Committee. Client must furnish a complete drawing of room set-up at that time.

COMMERCIAL

\$175

STANDARD

\$125

NON-PROFIT

\$75

Rental time begins when user arrives and ends when user departs.

If staff is needed for table and chair set up and/or strike, the fee is \$13 per hour per staff person, upon availability. Regarding delivery, renter must be present to sign for all deliveries and be available for equipment pick up.

STAGE USE FEE FOR BALLROOM (INCLUDES SET UP): \$120

SECURITY FOR BALLROOM AREA AT CHAC:

Whether alcohol is served or not, six security guards will be required for the Ballroom. (The maximum number of security guards will be determined by the activity.)

For example:

- 1 guard at the entrance
- 1 guard backstage
- 2 guards in the ballroom area
- 2 guards at each exit door

Payment for security is the responsibility of the user.

Deputy Marshals will be notified of all rental events.

(Liquor insurance may be required -- see page 1.)

notes in its objection.

3) The Las Vegas Valley is in serious nonattainment for CO and PM 10. Neither air nor transportation will improve until Las Vegas seriously addresses growth issues, according to EPA. EPA adds more lanes equal more VMTs which equal more emissions pollution.

(4) EPA views as untenable the choice of taking part of a Historical Archeological dig or 65 houses in one significant area.

(5) Growing evidence (studies since the 1940s) suggests additional highway capacity generates additional travel, states EPA thus more VMTs, thus more emissions which equals more CO and VOCs.

(6) The EPA objects to impacts to the 4 (f) facilities (community resources) (Under 23 CFR 771.135) along US 95. (In the five mile ten lane widening of US 95 the eight 4 (f) facilities are: 4 schools and grounds that revert to parks after school hours, three parks, one of which has historic significance but is not yet on the Register of Historic places which has an amphitheater, lake where migrating birds winter, ball fields, where quiet is an attribute, directly across from the eighth 4 (f) facility: the Water District, the original springs of the valley and designated on the Federal Register of Historic Places with an unexplored archeological dig beneath. None of this land should be taken, or impacted by noise or vibration under 40 CFR 71.135.

(7) EPA states this widening would set a precedent for future road widening that collectively would result in worse air quality, noise or other community impacts.

and

(8) The most impacted, according to EPA, use the highway in question least.

FEDERAL STATUTES DO NOT AGREE WITH THIS PROJECT:

THE CLEAN AIR ACT 42 U.S.C. 7506. "Limitations on certain Federal Projects. (a) Approval of projects or award of grants. The Administrator shall not approve any projects or award any grants authorized by this chapter, and the Secretary of Transportation shall not approve any projects or award any grants under title 23, other than for safety, mass transit or transportation improvement projects related to air quality improvement or maintenance, in any air quality control region----(1) in which any national primary ambient air quality standard has not been attained. . . (d) Each department, agency or instrumentality of the Federal Government having authority to conduct or support any program with air quality related transportation consequences shall give priority. . . to the implementation . . . of those plans. . . to achieve and maintain the national primary ambient air quality standard."

By not proving the US 95 project will achieve attainment in CO, the lead agency cannot prove it will conform to NAASQs, according to USEPA.

Hence, funding or permission for the US 95 widening, as we will prove, is not in conformity with Federal Statutes, especially the Clean Air Act, would not comply with Federal Statute guidelines.

Neither can any Highway Department make the case that five lanes on each side funneling into three is safe, despite exits at Summerlin Parkway on the West as a smaller percentage of vehicles each year will exit there each year as the town grows north. On the East NDOT's own MIS stated 68% do not exit at I-15, but continue East, hence that 68% will be funneling from five to three lanes. More drivers, more lanes equal more lane changes anywhere along the ten lane widening. The highway is predicted by NDOT's own representative in a public setting to congest within 2 years. Thus congestion will aggravate lane changing. Most pertinent, more lanes equal more drivers and more lane changes. 23 CFR 625.2 states highways are to increase safety. This does not.

TECHNICAL/FACILITY STAFF: ~~\$13/hr. per person~~ Tech. Provides this
All City-owned stage lighting and sound equipment must be operated by a City of Las Vegas technician. The number of technicians is dependent upon the renter's request and the availability of staff. The earlier the application is made, the more likely it will be approved. Overtime will be applied if technical staff is required more than eight hour shifts. Overtime rate is \$19.50/hr. per person. At least one technician is required to be backstage for all dress rehearsals and performances for groups of 50 to 80 (including all group members backstage and cast). Holiday overtime is \$32.50.

If facility staff is needed for table and chair set up and/or strike, the fee is \$13 per hour per staff person, upon availability.

THEATRE AND EVENT SECURITY:

Security guards will be required at all rental events with a minimum of two security. Security guards must have identifiable uniforms; must be over 21 years of age; cannot carry firearms; and must be bonded

THEATRE HOURLY USE: (Auditions, video taping, no performance)

COMMERCIAL

\$90 per hour

STANDARD

\$60 per hour

NON-PROFIT

\$30 per hour

No audience, invited or otherwise, may be present or the performance rate will be charged.

LIGHTING DESIGN:

COMMERCIAL

\$55 per hour

STANDARD

\$30 per hour

NON-PROFIT

\$18 per hour

PROJECTIONIST:

COMMERCIAL

\$40 per hour

STANDARD

\$30 per hour

NON-PROFIT

\$18 per hour

PLANO TUNING: \$55

VIDEO TAPING OF PERFORMANCE:

Advance notice is required during the rental meeting of any video taping of the performance. For video taping that requires hookup an additional \$50.00 will be charged. Hand-held/battery video cameras -- no charge.

CONFERENCE ROOM RENTAL AT CHAC AND RWCC:

COMMERCIAL

\$14 per hour

STANDARD

\$10 per hour

NON-PROFIT

\$8 per hour

FIRST AMENDMENT TO LEASE

THIS AMENDMENT TO LEASE, made and entered into this ____ day of _____, 1999, by and between the CITY OF LAS VEGAS (hereinafter referenced to as "Lessor,") and VARIETY DAY HOME, a Nevada non-profit corporation (hereinafter referenced to as "Lessee."

WHEREAS, the parties originally entered into a lease on the May 5, 1954, and most recently on June 22, 1998, under which the City leases certain real property to Lessee, located at 990 "D" Street, Las Vegas, Nevada; and

WHEREAS, the parties desire to amend the Lease to allow the City to contract for a security guard through the City's annual contract and be reimbursed for the expense in its entirety by Lessee.

NOW, THEREFORE, the parties agree to amend the lease agreement as follows:

1 Section 6 of the Lease is hereby amended by adding the following provision

The Lessor will make arrangements through the City's annual security contract to provide for a full time general security guard on the days and working the hours as specified by Lessee. Lessee will reimburse Lessor on a monthly basis within ten (10) days of invoice for any and all expenses owed for such security company providing the service.

2. This First Amendment shall be effective upon execution by both parties.

3 All other provisions of the Lease shall remain in full force and effect

IN WITNESS WHEREOF, the parties, by their duly authorized representatives, have executed this Amendment on the day and year first above written

CITY OF LAS VEGAS

ATTEST

OSCAR B GOODMAN, MAYOR

VARIETY DAY HOME

APPROVED AS TO FORM

J. Ponzello 9/20/99

Ruby L. Collins
~~SISTER DIANE MAGUIRE, MA~~
Ruby L. Collins

BOARD OF TRUSTEES

Mr. Trevor L. Atkin
Edwards, Hale, Sturman & Atkin, LTD.
415 South Sixth Street, Suite 300
Las Vegas, NV 89101
382-1414 (Voice) 382-1413 (Fax)

Mr. Larry Bolden
Chairman, VDH Board of Trustees
1201 Madison Avenue
Las Vegas, NV 89106
648-2598 (Voice)

Mr. James V. Bradham
Secretary, VDH Board of Trustees
512 Pima Canyon
Las Vegas, NV 89134
341-9623

Ms. Jocelyn A. Cousins VP
Mail Code 04977 Bank of America
Post Office Box 98600
Las Vegas, NV 89193-9600
654-7848 (Voice) 654-8073 (Fax)

Mr. Brad Englert
Ideal Supply Co., Inc.
2935 South Highland Drive
Las Vegas, NV 89109-1078
731-3445 (Voice) 796-7467 (Fax)

Mrs. Janet Gabriel
2250 Bluegrass
Las Vegas, NV 89123
361-3648
Fax 260-6545

Ms. Zoretta Gipson
% United States Magistrate Judge, Roger L. Hunt
Foley Federal Building, Room 2300
300 Las Vegas Boulevard, South
Las Vegas, NV 89101
388-6996

Mr. Donald D. Pitchford, CPA
Thomas & Mack Co. Nevada Financial Center
2300 West Sahara Avenue, Box 1
Las Vegas, NV 89102
222-1445 (Voice) 367-6416 (Fax)

Mr. Kevin L. Reager
Treasurer, VDH Board of Trustees
Bank of America NV
Post Office Box 98574
Las Vegas, NV 89193-8574
654-1973 (Voice) Secty Connie Sullo
654-0443 (Fax) 654-1558

Ms. Mary E. Rosendez
4800 West Montara Circle
Las Vegas, NV 89121
458-9309 (Home)
Clark County Family & Youth Services
455-5272 (Office Voice) 455-5454 (Office Fax)

Mr. James P. C. Silvestri
Pyatt & Silvestri
201 Las Vegas Boulevard, Suite 300
Las Vegas, NV 89101
383-6000 (Voice) 477-0088 (Fax)

Mr. Richard Taggart
1120 Pinhurst Drive
Las Vegas, NV 89109
893-2600 (Home)
376-2500 Car 734-4088 Fax

Mr. Allen D. Vogel
Vice Chairman, VDH Board of Trustees
861 Vegas Valley Drive
Las Vegas, NV 89109
731-5535 (Home)
Orgill & Singer and Assoc.
796-9100 596-3013 Cel

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: NOVEMBER 2, 1999

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: JEFF MARESH

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Reese and M. McDonald

Discussion and possible action to approve a Memorandum of Understanding between the City of Las Vegas and Clark County School District, relinquishing the City's interest in approximately 20 acres of land in the vicinity of Ann Road and Campbell.

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

It is the intent of the City to relinquish this 20 acres of property in favor of the Clark County School District for the purpose of constructing a middle school by the same.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

1. Memorandum of Understanding.
2. Site map.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) has been created to confirm in writing an understanding between the City of Las Vegas (City), and Clark County School District.

The City currently has a lease issued for 20 acres of Bureau of Land Management (BLM) property located in the vicinity of Ann Road and Campbell.

It is the intent of the City to relinquish this 20 acres of Property in favor of the Clark County School District for the purpose of constructing a middle school by the same. To accomplish this goal, Clark County School District agrees that the City's letter of relinquishment shall be subject to the following conditions:

1. Clark County School District agrees to relinquish the BLM lease or lease application and such lease or lease application shall revert back to the City should Clark County School District fail to receive approval by the BLM for the construction of the school
2. If approval of the new plan of development is granted by the BLM to the Clark County School District, the lease will revert back to the City if the Clark County School District fails to begin construction of the school one year from the date of BLM's approval of the City's letter of relinquishment and other supporting documentation.
3. Clark County School District agrees to request annexation of this Property into the incorporated area of the City of Las Vegas as soon as the Property can be legally annexed in accordance with NRS Chapter 268.

By signature of this Memorandum of Understanding, we mutually agree to the above documentation. It is understood by both parties that this document will be presented as back-up documentation to the BLM letter of relinquishment process, which will be presented for approval to the Mayor and City Council.

City of Las Vegas

Clark County

David Roark, Manager Date
Virginia Valentine, City Manager

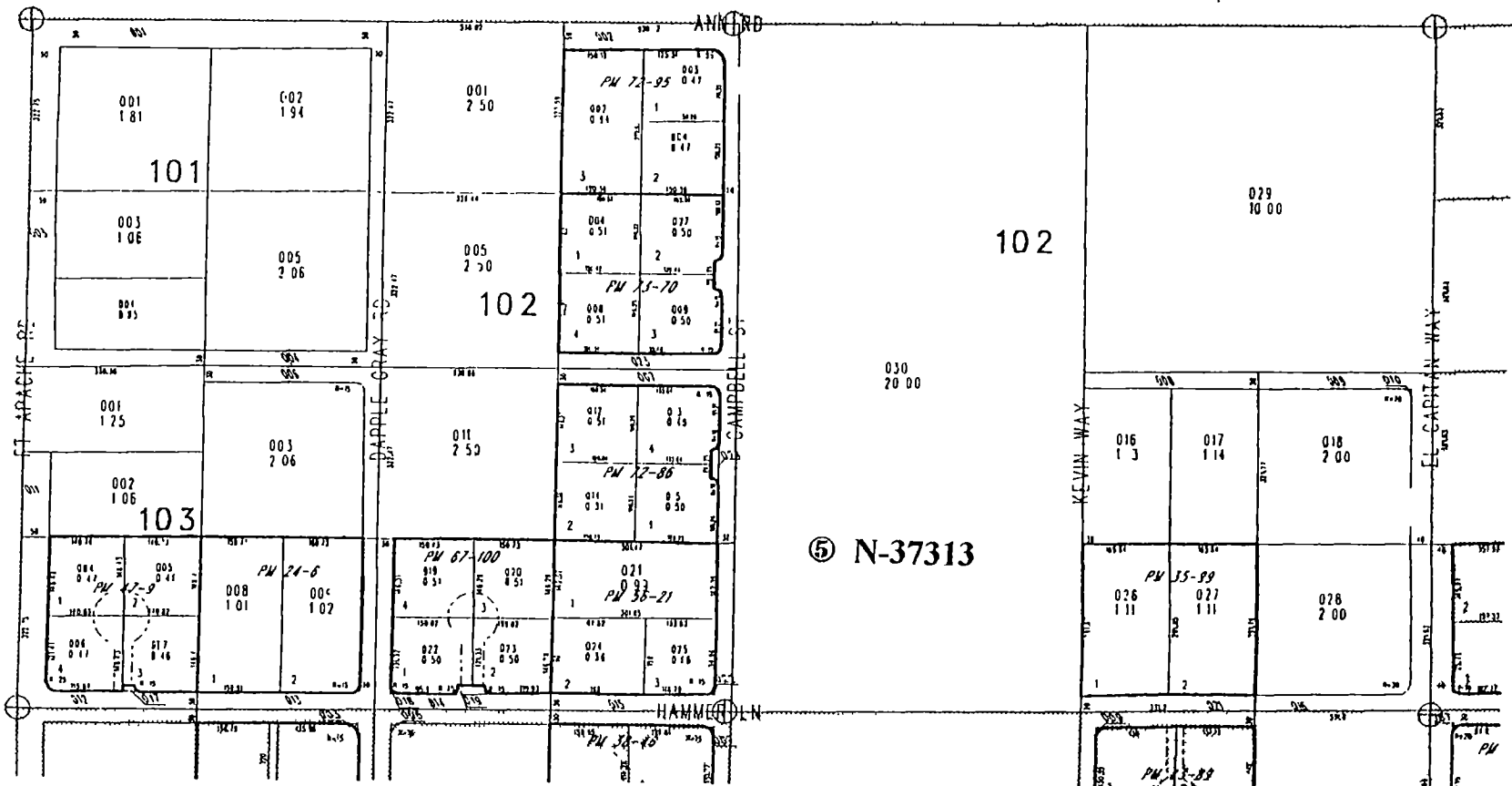
Patrick B. Herron for
Patrick Herron, Assistant Superintendent
Facilities Division, Date
10/21/99

ATTEST:

BARBARA JO RONEMUS, City Clerk
Approved as to form:

D. P. H. Cellw 10/22/99
Date

NOTES	This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein.		ASSESSOR'S PARCELS - CLARK CO., NV. M. W. Schofield, Assessor		T19S R60E <table border="1"> <tr> <th>ACRE</th> <th>ACRE</th> <th>ACRE</th> </tr> <tr> <td>99</td> <td>100</td> <td>101</td> </tr> <tr> <td>176</td> <td>177</td> <td>178</td> </tr> <tr> <td>179</td> <td>180</td> <td>181</td> </tr> </table>	ACRE	ACRE	ACRE	99	100	101	176	177	178	179	180	181	32 <table border="1"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> </tr> <tr> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td>10</td> <td>11</td> <td>12</td> </tr> <tr> <td>13</td> <td>14</td> <td>15</td> <td>16</td> </tr> </table>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	N 2 NW 4 <table border="1"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> </tr> <tr> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td>10</td> <td>11</td> <td>12</td> </tr> <tr> <td>13</td> <td>14</td> <td>15</td> <td>16</td> </tr> </table>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	125-32-1 
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Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.		MAP LEGEND _____ PARCEL BOUNDARY _____ SUBD BOUNDARY - - - - - ROAD EASEMENT _____ PM/D BOUNDARY - - - - - NON PARCEL LOT LINE _____ WATCH LINE _____ ROAD ID NUMBER		001 PARCEL NUMBER 1.0 ACREAGE 202 PARC L SUB/SEO NUMBER 202 PLAT RECORDING NUMBER 5 BLOCK NUMBER 5 LOT NUMBER 615 GOV LOT NUMBER		Scale: 1"=200' Rev. 06/24/97																																														
This map is compiled from official records including surveys and deeds but only contains the information required for assessment. See the recorded documents for more detailed legal information.																																																				



TAX DIST 125

PETITION

9-12-99

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ Robert C Pistone	9044 W. HAMMER	
✓ NORMA M Pistone	9044 W. Hammer	
✓ NORMA M Pistone	Parcel #1 (Campbell)	
✓ ROBERT V. PISTONE	9044 W HAMMER LN	
✓ ROBERT V. PISTONE	Parcel #1 (Campbell)	
✓ Bonnie Peterson	8888 W Hammer Ln	
✓ Richard Bradley	8888 W. Hammer Ln	
✓ Marie & Madge Thibault	5585 Campbell Ave	
✓ John & Nita Barrows	5565 Campbell Rd	
✓ Nita Barrows	5565 Campbell Rd	
✓ Collette Hickey	5525 Campbell Rd	
396 ✓ Robert Hickey	5525 Campbell Rd.	
✓ Lysandra Abernathy	5455 Campbell rd	
✓ Robert Lee	5455 Campbell rd	
✓ Sandra Worthen	8865 W. Hammer Ln	
✓ Randy Jordan	8875 W Hammer Ln	
✓ Thomas M. Kohrs	8885 W. Sepia	
✓ PATRICIA HUNTER	8860 W. ANN RD.	

PETITION

9-12-99

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ RICHARD ENCINAS	8860 W. ANN RD.	Richard Encinas
✓ Al Pistritto	5345 Campbell	Al Pistritto
✓ JAMES KING	8920 Fisher	James King
✓ Debra Yost	8910 Fisher	Debra Yost
✓ CHRISTINE REBEL	5345 N. KEVIN WAY	Christine Rebel
✓ STEVEN REBEL	5345 N. KEVIN WAY	Steven Rebel
✓ Bill Ruzzine	8775 Hammer Ln	Bill Ruzzine
✓ Beth Ruzzine	8775 Hammer Ln	Beth Ruzzine
✓ WAYNE RUDOLPH	8765 W. HAMMER LN.	Wayne Rudolph
✓ MIKE JONES	8710 W. HAMMER LN.	Mike Jones
✓ Janet Kalken	8732 Hammer Ln.	Janet Kalken
✓ Colleen Hermann	9060 W. Hammer Ln	Colleen A. Hermann
✓ Star Golia-HUFFMAN	9115 W. HAMMER LN	Star Golia-Huffman
✓ ROSE HUFFMAN	9115 W. Hammer Ln	Rose Huffman
✓ JEANET SHINKAWA	9035 W Hammer	Jeanet Shinkawa
✓ VICTORIA PALAZZI	9015 W. Ham	Victoria Palazzi

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ FLORENCE Scheller	8880 W. Ann Rd	Florence Scheller
✓ Dory	"	Dory Scheller
✓ JOSH	"	Josh Scheller

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

[illegible]

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

[illegible]

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Jill S. Blanchette 5335 N. Campbell Rd. J Blanchette
✓ Gerald R Blanchette 5335 N. Campbell Rd. Gerald R Blanchette

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ Edward M. Jamison	8965 FISHER AVE. LAS VEGAS	
✓ JANALEE JAMISON	8965 FISHER AVE	

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ William A Kody	8790 W ANN Rd	William A Kody
✓ LOUISE B. KODY	8790 W. ANN RD.	Louise B. Kody
✓ David Bonaventura	5631 Juliano Rd	David Bonaventura
✓ VINCENT POLAKOWSKI	5621 JULIANO RD	Vincent Polakowski
✓ Charles Boller	5650 EL CAPITAN WAY	Charles Boller
✓ Stephen L Pike	5676 El Capitan way	Stephen L Pike
✓ Chermaine Gord	5285 N Campbell	Chermaine Gord
✓ Mike Gord	5285 N Campbell	Mike Gord
✓ Randy Anderson	5255 Campbell	Randy Anderson
✓ Suzanne Hansen	5255 Campbell	Suzanne Hansen
✓ Richard H Rogers	5181 CAMPBELL L.	Richard H Rogers
✓ ELEANOR E. ROGERS	5181 CAMPBELL RD.	E. E. Rogers
✓ Gregory J. Dean	5115 Campbell Rd	Gregory J. Dean
✓ Mary C Shaw	5085 N. Campbell	Mary C Shaw
✓ Charles Fuller	9011 La Madre Way	Charles Fuller
✓ Patrick Fuller	9011 La Madre Way	Patrick Fuller
✓ Curtis Atwood	9031 W. CAMPBELL	Curtis Atwood
✓ Christell Atwood	9031 W. La Madre Wy	Christell Atwood
✓ Jackie Moyers	9031 W. La Madre Wy	Jackie Moyers

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ GEORGE CASTRO	9136 W. HAMMER LN.	George Castro
✓ PATRICIA R. CASTRO	9136 W. HAMMER LN.	P.R. Castro
✓ SUMNER G. BRIDGEMAN	9115 W. HAMMER LN.	Sumner G. Bridgeman
✓ PAMELA LAWRENCE	9150 W. HAMMER LN.	Pamela Lawrence
✓ ROBYN LAWRENCE	9150 W. HAMMER LN.	Robyn Lawrence
✓ HAROLD L. CHAMBERS	9170 W. HAMMER	Harold L. Chambers
✓ DOLores PHILLIPS	5335 N. FT. APACHE	Dolores Phillips
✓ RON PHILLIPS	5335 N. FT. APACHE	Ron Phillips
✓ SUSAN LANEY	5355 N. FT. APACHE	Susan Laney
✓ CHARLES H. HARDY	5345 N. FT. APACHE	Charles H. Hardy
✓ ERNEST SNYDER	5315 N. FT. APACHE	Ernest Snyder
✓ GAILINE DONNELLY	9170 W. FISHER	Gailine Donnelly
✓ DENNIS R. DONNELLY	9170 W. FISHER	Dennis R. Donnelly
✓ MARGARET BALL	9170 W. FISHER	Margaret Ball
✓ MARGARET HEIGHT	9170 W. FISHER	Margaret Height
✓ LARRY LATHAM	9160 FISHER AVE.	L.E. Latham
✓ VELIA CLARK	5325 N. DAPPLE CRY	Velia Clark
✓ KIM MCINTOSH	5335 N. DAPPLE CRY	Kim McIntosh
✓ RICKY L. MCINTOSH	"	Ricky L. McIntosh

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ MARY CHIRICCO	4920 SANTI AVE	M. Chiricco
✓ Susan LaLor	6190 Jensen	Susan LaLor
✓ GARY HARPER	5736 W. Hale Road St.	Gary Harper
✓ ARACELIS Deutschkron	9080 Fisher Ave	Aracelis Deutschkron
✓ Penny Deutschkron	9080 Fisher Ave	Penny Deutschkron
✓ JOHN S DALINIS	9160 FISHER	John S Dalinis
✓ PAULINA M. DALINIS	9060 W. FISHER AVE.	Paulina M. Dalinis

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Joseph Groysk 5465 Campbell Las Vegas, NV 89149 J Groysk

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ HORACE G. SMITH	5401 N. EL CAPITAN WAY	Horace G. Smith
Mildred R. Smith	5401 N. EL CAPITAN WAY	Mildred R. Smith
We ARE STRONGLY OPPOSED TO THE School		
"IT IS NICE AND QUITE NOW" BUT		
IT WON'T BE IF THE School IS BUILT."		

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ CAROL MITTWEDE: 5325 N. EL CAPITANO WAY Carol Mittwed

✓ PAUL MITTWEDE 5325 N. EL CAPITANO WAY Paul Mittwed

[illegible]

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

~~Signature~~

✓ CAROLYN EMBRY : 8525 W. HAMMER LN Carolyn Embry

✓ TED EMBRY 8525 W. HAMMER LN

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ ANNA ESSAYIAN 9020 W. WASHBURN RD. Anna Essayian

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature,

✓ George Hitter & Deborah 5335 El Capitan. ~~Cap Deborah Hitter~~

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

Print Name Address Signature
✓ Kaul W Fox: 5680 El Capitán Way Kaul W Fox
LAS VEGAS NV 89149

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ JAY GOLDSTEIN	8485 W. HAMMER LN	Jay Goldstein
✓ NICOLE GOLDSTEIN	8485 W. Hammer Ln	Nicole Goldstein
✓ Siobhan Goldstein	8485 W. Hammer Ln	Siobhan Goldstein
✓ Jeff Goldstein	8485 W. Hammer Ln	Jeff Goldstein
✓ ESTHER GOLDSTEIN	8485 W HAMMER LN	Esther Goldstein

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

PATRICIA BAAL 8940 Fisher Patricia Baal

Thank you for asking

J.R. Sondelli 8940 Fisher J.R. Sondelli

Patricia Baal 8940 Fisher Patricia Baal

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

89149 Signature

✓ Charles FULTZ: 8431 Fisher Ave - L.V.NV Charles Fultz
✓ Edith Fultz - 8431 Fisher Ave L.V.NV. 89149 - Edith Fultz

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Hank Clinton

5485 N. Campbell

11

Kelly Clinton

Kelly Carter

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ Donna + Curt Ingle	8520 Fisher Ave	Curt + Donna Ingle
✓ Dale + Ruth	~~645-2345~~	Lamadre
WISNIEWSKI	645-2345	Dale + Ruth
	(No Address)	Wisniewski

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

Dale L. Cox

8465 W. Washington Ave.

Dale L. Cox

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ DAVE PANZER:

8430 Fisher, 89149

[Handwritten signature]

$$K_0 \in \mathcal{P}_2(B)$$

8430 FISHER 89/49

9. *Jois Rager*

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ MARY LEWIS : 5020 N. CAMPBELL RD. Mary Lewis

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

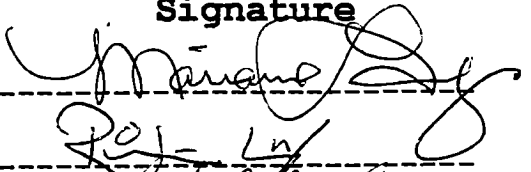
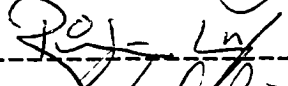
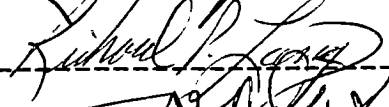
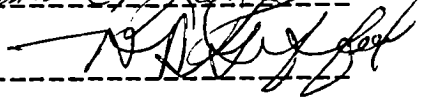
Address

Signature

✓ GAIL POWERS 7385 W. Verde Way ⁸⁹¹⁴⁹ Phil Powers

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name	Address	Signature
✓ Marianne Lang	8645 Fisher Ave	
✓ Bob Lang	8645 Fisher Ave	
✓ Richard P. Lang	8645 Fisher Ave	
✓ H. D. G. Ford	8635 Fisher	

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Diane Van Vessel = 5345 El Capitan Way *Diane Van Vessel*
✓ Jon C. Van Vessel " *Jon C. Van Vessel*

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Guy Manning 5685 Julian Rd 8149 H. Manning.
✓ Kathleen Manning 5685 Julian Rd 8149 K. Manning

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

✓ Carrie F. Anderson 5205 Campbell Rd (Alfred Anderson)
Rickey L. Anderson " " Ricky L. Anderson

PETITION

We strongly oppose the plan for a Junior High School to be built on the twenty-acre parcel between Ann Road, Hammer Lane, and Campbell Road.

Print Name

Address

Signature

Print Name ✓ James DILLOV

Address
5665 N. JULIANO

Signature 

August 30, 1999

To Whom It May Concern:

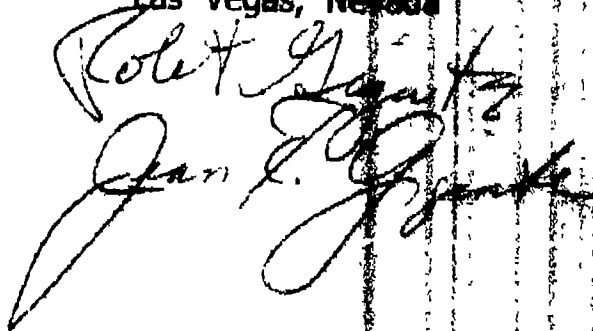
It has been brought to our attention that there is a proposition for building a junior high school in the vicinity of Hammer Lane and Cambell Road. We must voice our great concern of this proposition as we mainly purchased our property on Cambell Road with the understanding that a park was going to be built on the land between Ann Road and Hammer Lane.

We are very much against this proposition as we are aware of the traffic this school will bring along our property. We also purchased our property because of the horse trail on Cambell Road which we are very much in favor of. We will soon be retiring and wish to live in our home, in a pleasant and quiet community atmosphere.

Again, this letter is to voice our opinion and concerns about the future plans of constructing a school in this area. We do not support this proposition!

Thank You for listening to us.

Robert and Jean Gigante
5545 Cambell Road
Las Vegas, Nevada

Handwritten signatures of Robert and Jean Gigante in cursive script.

E. TRIP GENERATION

Trip generation rates were obtained from the ITE publication, "*Trip Generation - 5th Edition*". The category used for the project was the "Elementary School" - ITE Code 520. The independent variable used for the calculations was the capacity of students for the proposed school. The calculations are as follows:

#823 ELEMENTARY SCHOOL

TRIP GENERATION

ELEMENTARY SCHOOL

ITE CODE (520)

600 Student Capacity

AM PEAK HOUR OF ADJACENT STREET TRAFFIC

0.30 Vehicles Trips Per Student

Total AM Peak Hour Trips = $(0.30)(600) = \underline{180 \text{ Trips}}$

Entering (60%) 108 Trips

Exiting (40%) 72 Trips

PM PEAK HOUR OF GENERATION

Fitted Curve Equation: $\ln(T) = 0.881 \ln(X) - 0.737$
 $T = \underline{135 \text{ Trips}}$

$R^2 = 0.70$

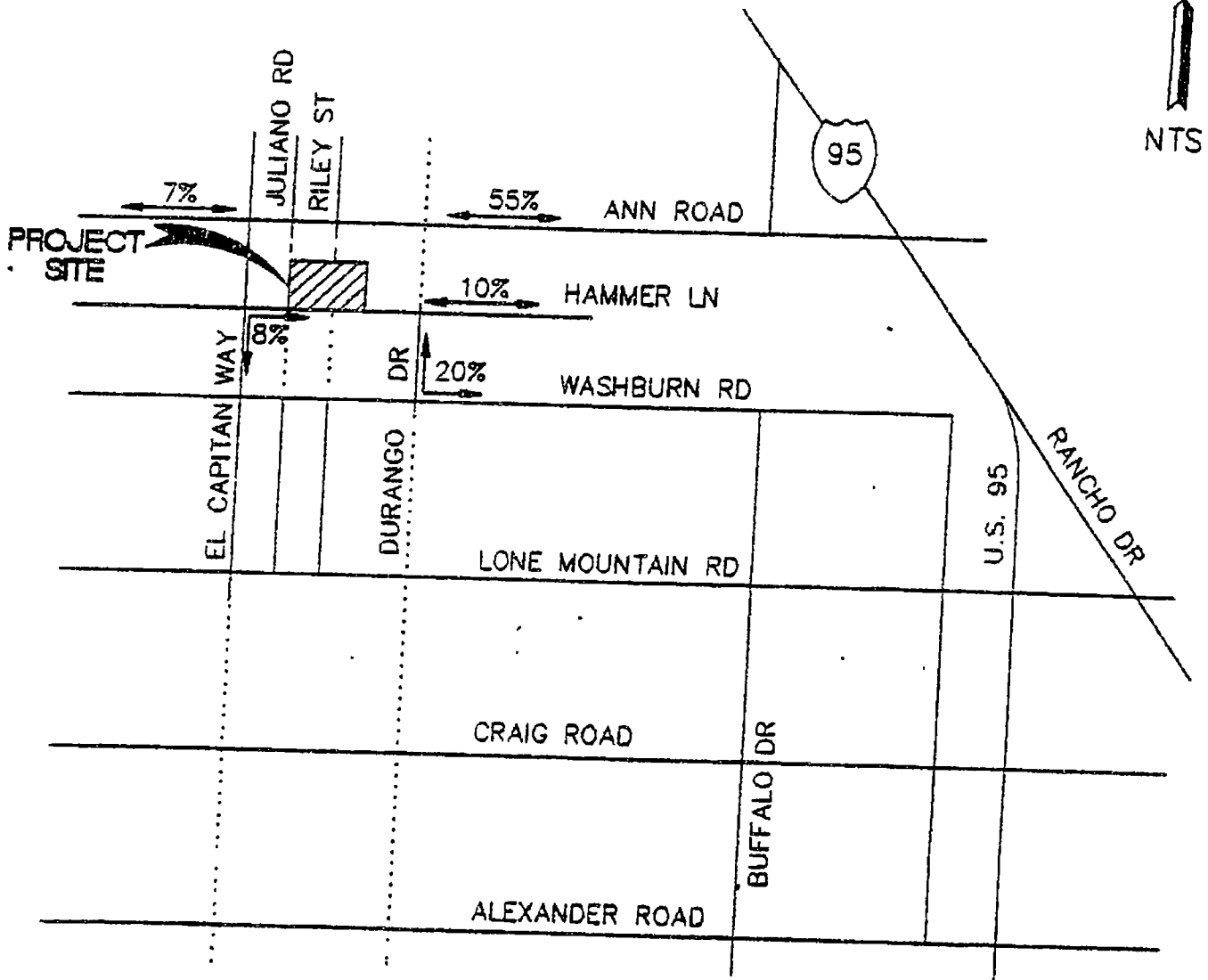
Entering (56%) 76 Trips

Exiting (44%) 59 Trips

WEEKDAY VOLUMES

Fitted Curve Equation: $T = [(1.113/X) - 0.00002]^{-1}$
 $T = \underline{545 \text{ Trips}}$

$R^2 = 0.85$



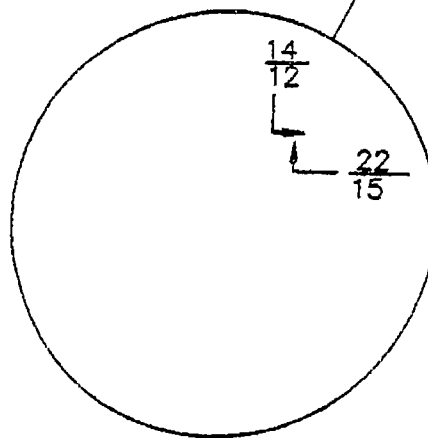
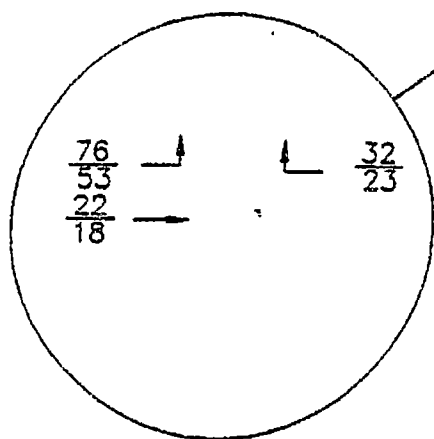
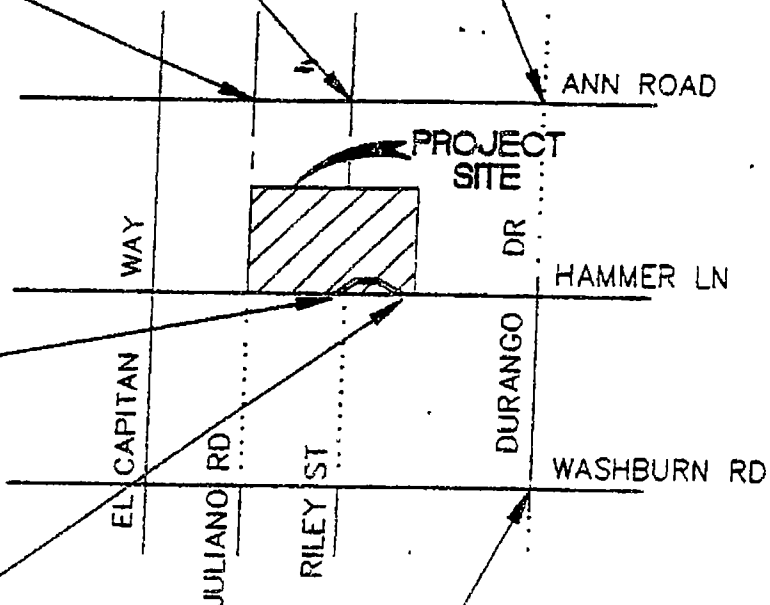
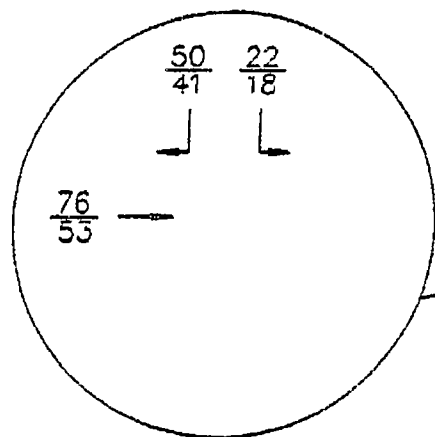
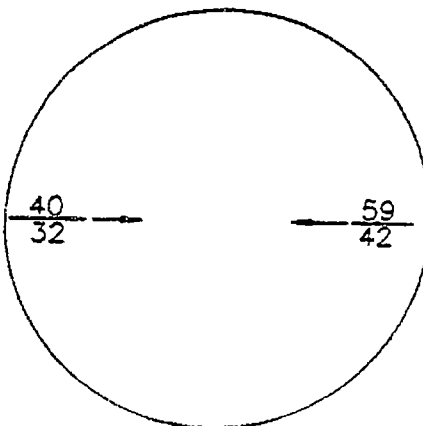
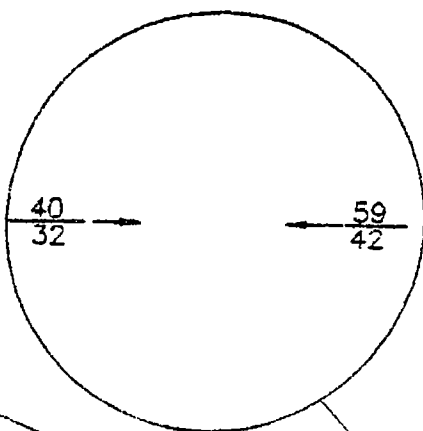
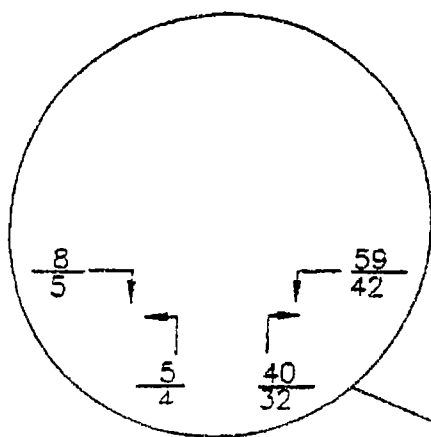
JULIANO / HAMMER
ELEMENTARY SCHOOL

TRIP DISTRIBUTION

FIGURE 2

MARTIN
&
MARTIN

MARTIN & MARTIN
CIVIL ENGINEERS
1908 S. JONES BLVD.
SUITE 9
LAS VEGAS, NEVADA 89102
PHONE (702) 348-0800



LEGEND

XX = AM PEAK HOUR VOLUMES
 YY = PM PEAK HOUR VOLUMES

NEW BUSINESS:-

.. < (1 1/2 - 2 min) > ..

Item #1. ABEYANCE ITEM: - (N/DOT PURCHASE CHARLESTON HILLS PARK @ \$3.670 mil.) ^{WHICH ALSO IS AN ITERATIVE PROCESS IN VALUING PARKS IN CONTINUUM OF} ^{EPA ISSUE, ... INITIATIVES} ^{AND CONSIDERING} ^{RELEVANT!!}

(* TOM MCGOWAN, 720 SO. CASINO CENTER BLVD.
I NOTE WITH INTEREST THAT N/DOT HAS NOT INDICATED FLEXIBILITY IN TERMS OF A HIGHER PRICE! ..

-- (* IF ALL OF THE INTERESTED AND AFFECTED RESIDENTS WERE DULY
ADVANCE NOTICED AND ADVISED OF AN OPPORTUNITY TO PROVIDE
PUBLIC QUERY AND COMMENT UPON THE AGENDA ITEM IN AN OPEN
PUBLIC MEETING OF THE CITY COUNCIL AND ANY SUB-DIVISION(S) THEREOF;

AND: -- IF THE TOTAL GROSS SUM OF PURCHASE PRICE OFFERED BY
N/DOT IS FAIR AND EQUITABLE IN TERMS OF COMPARISON TO THE
REMUNERATION PROVIDED TO THE DISLOCATED HOMEOWNERS, AND ALSO, --
-- IS FAIR AND EQUITABLE IN TERMS OF COMPENSATION IN
REMUNERATION FOR THE LOSS OF NEIGHBORHOOD PRESERVATION
PARK ACREAGE, PROXIMAL LOCATION, FACILITIES, AMENITIES, ~~AND~~
SERVICES, NECESSITY AND CONVENIENCE ENSUING AS IMPACTIVE
UPON THE INTERESTED AND AFFECTED RESIDENTS AND CHILDREN; ..

AND: -- IF ALL HERETO APPLICABLE LAW HAS BEEN COMPLIED WITH: --
AND ~~AND~~ CONTINGENT UPON COMPLETION OF THE NINETY-DAYS (90) PROCEDURAL TERM, --
'APPROVE' THE ITEM; -- BUT, .. IF ANY ONE(1) OR ALL OF THOSE
REQUIREMENTS HAVE NOT BEEN MET, -- 'DISAPPROVE' AND 'DENY'
THE ITEM UNTIL SUCH TIME AS THEY SHALL HAVE BEEN MET.

NOW: -- ON A TECHNICAL MATTER: --

(*) LET THE RECORD REFLECT THAT THE VERBATIM TEXT OF THE
ABEYANCE ITEM #1. IS INACCURATE, MISLEADING AND
INCOMPLETE AND THEREAS IN VIOLATION OF NRS 241.020.2.(c) 1,
THE NEVADA OPEN MEETING LAW, ... SINCE N/DOT IS 'ADVISORY-ONLY'
TO AND 'NON-DIRECTIVE' OF EITHER THE REAL ESTATE COMMITTEE AND/OR
THE CITY COUNCIL, -- AND SINCE ^{BOTH} THE HERETO-PERTINENT INITIALLY
^{REAL ESTATE COMMITTEE} ADVANCE PUBLIC NOTICED AND POSTED MEETING AGENDA-ITEMIZED TEXT (18 OCT. '99)
AND THE CITY COUNCIL MEETING AGENDA-ITEMIZED TEXT (18 OCT. '99)
(*) UTILIZED THE PURPOSE-DEFINITIVE TERM: -- 'OFFER' -- BUT THE HEREIN

TML R/E COMM. MTG. 3P TUES. 2 NOV. '99 (8th Fl CH) (M. McDONALD) (G. REESE)

C/P

.. < (1 min) > ..

* TOM MCGOWAN. 720 S. CASINO CENTER BLVD. --

By way of 'ADVISORY-ONLY' ASSISTANCE, --- AN UNLAWFUL MEETING IS READILY SUBJECT TO REMEDICATION BY CANCELLATION OR ADJOURNMENT OF THE MEETING, AND THEREUPON TIMELY CORRECTION OF AND ADVANCE PUBLIC NOTICE AND POSTING OF THE MEETING AGENDA AND RE-SCHEDULING OF THE MEETING TO OCCUR SUBSEQUENT TO THE EXPIRATION OF THREE (3) CONSECUTIVE BUSINESS DAYS THEREFROM.

THE SAME REMEDY IS AVAILABLE AND APPLIES TO ALL SIMILAR INSTANCES OF UNLAWFUL MEETINGS OF A PUBLIC ENTITY AND ANY AND ALL SUB-DIVISIONS THEREOF.

ABSENT REMEDIATION, ... THE SOLE RATIONAL AND RESPONSIBLE ALTERNATIVE IS THE TIMELY FILING OF THERETO-PERTINENT COMPLAINTS WHICH REQUIRE THAT THE SUBJECTS STAND ACCOUNTABLE, RESPONSIBLE AND LIABLE IN ACCORDANCE WITH APPLICABLE LAW.

Thank you. /

146 TUES. 2 NOV, '99

ABEYANCE ITEM TEXT, OMITS THE TERM:-- "OFFER" AND UTILIZES
THE TERM:-- "REQUEST",-- WHICH IS NON-COINCIDENT TO AND
NON-INTERCHANGEABLE WITH, THE TERM:-- "OFFER",-- AND HAS AN
ENTIRELY DIFFERENT MEANING IN TERMS OF SPECIFIC PURPOSE AND
INTENT,-- HENCE IS UNLAWFUL AND MAKES THIS AN 'UNLAWFUL
MEETING', AND MAKES ALL ACTIONS TAKEN BY AND DURING THE
MEETING NULL, VOID, NON-BINDING AND INAPPLICABLE.

THANK YOU./~

30
9
39
78