

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-144-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, water, sanitary sewer, storm sewer, curb and gutter project. Parcel is located in Kloehn Companies Phase II.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-144-2004

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:33 – 9:35)

1-852

RESOLUTION NO. R-144-2004

A RESOLUTION RELATING TO CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); APPROVING THE FORTY-SIXTH ASSESSMENT LIEN APPORTIONMENT REPORT WITH RESPECT TO CERTAIN LOTS AND PARCELS OF PROPERTY WITHIN SAID DISTRICT; AND DIRECTING THE RECORDATION OF SAID REPORT.

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the "City", respectively, herein) in the County of Clark and State of Nevada, has taken the requisite legal action that is preliminary to and in the creation of "City of Las Vegas, Nevada, Special Improvement District No. 404 (Summerlin Area)" (the "District" herein), for the purposes of providing for the acquisition, construction and installation of a street, water, sanitary sewer, storm sewer, curb and gutter project (the "Project" herein), and of defraying the entire cost and expenses thereof by special assessments against the assessable lots and parcels of property within the District according to the benefits that would be derived from the Project by the respective lots and parcels that were to be so assessed, all in accordance with the provision of Chapter 271, et seq., of the Nevada Revised Statutes (hereinafter "NRS") and

WHEREAS, the City Council, pursuant to NRS 271.425, has directed the City Treasurer of the City (the "City Treasurer" herein) to apportion, upon an equitable basis, the uncollected and heretofore unapportioned amounts of the special assessments that were heretofore levied upon that certain lot or parcel of property that is situate within the District and is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-30-210-002 (the "Parcel" herein) among the several parts into which the Parcel has been divided or amended and to prepare, submit and file with the City Clerk of the City (the "City Clerk" herein) a report of such apportionment; and

WHEREAS, the City Treasurer, on the 1st day of September 2004, filed with the City Clerk a copy of his report of such apportionment that is entitled "Forty-Sixth Assessment Lien Apportionment Report for City of Las Vegas, Nevada, Special Improvement District No. 404 (Summerlin Area)"; and

WHEREAS, the City Council has reviewed said Report and has found the same, in all respects, to be satisfactory;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof, held on this 1st day of September 2004, as follows:

SECTION 1. That the certain document entitled "Forty-Sixth Assessment Lien Apportionment Report for City of Las Vegas, Nevada, Special Improvement District No. 404 (Summerlin Area)", a copy of which is attached as Exhibit "A" hereto, is hereby approved and adopted as and for the City's plan for the apportionment of the uncollected and heretofore unapportioned amounts of the special assessments that were heretofore levied upon the Parcel among the several parts into which said Parcel has been divided.

SECTION 2. That the City Clerk is hereby authorized, empowered and directed to record in the Office of the County Recorder of Clark County, Nevada, a copy of said Report, together with a statement that the current payment status of any of the assessments that are shown thereon may be obtained from the City Treasurer.

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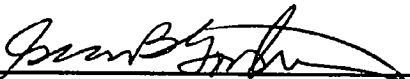
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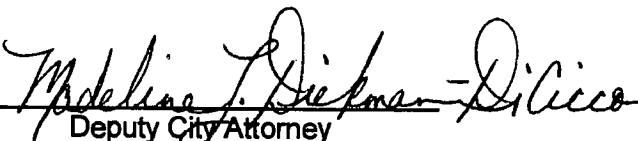
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SECTION 3. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they are hereby repealed.

PASSED, ADOPTED AND APPROVED this 1st day of September, 2004.


OSCAR B. GOODMAN, Mayor

Approved as to form:

8-18-'04 
Date Deputy City Attorney

ATTEST:


BARBARA JO RONEMUS, City Clerk

APN: 138-30-210-002

**City of Las Vegas, Nevada
Special Improvement District No. 404
(Summerlin Area)**

**FORTY-SIXTH ASSESSMENT LIEN APPORTIONMENT REPORT
September 1, 2004**

RETURN TO:

**City of Las Vegas
Department of Public Works
Special Improvement District - 4th Floor
400 Stewart Avenue
Las Vegas, Nevada 89101**

Exhibit "A"

FORTY-SIXTH ASSESSMENT LIEN APPORTIONMENT REPORT

The assessment that has heretofore been levied against that certain parcel of property identified by the County Assessor's parcel number as Parcel 138-30-210-002 in the original amount of \$184,477.82 is hereby further decreased by apportioning the assessment among the parcels that have been created out of the said parcel, as follows:

OWNER/DEVELOPER	APN	PER PARCEL ASSESSMENT
Kloehn, Garth & Judith	138-30-218-001 ¹	\$ 101,100.90
Kloehn, Garth & Judith	138-30-218-002 ²	83,376.92
	TOTAL	\$ 184,477.82

¹ All of Lot 1 of Kloehn Companies Phase II as shown in Book 116 of Plats, Page 82 recorded in the office of the County Recorder, Clark County, Nevada.

² All of Lot 2 of Kloehn Companies Phase II as shown in Book 116 of Plats, Page 82 recorded in the office of the County Recorder, Clark County, Nevada.

DATED this 1st day of September 2004

I concur with the foregoing Forty-Sixth Apportionment Report.

Garth Kloehn Date

Judith Kloehn Date

Respectfully submitted,

MICHAEL K. OLSON, City Treasurer

THE CURRENT PAYMENT STATUS OF ANY OF THE FOREGOING ASSESSMENTS MAY BE OBTAINED FROM THE OFFICE OF THE CITY TREASURER OF LAS VEGAS, NEVADA.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-145-2004 - Approval of a Resolution approving the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, water, sanitary sewer, storm sewer, curb and gutter project. Parcel is located in Kloehn Companies Phase II.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-145-2004

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:33 – 9:35)

1-852

RESOLUTION NO. R-145-2004

A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) THAT HAS BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED THERE AGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH APPORTIONMENT.

WHEREAS, the City of Las Vegas (the "City" herein), in the County of Clark and State of Nevada, is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as the same have been amended to the date hereof, and the general laws of said State; and

WHEREAS, by Ordinance No. 3466 that was passed, adopted and approved by the City Council of the City (the "City Council" herein) on the 15th day of November, 1989, as said Ordinance was amended by Ordinance No. 3475 that was passed, adopted and approved by the City Council on the 3rd day of January, 1990, the City Council created "City of Las Vegas, Nevada, Special Improvement District No. 404 (Summerlin Area)" (the "District" herein) for the purposes of providing for the acquisition, construction and installation of a street, water, sanitary sewer, storm sewer, curb and gutter project (the "Project" herein), and defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within the District according to the benefits that would be derived from the Project by the respective lots and parcels that were to be so assessed, all in accordance with the provisions of Chapter 271, et seq., of the Nevada Revised Statutes (hereinafter "NRS"); and

WHEREAS, by Ordinance No. 3467 that was duly passed, adopted and approved by the City Council on the 15th day of November, 1989, as said Ordinance was amended by Ordinance No. 3476 that was passed, adopted and approved by the City Council on the 3rd day of January, 1990, the City Council assessed all of the costs and expenses of acquiring,

constructing and installing the Project against the assessable lots and parcels of property in the District that were benefited by the Project; and

WHEREAS, NRS 271.425 provides that if any lot or parcel of property within a special improvement district which has been created by a municipality in said State is divided after a special assessment thereupon has been levied and divided into installments and before the collection of all such installments, the governing body of such municipality may require the municipal treasurer to apportion the uncollected amount of such special assessment among the several parts into which such lot or parcel has been divided; and

WHEREAS, that certain lot or parcel of property that is identified by Clark County, Nevada, County Assessor's parcel number as Parcel 138-30-210-002, (the "Parcel" herein) and is situate within the District, has been divided after the special assessments were levied and divided into installments, and not all of those installments have been collected or apportioned among other lots and parcels that may have been created out of said Parcel after the assessments were levied; and

WHEREAS, the City Council desires, by this Resolution, to direct the City Treasurer of the City (the "City Treasurer" herein) to apportion the uncollected and heretofore unapportioned amounts of the special assessments that have been levied upon the Parcel among the several parts into which the Parcel has been divided;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof being held on this 1st day of September, 2004, as follows:

SECTION 1. That the City Treasurer be, and he is hereby authorized, empowered and directed to apportion, on an equitable basis, the uncollected and heretofore unapportioned amount of the special assessments that were heretofore, by virtue of the adoption by the City Council of said Ordinance Nos. 3467 and 3476, levied upon the Parcel among the several parts into which the Parcel has been divided.

SECTION 2. That the City Treasurer be, and he is hereby further authorized,

empowered and directed to prepare, submit and file with the City Clerk of the City (the "City Clerk" herein) a report of the apportionment that is required by Section 1 of this Resolution.

SECTION 3. That the City Clerk be, and she is hereby authorized, empowered and directed to furnish a copy of this Resolution to the City Treasurer.

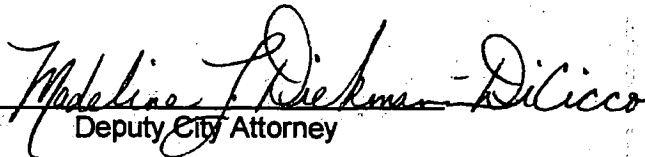
SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

PASSED, ADOPTED AND APPROVED this 1st day of September, 2004.

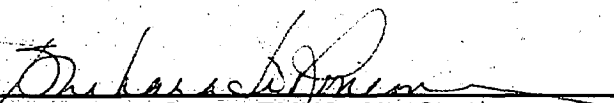


OSCAR B. GOODMAN, Mayor

Approved as to form:

8-18-'04 
Date Deputy City Attorney

ATTEST:



BARBARA JO RONEMUS, City Clerk

APN: 138-30-210-002

2004 SEP - 1 P 3:44

RECEIVED
CITY CLERK

City of Las Vegas, Nevada
Special Improvement District No. 404
(Summerlin Area)

FORTY-SIXTH ASSESSMENT LIEN APPORTIONMENT REPORT
September 1, 2004

RETURN TO:

City of Las Vegas
Department of Public Works
Special Improvement District - 4th Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

FORTY-SIXTH ASSESSMENT LIEN APPORTIONMENT REPORT

The assessment that has heretofore been levied against that certain parcel of property identified by the County Assessor's parcel number as Parcel 138-30-210-002 in the original amount of \$184,477.82 is hereby further decreased by apportioning the assessment among the parcels that have been created out of the said parcel, as follows:

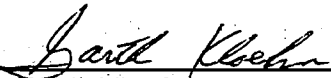
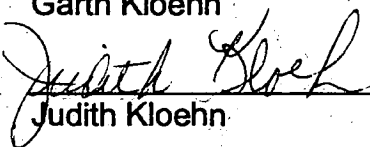
OWNER/DEVELOPER	APN	PER PARCEL ASSESSMENT
Kloehn, Garth & Judith	138-30-218-001 ¹	\$ 101,100.90
Kloehn, Garth & Judith	138-30-218-002 ²	83,376.92
	TOTAL	\$ 184,477.82

¹ All of Lot 1 of Kloehn Companies Phase II as shown in Book 116 of Plats, Page 82 recorded in the office of the County Recorder, Clark County, Nevada.

² All of Lot 2 of Kloehn Companies Phase II as shown in Book 116 of Plats, Page 82 recorded in the office of the County Recorder, Clark County, Nevada.

DATED this 1st day of September 2004

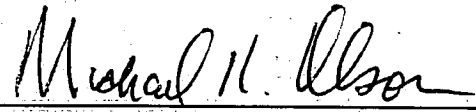
I concur with the foregoing Forty-Sixth Apportionment Report.


Garth Kloehn

Judith Kloehn

8/18/04
Date

8-18-04
Date

Respectfully submitted,


MICHAEL K. OLSON, City Treasurer

THE CURRENT PAYMENT STATUS OF ANY OF THE FOREGOING ASSESSMENTS MAY BE OBTAINED FROM THE OFFICE OF THE CITY TREASURER OF LAS VEGAS, NEVADA.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

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CONSENT

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DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Right-of-Way Grant for Ingress & Egress Purposes, between the City of Las Vegas and Stella Lake Partners, LLC, for an easement located on the north side of Mt. Mariah Drive, approximately 270 feet east of Stella Lake Street, APN 139-21-313-009 - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The site development plan for the office building being developed by Stella Lake Partners, LLC ("Developer") requires driveway access at the southeastern corner of the project site. To accommodate this driveway, the Developer has requested an Ingress & Egress Easement to allow for a turning radius which would encompass 86 square feet of the City-owned property immediately east and adjacent to the project site. This Right-of-Way Grant will grant the easement to the Developer for \$1.00 and in consideration of the Developer's planned office building.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Right-of-way Grant for Ingress & Egress Purposes
2. Legal Description
3. Exhibit "B" Map of Easement
4. Letter from Augie Tortora, Harwood & Associates, dated July 19, 2004

MOTION:

REESE - APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 - **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Consent – Real Estate

Item 46 - Approval of a Right-of-Way Grant for Ingress & Egress Purposes, between the City of Las Vegas and Stella Lake Partners, LLC, for an easement located on the north side of Mt. Mariah Drive, approximately 270 feet east of Stella Lake Street, APN 139-21-313-009 - Ward 5 (Weekly)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-852

APN: 139-21-313-009

WHEN RECORDED MAIL & SEND
TAX STATEMENTS TO:
CITY OF LAS VEGAS – CITY CLERK
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

RIGHT OF WAY GRANT FOR INGRESS & EGRESS PURPOSES

I (WE): CITY OF LAS VEGAS, a Municipal Corporation
of the State of Nevada

the undersigned, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant and convey to STELLA LAKE PARTNERS, LLC, a Virginia limited liability company, its successors and assigns, an easement for ingress and egress purposes upon, over, and across the following described parcel of land.

**FOR COMPLETE LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED
HERETO AND BY THIS REFERENCE MADE A PART HEREOF**

For: Ingress/Egress easement located on the north side of Mt. Mariah Dr., approx. 270'± east of Stella Lake St.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Continued:
Page 1 of 2

**LEGAL DESCRIPTION
FOR
INGRESS/EGRESS EASEMENT**

A PORTION OF LOT SEVEN (7), OF AMENDED MAP FOR LAS VEGAS ENTERPRISE PARK, A COMMERCIAL SUBDIVISION, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 77 OF PLATS, PAGE 54, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, AND LYING WITHIN THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTH HALF (N 1/2); THENCE ALONG THE NORTH LINE THEREOF, SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF LAKE MEAD BOULEVARD, NORTH 89°32'57" WEST, A DISTANCE OF 734.57 FEET; THENCE DEPARTING SAID NORTH LINE AND SAID CENTERLINE, SOUTH 00°27'03" WEST A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 7-1 AS SHOWN BY THAT CERTAIN RECORD OF SURVEY IN FILE 116, PAGE 32 OF SURVEYS, IN THE CLARK COUNTY RECORDERS OFFICE, CLARK COUNTY, NEVADA, AND THE SOUTH RIGHT-OF-WAY LINE OF SAID LAKE MEAD BOULEVARD; THENCE ALONG THE EAST LINE OF SAID LOT 7-1, SOUTH 00°17'00" WEST A DISTANCE OF 700.51 FEET TO THE **POINT OF BEGINNING**; SAID POINT ALSO BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 31.42 FEET TO THE SOUTH LINE OF SAID LOT 7, SAID SOUTH LINE BEING COINCIDENT THE NORTH RIGHT-OF-WAY OF MOUNT MARIAH DRIVE; THENCE ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°43'00" WEST, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7-1; THENCE DEPARTING SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID EAST LINE OF SAID LOT 7-1, NORTH 00°17'00" EAST, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**

CONTAINING AN AREA OF 86 SQUARE FEET.

BASIS OF BEARINGS: NORTH 89°32'57" WEST, BEING THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN IN FILE 116 PAGE 32 OF SURVEYS IN THE RECORDER'S OFFICE OF CLARK COUNTY, NEVADA.

ATTACHED HERETO IS AN EXHIBIT MAP LABELED "EXHIBIT B" AND BY THIS REFERENCE MADE A PART THEREOF.

THE ABOVE LEGAL DESCRIPTION
WAS PREPARED BY: C POND
CHECKED BY:
MICHAEL A. LATHAN, PLS 14414
Carter-Burgess
6655 BERMUDA ROAD
LAS VEGAS, NEVADA 89119



EXHIBIT "B"

POINT OF
COMMENCEMENT



NOT TO
SCALE

(BASIS OF BEARING)

N89°32'57"W

734.57'

PUBLIC STREET
LAKE MEAD BLVD.

S00°27'03"W
50.00'

50.00'

POINT OF
BEGINNING

A.P.N.
139-21-313-010
LOT 7-1 IN FILE
116 PAGE 32 OF
SURVEYS

A.P.N.
139-21-313-002
REMAINDER OF
LOT 7 BOOK 77
PAGE 54 OF
PLATS

N00°17'00"E
20.00'

S00°17'00"W
700.51'

N89°43'00"W (R)

Δ=90°00'00"

R=20.00'

L=31.42'

T=20.00'

20.00'
S89°43'00"E

S00°17'00"W (R)

PUBLIC STREET
MOUNT MARIAH DRIVE

INGRESS/EGRESS
EASEMENT

JOB NO: 241035

DATE: 07-14-04

DRAWN BY: CMP

CHECKED BY: MAL

Carter Burgess

6655 Bermuda Road
Las Vegas, Nevada 89119
(702) 938-5400



July 19, 2004

HARWOOD & ASSOCIATES

11350 Random Hills Road • Suite 800 • Fairfax, Virginia 22030
Office (703) 279-6540 • Fax (703) 352-7060 • E-Mail HarwoodLM@aol.com

Mr. Bill Arent
Senior Economic Development Officer
City of Las Vegas
Office of Business Development
400 Stewart Avenue
Las Vegas, NV 89101

Re: Request for Ingress/Egress Easement
Stella Lake Office Building

Dear Mr. Arent:

A Memorandum Of Understanding ("MOU") was entered into on the 19th day of July, 2004 by and between the City of Las Vegas ("the City") and the General Services Administration (the "GSA") regarding donating the City owned real property consisting of approximately 5.3 acres bounded by Stella Lake drive, Lake Mead Blvd and Mount Mariah Drive in the City of Las Vegas for the development of a new facility to be leased by the GSA. Title of the real property was transferred to Stella Lake Partners, LLC ("the Developer") selected by GSA pursuant to the Real Property Conveyance Agreement executed between the City of Las Vegas and Harwood & Associates dated the 7th of April 2004.

In order to satisfy the use requirements of the GSA, the Developer must design and construct a building and parking structure to satisfy the requirements of the GSA as well as meet certain setback requirements for the structures imposed by both the City and the GSA. Due to the size and configuration of the land donated by the City and the planned building improvements, additional land is required to provide the City required turning radius on the east side of the driveway located on the south east corner of the property along Mount Mariah Drive.

The City is the Owner of the adjacent vacant land located east of the property on which the GSA Building will be developed. The additional land required to satisfy the requirements of all parties is 86 square feet (0.0019 Acres) and is illustrated on Sketch "A" dated July 12, 2004, copy attached.

Stella Lake Partners hereby requests the City provide an "Ingress/Egress Easement" for a parcel of land consisting of 86 square feet on the southwest corner of Lot No. 7 A.P.N. 130-21-313-002 in the Las Vegas Enterprise Park described in the Legal Description of

Mr. Bill Arent
July 19, 2004
Page 2

Real Property (Exhibit "A"), attached hereto. Stella Lake Partners, LLC will be responsible for constructing the public improvements (curb, gutter and sidewalk) required in the Ingress/Egress Easement area.

Please advise in writing if the City will approve the recording of an Ingress/Egress Easement as requested herein. Approval of this easement will enable the Developer to fulfill its obligations to the GSA and the City and remain on schedule for submission of its civil plans and the planned groundbreaking in September.

Please do not hesitate to contact the undersigned for any questions concerning this request. Your prompt consideration is greatly appreciated.

Very truly yours,

Harwood & Associates


AP Tortora

Encl: Sketch A (dated 7/12/04)

Legal Description for Ingress/Egress Easement (sealed - 2 pages)

Exhibit 'B' Ingress/Egress Easement Drawing dated 7/14/04

cc: Damon Harwood

J. Wagner

C. Feld (GSA)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Lease Agreement renewal between the City of Las Vegas and I Have a Dream Foundation, a Nevada non-profit corporation, for approximately 300 square feet of office space located at 320 South 9th Street - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City purchased the former First Baptist Church at 9th and Bridger Streets with Community Development Block Grant funds acquiring the main building and an additional structure formerly used as a parsonage. The parsonage is a 3 room structure which presently houses Jude 22 for operation of the Senior Nutrition Center, providing emergency food services for senior citizens. I Have a Dream Foundation occupies one room of the structure for use with educational mentoring and tutoring of qualifying low to moderate income children.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Lease Agreement

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – UNANIMOUS with MACK abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-852

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this 5th day of September, 2001, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, (hereinafter referred to as "Lessor"), and "I HAVE A DREAM", a Nevada nonprofit corporation, a 501(c) (3) designated non-profit organization operating the "I Have a Dream" Foundation (hereinafter referred to as "Lessee").

WITNESSETH:

WHEREAS, Lessor approved the purchase of certain property located at 320 S. 9th Street through its Community Development Block Grant Program (hereinafter "CDBG"), during the City Council session of April 5, 2000.

WHEREAS, Lessor desires to lease to Lessee, and Lessee desires to lease from Lessor, office space of approximately 300 square feet consisting of one office of the approximately 1500 square feet that is situated in the above referenced property.

WHEREAS, the United States Department of Housing and Urban Development, (hereinafter "HUD"), pursuant to 24 CFR Part 570 et. seq., and specifically to 24 CFR Part 570.503, requires the City as CDBG Entitlement Program Recipient to sign a written agreement with the Subrecipient which shall remain in effect for the time period during which the Subrecipient remains a tenant at the premises listed above.

WHEREAS, in accordance with 24 CFR Part 570 et. Seq. and all relevant federal related regulations, the parties agree to enter into this Lease Agreement.

NOW, THEREFORE, for and in consideration of the foregoing and the covenants, terms and conditions herein contained, the parties agree as follows:

ONE. LEASE OF PREMISES.

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, 300 square feet of office space located in the building located at 320 S. 9th Street, which is commonly referred to as the Downtown Community Center Parsonage and located in the City of Las Vegas, Nevada, (hereinafter referred to as "Premises") in accordance with the provisions of this Lease Agreement (hereinafter referred to as the "Lease"). Lessee agrees to use the Premises solely for the purpose of conducting normal business of the IHAD Program, as more fully described in Exhibit "D", and shall not permit the Premises to be used for any other purpose. The Premises is depicted by map in Exhibit A.

Said Exhibit A is attached for reference purposes only and is in no way intended to restrict or expand the Premises as previously described.

TWO. TERM OF LEASE.

This Agreement provides for the utilization of a CDBG facility funding of the "IHAD" Program rendered in accordance with this Agreement. Unless earlier terminated in accordance with Section Thirty-Four hereof, and subject to the renewal provisions contained in Section Thirty-Three hereof, this Lease shall be from year to year, beginning, on the Commencement Date, as defined in Section Three, and ending one (1) year thereafter. It is expressly understood and agreed that this lease may be terminated at any time after one (1) year by Lessor upon giving ninety (90) days' written notice to Lessee by mailing the same to any officer of said Lessee.

THREE. COMMENCEMENT DATE. This Lease shall become effective on _____, 2001, and shall end on _____, 2002, unless renewed pursuant to Section Thirty-three.

FOUR. RENT.

The Lessor shall provide the Premises for an annual fee of one dollar (\$1.00) starting _____, 2001.

Subrecipient shall provide hours of operation and shall perform the services in the Scope of Services as set forth in Exhibit "D".

FIVE. UTILITIES AND SERVICES.

Utilities shall be provided for by the Lessor. Lessee shall provide and pay for custodial services for their Premises during the Lease term, including any and all telephone services. A separate phone line will be required to be installed by Lessee in their Premises. Lessor will be required to pay for any landscaping service that is required.

SIX. REPAIRS AND MAINTENANCE.

Lessor agrees to make any and all necessary structural, heating, air conditioning, flooring, electrical, plumbing, roofing, exterior wall, sidewalk repairs and other similar repairs required as a result of any defect or as a result of the same wearing out or becoming unserviceable or damaged through no carelessness, negligence or other fault on the part of the Lessee or any of their invitees, including repairs to sewer lines, water lines, roofing, and common areas (which includes the customer parking area) walls, landscaping. Lessee shall notify Lessor's Department of Neighborhood Services of any and all maintenance and repairs to be made to the building or on the Premises. Lessee agrees to maintain the Premises in as good a state of repair as when first occupied. Ordinary wear and tear, obsolescence and damage by the elements, fire or other similar casualty excepted.

SEVEN. USE OF PREMISES.

A. Lessee agrees to use the Premises solely for the prescribed organization's purposes which consists of programs designed to improve the lives of at-risk Las Vegas Youths and no other. It is expressly understood and agreed that the Premises shall not be used for residential or commercial purposes, except as otherwise provided herein.

B. Lessee shall have the right of ingress and egress over the adjoining lands of the Lessor necessary or convenient for the operation and use of said Premises, but that said egress and ingress shall be at such hours as prescribed by the Lessor.

C. Lessee shall not post any signs without obtaining prior written consent of the Lessor.

E. It is specifically understood and agreed by Lessor and Lessee that the activities to be performed under the Scope of Services, Exhibit "D" of this Agreement, shall achieve one or more of the following national objectives of the CDBG Programs:

- a) *To benefit persons from low- and moderate-income households,*
- b) *To aid in the prevention or elimination of slum or blight,*
- c) *To meet Community Development needs having a particular urgency;*

The Lessee may demonstrate that it is meeting this requirement by following the Direct Service Program Income Eligibility Criteria, as set forth in EXHIBIT "B" attached hereto and by reference is made a part hereof, and by providing the Department of Neighborhood Services with a Program Status/Client Statistics Report, the form for which is attached as Exhibit "C" and by reference is made a part hereof, on a quarterly basis or at a higher frequency to be determined by the Department of Neighborhood Services.

F. Lessee expressly agrees and understands that Lessee will comply with all uniform administrative requirements of the CDBG Program as set forth in 24 CFR Part 570.504(c), including but not limited to, the cost principles and audit requirements established by OMB Circulars A-87 and A-128, respectively.

G. Lessee shall carry out its activities in compliance with all Federal laws and regulations as described in 24 CFR 570.600-570.612, except that Lessee will not assume the Lessor's environmental responsibilities described at 24 CFR 570.604, nor the Lessor's responsibility for initiating the review process under the provisions of 24 CFR Part 58.

H. It is specifically understood and agreed by Lessee that the Department of Neighborhood Services shall not be obligated to pay any moneys to Lessee hereunder and hereinafter in the event that such CDBG funds for any reason are terminated or withheld from the Lessor or are otherwise not forthcoming, and in such event, Lessor or Lessee may terminate this Agreement at anytime with or without cause upon a thirty (30) day written notice hand delivered,

by mail or in person to the other party. Lessee also understands and agrees in accordance with 24 CFR Part 85.43 that Lessor may suspend or terminate this Agreement if Lessee materially fails to comply with any term as stated herein, and that the award may be terminated for convenience in accordance with 24 CFR Part 85.44.

EIGHT. LAWS. WASTE. NUISANCE. Lessee covenants that it:

A. Will not use or suffer or permit any person or persons to use the Premises or any part thereof for conducting thereon any activity not authorized in this Lease;

B. Will comply with all laws, ordinances, regulations and requirements, now in force or which hereafter may be in force, of any lawful governmental body or authority having jurisdiction over the Premises;

C. Will keep the Premises and every part thereof in a clean, neat and orderly condition, and will in all respects and at all times fully comply with all health and police regulations; and

D. Will not suffer, permit or commit any nuisance or waste on the Premises.

NINE. ALTERATIONS. ADDITIONS AND IMPROVEMENTS. At any time during the Lease term, Lessee, subject to the prior written approval of Lessor and at the expense of Lessee, may make alterations, additions or improvements in and to the Premises. Any such alteration, addition or improvement shall be performed in a workmanlike manner, in accordance with all applicable governmental regulations and requirements, and shall not weaken or impair the structural strength or lessen the value of the Premises.

All alterations, additions or improvements that may be erected or installed in or on the Premises shall become part thereof and the sole property of Lessor, except that all moveable fixtures that may be installed by the Lessee shall be and remain its or their property and shall not become the property of Lessor if it is removed in a timely manner after abandonment or surrender of the Premises.

TEN. PAYMENT OF TAXES. Lessee shall be responsible for any real property taxes on, or real property related assessments to the Premises. Lessor shall have no responsibility or liability to pay any personal property taxes because of any personal property brought upon or used by Lessee in connection with the Premises, and Lessee agrees to pay, and to indemnify Lessor concerning, any such taxes that may be assessed.

ELEVEN, COMPLIANCE WITH THE LAW. The Lessee shall promptly execute and comply with all statutes, rules, orders, building codes, ordinances, requirements, and regulations of the City, County, State and Federal governments, including OSHA, the Americans with Disabilities Act of 1990 (42 USC Sections 12101 through 12213 and 47 USC Section 225.611) and their underlying regulations and rules, which are applicable to the Premises. Nothing herein contained shall be construed to restrict the Lessee from contesting the validity of

any such regulation, rule or ordinance, provided the Lessee indemnifies the Lessor to its reasonable satisfaction against the consequences of non-compliance during the period of dispute.

TWELVE. INDEMNIFICATION AND INSURANCE.

A. Prior to its occupancy of the Premises, the Lessee shall, at its sole cost and expense, obtain and thereafter, at all times during which this Lease is in force and effect, maintain bodily liability insurance covering the Premises and any and all improvements thereon in the amount of Five Hundred Thousand and No/100th Dollars (\$500,000.00) for the injury to or the death of any one person and/or property damage combined single limit and Five Hundred Thousand and No/100th Dollars (\$500,000.00), for injury to or the death of any number of persons and/or property damage as a result of any one occurrence.

B. Within five (5) days after execution of this Lease Agreement and as a condition to this Lease Agreement's continuing in force and effect, Lessee shall submit to Lessor a certificate of insurance which evidences the above required coverage's and names the Lessor as an additional insured. The policies with respect to such insurance coverage's shall be so endorsed as to create the same liability on the part of the insurer as though separate policies had been written for Lessor and Lessee. The insurance coverage's shall be with an insurance carrier which is licensed to do business with the State of Nevada and which is acceptable to the Lessor.

C. In the event that the Lessee fails to obtain or maintain the insurance coverage required herein, the Lessor shall have the right to terminate this Lease.

D. Lessee hereby agrees to protect, indemnify, and hold the Lessor, its officers, employees and agents, harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs, which the Lessor, its officers, employees or agents, may suffer or which may be sought against or are recovered or obtainable from the Lessor, its officers, employees or agents, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of the Lessee or its officers, employees, contractors, subcontractors, agents, volunteers or anyone who is directly or indirectly employed by, or is acting in concert with, the Lessee, officers, its employees, contractors, subcontractors, volunteers or agents in the performance of this Agreement.

E. In this connection, the Lessee expressly agrees, at its sole cost and expense, to defend the Lessor, its officers, employees and agents, in any suit or action that may be brought against it or them, or any of them, by reason of any act or omission, negligent or otherwise, against which the Lessee has agreed to indemnify the Lessor, its officers, employees and agents. If the Lessee fails so to do, the Lessor shall have the right, but not the obligation to defend same and to charge all of the direct and incidental costs of such defense, including attorneys' fees and court costs, to the Lessee.

THIRTEEN. WAIVER OF SUBROGATION. Lessor hereby waives, and Lessee hereby waives, any rights each may have against the other for loss or damage to its property or property in which it may have an interest, where such loss is caused by a peril of the

type generally covered by fire or hazard insurance with extended coverage or arising from any cause which the claiming party was obligated to insure against under this Lease, and the Lessor and Lessee, each waives any right of subrogation that it might otherwise have against the other party.

FOURTEEN. SURRENDER OF PREMISES. Upon expiration or other authorized termination of this Lease, Lessee shall surrender the Premises in the same condition as they were in at the commencement of this Lease except for additions, alterations or changes specifically authorized by Lessor and reasonable wear and tear, and shall deliver all keys to Lessor. Before surrendering the Premises, Lessee shall remove all of its personal property and trade fixtures and such alterations or additions to the Premises made by Lessee as may be specified for removal by Lessor, and shall repair any damage caused by such property or the removal thereof. If Lessee fails to remove such personal property and fixtures upon the expiration or other authorized termination of this Lease, the same shall be deemed abandoned and shall become the property of Lessor.

FIFTEEN. HOLDING OVER. Any holding over by the Lessee, with the Lessor's consent, after the expiration of the term hereof or of any renewal term shall be construed to be a tenancy from month to month, terminable on one month's written notice, at a negotiated rent to be paid in advance on the first day of each month. Such tenancy shall otherwise be on the terms herein specified so far as possible.

SIXTEEN. SALE OF PREMISES. Lessor reserves the right at any time to sell, convey or otherwise transfer its interest in the Premises or any portion thereof. Lessor agrees not to sell, convey, or otherwise transfer its interest in the lease property unless purchaser or such other person, business, or corporation agrees to the benefits and duties of this Lease in writing. However, in that event, no option to renew, as provided in Section Thirty-Three herein will be available to Lessee.

SEVENTEEN. EMINENT DOMAIN. In case the whole of the Premises, or such part thereof as shall substantially interfere with Lessee's use thereof, shall be taken by any lawful power or authority by exercise of the right of eminent domain, or sold to prevent such taking, either Lessor or Lessee may terminate this Lease effective as of the date possession is required to be surrendered to said authority. Lessee shall not because of such taking assert any claim against Lessor or the taking authority for any compensation because of such taking, and Lessor shall be entitled to receive the entire amount of any award without deduction for any estate or interest of Lessee. In the event the amount of property or the type of estate taken shall not substantially interfere with the conduct of Lessee's business, Lessor shall be entitled to the entire amount of the award without deduction for any estate or interest of Lessee. In such event, Lessor shall promptly proceed to restore the Premises to substantially their condition prior to such partial taking, and a proportionate allowance shall be made to Lessee for the rent corresponding to the time during which, and to the part of the Premises of which, Lessee is so deprived on account of such taking and restoration. Nothing contained in this Section shall be deemed to give Lessor any interest in, or prevent Lessee from seeking any award against the

taking authority for the taking of, personal property and fixtures belonging to Lessee or for relocation expenses recoverable against the taking authority.

EIGHTEEN. DAMAGE OR DESTRUCTION.

A. Lessee shall give prompt notice to Lessor in case of fire or accidents in or near the Premises.

B. If the Premises are partially damaged by fire or other casualty, Lessee shall repair such damage at its cost, subject to Lessor's option contained in subsection C of this Section, and rent shall be abated according to the part of the Premises which remains unusable by Lessee until such repairs are completed.

C. If the Premises are substantially or totally destroyed, or if the Premises are damaged so extensively that they cannot, in Lessee's opinion, be repaired within 60 days after commencement of such repairs, then Lessee may, at its option, within 30 days after such damage or destruction give Lessor written notice thereof and this Lease shall thereupon be canceled effective as of the date of the occurrence of such damage or destruction, or Lessee may elect to repair and rebuild, in which event this Lease shall remain in effect and rent shall be abated in proportion to the part of the Premises which are unusable by Lessee.

D. If any damage referred to in this Section is due in whole or in part to the act, neglect, fault or omission of Lessee, there shall be no abatement of rent.

NINETEEN. LIENS AND ENCUMBRANCES. Lessee agrees to keep the Premises and its interest therein free from liens and encumbrances and to indemnify and hold Lessor harmless therefrom. If any lien or other encumbrance is filed against the Premises or any part thereof by reason of Lessee's acts or omissions or because of a claim against Lessee, Lessee shall cause the same to be canceled and discharged of record by bond or otherwise within 10 days after notice by Lessor. The failure of Lessee to obtain a cancellation or discharge of record by bond or otherwise as provided herein within the time limit hereby established shall constitute a default of the terms of this Lease.

TWENTY. ASSIGNMENT AND SUBLETTING. Lessee shall not transfer, assign, delegate, mortgage or hypothecate this Lease, in whole or in part, or permit the use of the Premises by any person or persons other than Lessee, or sublet the Premises, or any part thereof, without the prior written consent of Lessor in each instance. Any assignment, encumbrance or sublease contrary to the provisions of Section Twenty-One shall be null and void and constitute a breach by Lessee of this Lease.

TWENTY-ONE. BREACH. DEFAULT AND REMEDIES. If Lessor or Lessee fails to perform or comply with any covenant, term or condition that this Lease requires said party to perform or comply with, the defaulting party shall have 30 days after it receives written notice of such default or breach within which to remove or cure said default or breach, except that such period in the case of Lessee's failure to pay rent in a timely fashion shall be 15

days after the date the rent payment is due. If a breach or default on the part of Lessee is not removed or cured within the applicable time limit set forth above, Lessor may, in addition to any other remedy it may have under law or equity at its option, terminate this Lease or reenter and retake possession, with or without terminating the Lease. In the case of reentry and retaking of possession, Lessor shall give Lessee reasonable notification so that arrangements for the removal of property can be made.

The remedies provided for in this Lease shall be cumulative and the exercise of any remedy by a party shall not be to the exclusion of any other remedy.

TWENTY-TWO. NO PARTNERSHIP. Lessor does not by this Lease, in any way or for any purpose, become a partner or joint venturer of Lessee in the conduct of its business or otherwise.

TWENTY-THREE. FORCE MAJEURE. Lessor and Lessee shall each be excused for the period of any delay in the performance of any obligation hereunder when prevented from doing so by cause or causes beyond that party's control, including labor disputes, civil commotion, war, governmental regulations or controls, fire or other casualty, inability to obtain any material or services, or acts of God.

TWENTY-FOUR. NO WAIVER. Failure of either the Lessor or Lessee to insist upon the strict performance of any provision or to exercise any option hereunder in any one or more instances shall not be deemed a waiver or relinquishment of its right to do so in the future. No provision of this Lease shall be deemed to have been waived by Lessor or Lessee unless such waiver is in writing.

TWENTY-FIVE. BROKER'S COMMISSIONS. The parties represent and warrant that there are no claims for brokerage commissions or finder's fees in connection with this Lease and each agrees to indemnify the other against and hold it harmless from all liability arising from such claims, including any attorney's fees connected therewith.

TWENTY-SIX. PROVISIONS BINDING. Except as otherwise provided, all provisions herein shall be binding upon and shall inure to the benefit of the parties, their representatives, heirs, successors and assigns.

TWENTY-SEVEN. NON-DISCRIMINATION. Lessee agrees that the Premise will not be segregated with respect to race, color, religion or national origin; that it will not segregate or discriminate on such grounds with respect to public utilization of or access to the Premises; and that it will comply with all federal laws and regulations that prohibit discrimination in connection with federally funded programs.

TWENTY-EIGHT. ENTIRE AGREEMENT. This Lease, including any exhibits attached hereto, sets forth the entire agreement between the parties. Any prior conversations or writings concerning the lease of the Premises are merged herein and extinguished.

TWENTY-NINE. AMENDMENT OR MODIFICATION.

No amendment to or modification of this Lease shall be binding upon Lessor or Lessee unless it has been reduced to writing and has been signed by both parties.

THIRTY. CAPTIONS AND SECTION NUMBERS. The captions and section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any section or paragraph.

THIRTY-ONE. ATTORNEY'S FEES. In the event Lessor/Lessee institutes any judicial proceeding against Lessee/Lessor relating to any default, the prevailing party shall be entitled to an award of reasonable attorney's fees as determined by the court.

THIRTY-TWO. NOTICES. Any notice, demand, request, or other instrument which may be or is required to be given under this Lease shall be delivered in person or sent by certified mail, return receipt requested, and shall be sent to the following addresses or to such other addresses as the parties may from time to time designate in writing:

If to the Lessor: City of Las Vegas
 Department of Neighborhood Services
 400 Stewart Avenue, 2nd Floor
 Las Vegas, Nevada 89101

Copy to: City of Las Vegas
 Real Estate and Asset Management
 400 Stewart Avenue, 4th Floor
 Las Vegas, Nevada 89101

If to the Lessee: I Have A Dream Foundation
 310 South 9th Street
 Las Vegas, Nevada 89101

THIRTY-THREE. OPTION TO RENEW. Upon prior written approval by the Lessor, if Lessee is not then in default of this Lease, Lessee may request to renew this Lease for an additional one year term by giving a written request to renew at least 30 days prior to the expiration of the Lease term. This request shall not be effective nor binding on the Lessor unless and until the same is approved by the Las Vegas City Council. Finally, this option to renew is not available to Lessee if Lessor sells, conveys, or otherwise transfers its interest in the lease property.

THIRTY-FOUR. EARLY TERMINATION. This Lease may be terminated prior to the expiration of its term or the renewal period if, for any reason, the purpose of this agreement is substantially impaired or obstructed by any event, occurrence or circumstance that

is beyond the control of Lessor or Lessee, including any governmental condemnation, without prejudice or penalty hereto and without such event, occurrence or circumstance being defined, interpreted or construed as breach or default on the part of any party.

THIRTY-FIVE. HEALTH DISTRICT COMPLIANCE Lessee shall abide by all rules and regulations concerning air quality, proper trash disposal and any other rules and regulations that may be required by the Clark County Health District as they pertain to Lessee's nature of business.

THIRTY-SIX. DISCLOSURE OF PRINCIPALS. Pursuant to Resolution R-105-99 adopted by the Las Vegas City Council effective October 1, 1999, Lessee warrants that it has disclosed, on the form attached hereto as Attachment "1", all principals, including partners or director of Lessee, as well as all persons and entities holding more than a one percent (1%) interest in Lessee, or any principal of Lessee. Throughout the term of the Agreement, Lessee shall notify City in writing of any material change in the above disclosure within (15) days of any such change. (Attachment 1)

...
...

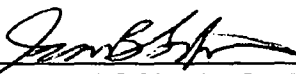
THIRTY-SEVEN. SIGNATORIES. In accordance with the regulations established in HUD Entitlement Grant Regulations, 24 Code of Federal Regulations (CFR) Part 570 et. seq., the Director of Neighborhood Services or his/her designee, and "IHAD" are authorized to sign documents on behalf of the administrative sub-entities.

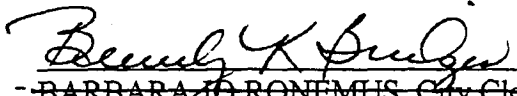
IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement as of the day and year first above written.

CITY OF LAS VEGAS

"Lessor"

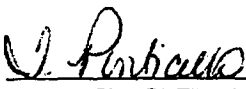
ATTEST:

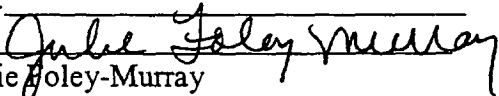
By 
OSCAR B. GOODMAN, Mayor


BARBARA J. RONEMUS, City Clerk
By: Beverly K. Bridges
Chief Deputy City Clerk

I HAVE A DREAM FOUNDATION
"Lessee"

APPROVED AS TO FORM:

 6/4/01
DEPUTY CITY ATTORNEY DATE

By: 
Julie Foley-Murray
Co-Sponsor and Co-Founder

Kevin Stolworthy
Co-Sponsor and Co-Founder

ATTACHMENT 1

DISCLOSURE OF PRINCIPALS

The principals and partners of *(Insert Contracting Entity Name)* and all persons and entities holding more than 1% interest in *(Insert Contracting Entity Name)* or any principal of *(Insert Contracting Entity Name)* are the following:

FULL NAME PHONE	BUSINESS ADDRESS	BUSINESS
1. Diana Bennett 897-7153	6600 Amelia Earhart Ct. 89119	
2. Joseph W. Brown 734-2220	3773 Howard Hughes Parkway 89109	Attorney
3. Dick Fraim 792-8828	3228 Channel 8 Drive 89109	KLAS-TV
4. Sidney Franklin 799-8625	2701 E. St. Louis Ave. 89104	CC School Dist.
5. Dennis Johnson 791-6571	3800 Howard Hughes, 3rd Flr. 89109	Wells Fargo Bank
6. Louise Helton 870-7201	431 So. Decatur Blvd. 89107	Pre-School
7. Jerry Keller 229-3233	400 Stewart Ave. 89101	Sheriff
8. Julie A. Murray 407-6530	One Harrah's Ct. 89119	Harrah's-Dist. Comm. Rela
9. Mary Nielson 435-4600	706 Valle Verde Ct. 89014	VP/Gen/Mgr. Cox Bus.
10. Scott Nielson 367-2458	2411 S. Sahara Ave. 89102	Gen. Counsel-Station Cas
11. Ed Skonicki 385-2662	7244 Latour Ct. 89117	Catholic Charities
12. Kevin Stolworthy 734-2220	1009 Sagerock 89031	Attorney
13. Teri Stolworthy 657-0747	1009 Sagerock 89031	Homemaker
14. Betty Turner 451-3489	5390 E. Flamingo 89122	CC Housing Auth.

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

(Insert Name of Contracting Entity)

By: Kevin R. Stolworthy

Title: President

Subscribed and sworn to before me this

16 day of August, 2001

Sheri L. Harper
Notary Public

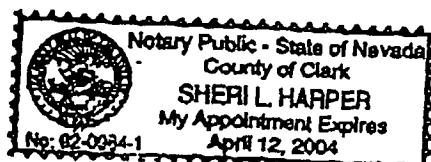
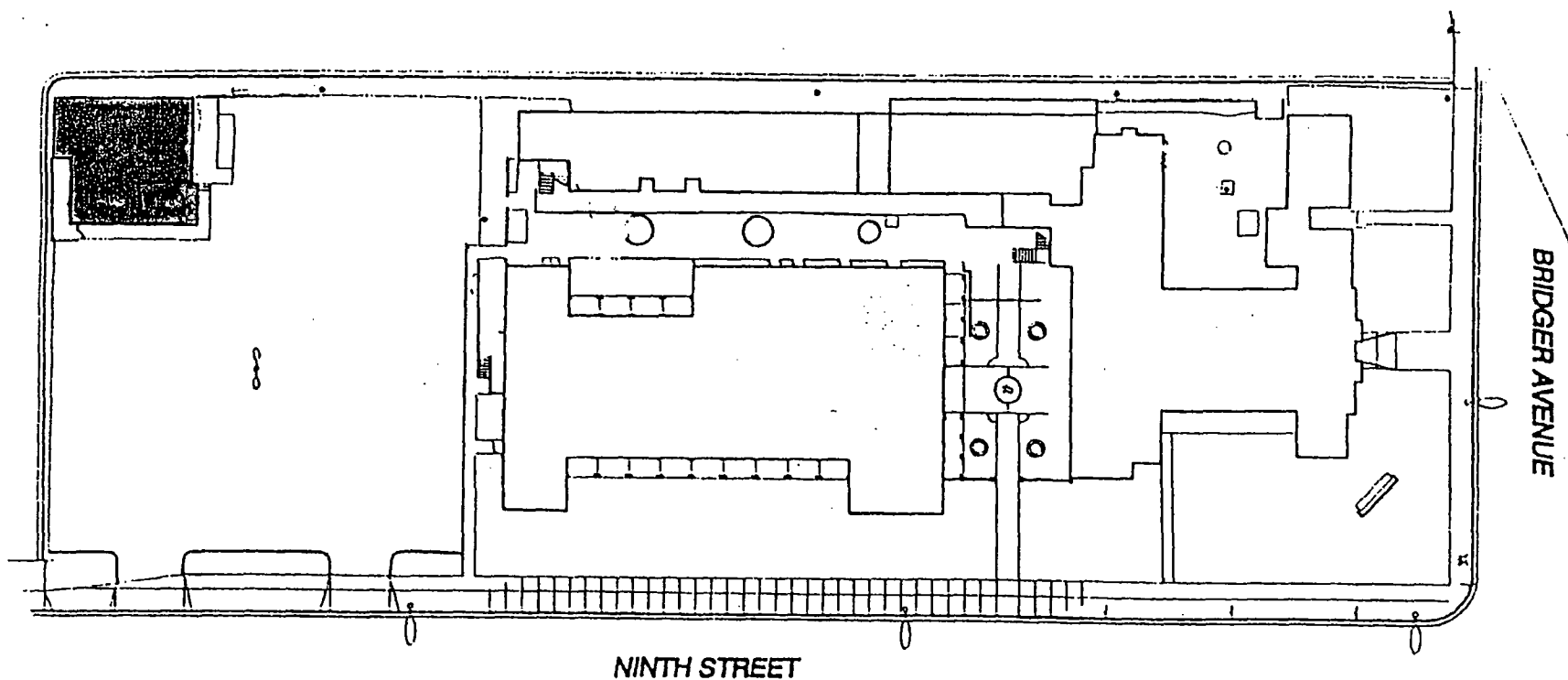


EXHIBIT "A"



**LEGEND: Green represents office
space occupied by I Have
A Dream Foundation**

CLIENT CERTIFICATION OF HOUSEHOLD COMPOSITION AND INCOME

The program under which you are receiving assistance utilizes City of Las Vegas Neighborhood Services Department, HUD funds. In accordance with the federal regulations governing the use of these funds, please supply the information requested below. This information is confidential and only for use by the public agencies providing this funding.

HOUSEHOLD SIZE (Please check the box next to the total number of people that live with you)	HOUSEHOLD INCOME ¹ (Please check the box next to the total income of your household. Count all income of all household members)		
☐ 1 person	☐ less than \$11,450	☐ less than \$19,100	☐ less than \$30,500
☐ 2 people	☐ less than \$13,100	☐ less than \$21,800	☐ less than \$34,900
☐ 3 people	☐ less than \$14,700	☐ less than \$24,550	☐ less than \$39,250
☐ 4 people	☐ less than \$16,350	☐ less than \$27,250	☐ less than \$43,600
☐ 5 people	☐ less than \$17,650	☐ less than \$29,450	☐ less than \$47,100
☐ 6 people	☐ less than \$18,950	☐ less than \$31,600	☐ less than \$50,550
☐ 7 people	☐ less than \$20,250	☐ less than \$33,800	☐ less than \$54,050
☐ 8 people	☐ less than \$21,600	☐ less than \$35,950	☐ less than \$57,550

¹ Based on HUD median incomes as of March 29, 2001.

I hereby certify that my household size and income are as stated above. I consent to verification of this information by the service provider, the City of Las Vegas, or other governmental officials as required.

Signature of Head of Household

Date

Name

Address

DIRECT BENEFIT ACTIVITIES - MONTHLY/YEAR END FORM

For Fiscal Year 2001/2002

U.S. Department of Housing and Urban Development

Community Development Block Grant Program

Please FAX to 382-3045 by the 10th of the month

Name of Grantee: _____

Period Covered: _____

TO: _____

Activity Name: _____

Activity Description and Location: _____

Counts by Household or Persons must be one or the other

Total Number of Households Assisted

Total Number of Persons Assisted

Total Number of Low and Moderate Income (80% of median income)

Total Number of Very Low Income (50% of median income)

Total Number of Extremely Low Income (30% of median income)

Total Number of Senior Citizens Served

Total Number of Physically and/or Mentally disabled Clients Served

Total Number of Female-Headed Households

TOTAL	CLV	YTD TOTAL

Total Number of Households or Persons Assisted
who are: *Select either households or persons*

White, Non-Hispanic
Black, Non-Hispanic
Hispanic
Asian/Pacific Islander
American Indian Alaskan

# of Households	# of Persons	CLV # of Household s	CLV # of Persons	YTD TOTALS

Check appropriate month(s) for which you are reporting:

July ___ Aug ___ Sept ___ Oct ___ Nov ___ Dec ___ Jan ___ Feb ___ Mar ___ Apr ___ May ___ Jun ___ Year End Totals ___

Monthly or Year End Accomplishments: _____

Accomplishments should be noted by program; ie. 75% of clients found suitable employment within 90 days of entering program. 40% of children attained higher test scores due to after-school program. 5 tons of food and paper products were distributed to needy families. 80% of children in the program participated in extracurricular activities.

EXHIBIT "D"

SCOPE OF SERVICE AND HOURS OF OPERATION

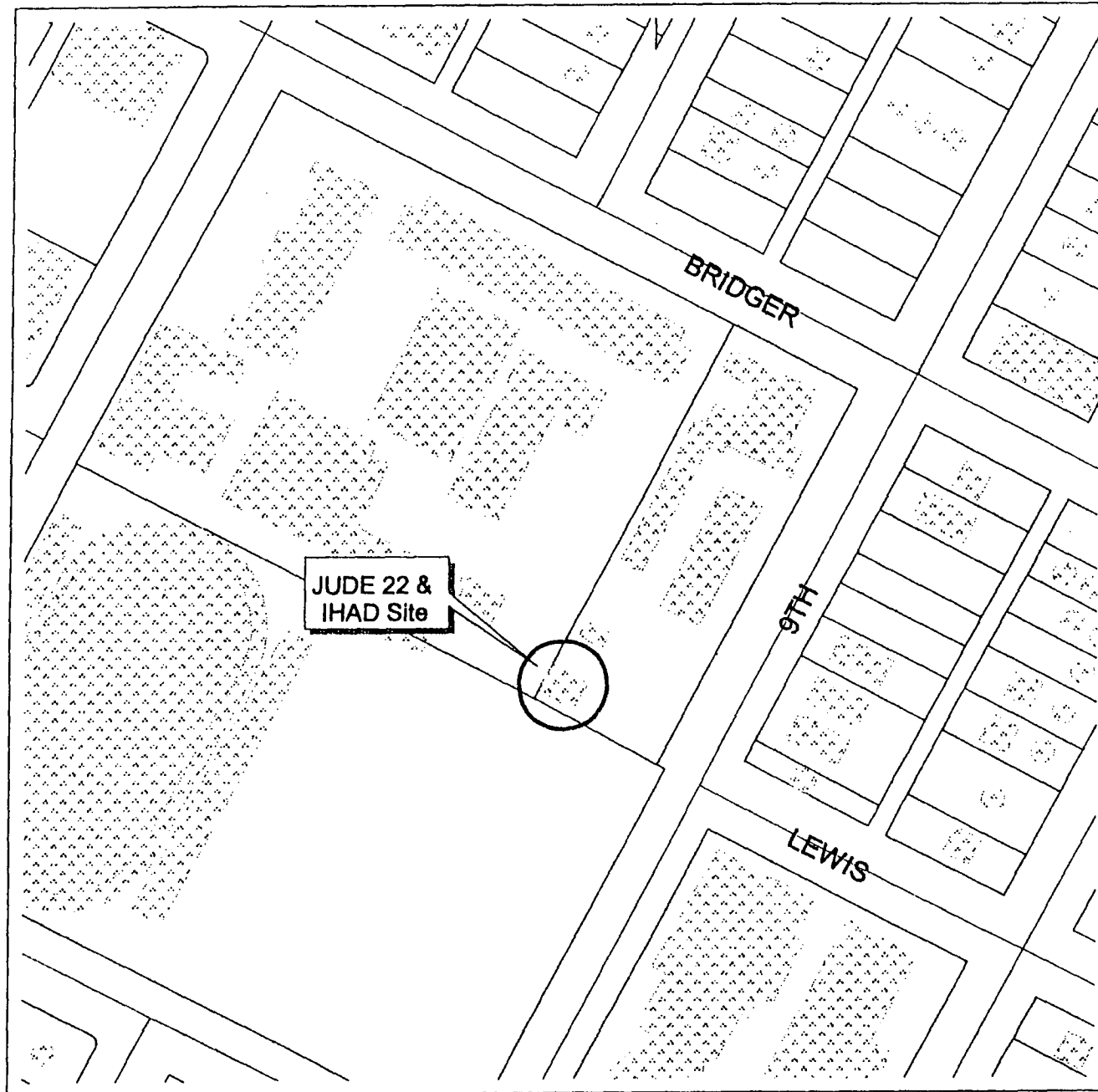
The "I Have A Dream" Foundation Inc. – Las Vegas is a long-term program as well as a long-term promise. This program is multi-faceted and designed to improve the lives of at-risk Las Vegas youths, "Dreamers."

Presently there are 55 "*DREAMERS*" and their families. The curriculum consists of homework assistance, tutorial programs, mentoring, cultural enrichment, drug prevention, sex education, hygiene programs, career guidance and college prep program.

These programs are coordinated with the family and designed to include family members as well as care personnel. The promise: the assured opportunity for higher education through a tuition grant on a last dollar basis.

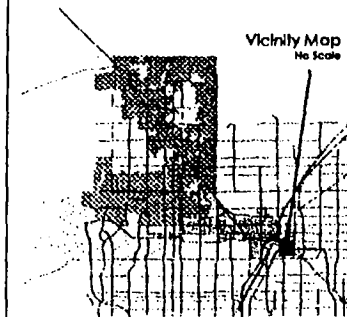
The hours of operation are: Monday through Friday 8:00 a.m. – 5:00 p.m.
Saturdays 9:00 a.m. – 3:00 p.m., only when field trips occur.

Staff members: Karen Boixo, Development Director
Kirk Williams, Program Coordinator



Site Map

-  Building Footprints
-  City of Las Vegas
-  Parcels



Real Estate & Asset Management



Date of Data: 2001/08/14

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Lease Agreement renewal between the City of Las Vegas and Jude 22, a Nevada non-profit corporation, for approximately 1200 square feet of office space and the use of a 400 square foot trailer for storage purposes located at 320 South 9th Street - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City purchased the former First Baptist Church at 9th and Bridger Streets with Community Development Block Grant funds acquiring the main building and an additional structure formerly used as a parsonage. The parsonage is a 3 room structure which presently houses Jude 22 in 2 of the rooms for operation of the Senior Nutrition Center, providing emergency food services for senior citizens. Jude 22 occupies the main room (transformed into a warehouse area), the front area for receiving and processing clients, and storage closets along with a 10x40 modular building to store food items.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Lease Agreement
2. First Amendment to Lease Agreement

MOTION:

REESE - APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 - UNANIMOUS with MACK abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Consent – Real Estate

Item 48 - Approval of a Lease Agreement renewal between the City of Las Vegas and Jude 22, a Nevada non-profit corporation, for approximately 1200 square feet of office space and the use of a 400 square foot trailer for storage purposes located at 320 South 9th Street - Ward 5 (Weekly)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-852

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this 5th day of September, 2001, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, (hereinafter referred to as "Lessor"), and "JUDE 22", a Nevada nonprofit corporation, a 501(c) (3) designated non-profit organization operating the "JUDE 22" Foundation (hereinafter referred to as "Lessee").

WITNESSETH:

WHEREAS, Lessor approved the purchase of certain property located at 320 S. 9th Street through its Community Development Block Grant Program (hereinafter "CDBG"), during the City Council session of April 5, 2000.

WHEREAS, Lessor desires to lease to Lessee, and Lessee desires to lease from Lessor, office space of approximately 1,200 square feet consisting of the main room, kitchen and storage area of the approximately 1,500 square feet that is situated in the above referenced property.

WHEREAS, the United States Department of Housing and Urban Development, (hereinafter "HUD"), pursuant to 24 CFR Part 570 et. seq., and specifically to 24 CFR Part 570.503, requires the Lessor as CDBG Entitlement Program Recipient to sign a written agreement with the Lessee which shall remain in effect for the time period during which the Lessee remains a tenant at the premises listed above.

WHEREAS, in accordance with 24 CFR Part 570 et. Seq. and all relevant federal related regulations the parties agree to enter into this Lease Agreement.

NOW, THEREFORE, for and in consideration of the foregoing and the covenants, terms and conditions herein contained, the parties agree as follows:

ONE. LEASE OF PREMISES.

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, 1,200 square feet of office space to operate a Senior Nutrition Center located in the above described building located at 320 S. 9th Street, which is commonly referred to as the Downtown Community Center Parsonage and located in the City of Las Vegas, Nevada, (hereinafter referred to as "Premises") in accordance with the provisions of this Lease Agreement (hereinafter referred to as the "Lease"). Lessee agrees to use the Premises solely for the purpose of conducting normal business of the JUDE Programs, as more fully described in Section Seven, and shall not permit the Premises to be used for any other purpose. The Premises is depicted by map in Exhibit A.

Said Exhibit A is attached for reference purposes only and is in no way intended to restrict or expand the Premises as previously described.

TWO. TERM OF LEASE.

²²⁻¹⁶ This Agreement provides for the utilization of a CDBG facility funding of the "JUDE" Programs rendered in accordance with this Agreement. Unless earlier terminated in accordance with Section Thirty-Four hereof, and subject to the renewal provisions contained in Section Thirty-Three hereof, this Lease shall be from year to year, beginning, on the Commencement Date, as defined in Section Three, and ending one (1) year thereafter. It is expressly understood and agreed that this lease may be terminated at any time after one (1) year by Lessor upon giving ninety (90) days' written notice to Lessee by mailing the same to any officer of said Lessee.

THREE. COMMENCEMENT DATE. This Lease shall become effective on _____, 2001, and shall end on _____, 2002, unless the lease is renewed pursuant to Section Thirty-three.

FOUR. RENT.

The City of Las Vegas shall provide the Premises, for an annual fee of one dollar (\$1.00).

Lessee shall provide hours and perform the services outlined in the scope of services as set forth in Exhibit "D".

FIVE. UTILITIES AND SERVICES.

Utilities shall be provided for by the Lessor. Lessee shall provide and pay for custodial services for their Premises during the Lease term, including any and all telephone services. A separate phone line will be required to be installed by Lessee in their Premises. Lessor will be required to pay for any landscaping service that is required.

SIX. REPAIRS AND MAINTENANCE.

Lessor agrees to make any and all necessary structural, heating, air conditioning, flooring, electrical, plumbing, roofing, exterior wall, sidewalk repairs and other similar repairs required as a result of any defect or as a result of the same wearing out or becoming unserviceable or damaged through no carelessness, negligence or other fault on the part of the Lessee or any of their invitees, including repairs to sewer lines, water lines, roofing, and common areas (which includes the customer parking area) walls, landscaping. Lessee shall notify Lessor's Department of Neighborhood Services of any and all maintenance and repairs to be made to building or on Premises. Lessee agrees to maintain the Premises in as good a state of repair as when first occupied. Ordinary wear and tear, obsolescence and damage by the elements, fire or other similar casualty excepted.

SEVEN. USE OF PREMISES.

A. Lessee agrees to use the Premises solely for the Jude Programs which provides assistance to people in need offering food, clothing, referrals to social agencies, and assistance with personal care and no other. It is expressly understood and agreed that the Premises shall not be used for residential or commercial purposes, except as otherwise provided herein. 22th

B. Lessee shall have the right of ingress and egress over the adjoining lands of the Lessor necessary or convenient for the operation and use of said Premises, but that said egress and ingress shall be at such hours as prescribed by the Lessor.

C. Lessee shall not post any signs without obtaining prior written consent of the Lessor.

E. It is specifically understood and agreed by Lessor and Lessee that the activities to be performed under the Scope of Services, Exhibit D of this Agreement, shall achieve one or more of the following national objectives of the CDBG Programs:

- a) *To benefit persons from low- and moderate-income households;*
- b) *To aid in the prevention or elimination of slum or blight; or*
- c) *To meet Community Development needs having a particular urgency.*

Lessee may demonstrate that it is meeting this requirement by following the Direct Service Program Income Eligibility Criteria, as set forth in Exhibit "B" attached hereto and by reference is made a part hereof, and by providing the Lessor's Department of Neighborhood Services with a Program Status/Client Statistics Report, the form for which is attached as Exhibit "C" and by reference is made a part hereof, on a quarterly basis or at a higher frequency to be determined by the Department of Neighborhood Services.

F. Lessee expressly agrees and understands that Lessee will comply with all uniform administrative requirements of the CDBG Program as set forth in 24 CFR Part 570.504(c), including but not limited to, the cost principles and audit requirements established by OMB Circulars A-87 and A-128, respectively.

G. Lessee shall carry out its activities in compliance with all Federal laws and regulations as described in 24 CFR 570.600-570.612, except that Lessee will not assume the Lessor's environmental responsibilities described at 24 CFR 570.604, nor the Lessor's responsibility for initiating the review process under the provisions of 24 CFR Part 58.

H. It is specifically understood and agreed by Lessee that the Department of Neighborhood Services shall not be obligated to pay any moneys to Lessee hereunder and

hereinafter in the event that such CDBG funds for any reason are terminated or withheld from the Lessor or are otherwise not forthcoming, and in such event, Lessor or Lessee may terminate this Agreement at anytime with or without cause upon a thirty (30) day written notice hand delivered, by mail or in person to the other party. Lessee also understands and agrees in accordance with 24 CFR Part 85.43 that Lessor may suspend or terminate this Agreement if Lessee materially fails to comply with any term as stated herein, and that the award may be terminated for convenience in accordance with 24 CFR Part 85.44.

EIGHT. LAWS. WASTE. NUISANCE. Lessee covenants that it:

A. Will not use or suffer or permit any person or persons to use the Premises or any part thereof for conducting thereon any activity not authorized in this Lease;

B. Will comply with all laws, ordinances, regulations and requirements, now in force or which hereafter may be in force, of any lawful governmental body or authority having jurisdiction over the Premises;

C. Will keep the Premises and every part thereof in a clean, neat and orderly condition, and will in all respects and at all times fully comply with all health and police regulations; and

D. Will not suffer, permit or commit any nuisance or waste on the Premises.

NINE. ALTERATIONS. ADDITIONS AND IMPROVEMENTS. At any time during the Lease term, Lessee, subject to the prior written approval of Lessor and at the expense of Lessee, may make alterations, additions or improvements in and to the Premises. Any such alteration, addition or improvement shall be performed in a workmanlike manner, in accordance with all applicable governmental regulations and requirements, and shall not weaken or impair the structural strength or lessen the value of the Premises.

All alterations, additions or improvements that may be erected or installed in or on the Premises shall become part thereof and the sole property of Lessor, except that all moveable fixtures that may be installed by the Lessee shall be and remain its or their property and shall not become the property of Lessor if it is removed in a timely manner after abandonment or surrender of the Premises.

TEN. PAYMENT OF TAXES. Lessee shall be responsible for any real property taxes on, or real property related assessments to the Premises. Lessor shall have no responsibility or liability to pay any personal property taxes because of any personal property brought upon or used by Lessee in connection with the Premises, and Lessee agrees to pay, and to indemnify Lessor concerning, any such taxes that may be assessed.

ELEVEN, COMPLIANCE WITH THE LAW. The Lessee shall promptly execute and comply with all statutes, rules, orders, building codes, ordinances, requirements. and regulations of the City, County, State and Federal governments, including OSHA. the Americans

with Disabilities Act of 1990 (42 USC Sections 12101 through 12213 and 47 USC Section 225.611) and their underlying regulations and rules, which are applicable to the Premises. Nothing herein contained shall be construed to restrict the Lessee from contesting the validity of any such regulation, rule or ordinance, provided the Lessee indemnifies the Lessor to its reasonable satisfaction against the consequences of non-compliance during the period of dispute.

TWELVE. INDEMNIFICATION AND INSURANCE.

A. Prior to its occupancy of the Premises, the Lessee shall, at its sole cost and expense, obtain and thereafter, at all times during which this Lease is in force and effect, maintain bodily liability insurance covering the Premises and any and all improvements thereon in the amount of Five Hundred Thousand and No/100th Dollars (\$500,000.00) for the injury to or the death of any one person and/or property damage combined single limit and Five Hundred Thousand and No/100th Dollars (\$500,000.00), for injury to or the death of any number of persons and/or property damage as a result of any one occurrence.

B. Within five (5) days after execution of this Lease Agreement and as a condition to this Lease Agreement's continuing in force and effect, Lessee shall submit to Lessor a certificate of insurance which evidences the above required coverage's and names the Lessor as an additional insured. The policies with respect to such insurance coverage's shall be so endorsed as to create the same liability on the part of the insurer as though separate policies had been written for Lessor and Lessee. The insurance coverage's shall be with an insurance carrier which is licensed to do business with the State of Nevada and which is acceptable to the Lessor.

C. In the event that the Lessee fails to obtain or maintain the insurance coverage required herein, the Lessor shall have the right to terminate this Lease.

D. Lessee hereby agrees to protect, indemnify, and hold the Lessor, its officers, employees and agents, harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs, which the Lessor, its officers, employees or agents, may suffer or which may be sought against or are recovered or obtainable from the Lessor, its officers, employees or agents, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of the Lessee or its officers, employees, contractors, subcontractors, agents, volunteers or anyone who is directly or indirectly employed by, or is acting in concert with, the Lessee, officers, its employees, contractors, subcontractors, volunteers or agents in the performance of this Agreement.

E. In this connection, the Lessee expressly agrees, at its sole cost and expense, to defend the Lessor, its officers, employees and agents, in any suit or action that may be brought against it or them, or any of them, by reason of any act or omission, negligent or otherwise, against which the Lessee has agreed to indemnify the Lessor, its officers, employees and agents. If the Lessee fails so to do, the Lessor shall have the right, but not the obligation to defend same and to charge all of the direct and incidental costs of such defense, including attorneys' fees and court costs, to the Lessee.

THIRTEEN. WAIVER OF SUBROGATION. Lessor hereby waives, and Lessee hereby waives, any rights each may have against the other for loss or damage to its property or property in which it may have an interest, where such loss is caused by a peril of the type generally covered by fire or hazard insurance with extended coverage or arising from any cause which the claiming party was obligated to insure against under this Lease, and the Lessor and Lessee, each waives any right of subrogation that it might otherwise have against the other party.

FOURTEEN. SURRENDER OF PREMISES. Upon expiration or other authorized termination of this Lease, Lessee shall surrender the Premises in the same condition as they were in at the commencement of this Lease except for additions, alterations or changes specifically authorized by Lessor and reasonable wear and tear, and shall deliver all keys to Lessor. Before surrendering the Premises, Lessee shall remove all of its personal property and trade fixtures and such alterations or additions to the Premises made by Lessee as may be specified for removal by Lessor, and shall repair any damage caused by such property or the removal thereof. If Lessee fails to remove such personal property and fixtures upon the expiration or other authorized termination of this Lease, the same shall be deemed abandoned and shall become the property of Lessor.

FIFTEEN. HOLDING OVER. Any holding over by the Lessee, with the Lessor's consent, after the expiration of the term hereof or of any renewal term shall be construed to be a tenancy from month to month, terminable on one month's written notice, at a negotiated rent to be paid in advance on the first day of each month. Such tenancy shall otherwise be on the terms herein specified so far as possible.

SIXTEEN. SALE OF PREMISES. Lessor reserves the right at any time to sell, convey or otherwise transfer its interest in the Premises or any portion thereof. Lessor agrees not to sell, convey, or otherwise transfer its interest in the lease property unless purchaser or such other person, business, or corporation agrees to the benefits and duties of this Lease in writing. However, in that event, no option to renew, as provided in Section Thirty-Three herein will be available to Lessee.

SEVENTEEN. EMINENT DOMAIN. In case the whole of the Premises, or such part thereof as shall substantially interfere with Lessee's use thereof, shall be taken by any lawful power or authority by exercise of the right of eminent domain, or sold to prevent such taking, either Lessor or Lessee may terminate this Lease effective as of the date possession is required to be surrendered to said authority. Lessee shall not because of such taking assert any claim against Lessor or the taking authority for any compensation because of such taking, and Lessor shall be entitled to receive the entire amount of any award without deduction for any estate or interest of Lessee. In the event the amount of property or the type of estate taken shall not substantially interfere with the conduct of Lessee's business, Lessor shall be entitled to the entire amount of the award without deduction for any estate or interest of Lessee. In such event, Lessor shall promptly proceed to restore the Premises to substantially their condition prior to such partial taking, and a proportionate allowance shall be made to Lessee for the rent corresponding to the time during which, and to the part of the Premises of which, Lessee is so

deprived on account of such taking and restoration. Nothing contained in this Section shall be deemed to give Lessor any interest in, or prevent Lessee from seeking any award against the taking authority for the taking of, personal property and fixtures belonging to Lessee or for relocation expenses recoverable against the taking authority.

EIGHTEEN. DAMAGE OR DESTRUCTION.

A. Lessee shall give prompt notice to Lessor in case of fire or accidents in or near the Premises.

B. If the Premises are partially damaged by fire or other casualty, Lessee shall repair such damage at its cost, subject to Lessor's option contained in subsection C of this Section, and rent shall be abated according to the part of the Premises which remains unusable by Lessee until such repairs are completed.

C. If the Premises are substantially or totally destroyed, or if the Premises are damaged so extensively that they cannot, in Lessee's opinion, be repaired within 60 days after commencement of such repairs, then Lessee may, at its option, within 30 days after such damage or destruction give Lessor written notice thereof and this Lease shall thereupon be canceled effective as of the date of the occurrence of such damage or destruction, or Lessee may elect to repair and rebuild, in which event this Lease shall remain in effect and rent shall be abated in proportion to the part of the Premises which are unusable by Lessee.

D. If any damage referred to in this Section is due in whole or in part to the act, neglect, fault or omission of Lessee, there shall be no abatement of rent.

NINETEEN. LIENS AND ENCUMBRANCES. Lessee agrees to keep the Premises and its interest therein free from liens and encumbrances and to indemnify and hold Lessor harmless therefrom. If any lien or other encumbrance is filed against the Premises or any part thereof by reason of Lessee's acts or omissions or because of a claim against Lessee, Lessee shall cause the same to be canceled and discharged of record by bond or otherwise within 10 days after notice by Lessor. The failure of Lessee to obtain a cancellation or discharge of record by bond or otherwise as provided herein within the time limit hereby established shall constitute a default of the terms of this Lease.

TWENTY. ASSIGNMENT AND SUBLETTING. Lessee shall not transfer, assign, delegate, mortgage or hypothecate this Lease, in whole or in part, or permit the use of the Premises by any person or persons other than Lessee, or sublet the Premises, or any part thereof, without the prior written consent of Lessor in each instance. Any assignment, encumbrance or sublease contrary to the provisions of Section Twenty-One shall be null and void and constitute a breach by Lessee of this Lease.

TWENTY-ONE. BREACH. DEFAULT AND REMEDIES. If Lessor or Lessee fails to perform or comply with any covenant, term or condition that this Lease requires said party to perform or comply with, the defaulting party shall have 30 days after it receives

written notice of such default or breach within which to remove or cure said default or breach, except that such period in the case of Lessee's failure to pay rent in a timely fashion shall be 15 days after the date the rent payment is due. If a breach or default on the part of Lessee is not removed or cured within the applicable time limit set forth above, Lessor may, in addition to any other remedy it may have under law or equity at its option, terminate this Lease or reenter and retake possession, with or without terminating the Lease. In the case of reentry and retaking of possession, Lessor shall give Lessee reasonable notification so that arrangements for the removal of property can be made.

The remedies provided for in this Lease shall be cumulative and the exercise of any remedy by a party shall not be to the exclusion of any other remedy.

TWENTY-TWO. NO PARTNERSHIP. Lessor does not by this Lease, in any way or for any purpose, become a partner or joint venturer of Lessee in the conduct of its business or otherwise.

TWENTY-THREE. FORCE MAJEURE. Lessor and Lessee shall each be excused for the period of any delay in the performance of any obligation hereunder when prevented from doing so by cause or causes beyond that party's control, including labor disputes, civil commotion, war, governmental regulations or controls, fire or other casualty, inability to obtain any material or services, or acts of God.

TWENTY-FOUR. NO WAIVER. Failure of either the Lessor or Lessee to insist upon the strict performance of any provision or to exercise any option hereunder in any one or more instances shall not be deemed a waiver or relinquishment of its right to do so in the future. No provision of this Lease shall be deemed to have been waived by Lessor or Lessee unless such waiver is in writing.

TWENTY-FIVE. BROKER'S COMMISSIONS. The parties represent and warrant that there are no claims for brokerage commissions or finder's fees in connection with this Lease and each agrees to indemnify the other against and hold it harmless from all liability arising from such claims, including any attorney's fees connected therewith.

TWENTY-SIX. PROVISIONS BINDING. Except as otherwise provided, all provisions herein shall be binding upon and shall inure to the benefit of the parties, their representatives, heirs, successors and assigns.

TWENTY-SEVEN. NON-DISCRIMINATION. Lessee agrees that the Premise will not be segregated with respect to race, color, religion or national origin; that it will not segregate or discriminate on such grounds with respect to public utilization of or access to the Premises; and that it will comply with all federal laws and regulations that prohibit discrimination in connection with federally funded programs.

TWENTY-EIGHT. ENTIRE AGREEMENT. This Lease, including any exhibits attached hereto, sets forth the entire agreement between the parties. Any prior

conversations or writings concerning the lease of the Premises are merged herein and extinguished.

TWENTY-NINE. AMENDMENT OR MODIFICATION. No amendment to or modification of this Lease shall be binding upon Lessor or Lessee unless it has been reduced to writing and has been signed by both parties.

THIRTY. CAPTIONS AND SECTION NUMBERS. The captions and section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any section or paragraph.

THIRTY-ONE. ATTORNEY'S FEES. In the event Lessor/Lessee institutes any judicial proceeding against Lessee/Lessor relating to any default, the prevailing party shall be entitled to an award of reasonable attorney's fees as determined by the court.

THIRTY-TWO. NOTICES. Any notice, demand, request, or other instrument which may be or is required to be given under this Lease shall be delivered in person or sent by certified mail, return receipt requested, and shall be sent to the following addresses or to such other addresses as the parties may from time to time designate in writing:

If to the Lessor: City of Las Vegas
 Department of Neighborhood Services
 400 Stewart Avenue, 2nd Floor
 Las Vegas, Nevada 89101

Copy to: City of Las Vegas
 Real Estate and Asset Management
 400 Stewart Avenue, 4th Floor
 Las Vegas, Nevada 89101

If to the Lessee: JUDE 22
 320 South 9th Street
 Las Vegas, Nevada 89101

THIRTY-THREE. OPTION TO RENEW. Upon prior written approval by the Lessor, if Lessee is not then in default of this Lease, Lessee may request to renew this Lease for an additional one year term by giving a written request to renew at least 30 days prior to the expiration of the Lease term. This request shall not be effective nor binding on the Lessor unless and until the same is approved by the Las Vegas City Council. Finally, this option to renew is not available to Lessee if Lessor sells, conveys, or otherwise transfers its interest in the lease property.

THIRTY-FOUR. EARLY TERMINATION. This Lease may be terminated prior to the expiration of its term or the renewal period if, for any reason, the purpose of this

agreement is substantially impaired or obstructed by any event, occurrence or circumstance that is beyond the control of Lessor or Lessee, including any governmental condemnation, without prejudice or penalty hereto and without such event, occurrence or circumstance being defined, interpreted or construed as breach or default on the part of any party.

THIRTY-FIVE. HEALTH DISTRICT COMPLIANCE Lessee shall abide by all rules and regulations concerning air quality, proper trash disposal and any other rules and regulations that may be required by the Clark County Health District as they pertain to Lessee's nature of business.

THIRTY-SIX. DISCLOSURE OF PRINCIPALS. Pursuant to Resolution R-105-99 adopted by the Las Vegas City Council effective October 1, 1999, Lessee warrants that it has disclosed, on the form attached hereto as Attachment "1", all principals, including partners or director of Lessee, as well as all persons and entities holding more than a one percent (1%) interest in Lessee, or any principal of Lessee. Throughout the term of the Agreement, Lessee shall notify Lessor in writing of any material change in the above disclosure within (15) days of any such change. (Attachment 1)

...

...

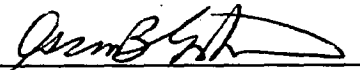
THIRTY-SEVEN. SIGNATORIES. In accordance with the regulations established in HUD Entitlement Grant Regulations, 24 Code of Federal Regulations (CFR) Part 570 et. seq., the Director of Neighborhood Services or his/her designee, and "JUDE" are authorized to sign documents on behalf of the administrative sub-entities.

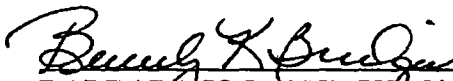
IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement as of the day and year first above written.

CITY OF LAS VEGAS
"Lessor"

ATTEST:

By

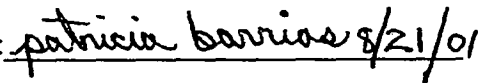

OSCAR B. GOODMAN, Mayor

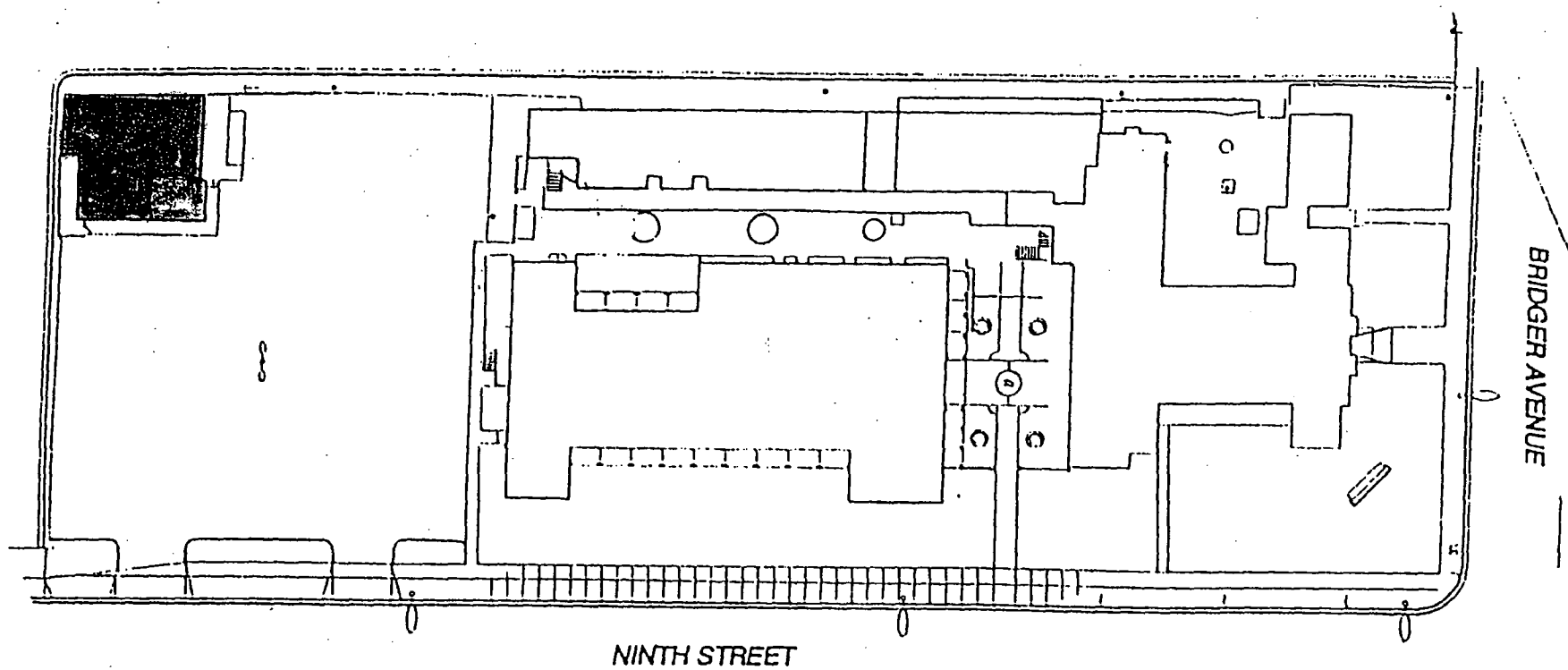

~~BARBARA JO RONEMUS, City Clerk~~
By: Beverly K. Bridges
Chief Deputy City Clerk

JUDE 22
"Lessee"

APPROVED AS TO FORM:

 6/7/01
DEPUTY CITY ATTORNEY DATE

By:  8/21/01
Patricia Barrios
Director



LEGEND: Blue represents office
space occupied by Jude 22

Senior Nutrition Center Intake Form

Date: _____

Name: _____

Address: _____ Phone: _____

Age: _____ SSN _____ Verification of ID Yes _____ No _____

CHECK ONE OF THE CHOICES BELOW (HUD Incomes Limits--March 29, 2001)

HOUSE HOLD SIZE	LOW INCOME LIMIT	VERY LOW INCOME	EXTREMELY LOW INCOME	BELOW EXTREMELY LOW	Head of Household F _____ M _____
1 Person	☐ \$ 30,500	☐ \$19,100	☐ \$11,450	☐ \$7,200	
2 Person	☐ \$ 34,900	☐ \$21,800	☐ \$13,100	☐ \$8,800	Monthly Income
3 Person	☐ \$ 39,250	☐ \$24,550	☐ \$14,700	☐ \$10,400	

W: _____ H: _____ A/P: _____ AT: _____	Identify Needs	
	Assist with forms	_____
	Agency Referrals	_____
	Food	_____
	Clothing	_____

Food Assistance Provided (\$ value)		
Bread/pastries _____	Medicine _____	TOTAL \$ _____
Pasta _____	Toiletries _____	
Canned goods _____	Other _____	
Variety meats _____		

Questions:

- Does the cost of medication impact what you can spend on food? ____ Yes ____ No
- If yes, how much do you spend on medication a month? _____
- How will (did) you spend the funds left over after getting this emergency food assistance? _____

- Have you missed any meals because you were short on funds? ____ Yes ____ No
If yes, how many meals did you miss---____ In a day? ____ or a week? ____ or a month?
For how long? _____
- How has the food assistance program affected your life?

6. Additional Comments _____

Received by _____

EXHIBIT "C"
Senior Nutrition Center
Weekly Summary Form

Week of: (Month/Day) _____

Client Statistics:	Monday	Tuesday	Wednesday	Thursday	Friday	TOTAL
# of Persons Assisted						
# of Households Assisted						
# of Low and Moderate Income (80% of median income)						
# of Very Low Income (50% of median income)						
# of Extremely Low Income (30% of median income)						
# of Female-Headed Households						
Total Number of Households or Persons Assisted who are <i>Select</i> <i>either households or persons</i>						TOTAL
White, Non-Hispanic						
Black, Non-Hispanic						
Hispanic						
Asian/Pacific Islander						
American Indian/ Alaskan						
Food Assistance Provided (value of food per client x number of clients)						

**ATTACHMENT 1
DISCLOSURE OF PRINCIPALS**

The principals and partners of "JUDE" and all persons and entities holding more than 1% interest in "JUDE" or any principal of "JUDE" are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
Board of Directors		
1. <u>Beatrice Osorio (Dir)</u>	<u>800 N. Eastern LUNV 89101</u>	<u>649-1323</u>
2. <u>Greg Abernathy (Dir)</u>	<u>1581 N. Main St. LUNV 89101</u>	<u>386-3193</u>
3. <u>Constance Brick (Dir)</u>	<u>1748 Broadway Drive, Salinas, Ca. 93906 (831)</u>	<u>443-2147</u>
4. <u>Eric Pitts (Dir)</u>	<u>320 S. 9th St. LV NV 89101</u>	<u>229-1142</u>
5. <u>Patricia Barrios (Exec. Dir.)</u>	<u>320 S. 9th St. LV NV 89101</u>	<u>229-1142 / 870-1447</u>
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

"JUDE" 22

Patricia Barrios

Patricia Barrios

Exec. Director

Subscribed and sworn to before me this

9 day of May, 2001.

Km. Barrera

Notary Public



KIM A. BARRERA
Notary Public - Nevada

No. 99-50021-1

My appt. exp. Nov. 25, 2002

EXHIBIT "D"
SCOPE OF SERVICE & HOURS

1. Jude 22 is a non-profit organization providing assistance to people in need since February 1994. The organization offers food, clothing, referrals to social agencies, and assistance with personal care (this last option is offered when volunteers are available). In partnering with the city of Las Vegas, Jude 22 will continue service to existing clients, while including seniors meeting the criteria as specified by city staff.
2. The hours of operation at the Senior Nutrition Center, 320 S. 9th, will be Monday through Friday, 10 a.m. to 4 p.m.
3. Trish Barrios, Director of Jude 22, works 60 hours a week. She picks up food donations from various resources, delivers items to senior housing complexes where her existing clients live, and works out of the Senior Nutrition Center five to six days a week from 10 a.m. to 5 p.m.
4. Two employees, paid by a Title 5 federal grant, work part-time during the week.
 - a. 9 a.m. – 2 p.m. – Jessie Blancarte
 - 11 a.m. – 4 p.m. – Earl Freeman

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO THE LEASE AGREEMENT, made and entered into this 4th day of December, 2003, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada, (hereinafter referred to as "Lessor"), and "JUDE 22", a Nevada nonprofit corporation, a 501(c) (3) designated non-profit organization operating the "JUDE 22" Foundation (hereinafter referred to as "Lessee").

WITNESSETH:

WHEREAS, Lessor approved the purchase of certain property located at 320 S. 9th Street through its Community Development Block Grant Program (hereinafter "CDBG"), during the City Council session of April 5, 2000.

WHEREAS, Lessor and Lessee entered into a Lease Agreement to lease office space of approximately 1,200 square feet consisting of the main room, kitchen and storage area of the approximately 1,500 square feet that is situated in the above referenced property September 3, 2003.

WHEREAS, the United States Department of Housing and Urban Development, (hereinafter "HUD"), pursuant to 24 CFR Part 570 et. seq., and specifically to 24 CFR Part 570.503, requires the Lessor as CDBG Entitlement Program Recipient to sign a written agreement with the Lessee which shall remain in effect for the time period during which the Lessee remains a tenant at the premises listed above.

WHEREAS, in accordance with 24 CFR Part 570 et. Seq. and all relevant federal related regulations the parties agree to enter into this First Amendment to Lease Agreement.

NOW, THEREFORE, for and in consideration of the foregoing and the covenants, terms and conditions herein contained, the parties agree as follows:

1. ONE. LEASE OF PREMISES.

Article One, Lease of Premises of the Lease Agreement is hereby deleted and the following is inserted in its place:

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, 1,200 square feet of office space to operate a Senior Nutrition Center located in the above described building located at 320 S. 9th Street, which is commonly referred to as the Downtown Community Center Parsonage and located in the City of Las Vegas, Nevada, (hereinafter referred to as "Premises") in accordance with the provisions of this Lease Agreement (hereinafter referred to as the "Lease"). Lessee agrees to use the Premises solely for the purpose of conducting normal business of the JUDE Programs, as more fully described in Section Seven, and shall not permit

Jude 22
PB

the Premises to be used for any other purpose. The Premises is depicted by map in Exhibit A. In addition, the Lessor hereby leases to the Lessee and the Lessee hereby leases from Lessor 400 square feet of a modular trailer located at 320 S. 9th Street for storage purposes and shall not permit the trailer to be used for any other purpose. The Trailer location is depicted by map in Exhibit E.

Said Exhibit A and E are attached for reference purposes only and are in no way intended to restrict or expand the Premises as previously described.

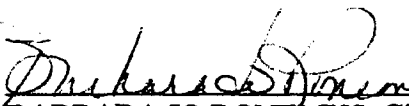
2. Except as hereinabove set forth, all other provisions of the Lease Agreement which are not inconsistent herewith shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Lease Agreement as of the day and year first above written.

CITY OF LAS VEGAS
"Lessor"

ATTEST:

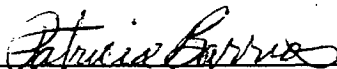
By 
OSCAR B. GOODMAN, Mayor

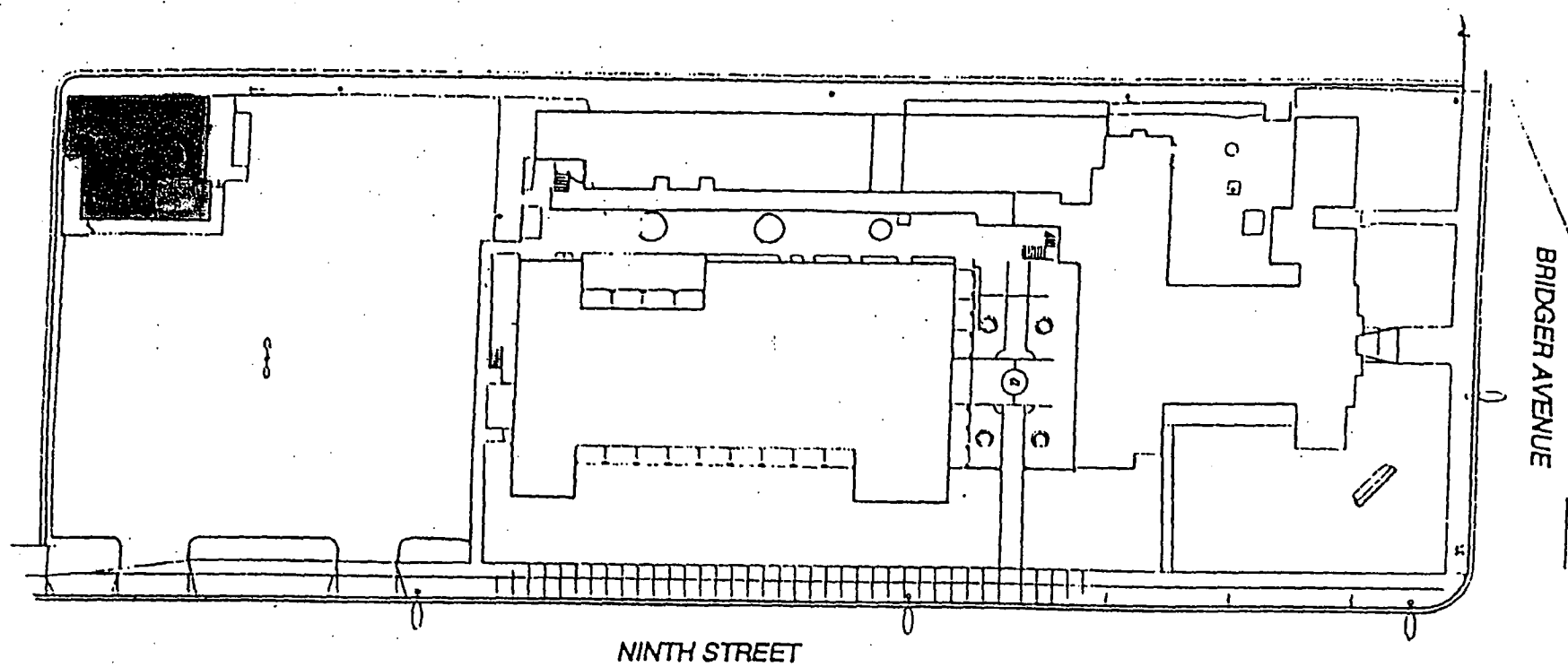

BARBARA JO RONEMUS, City Clerk

JUDE 22
"Lessee"

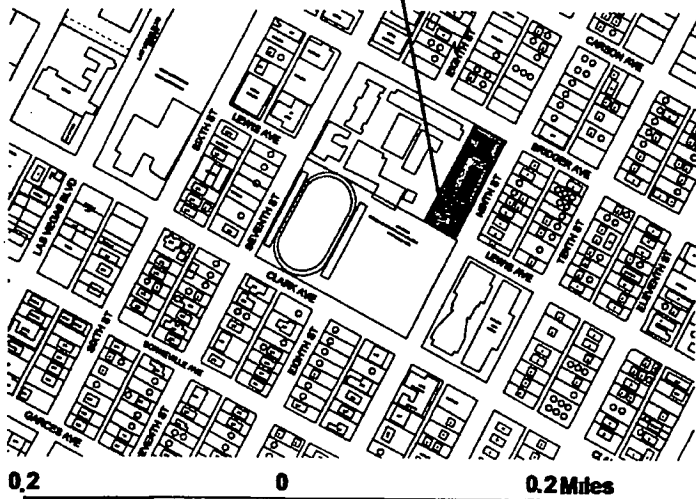
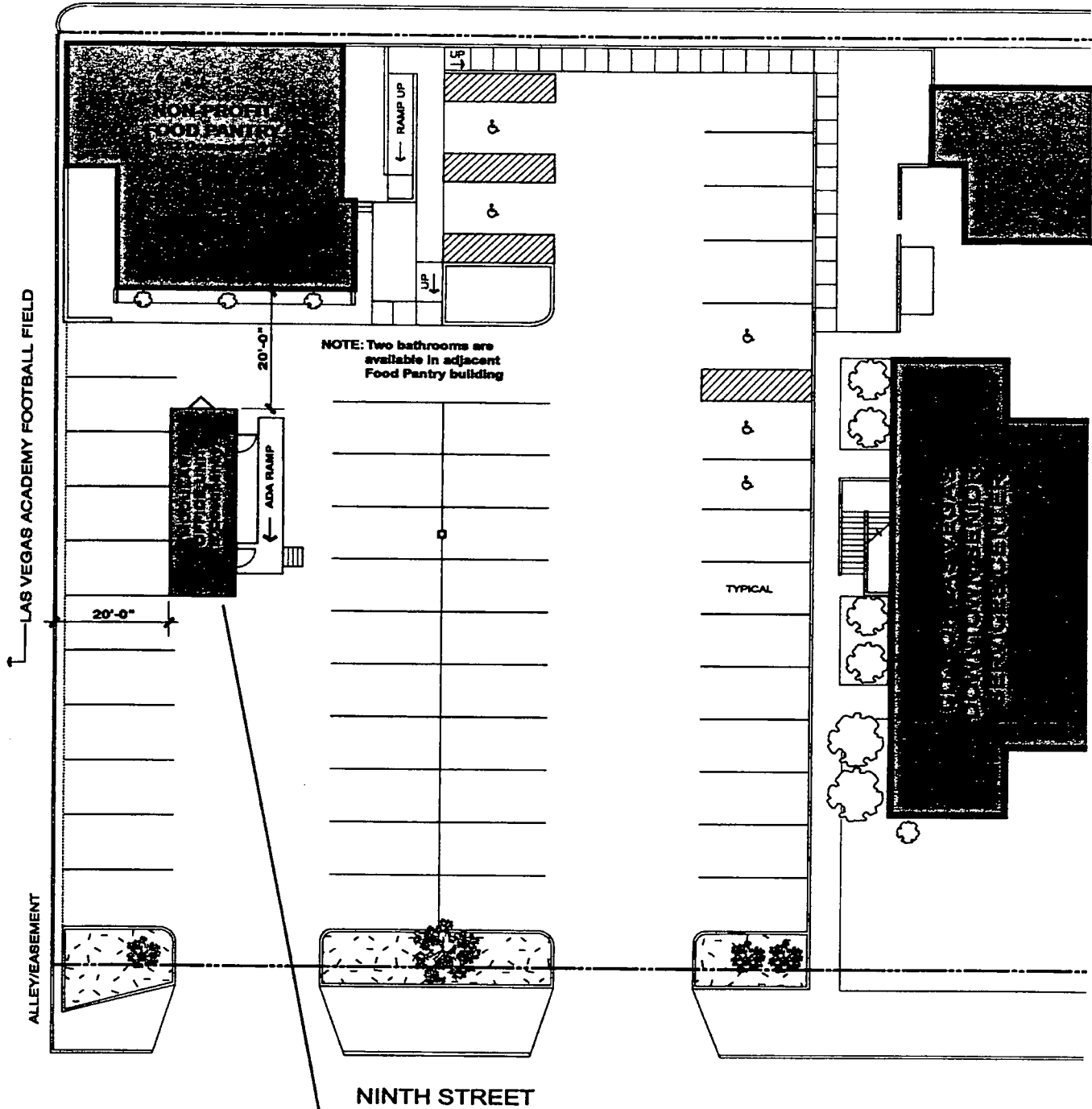
APPROVED AS TO FORM:

 10/27/03
DEPUTY CITY ATTORNEY DATE

By: 
Patricia Barrios
Director



LEGEND: Blue represents office
space occupied by Jude 22



CITY OF LAS VEGAS DOWNTOWN SENIOR SERVICES CENTER

**SITE PLAN
FOR INSTALLATION
OF TEMPORARY MODULAR
UNIT IN PARKING LOT**



FR/3Feb03/llus/CLVMaps/SeniorServicesCtr/Modular.s1

VICINITY MAP



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a First Amendment to Lease between Credit Union Plaza and the City of Las Vegas for lease of approximately 2,541 square feet of office space located at 3100 West Sahara Avenue, Suite 116, for use by the City's Senior Citizens Law Project (\$4,608/month - Leisure Services/State of Nevada Division of Aging Services) - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount: \$4,608**☒**Budget Funds Available****Dept./Division: Public Works/Real Estate**☐**Augmentation Required****Funding Source: Leisure Serv/NV Aging Serv****PURPOSE/BACKGROUND:**

The Senior Law Project along with their State counterpart, the Division of Aging Services, has been housed at the Credit Union Plaza since August 2001. The current lease agreement will expire August 30, 2004. Coldwell Banker Commercial, Property Management for the Credit Union Plaza, has agreed to renew the Lease Agreement on a month-to-month basis (\$4,548 per month with an additional \$60 monthly signage fee). Costs are to be shared by the City and the State of Nevada.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. First Amendment to Lease
2. Disclosure of Principals
3. Site Map

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Consent – Real Estate

Item 49 - Approval of a First Amendment to Lease between Credit Union Plaza and the City of Las Vegas for lease of approximately 2,541 square feet of office space located at 3100 West Sahara Avenue, Suite 116, for use by the City's Senior Citizens Law Project (\$4,608/month - Leisure Services/State of Nevada Division of Aging Services) - Ward 1 (Moncrief)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-794

FIRST AMENDMENT TO LEASE

This Amendment dated this 1st day of Sept 2004 by and between Credit Union Plaza, a Nevada Limited Partnership (Lessor) and City of Las Vegas (Lessee).

WITNESSETH

WHEREAS Lessor and Lessee entered into a Lease Agreement dated August 1, 2001, for 2,541 square feet located at 3100 West Sahara Avenue, Suite 116, in the County of Clark, State of Nevada.

NOW, THEREFORE, in consideration of the mutual benefits herein contained, it is agreed that said lease agreement be further amended as follows:

1. **TERM OF THE LEASE:** The expiration date as set forth in section 2 of the lease Agreement shall be extended to continue on a month to month agreement.
2. **BASE RENT:** The base rent for the month to month term shall be as follows:

9/1/04 - M-M: \$4,548.00 per month
3. **TERMINATION NOTICE:** 90-day written termination notice is required by either party.

All other terms, conditions and covenants of the original Lease Agreement remain the same and in full force and effect.

In witness whereof, the parties have caused this Lease Amendment to be executed, as of the 1st day of Sept. 2004.

LESSOR:
CREDIT UNION PLAZA
A NEVADA LIMITED PTSP

LESSEE:
CITY OF LAS VEGAS

BY: AHA FAMILY LTD PTSP,
A NV LIMITED PTSP,
A GENERAL PARTNER
BY: SPANISH OAKS ENT., INC.,
A NEVADA CORPORATION,
ITS GENERAL PARTNER

BY: 
OSCAR B. GOODMAN
DATE: 9-27-04

BY: 
ARTHUR V. ADAMS, PRESIDENT

DATE: 9/24/04

ATTEST:

BARBARA JO RONEUMUS, CITY CLERK
APPROVED AS TO FORM:

 7/28/04
DEPUTY CITY ATTORNEY

CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS
 (CONTINUED)

Block 1	Contracting Entity
Name	
Credit Union Plaza	
Address	
3100 W. Sahara Ave	
Telephone	
(702) 248-1408	
EIN or DUNS	

Block 2	Description
Subject Matter of Contract/Agreement:	
RFP #	

Block 3	Type of Business
☐ Individual ☒ Partnership ☐ Limited Liability Company ☐ Corporation	

Block 4	Disclosure of Ownership and Principals	
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.		
FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1. AHA Family Limited Partnership	3170 W. Sahara Ave	702-248-1408
2. Jack & Doretha Adams	Los Angeles Cal 90067 10124 Emyrean Way #304	
3. Brian Adams	19941 N.E. 22nd Ave	N. Miami Beach Fl 33180
4. Maggy & Edith Hacker	17 James Street	Dallas Texas
5. Ronald & Andrea Sandler	1320 N. State Parkway	Chicago Ill 60610
6. Todd Sandler	8600 Wonderland Ave	Los Angeles 90046
7. Lorree B. Spencer	136 Beach	Glencoe Ill 60022
8. Bruce Adams	263 Charal Lane	Highland Park Ill 60035
9.		
10.		

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals - Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

[June 2000]

Jul-23-01 02:48P

P.02

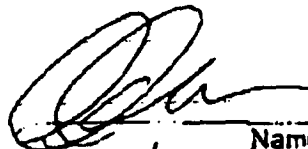
Block 5 Disclosure of Ownership and Principals - Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

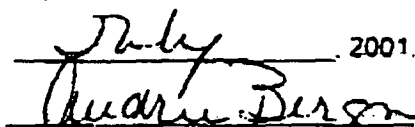


Name

7/23/01

Date

Subscribed and sworn to before me this 23rd
day of _____


Notary Public





Site Map

Legend

- Street Centerline
- Parcels
- Building Footprints

Real Estate & Asset Mgmnt



7/23/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Memorandum of Understanding (MOU) between the City of Las Vegas (City) and the Clark County School District (District) regarding use of approximately five acres of land located east of the Kay Carl Elementary School site located at 5625 Corbett Street - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On 11/5/2003, Council approved staff entering into negotiations with the Clark County School District to allow the City to build a park on the vacant land remaining after the construction of Kay Carl Elementary School. This MOU sets forth the conditions whereby the District will grant the City use of approximately five acres of land, located east of the school site, to develop various improvements such as irrigation and seeding, ball field improvements, and landscaping.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Memorandum of Understanding

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-794

MEMORANDUM OF UNDERSTANDING
between the
CITY OF LAS VEGAS
and the
CLARK COUNTY SCHOOL DISTRICT
KAY CARL ELEMENTARY SCHOOL

This Memorandum of Understanding (referenced as "MOU") is made and entered into this 1st day of September, 2004, between the city of Las Vegas, a municipal corporation of the State of Nevada (referenced as "City") and the Clark County School District, also a political subdivision of the State of Nevada (referenced as "District").

I. PURPOSE

A. This MOU is made pursuant to and is subject to the terms and conditions of the Community Access Agreement dated September 19, 1996, (referenced as "Agreement"), between the City and the District. This MOU does not amend or modify that Agreement in any way.

B. The District owns approximately five acres of vacant property located east of the Kay Carl Elementary School site, located at 5625 Corbett Street, described as Assessor's Parcel Number 125-25-302-001 (referenced as "Property"). See Exhibit "A" for Assessor's parcel map and Exhibit "B" for aerial view. The City desires that recreational facilities be developed on the Property to allow additional recreational services in the area.

C. This MOU sets forth the conditions whereby the District will grant the City use of approximately five acres of land, which is located east of the school site, to develop various improvements which may include, but not be limited to, irrigation and seeding, ball field improvements, and landscaping.

II. DEVELOPMENT

A. The City, acting through its Department of Leisure Services and the Department of Public Works, along with the District, will cooperate in the design, development, and location of the improvements.

B. The City will construct the improvements as funding becomes available pursuant to the design accepted by the City and the District.

C. The City will coordinate all site development with site administrator and obtain scheduling approval.

III. UTILITIES

The City will be responsible for installing separate meters and paying all utility costs associated with the development and maintenance of the improvements of the park.

IV. PROCEDURE

The District will permit the City access to the Property, as needed, to construct and maintain the improvements. The District will be provided the opportunity to review the preliminary plans for the site development and a final review at eighty percent (80%) completion of plans, prior to project bid. District sign-off of completed plans will be required prior to start of the construction.

V. FUNDING

A. Funding for the development, construction, and the maintenance of the improvements will be provided by the City.

B. In the event the District requires the Property for any purpose, the City will relinquish the site. The District agrees to compensate the City in an amount not to exceed \$100,000.00 for offsite street cost only.

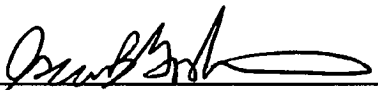
VI. TERMINATION

A. Either party may terminate this agreement with sixty (60) days written notice.

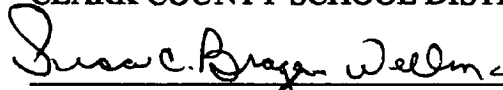
B. The City shall have sixty (60) days from date of notice to relocate or remove any park improvements.

C. In the event that the District decides to sell the property, the City shall have First Right of Refusal and have ninety (90) days to exercise such option.

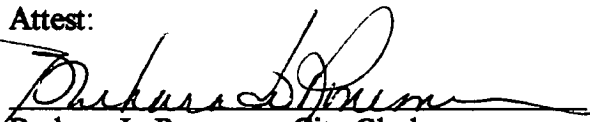
CITY OF LAS VEGAS


Oscar B. Goodman, Mayor

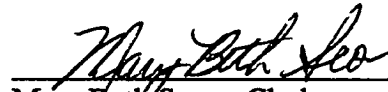
BOARD OF SCHOOL TRUSTEES
CLARK COUNTY SCHOOL DISTRICT


Susan C. Brager-Wellman, President

Attest:


Barbara Jo Ronemus, City Clerk

Date: 9-10-04


Mary Beth Scow, Clerk

Date: July 22, 2004

APPROVED AS TO FORM:


By: Deputy City Attorney

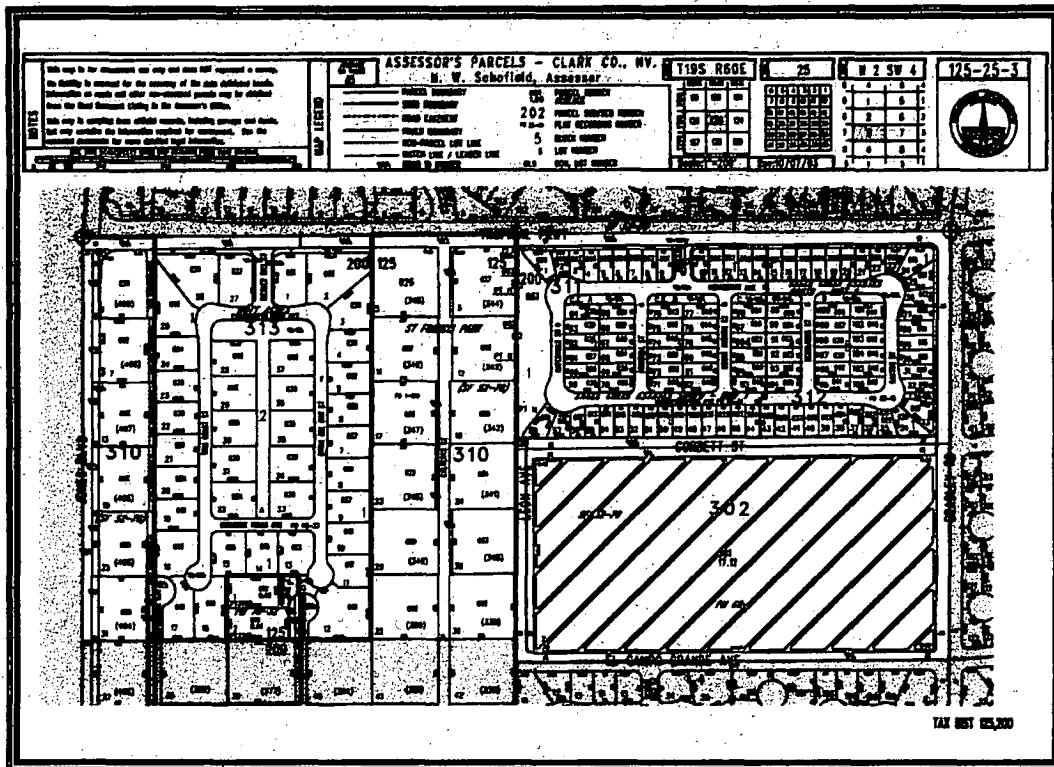
Date: 7/29/04

APPROVED AS TO FORM:


By: C. W. Hoffman Jr., General Counsel

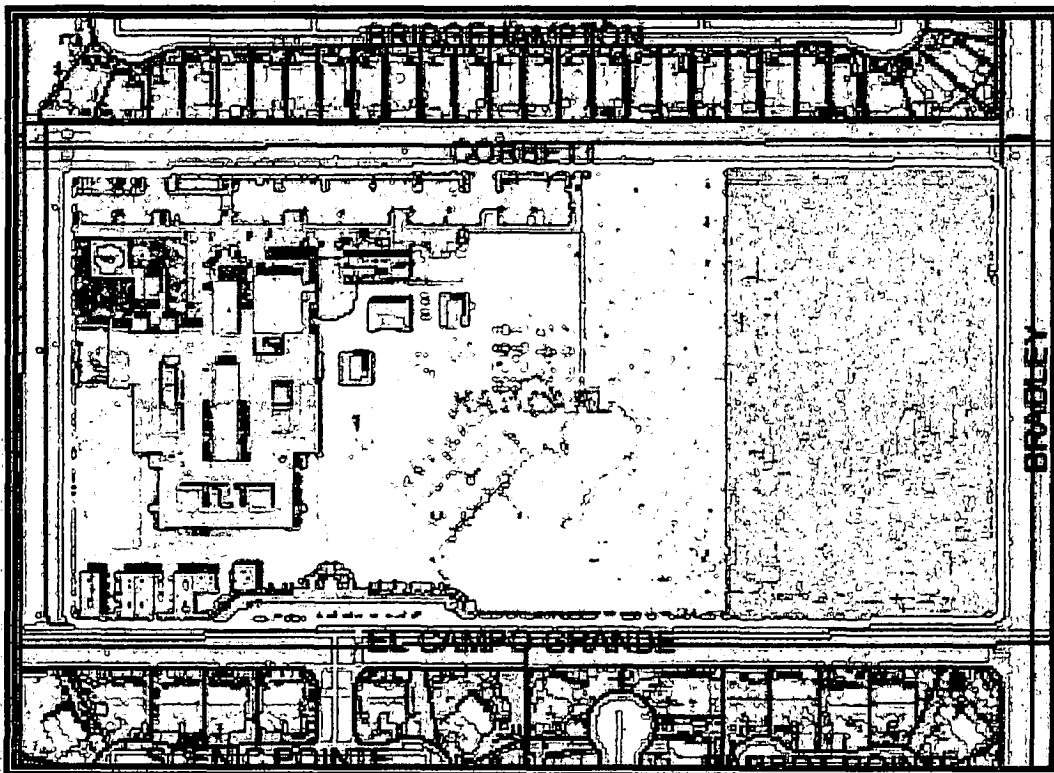
Date: 6/10/04

EXHIBIT "A"



Assessor's Parcel Map

EXHIBIT "B"



Aerial View

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Memorandum of Understanding with Lone Mountain Little League, a non-profit organization, for the installation of two electronic remote controlled scoreboards on existing fields at Mountain Ridge Park located at 7151 Oso Blanca Road - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Lone Mountain Little League (LMLL) requested permission to install two additional electronic remote controlled scoreboards at Mountain Ridge Park. LMLL is the little league association that has the programming rights for the fields at the park through the Department of Leisure Services. The Amendment puts in writing which additional fields the scoreboards will be installed on at LMLL's cost and expense.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Amendment to MOU
2. Disclosure of Principals
3. Site Map

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-794

**AMENDMENT TO MEMORANUM OF UNDERSTANDING #2002-03
BETWEEN MOUNTAIN RIDGE LITTLE LEAGUE
AND CITY OF LAS VEGAS**

This Amendment to the Memorandum of Understanding ("MOU Amendment") entered into this 1st day of September 2004, ("Commencement Date") by and between the City of Las Vegas ("City"), a municipal corporation of the State of Nevada, and Mountain Ridge Little League ("MRLL"), a Nevada non-profit corporation ("MRLL").

RECITAL

WHEREAS, the parties hereto have previously entered into the Memorandum of Understanding dated April 3, 2002 ("MOU") which granted permission to MRLL to install certain improvements on the ball fields located at the municipal park commonly known and referred to as "Mountain Ridge Park" located at 7151 North Rancho Drive, Las Vegas, Nevada; and

WHEREAS, the parties hereto desire to amend the MOU to confirm the understanding between the City and MRLL concerning the installation of scoreboards already installed, and to be installed, on the ball fields of the Mountain Ridge Park.

NOW, THEREFORE, in light of the aforementioned premises, the parties agree to the following:

1. Section 4 of the MOU is hereby deleted in its entirety and the following added in lieu thereof:

MRLL shall be granted permission from the City to allow for the installation of electronic remote controlled scoreboards on fields 1, 2, 3, 4 and 7. MRLL must apply for and obtain a permit from the Department of Building & Safety for the construction and installation of the electronic remote controlled scoreboards. It is the responsibility of MRLL to verify with Public Works Traffic Electrical Field

Operations Division (TEFO) that sufficient power is available, and conduit is available or can be installed.

2. Section 13 of the MOU is hereby amended to delete the person, address and telephonic fax number stated therein, and to insert in lieu thereof the following:

Mountain Ridge Little League
Attn: Teri Berg, President
7910 W. Tropical Pkwy, Suite 150
PMB 116
Las Vegas, Nevada 89147
(702) 655-1705)

3. The MOU is hereby amended to delete in its entirety that Section entitled, to-wit: MODIFICATIONS OR AMENDMENTS, and to insert in lieu thereof the following:

MODIFICATION OR AMENDMENTS. Upon approval of this MOU Amendment by the City Council and after it has been fully executed by the parties, the City Council hereby designates the authority to the Manager of the Real Estate & Assets Management Division to complete and execute any additional documents necessary for the completion of the intent of this Memorandum of Understanding, and any amendments thereto, provided such documents do not individually, or in the aggregate, involve revenues or expenditures exceeding Ten Thousand (\$10,000) Dollars. No amendment, change or modification of this MOU shall be valid unless in writing and signed by the parties hereto.

4. Except as provided herein, all of the other terms, conditions and covenants of the MOU shall remain in full force and effect. The MOU as amended by this MOU Amendment shall constitute the Agreement in effect between the parties.

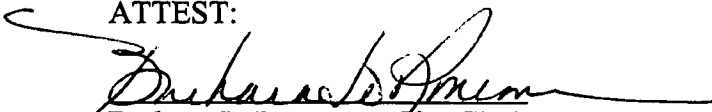
...
...
...

By execution of this MOU Amendment, the City and MRLL mutually agree to the terms and conditions set forth herein of the MOU Amendment. It is understood by all parties that this document, along with other legal documents and contracts must be submitted to the Las Vegas City Council for final approval.

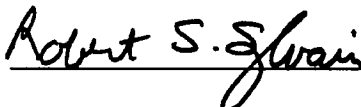
City of Las Vegas


Oscar B. Goodman, Mayor 9-1-04
Date

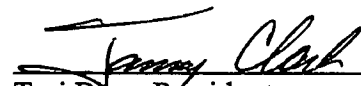
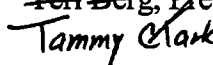
ATTEST:


Barbara Jo Ronemus, City Clerk

APPROVED AS TO FORM:


Robert S. Glavin 7-12-04
Date

Mountain Ridge Little League


Teri Berg, President 7-27-04
Date

Tammy Clark

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 1 Contracting Entity (Name) Name Mountain Ridge Little League Address 7910 Tropical Pkwy Suite 150 #116 89149 EIN or Social Security # 88-03265-14	Block 2 Description Subject Matter of Contract/Agreement: Mou for Mountain Ridge Park

Block 3	Type of Business	Non-Profit
☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation		

Block 4	Disclosure of Ownership and Principals		
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Tammy Clark President	7910 Tropical Pkwy Suite 150 #116	(H) 658-0404 655-1705
2.	Brad Reiplinger V.P.	" "	"
3.	Mindy Hopkins Sec.	" "	"
4.	Jim Rankin Treasurer	" "	"
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 **Disclosure of Ownership and Principals - Alternate**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Tammy Clark

Name

8-2-04

Date

Subscribed and sworn to before me this 3rd
day of

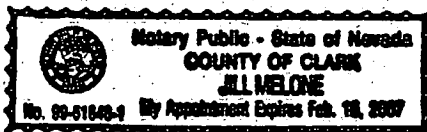
August

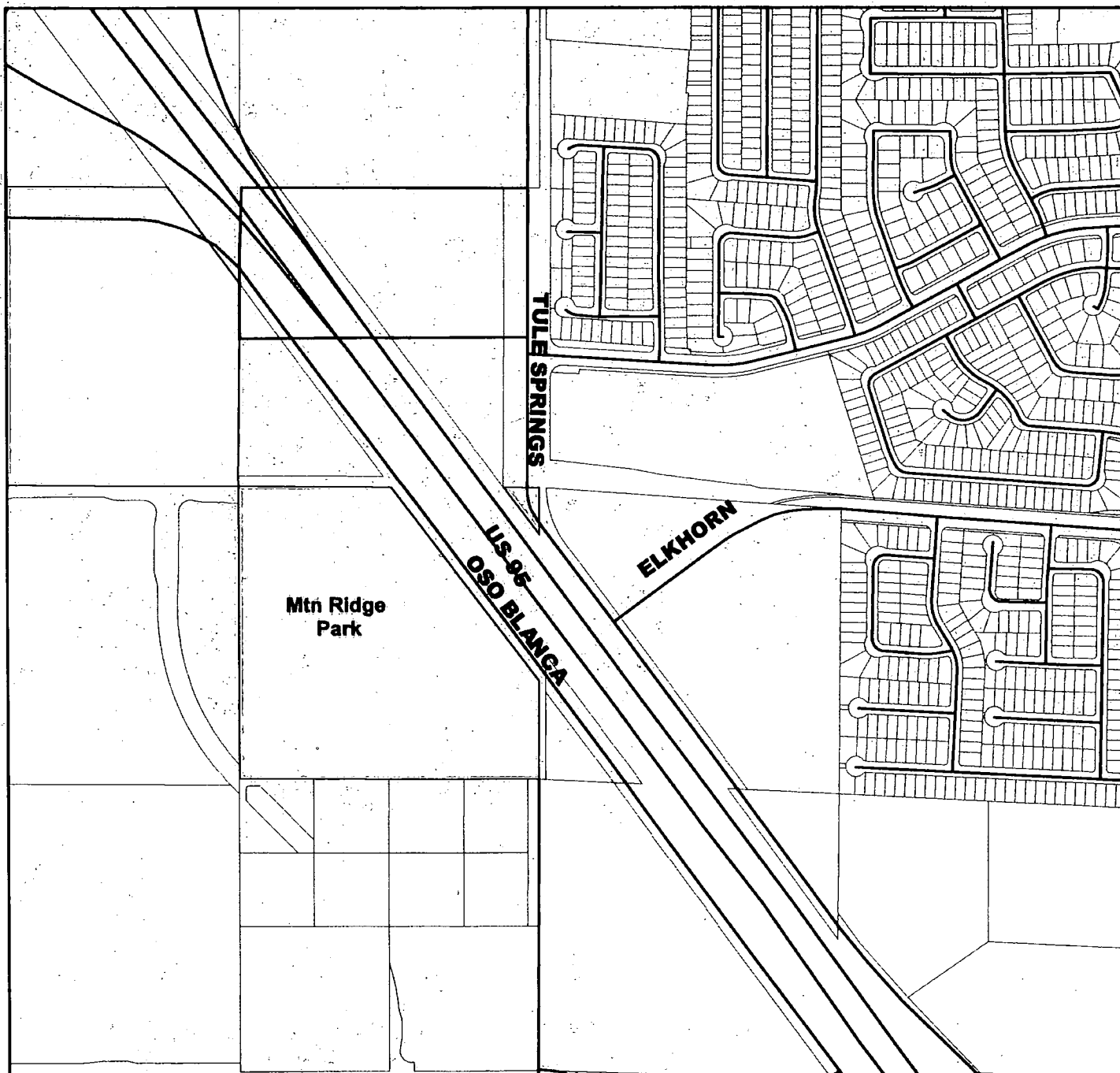
, 2004.

Jill Melone

Melone

Notary Public





Ex. A

Site Map

Legend

-  Street Centerline
-  Leased
-  Applied
-  Parcels

Real Estate & Asset Mgmnt



7/23/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: Public Works/Real Estate**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

City of Las Vegas (CLV) is in receipt of a letter from The Salvation Army dated 6/7/04. They have requested to enter into a Purchase Agreement with CLV for approximately 3.165 acres of land on which to develop an affordable family housing community consisting of 68 apartment units, a 2,000 sq. ft. recreation building and small play area.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval to enter into negotiations with The Salvation Army to bring the Purchase Agreement back to Council for consideration

BACKUP DOCUMENTATION:

1. 6/7/04 Letter from The Salvation Army
2. Site Map

MOTION:

WEEKLY – ABEYANCE of Items 52 and 53 to 9/15/2004 – UNANIMOUS

NOTE: Under Item 2, COUNCILMAN MACK disclosed that Items 2 and 43 pertain to sites located near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract related to its non-restricted gaming license. Also, the locations involved in Items 16, 52, and 53 are near SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. Neither of his relatives have mentioned any of these items to COUNCILMAN MACK, and he did not believe any of the aforementioned items would impact his family's interests; therefore, he stated that he would be voting on Items 2, 16, 43, 52, and 53.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Consent – Real Estate

Item 52 - Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)

MINUTES:

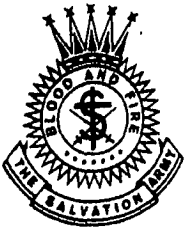
JOHN McNELLIS, Deputy Director, Public Works, indicated that staff is only requesting permission to go forward with negotiations. COUNCILMAN REESE said that he is concerned about perhaps undercharging for the use of this land. MR. McNELLIS could not respond, stating that DAVE ROARK, Manager, Real Estate and Asset Management Division, is handling the negotiations.

Since both he and COUNCILMAN REESE have concerns about this corridor, COUNCILMAN WEEKLY preferred to hold this matter in abeyance to ensure staff is aware of what they want in this corridor.

NOTE: COUNCILMAN REESE directed that he be included in the negotiations so that he can address some of his concerns regarding this corridor.

(9:41 – 9:44)

1-1117



THE SALVATION ARMY CLARK COUNTY ADMINISTRATION

2900 Palomino Lane
P.O. Box 28369 • Las Vegas, NV 89126
(702) 870-4430 • Fax (702) 870-4087

Majors William and Harryette Raihl
Clark County Coordinator & Director of Special Services

June 7, 2004

Mr. Orlando Sanchez, Director
Neighborhood Services Department
City of Las Vegas
400 E. Stewart Ave. 2nd Floor
Las Vegas, Nevada 89101

CITY OF LAS VEGAS
PUBLIC WORKS
REAL ESTATE
2004 AUG 12 A 11:50

Dear Mr. Sanchez,

This letter is a formal request for an Option To Purchase to be placed on the City Council Agenda. This would be for the approximate 3.165 acres of land the city owns, which was previously known as the MASH property. Please find attached the February 18, 2004 letter to Faye Johnson, Manager Neighborhood Development Division and her response dated February 26, 2004 stating the process could take up to 60 days from the date of her letter. This letter was included in our tax credit application to the State of Nevada.

On May 14, 2004 we received our Reservation of 2004 Low Income Housing Tax Credits letter for our Horizon Crest permanent housing development from the State of Nevada (letter attached). In addition to the tax credits we received a HOME award of \$888,500 from Clark County (letter attached).

Horizon Crest Apartments is an affordable family housing community. The development will provide 68 apartment units in garden style buildings with a recreation building of approximately 2,000 sq. ft. and a small play area. The buildings have two and three-story wood frame construction with stucco exteriors and tile roofs. All units will have separate exterior entrances. The project is designed in a southwestern style with specific consideration for families in the design feature. All buildings will be a mix of two and three-story with external staircases. Each unit will include a range, oven, disposal, dishwasher, washer and dryer hookups and a refrigerator. The unit mix is as follows:

	All Units	Square Feet	40% of Median	30% of Median
One-bedroom	32	782	27	5
Two- bedroom	8	1,097	7	1
Three-bedroom	28	1,197	24	4

Fifty eight units will be reserved for tenant households with income equal to or less than 40% of the median income for the Las Vegas primary metropolitan statistical area; and ten units will be reserved for households with 30% or less of median income.

Long -term affordability will be governed by a regulatory agreement for the tax credits, which provides affordability assurances for a total of at least 30 years. The Salvation Army will manage the property. The project will be financed by tax credit equity and HOME Funds from Clark County.

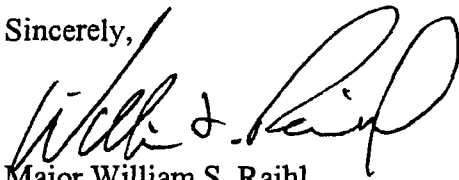
The Salvation Army and HAND Development Company will be co-developers. The General Contractor will be HAND Construction Company, an affiliate of Nevada H.A.N.D., Inc.

The Salvation Army has been serving the community since 1947. Completed capital projects include; Lied Transitional Housing Complex, Adult Rehabilitation Resident Program, Homeless Services Center, Pathways, Safe Haven and Silver Crest Senior Apartments. We are currently constructing the Lied Vocational Housing Center and anticipate construction to be complete by January 2005.

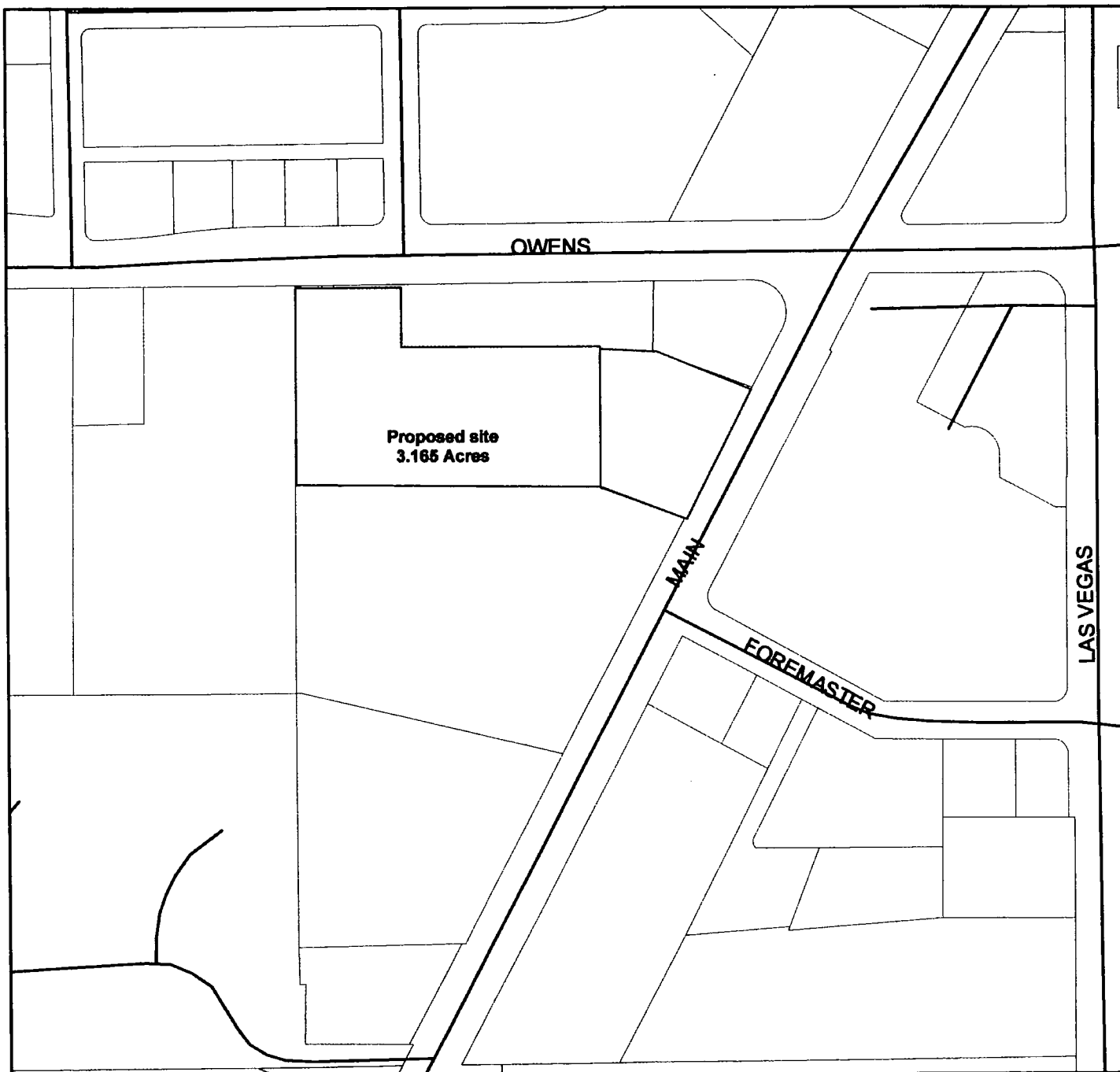
Please advise when the date of the Council meeting the Option to Purchase will be placed on the agenda so I can place it on my calendar to attend.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "William S. Raihl", written in a cursive style.

Major William S. Raihl
Clark County Coordinator
Enclosures



Site Map

Legend

- Street Centerline
- Parcels
- City of Las Vegas

Real Estate & Asset Mgmnt



08/18/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:****REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson**

Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division: Public Works/Real Estate**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City of Las Vegas is in receipt of a letter from The Shade Tree, Inc., dated 8/10/04. They have requested to enter into a Purchase and Sale Agreement with CLV for approximately one acre of land for an off-site expansion. The land requested is adjacent to the west parking lot wall of their existing property.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval to enter into negotiations with The Shade Tree, Inc., to bring the Purchase and Sale Agreement back to Council for consideration.

BACKUP DOCUMENTATION:

1. 8/10/2004 Letter from The Shade Tree
2. Site Map

MOTION:**WEEKLY – ABEYANCE of Items 52 and 53 to 9/15/2004 – UNANIMOUS**

NOTE: Under Item 2, COUNCILMAN MACK disclosed that Items 2 and 43 pertain to sites located near the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract related to its non-restricted gaming license. Also, the locations involved in Items 16, 52, and 53 are near SuperPawn shops owned by his brother, STEVEN MACK, for whom he does consulting. Neither of his relatives have mentioned any of these items to COUNCILMAN MACK, and he did not believe any of the aforementioned items would impact his family's interests; therefore, he stated that he would be voting on Items 2, 16, 43, 52, and 53.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Consent – Real Estate

Item 53 - Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)

MINUTES:

JOHN McNELLIS, Deputy Director, Public Works, was present.

See Item 52 for all related discussion.

(9:41 – 9:44)

1-1117



August 10, 2004

City of Las Vegas
Attn: Mr. Orlando Sanchez, Director
Neighborhood Services Department
400 E. Stewart Ave. 2nd Floor
Las Vegas, NV 89195

Dear Mr. Sanchez:

Per our previous conversation with Ms. Sharon Segerbloom, request one acre of the old MASH property be deeded to The Shade Tree, Inc. for the purpose of completing our critically needed off-site expansion project. Location of the land requested sits directly adjacent to the west parking lot wall of our existing property. Funds required to complete this project have already been secured.

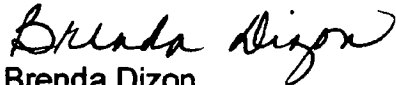
The Shade Tree is a 38,000 sq. ft. structure that sits on .69 acres of land. During the last fiscal year, we provided 74,744 bed nights to 6,519 unduplicated women and children. Currently we have only 19 parking spaces and very little on-site space for clients to congregate while waiting to re-enter the facility without overflowing onto the public sidewalks and into the street. This situation creates a safety hazard for everyone, but especially the children. At times, we have more than 200 women and children standing out on the streets. The Shade Tree has also lost many opportunities to enter into community partnerships due to the lack of parking/on-site space. Donations are frequently lost because the individual cannot get into the parking area to access donations. At other times especially on the weekends and after office hours, donors will come to the property and just dump their donation on the currently exposed loading dock, which creates an eye sore. There are even times when emergency vehicles have difficulty getting in and out. Children are frequently confined to inside the building because sufficient outside play areas are not available. Men loiter outside the Owens side of the exiting property because the back patio is the only outside area the women have to sit. This has created problems with protecting the confidentiality of our clients, unwanted trash, and destruction of property. And last, but not least, due to the lack of on-site parking spaces, staff and clients alike must park on the street, preventing City street sweeping crews access to cleaning the area.

With the additional acre of land, plans have been developed to address all of the above issues. First, the number of exiting in-site parking spaces will be increased from 19 to

62. This will also allow for an increase in the number of handicap parking spaces from one to five. Secondly a large outside covered patio areas is planned where clients can meet and socialize without leaving the grounds and/or being visible to outsiders. A large playground is being added to give the kids a place to safely play. Given the size and layout of the new area, there will be no reason for any resident to be loitering outside the gates. Two large, on-site storage sheds will allow us to receive donations away from the building and eliminate the unsightly accumulations of donations on the dock. Finally, because a solid block wall will enclose the entire area, safety and confidentiality for all women and children will be greatly improved. More handicapped persons will have closer access to the building and emergency vehicles can enter without interference.

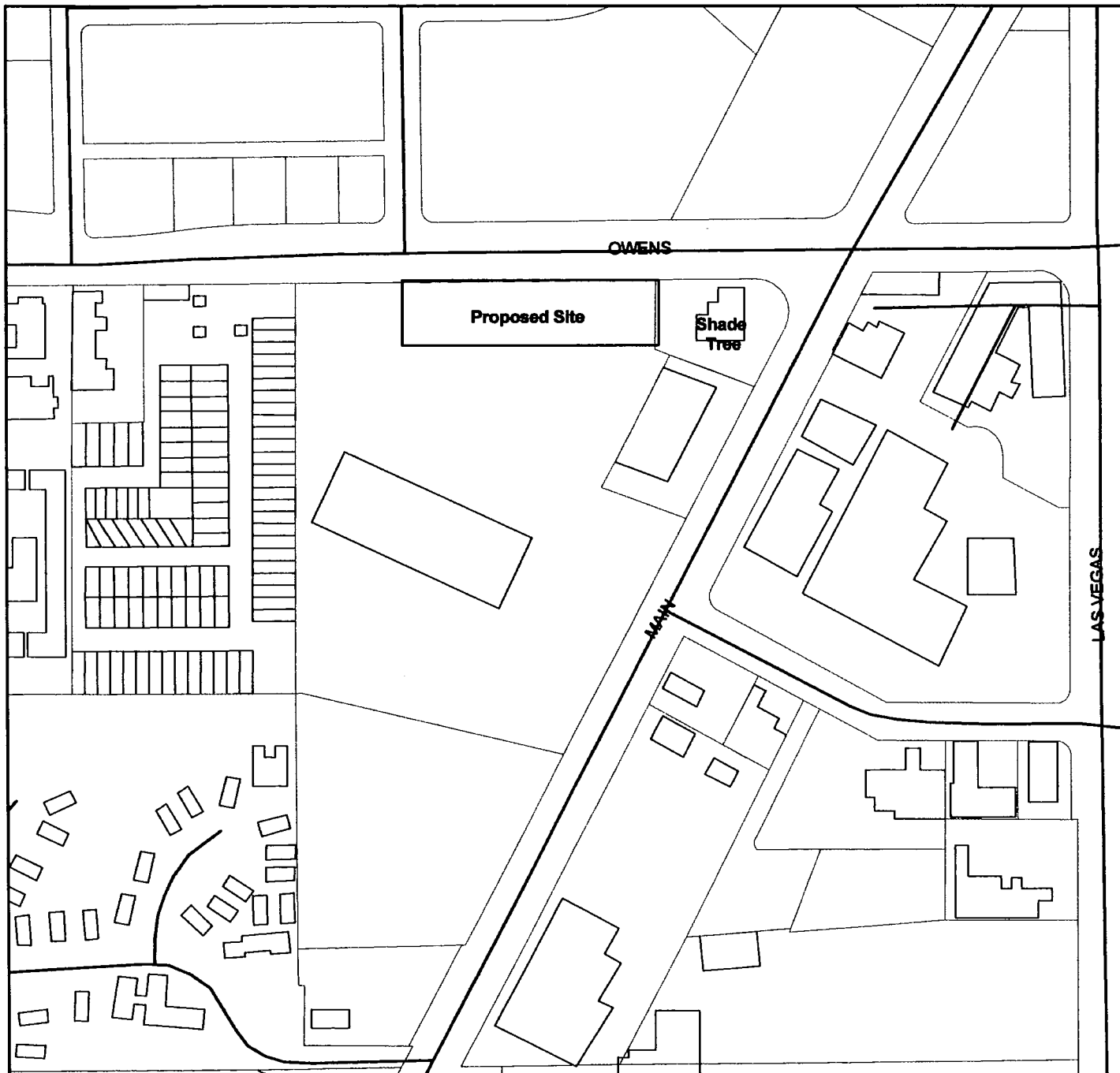
The Shade Tree is extremely grateful for the City's support in serving the many and varied needs of the homeless and abused women and children of this community. Together, we can, and do, make a difference. Thank you, again.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Dizon", written in a cursive style.

Brenda Dizon
Executive Director

cc: Ms. Faye Johnson, Manager



Site Map

Legend

- Street Centerline
- Parcels
- Building Footprints
- City of Las Vegas

Real Estate & Asset Mgmnt



08/13/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Sign Location Lease between City Parkway IV A Inc. and Viacom Outdoor Inc. for rental of space for a billboard sign located in the vicinity of Bonanza Road and Main Street, APN 139-27-401-031 (\$2,000 monthly revenue - City Parkway IV-A/Miscellaneous Rentals) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division: Public Works/Real Estate

Funding Source:

PURPOSE/BACKGROUND:

In conjunction with the acquisition of this parcel from Union Pacific, Viacom has a yearly lease for an existing billboard on site. This new lease is for five years with a five-year option and the yearly rental income will increase by \$6,000 with a Consumer Price Index (CPI) increase each year.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Sign Location Lease
2. Site Map

MOTION:

REESE – APPROVED Items 2-4, 6, 7, 9-17, 19-51, and 54 – **UNANIMOUS** with **MACK** abstaining on Item 54 to avoid any conflict because it involves a company with which his firm, Mack Consulting, negotiates on behalf of his client

Items 5 & 8: APPROVED under separate actions (see individual items)

Items 18, 52 & 53: ABEYANCE under separate actions (see individual items)

MINUTES:

Under Item 1, COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:33 – 9:35)

1-794

VIACOM OUTDOOR INC.

DATE: July 6, 2004
SIZE: 14'x48'
REP NAME: D Scott

LEASE NO. 13 DIV. 112
VENDOR NO. LV0015
DISPLAY NO. 02 1000 / 02 1001

SIGN LOCATION LEASE

1. CITY PARKWAY IV A INC. (hereinafter called LESSOR), hereby leases and grants exclusively to VIACOM OUTDOOR INC. (hereinafter called LESSEE) the premises presently occupied by LESSEE'S sign (with free access to and upon same) described as: 139-27-401-031 in the City of Las Vegas, County of Clark, in the State of Nevada, commencing on July 1, 2004 (The Commencement Date), for the purpose of erecting, constructing, installing, placing, operating, and maintaining LESSEE'S advertising sign(s) thereon including supporting structures, illumination facilities and connections, service ladders and other appurtenances and ancillary equipment.
2. LESSEE shall pay to LESSOR rental of TWENTY FOUR THOUSAND & NO/100 Dollars (\$24,000.00) per year, payable in monthly installments of TWO THOUSAND & NO/100 Dollars (\$2,000.00) beginning on the Commencement Date. The annual rent will increase by Three Per Cent (3%) each succeeding year of the lease on the anniversary of the Commencement Date. Rental payments shall be limited to one (1) check per payment payable to no more than two (2) payees.
3. LESSOR warrants that LESSOR is the OWNER of the above-described real estate and has full authority to make this agreement and the LESSEE shall have the right to make any necessary applications with, and obtain permits from, governmental bodies for the construction and maintenance of LESSEE's sign(s) at the sole discretion of LESSEE. All such permits shall always remain the property of LESSEE.
4. LESSEE shall save the LESSOR harmless from all damage to persons or property by reason of accidents resulting from the negligent or willful acts of its agents, employees or others employed in the construction, maintenance, repair or removal of its sign(s) on the premises.
5. This agreement is a Lease (not a License), and all sign(s), structure(s), improvements and appurtenances thereto placed on the premises by or for the LESSEE, its agent or predecessor, shall remain the property of the LESSEE and LESSEE shall have the right to remove the same at any time during the term of the Lease or, for a reasonable period after the expiration of the Lease. If LESSEE removes its structure(s), only above grade portions of said structure(s) shall be removed. The future existence of below grade improvements shall not constitute continued occupancy of the premises by LESSEE.
6. The term of this Lease will be Five (5) years beginning on the Commencement Date. This Lease shall continue in full force and effect for its term and thereafter for One (1) subsequent successive like term unless terminated at the end of such term, or any successive like term, upon written notice by the LESSOR or LESSEE sent by certified or registered mail served not less than ninety (90) days before the end of such term or subsequent like term.
7. In the event that all or any part of the Property is acquired or sought to be acquired by any entity having or delegated the power of eminent domain, Lessee shall, at its election and its sole discretion, be entitled to: (i) contest the acquisition or defend against the taking of Lessee's interest in the Property; (ii) relocate the outdoor advertising structure and appurtenances onto any portion of the Property not acquired or not to be acquired; and/or (iii) be compensated from any award or consideration payable by the acquiring entity for all costs, damages and value loss incurred by Lessee relating to its leasehold, as improved with the outdoor advertising structure. Lessor may not terminate this lease under any right or circumstance if the Property has been taken or is threatened to be taken by eminent domain, or if the Property is conveyed to any entity or its agent with eminent domain authority. No contemporary or subsequent modification of this Lease or the foregoing sentence shall be effective unless it specifically references this paragraph and the foregoing sentence.
8. In the event that, in LESSEE's sole opinion; (a) LESSEE is unable to secure or maintain any required permit or license from any appropriate governmental authority; (b) federal, state or local statute, ordinance regulation or other governmental action precludes or materially limits use of the premises for outdoor advertising purposes; (c) LESSEE's sign(s) on the premises become entirely or partially obstructed or destroyed; (d) the view of LESSEE's signs are obstructed or impaired in any way by any object or growth on the premises or on any neighboring premises; (e) the advertising value of the structure(s) is impaired or diminished; (f) there occurs a diversion of traffic from, or a change in, the direction of traffic past the structure(s); (g) LESSEE is prevented from maintaining electrical power to the premises or illuminating its sign(s); (h) LESSEE finds that, in LESSEE's sole opinion, the continued maintenance/operation of the structure(s) is impractical or uneconomical; (i) maintenance will be hampered or made unsafe due to conditions caused by nearby properties, land uses, or utilities, then LESSEE shall, at its option, have the right to terminate this Lease upon thirty (30) days notice in writing to LESSOR and LESSOR shall refund to LESSEE any rental payment paid in advance for the remainder of the un-expired term.
9. LESSEE agrees to pay all electrical power costs used in conjunction with its sign(s).
10. This Lease shall not obligate the LESSEE in any way until it is accepted and executed by a Vice President, General Manager or Regional Director of Real Estate who is responsible for executing LESSEE's duties under this Lease. It is understood that this written lease between parties constitutes the entire Lease and understanding between the parties and supersedes all prior representations, understandings, and agreements relating to the property site(s). This Lease may not be modified except in writing and signed by LESSOR and an authorized signatory of LESSEE.
11. This Lease shall be binding upon heirs, executors, personal representatives, successors and assigns for the parties hereto and LESSOR agrees to notify LESSEE of any change of ownership of the premises related hereto or of LESSOR's mailing address within seven (7) days of such change. LESSOR agrees to hold LESSEE harmless from any action resulting from failure to provide said notice. LESSOR shall not assign its interest under this lease or any part thereof except to a party who purchases the underlying fee title to premises and LESSEE shall not assign its interest under this Lease or any part thereof except to a party who purchases title to the subject sign structure(s) provided, however, this sentence shall not preclude a collateral assignment of LESSOR's or LESSEE's interest under this Lease to an established financial institution as, and part of, a bonafide loan transaction nor shall it preclude an assignment by LESSEE to any entity controlling, controlled by or under control with LESSEE.
12. All rents to be paid pursuant to this Lease and all notices are to be forwarded to the undersigned LESSOR at the address noted below the LESSOR's signature. Rental payments shall be deemed received by LESSOR upon deposit by LESSEE with the United States Postal Service.

ACTION TAKEN

[Signature]

Date 7/1/04 BKB

13. In the event that either party is in default under the terms of this Lease, the non-defaulting party shall deliver written notice via the United States Postal Services by certified or registered return receipt mail to the defaulting party, and said party may cure such failure within fourteen (14) days of receipt of such notice provided that for any non-monetary default, if a cure cannot reasonably be effected in 14 days, the defaulting party may continue such cure past 14 days from notice if it commences such cure within fourteen days from notice and pursues such cure to completion.
14. Concurrently with the execution of this Lease, or at any other time upon request of the other, LESSOR and LESSEE shall execute, acknowledge, and deliver to the other a short form memorandum of this Lease for recording purposes. The Party requesting recordation shall be responsible for payment of any fees or taxes applicable thereto.
15. To the extent permitted by applicable law, Lessor hereby waives any statutory right to a landlord's lien or any other lien on any property of Lessee located on the premises.
16. Lessee shall have the absolute unencumbered right to trim, cut or remove any trees or other vegetation or any other debris from Lessor's property, which in any way impairs the operation or maintenance of lessee's sign(s) or the view thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

FOR LESSOR:

CITY PARKWAY IV A INC.

BY: _____

Title

DATE: _____

EXECUTED by the LESSOR in the presence of

Who is hereby requested to sign as witness.

BY: _____

Title

DATE: _____

EXECUTED by the LESSOR in the presence of

_____, hereby requested to sign as witness.

88-6000198

LESSOR'S SOCIAL SECURITY/TAX I.D. NO.

LESSOR'S MAILING ADDRESS:

P.O. BOX 98801

Street Address

LAS VEGAS

City

NEVADA

State

89101

Zip

(702) 229-5011

Telephone Number

(702) 386-9108

Fax Number

APPROVED AS TO FORM:

Thomas R. Allen

Date

7/27/04



Site Map

Legend

- Street Centerline
- Parcels
- scl_majors
- USA
- City of Las Vegas
- City Parkway IV A Inc.

Real Estate & Asset Mgmnt



7/29/2004

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY MANAGER

DIRECTOR: DOUGLAS SELBY

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ADMINISTRATIVE:

Report from the City Manager on the 2004 City of Las Vegas Citizen's Academy

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City of Las Vegas is launching the first Las Vegas Citizen's Academy, a program designed to educate residents on the daily operations of city government and to highlight programs and opportunities for residents to get involved.

RECOMMENDATION:

Report only, no action required

BACKUP DOCUMENTATION:

1. Submitted after meeting: hardcopy of scripted PowerPoint presentation
2. Submitted after meeting: information letter from City Manager Selby regarding the Las Vegas Citizen's Leadership Academy
3. Submitted after meeting: Las Vegas Citizen's Leadership Academy Class of 2004 Application

MOTION:

None required. A report was given.

MINUTES:

CITY MANAGER SELBY outlined the project using a PowerPoint presentation, a copy of which is made a part of the final minutes.

COUNCILMAN WOLFSON noted that this is a great idea, and then asked for the age requirements. CITY MANAGER SELBY answered that 18 is the minimum age.

CITY MANAGER SELBY pointed out that Neighborhood Services developed a great part of the program.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Administrative

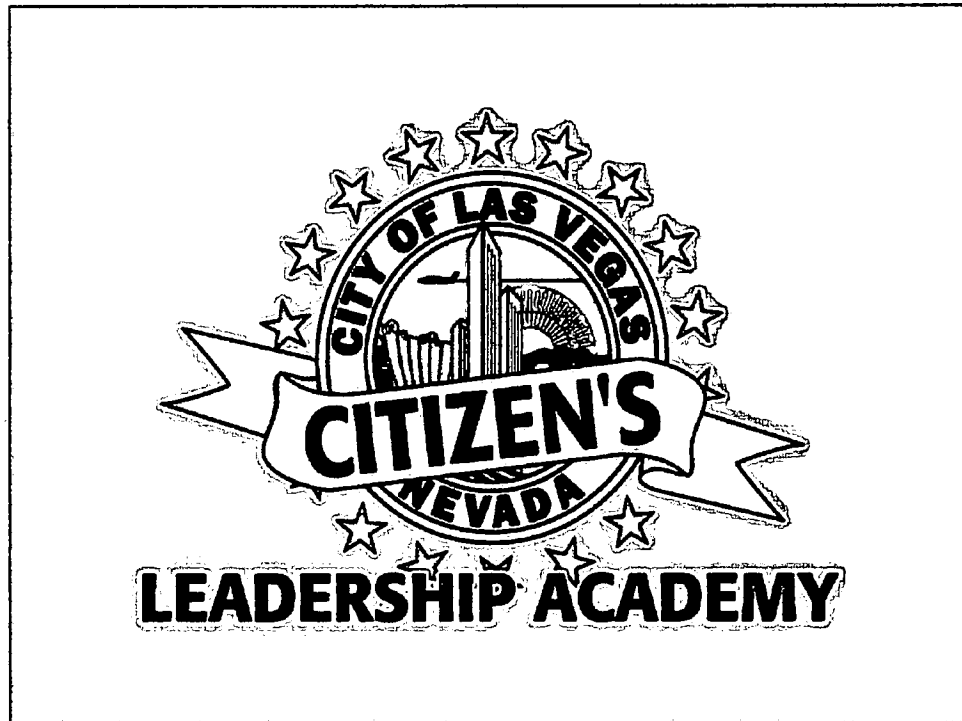
Item 55 – Report from the City Manager on the 2004 City of Las Vegas Citizen's Academy

MINUTES – Continued:

MAYOR GOODMAN also felt that this is a great opportunity to educate the public about government, because the more they understand about local government the better the community will be served. He hopes that people from all walks of life are selected. CITY MANAGER SELBY said that is the goal.

(10:00 – 10:07)

1-1876



Citizen's Leadership Academy is a program for Las Vegas residents to get a behind the scenes look at our government operations.

8/10/04
cc rty.
#55 1

CITIZEN'S LEADERSHIP ACADEMY

- **Purpose:**

- To educate citizens on the city of Las Vegas' responsibilities and services
- To give citizens a behind the scenes look at local government operations
- To increase citizen involvement with the shaping and development of their community

Citizen's Leadership Academy will increase their knowledge about local government operations with a desire to become more involved in the shaping and development of their community, on the roles and responsibilities of the city of Las Vegas and the services provided.

CITIZEN'S LEADERSHIP ACADEMY

- Participants will be selected based on their application
- 25 participants will be selected
- 7 week program, meeting once a week
- Interactive sessions that include presentations, tours and discussions

My office will appoint a selection committee to review each application. 25 participants will be selected for the first program based on their responses to the application questions.

The Academy is a 7-week course to be held annually (every fall). It will be interactive with presentations and tours throughout the academy. Every department, with a few outside agencies (i.e., METRO, Southern Nevada Water Authority, and Clark County), will be asked to participate in one or two sessions.

Evaluation forms will be completed at the end of every session in order for us to determine the success of the program and determine any necessary changes for improving the program for future citizen academies.

**THE ACADEMY WILL
FEATURE PRESENTATIONS ON
TOPICS SUCH AS:**

- Government Overview
- Emergency Management & Crime Prevention
- Infrastructure, Transportation & Environmental Management
- Water Treatment Operations
- Recreation & Community Services
- Clean & Safe Neighborhoods
- Growth & Development
- Tourism & Economic Development
- Volunteerism – Getting Involved

CITIZEN'S LEADERSHIP ACADEMY

Applications deadline
September 10, 2004 by 5pm

First Session
October 5, 2004

Graduation Reception
November 17, 2004

Important Dates are:

September 10, 2004 - Deadline for applications

October 5, 2004 - The first Citizen's Leadership Academy session

November 17, 2004 - Graduation reception / City Council Meeting

**CITIZEN'S LEADERSHIP
ACADEMY APPLICATIONS
ARE AVAILABLE:**

- In the City Manager's Office
- On the city's web site.
- At the information desk in city hall
2nd floor Skybridge

*Applications are also being mailed to all
registered neighborhood association leaders.*

CITIZEN'S LEADERSHIP ACADEMY

**For more information,
citizens can call 229-6501
or**

go online to www.lasvegasnevada.gov

Information is posted on KCLV, Channel 2

For more information on the Citizen's Leadership Academy, the public can go the the city's website and download an application, watch for bulletins on KCLV, or call the City Manager's Office at 229-6501.



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
ANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

August 25, 2004

Dear Resident:

The city of Las Vegas is offering a new and exciting opportunity for residents to get a behind the scenes look at our government operations. The **Las Vegas Citizen's Leadership Academy (LVCLA)** is designed to educate citizens who want to increase their knowledge about local government operations and have a desire to become more involved in the shaping and development of their community.

Participation in the Citizen's Leadership Academy is an excellent opportunity to get an in depth look at the roles and responsibilities of the city of Las Vegas municipal government. Through a series of interactive workshops and facility tours, 25 applicants will be selected to see first hand how city services work to create livable communities. The academy's workshops will also highlight programs and opportunities for residents to get involved with the city to develop creative and insightful solutions to some of the issues facing our community.

You are encouraged to apply for the first annual Las Vegas Citizen's Leadership Academy – Class of 2004. Applicants will be selected based on their willingness to dedicate time and energy, personal commitment and civic involvement.

This year's LVCLA workshops will cover a seven-week timeframe, held on Tuesday evenings, and two Saturday sessions, beginning Tuesday, October 5, 2004, and concluding with a graduation reception on Wednesday, November 17, 2004. Applications are being accepted now.

All LVCLA applications must be submitted to the city of Las Vegas City Manager's Office no later than Friday, September 10, 2004 at 5:00 pm. Applications should be mailed to the Office of Administrative Services, City Manager's Office, City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada 89101. Applications may also be faxed to 388-1807.

For more information on how you can participate in the LVCLA – Class of 2004, please contact my office at 229-6501.

I look forward to sharing our programs and services with you.

Sincerely,

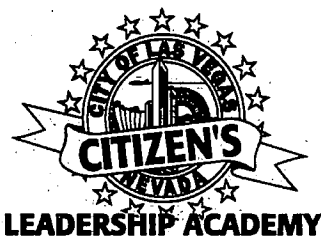
A handwritten signature in black ink that reads "Douglas Selby".

Douglas Selby
City Manager

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

9/3/04 CC
mtg. #550



CITY OF LAS VEGAS CITIZEN'S LEADERSHIP ACADEMY CLASS OF 2004 APPLICATION

The Las Vegas Citizen's Leadership Academy (LVCLA) is designed to educate citizens who want to increase their knowledge about local government operations with a desire to become more involved in the shaping and development of their community, on the roles and responsibilities of the city of Las Vegas municipal government, and the services it provides.

LVCLA participants will:

- Gain insight into the purpose and function of municipal government
- Get exposure to community issues facing the city
- Develop an understanding of citizen's role in government
- Learn ways to partner with the city to develop creative and insightful solutions to community issues

The LVCLA is held every fall. Sessions are limited to 25 participants. Through a series of interactive workshops, participants learn more about the challenges of municipal government, budgetary limitations, day-to-day operations, and how the city works to create livable communities.

Sessions are hosted by the City Manager, bringing together representatives from city departments and/or agencies to help citizens understand the complexities of city government. Participants commit to attending seven sessions including a closing reception with the Mayor and City Council.

Participant Selection

Interested citizens may apply by completing a LVCLA application. The City Manager's office will appoint a selection committee to review each application and 25 participants will be selected to represent the diverse residents and neighborhoods throughout Las Vegas. Selected participants will be notified by mail. Applicants not selected will be considered for future LVCLA classes.

Applications are judged based on:

- Willingness to commit time and energy to complete the program
- Personal commitment to shape the future of their community
- Past volunteer and civic involvement

Applications are due no later than September 10, 2004.

Directions for completing the application

1. Please print or type clearly. Non-legible applications will not be considered.
2. If additional space is needed to answer question(s), please use back of attached application.
3. Double check to make sure your application is complete and includes:
 - Answers to all the required questions
 - All the general information requested
 - A signed commitment pledge

Please return your completed application before September 10, 2004 at 5 pm by mail, fax or in person, to:

City of Las Vegas
Office of Administrative Services
Attn: LVCLA Selection Committee
400 Stewart Ave. – 8th floor
Las Vegas, NV 89101
Telephone: 229-6501 • Fax: 388-1807



LEADERSHIP ACADEMY

LAS VEGAS CITIZEN'S LEADERSHIP ACADEMY APPLICATION

Please Print or Type.

Name: _____

Address: _____

Daytime Phone Number: _____ Evening Phone Number: _____

email: _____

Occupation: _____

Length of Residency in Las Vegas: _____ (Residency is a requirement unless you are a business owner in the city of Las Vegas)

If you are a business owner, please provide the name and address of your business: _____

How did you learn about the Las Vegas Citizen's Leadership Academy? _____

If extra space is needed to answer any question(s), please attach additional sheets as needed.

What do you feel are the two greatest advantages about living in Las Vegas and why?

What do you feel are the two most pressing issues facing Las Vegas at this time and why?

Why do you want to attend the Las Vegas Citizen's Leadership Academy?

What do you hope to learn from the Las Vegas Citizen's Leadership Academy?

How do you plan to use your experience from the Las Vegas Citizen's Leadership Academy?

Please list any similar types of programs you have participated in over the past 2 or 3 years and what did you learn from the experience? (i.e., Leadership Las Vegas, Citizen's Fire Academy, Citizen's Police Academy, etc.)

Describe any previous experience you may have working in government. (i.e., previously held a public office, government employee, etc.)

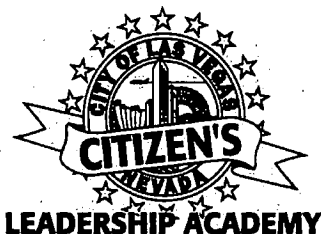
Community Activities/Community Involvement: (include membership in community, civic, professional, social, athletic, religious, and other organizations in which you have participated.)

Name of Organization

Level of Involvement

Please list any qualifications or special interests that would make you an ideal candidate for Citizen's Leadership Academy. (i.e., coordinated neighborhood block party, etc.)

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



CITY OF LAS VEGAS CITIZEN'S LEADERSHIP ACADEMY COMMITMENT PLEDGE

Participation in the **Las Vegas Citizen's Leadership Academy** requires a commitment of your time and effort. Academy participants are asked to attend at least five of the six weekday evening workshops, and at least one of the scheduled Saturday workshops.

Please make note of the Citizen's Leadership Academy schedule for the 2004 session:

- 🎯 **Government 101** - Tuesday, October 5, 2004 – 6:00 to 9:00 pm
- 🎯 **Emergency Management & Crime Prevention** - Tuesday, October 12, 2004 – 6:00 to 9:00 pm
- 🎯 **Infrastructure & Transportation** - Tuesday, October 19, 2004 – 6:00 to 9:00 pm
- 🎯 **Water Treatment** – Saturday, October 23, 2004 – 9:00 am to 1:00 pm
- 🎯 **Recreation & Community Services** - Tuesday, October 26, 2004 – 6:00 to 9:00 pm
- 🎯 **Clean & Safe Neighborhoods** - Tuesday, November 2, 2004 – 6:00 to 9:00 pm
- 🎯 **Growth & Development** - Tuesday, November 9, 2004 – 6:00 to 9:00 pm
- 🎯 **Tourism & Economic Development** - Saturday, November 13, 2004 – 9:00 am to 1:00 pm
- 🎯 **Getting Involved** - Tuesday, November 16, 2004 – 6:00 to 9:00 pm
- 🎯 **Graduation** - Wednesday, November 17, 2004 – 8:30 to 10:30 am

Your signature below constitutes a pledge that your responses to the questions in this application are accurate, and if selected, you are willing to commit your time and ideas to the scheduled event.

If accepted, I, _____, am prepared to fulfill the commitment that is asked of all members. If I am unable to attend one of the scheduled workshops, I will notify the Academy staff at least 24 hours before the scheduled event.

Name (please print) _____

Signature of applicant _____ Date: _____

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Diane Kay Botner, 320 South 1st Street, Las Vegas, Nevada 89101

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division:

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Item 18 to 9/15/2004 and STRIKE Items 56 and 57 – UNANIMOUS

MINUTES:

There was no related discussion.

(9:31 – 9:33)

1-794

RECEIVED
CITY CLERK

2004 AUG 16 A 8:58

August 16 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Diane Kay Botner
320 South 1st Street
Las Vegas, NV 89101



August 16, 2004

Diane Kay Botner
320 South 1st Street
Las Vegas, NV 89101

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Re: WORK CARD APPEAL

Dear Ms. Botner:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **September 1, 2004.**

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

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

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-8/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Simon Winston Macauley, 1230 S. Rancho Drive, Las Vegas, Nevada 89102

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Letter from Appellant to City Council
3. Request for abeyance from Appellant

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Item 18 to 9/15/2004 and STRIKE Items 56 and 57 – UNANIMOUS

MINUTES:

There was no related discussion.

(9:31 – 9:33)

1-794

RECEIVED
CITY CLERK

2004 AUG 18 P 3: 32

August 18, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Simon Winston Macauley
1230 S. Rancho Drive
Las Vegas, NV 89102



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

August 18, 2004

Simon Winston Macauley
1230 S. Rancho Drive
Las Vegas, NV 89102

Re: **WORK CARD APPEAL**

Dear Mr. Macauley:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **September 1, 2004.**

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

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

If a letter is submitted to the Council, it **must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arlene Coleman".

Arlene Coleman
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

August 18, 2004
Simon Macauley
SSN: 055-74-0072
Re: Notice of Denial of Work Card/Right to Appeal

To the Las Vegas City Council –

I received a notice of denial when attempting to obtain a sheriff's card, earlier today. The denial clearly strongly connects to my two misdemeanor convictions in 2001. The first was Statutory Sexual Seduction, the second: Conspiracy to commit Burglary. The "moral turpitude" indication of the denial suggests this relates to the misdemeanor, burglary charge.

I would like to say that while I take the law very seriously, the event leading up to these convictions do not accurately represent the situation. The facts of the case are simple. I met a girl fifteen years of age when I was twenty years of age. She invited me to her home. There was minimal, if any physical contact between us. Her father came home, was furious, slapped his daughter, and later filed charges against me. The district attorney's office assigned charges based on what was construed to be my *intention* -- the feeling that I intended to have sexual relations with this person, although that never happened nor was intended. We simply talked for an hour. Considering this, I was met with a number of charges, which my attorney plea-bargained down to the two I was convicted for. One of the initial charges was "burglary," which I questioned because I have never stolen a thing. My attorney explained "burglary" was placed on my charges --not because I'd stolen anything but because I entered a home without the permission of an adult. And that technically, this could be construed as "burglary" in the state of Nevada.

I have no criminal history before or since these charges. The misdemeanor charge of conspiracy to commit burglary does not connect to larceny, it related to simply entering a home (into which I was invited). I have not had occasion to secure a job requiring a sheriff's card until now.

I desperately need my life to go on—to advance, and to continue getting better jobs while also attending school. I have handled money at nearly all my previous jobs and I have never stolen a cent.

I respectfully ask this be taken into consideration during the appeal on these matters. This case was difficult enough to endure, and I now ask that I please be allowed to work.

Gratefully,

Simon Macauley

A handwritten signature in black ink, appearing to read 'Simon Macauley', with a long horizontal flourish extending to the right.

Aug. 18
2004

August 20, 2004

RECEIVED
CITY CLERK

2004 AUG 23 A 7:56

To the Las Vegas City Council:

From: Simon Macauley, 1230 South Rancho Drive, Las Vegas, Nevada 89102; 258 9521

In the matter of WORK CARD APPEAL re: Simon Macauley: Appeal Date: 9-1-2004

I respectfully request a change of appeal date from September 1, 2004 to September 15, 2004, as marriage and family therapist, Pamela M. Goldberg wishes to appear in person on my behalf with relevant information, and she will be out of the country until September 8.

Thank you for your consideration in this matter.

Sincerely,



Simon Macauley

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr, 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Raz Durani

MOTION:

MACK - APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process - **UNANIMOUS**

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met all the requirements for consideration of temporary approval. However, he pointed out that during an inspection it was found that the purchase agreement did not go through, thus the requirement to remove the alcohol was imposed. Also, it was found that one of the employees did not possess a health card. The aforementioned incidents do not severely reflect on MR. DURANI'S suitability; however, MR. DiFIORE requested that MR. DURANI ensure that all his employees possess the appropriate cards before he takes over full operation.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Finance and Business Services

Item 58 - Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr, 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)

MINUTES – Continued:

MR. DURANI said that he is trying to take care of all the details of opening this business as he was relocating from California. His employees are currently in possession of all required cards. He hopes to be able to obtain a liquor license because his business is suffering without being able to sell alcohol.

COUNCILMAN MACK was certain that MR. DURANI would comply with all the conditions. He wished him success in his business here.

(10:07 – 10:09)

1-2158

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

- (1) The applicant's fitness for a license; and
- (2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

- (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
- (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
- (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated July 8, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on July 9, 2004. Based on a review of the SCOPE printout furnished to this Department by the applicant, we have determined he is preliminarily suitable to hold a temporary Alcoholic Beverage license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

07/08/2004

Dear Jim DiFiore,

Mr. DiFiore I, Raz Durani, would like to request from you a temporary beer/wine off sale license until I receive my official beer/wine off sale license. I have decided to purchase the Craig Rancho Mart at 4371 N. Rancho Drive Las Vegas, Nevada. The business is a gas station and convenient store. Besides the sale of gasoline we provide groceries, retailed items, tobacco, and hopefully alcohol. We have seven slot machines in our gaming area which is leased out to United Coin Machine Company. Regularly the buyer stalls four months before closing escrow to purchase a business in order to receive the alcohol license. But in this occasion I plan to close the escrow right away in a matter of days. I still have about four months until I receive the approval for the official beer/wine off-sale license. The reason for the swift closure of escrow is the management and owners at the location has paid very little attention to the business in the last 5-6 months and during this period of neglect the store's business has dwindled down tremendously. Yet there lies great potential in the business because of its location and area. For this reason I decided to purchase this business and invest my time, money, and effort to try to make this business reach its fullest capability.

The beer and wine portion of the store is a very integral part of the appearance of the store. Appearance is very essential to the enhancement of any business and especially to the interior of this business. Our wooden wine rack with all the variety of wines that it contains brings flavor and class to the establishment. Our five large cooler windows that display the beer that is currently sold here would look very monotonous, repulsive and bare without the alcohol that is placed in each window display. All the beer and wine that is sold is concentrated in the

left wing of the store and for years customers have become very acquainted with that area as the beer section. So imagine going to your house everyday for six years and one day you go to find that your living room and all the furniture that was within it is temporary gone for a four month period. But if this happens to a customer who comes in for beer he/she will not return to store no matter what. They do not care if you are pending a license, they want their beer. This one customer harms the business severely because in a recent survey it showed that when a consumer or customer is satisfied or overwhelmingly satisfied about a service, product, or anything else they spend they usually share it with a couple of their friends or relatives but whenever that same consumer or customer is dissatisfied or upset that they did not receive what they came for they usually report that bad information to ten other people. So if one in every five people came in for beer and did not get what they came for, they would at least alert 10 people while the other four who were satisfied would only inform 8 people leaving the business owner, two customers short every time eventually leading the business to bankruptcy.

As the members of the council know at least those who live in there that the area and the surrounding neighborhoods of the Craig Rancho Mart is a very peaceful, quiet, and safe neighborhood. The retailing of alcohol would not increase violence or crime. The business has sold alcohol for the past seven years under two different owners and the area has not seen the rise of crime due to the selling of alcohol. The beer sales and profit are not significant in this business because of the plaza it is in and the area. Our night business is not that significant since the neighborhood residents are not people who get drunk and stay out late. Our main time of business is during the day when all the stores in the Lido Plaza are open and most of our customers are employees from the surrounding business. Believe me people do not drink while they work unless they do not want to keep their jobs anymore. But still we do sell alcohol on a

daily basis even though it is not significant amount it still is a sale. We could not be called a convenient store if we did not sell alcohol because where is the convenience for the customer when they want gas and alcohol but can not purchase the alcohol since the owners are awaiting their beer/wine license.

All in all Mr. DiFiore I hope that you see that it is vital for the business and us to receive this temporary license for the sale of beer and wine until we get the approval from the official beer/wine off-sale license. With the diminishing of the business on a daily basis I have to purchase it early and in doing so I could not attain my alcohol license to sell alcohol under my name, right when I close escrow. By granting us the temporary license or allowing us to go to the city council board meeting agenda meeting this August 4, 2004, to prove to the board that it is very vital to the business to sell alcohol right away and that the halt of it could have serious blows to the future and reputation of the business. By doing this for us Mr. DiFiore I will be forever grateful to you. Thank you for your time and understanding.

Thank you,



07-08-2004

Raz Durani

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Venchito H. Cortez, 100%, To: Crest Lodge, Inc., dba Fong's Garden Cafe de Manila, 2021 East Charleston Boulevard, Lourdes S. Guevara, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Dave Eder

MOTION:

REESE - APPROVED the temporary license with a six-month (3/2/2005) review and subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process - **UNANIMOUS**

MINUTES:

DAVE ETTER, Nevada Gaming Consultants, appeared on behalf of the applicant.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met all the requirements for consideration of a temporary approval. But, as with Item 58, staff found that the ownership prematurely changed hands and a couple of employees did not have the proper work cards. He urged MS. GUEVARA to make sure that all her employees have the proper cards.

COUNCILMAN REESE confirmed with MR. ETTER that the applicant is aware of the conditions.

(10:09 – 10:11)

1-2276

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, To: Crest Lodge, Inc., dba Fong's Garden Cafe de Manila, 2021 East Charleston Boulevard

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

- (1) The applicant's fitness for a license; and
- (2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

- (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
- (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
- (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated August 9, 2004 from Dave Eder, consultant to the applicant, outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on July 29, 2004. Based upon a review of the Scope printouts furnished by Ms. Guevara, we have determined she is preliminarily suitable to hold a temporary alcoholic beverage license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.



Nevada Gaming Application Consultants

Specializing in Liquor and Gaming Applications

777 E. Quartz Ave., PMB 7707, Sandy Valley, NV 89019

(702) 396-6422 Toll-Free 1-888-777-6422 Fax 1-800-745-6422

August 9, 2004

City Of Las Vegas
Business License Division
300 E. Stewart Ave 3rd Floor
Las Vegas NV 89101

Attn: Eddie Raines

RE: Temporary Liquor License
Fong's Garden Café De Manila

Dear Mr. Raines

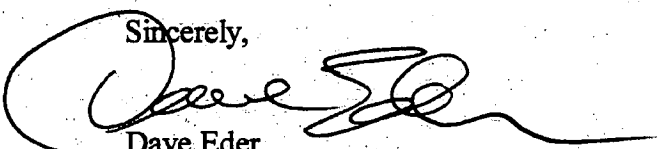
Mr. Venchito Cortez the current owner of Fong's Garden Café De Manila and the buyer Ms. Lourdes Guevara. Respectfully request that Ms. Guevara be granted a Temporary Liquor License allowing Ms. Guevara to operate Fong's Garden Café de Manila during her investigation by The Metropolitan Police Department.

Mr. Cortez and Ms. Guevara had better than nine months in delays in conducting the sale agreement due to issues with the landlord.

Mr. Cortez lives in California and has had to make several more trips than planned to Las Vegas to over see the operations. In addition Mr. Cortez has just been released from a long-term disability, which has caused Mr. Cortez a financial hardship. Mr. Cortez needs to have Ms. Guevara to take over the operations as soon as possible to enable him to start his recovery.

Attached with this letter is a scope on Ms. Guevara from Metropolitan Police Dept Las Vegas. And a current arrest record from the Police Dept. in California where Ms Guevara lived until last year.

Sincerely,



Dave Eder

Nevada Gaming Application Consultants

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Change of Ownership and Business Name for a Package License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes and Health Dept. regulations, From: Sipo & Kosa, dba Speakeasy Liquor & Market, Raghid Kosa, Ptnr, 50%, Said Y. Sipo, Ptnr, 50%, Wisam B. Kosa, Lender, To: Speakeasy Liquor Partnership, dba Speakeasy Liquor, 1006 East Charleston Boulevard, Raid B. Bidi, Ptnr, 50%, Said Y. Sipo, 50%, Ptnr - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Change of Ownership and Business Name for a Package License and a new Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED a temporary license, subject to a six-month (3/2/2005) review and requiring the applicant to report in writing any arrests or citations to Business Services or Metro Special Investigations within 48 hours - **UNANIMOUS**

MINUTES:

The applicant was present, accompanied by DAVE ETTER, Nevada Gaming Consultants.

JIM DiFIORE, Manager, Business Services, deferred to STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), Special Investigations, who said that there were two areas of concern. The applicant falsified his application and sold alcohol to a minor.

MR. ETTER explained that selling alcohol to a minor was an inadvertent mistake on the part of MR. BIDI. He had previously observed his cousin handle the register. On this occasion, his cousin stepped away from the register to the bathroom, so he just made the sale without knowing the law. MR. BIDI received a citation that his cousin's attorney informed him he did not have to disclose it. MAYOR GOODMAN countered that according to the report MR. BIDI pled guilty to a lesser charge of disturbing the peace. MR. ETTER indicated that the attorney handled the case.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Finance and Business Services

Item 60 - Discussion and possible action regarding Change of Ownership and Business Name for a Package License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes and Health Dept. regulations, From: Sipo & Kosa, dba Speakeasy Liquor & Market, Raghid Kosa, Ptnr, 50%, Said Y. Sipo, Ptnr, 50%, Wisam B. Kosa, Lender, To: Speakeasy Liquor Partnership, dba Speakeasy Liquor, 1006 East Charleston Boulevard, Raid B. Bidi, Ptnr, 50%, Said Y. Sipo, 50%, Ptnr - Ward 3 (Reese)

MINUTES – Continued:

MR. ETTER answered for the Mayor that MR. BIDI came to the United States through Tijuana, Mexico, from Iraq and was granted political asylum.

MR. DiFIORE recommended a temporary license with a six-month review and requiring the applicant to report any citations or arrests to Business Services or Metro Special Investigations within 48 hours. COUNCILMAN REESE and MAYOR GOODMAN verified with MR. ETTER and MR. BIDI that MR. BIDI fully understood the conditions imposed.

(10:11 – 10:17)

1-2351

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Wyatt Hiroshi Allen, dba Hiroshi Allen Shotokan Karate, 1400 North Rampart Boulevard, Wyatt H. Allen, 100% - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Hiroshi Allen
3. Map

MOTION:

BROWN – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, commented that the applicant met the criteria for consideration of a temporary license. Normal applications for this type of business require approval through the Department of Leisure Services and that is what he asking the Council consider at this meeting.

MR. ALLEN urged the Council's approval, stating that he is ready to do business.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Finance and Business Services

Item 61 – Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Wyatt Hiroshi Allen, dba Hiroshi Allen Shotokan Karate, 1400 North Rampart Boulevard, Wyatt H. Allen, 100% - Ward 4 (Brown)

MINUTES – Continued:

COUNCILMAN BROWN asked MR. DiFIORE if the Council could approve the temporary license, and then have the applicant submit the administrative application to Leisure Services. ASSISTANT CITY ATTORNEY JOHN REDLEIN answered that he discussed this matter with MR. DiFIORE, and he did not think there would be a problem. MR. ALLEN has a contractual obligation he needs to fulfill before he can start teaching classes. COUNCILMAN BROWN explained to MR. ALLEN the process he would have to undergo through Leisure Services, and then asked MR. DiFIORE to walk him through it.

(10:17 – 10:20)

1-2608

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Wyatt Hiroshi Allen, dba Hiroshi Allen Shotokan Karate, 1400 North Rampart Boulevard

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E), which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

- (1) The applicant's fitness for a license; and
- (2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

- (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
- (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
- (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated August 12, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on June 25, 2004. Based on a review of the Scope printout furnished to this Department, we have determined he is preliminarily suitable to hold a temporary martial arts instruction business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

August 12, 2004

Department of Finance & Business Services
Business Services Division
400 Stewart Avenue
Las Vegas, NV 89101

To Whom It May Concern:

I am writing in regards to obtaining a temporary business license. Following the Department's guidelines, the proper paperwork and formalities have been completed; however, at this time, I am waiting on the completion of my background check currently underway with the Metro Police Department.

The delay of the business license will cause definite hardships to my business for the following reasons:

1. The lease start date will commence on August 15, 2004, with payment of the lease due upon that date. This means the business will begin to accumulate overhead debt, without any possibility of having a customer transaction.
2. The business is a Karate studio. After being raised by parents that made their living by running a Karate studio and having been in the same business for over 15 years, I know by experience, September is the most crucial month of the year for this business to succeed.

The ratio for any new business to be successful is already unfavorable. Being granted a temporary license will assist greatly the chances of this business to grow and flourish. Please take this request into consideration.

Sincerely,
Hiroshi Allen

Hiroshi Allen Karate
1400 Rampart Blvd.
Las Vegas, NV 89134

[illegible]

Page 10 of 10



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Tavern License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted at meeting: copy of written comments of Tom McGowan

MOTION:

MONCRIEF – ABEYANCE to 9/15/2004 – UNANIMOUS with GOODMAN abstaining because his son, ROSS GOODMAN, represents some of the employees of Treasures and MACK abstaining to avoid any conflict because Treasures is a client of Mack Consulting

MINUTES:

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

APPEARANCES:

OSCAR GOODMAN, Mayor
BRAD JERBIC, City Attorney
GARY REESE, Councilman
MICHAEL MACK, Councilman
MARK FIORENTINO, Attorney, representing Treasures
JANET MONCRIEF, Councilwoman
LARRY BROWN, Councilman
STEVE WOLFSON, Councilman
TOM MCGOWAN, Las Vegas resident
RAD SNELDING, City Auditor

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Finance and Business Services

Item 62 - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

MINUTES – Continued:

NOTE: COUNCILMAN WOLFSON directed that all documents on this matter dating back to 2001 be provided to him. CITY ATTORNEY JERBIC indicated that information packets containing all documentation would be provided to all the Council members at the individual briefings.

(9:31 – 9:33/9:44 – 10:00)

1-794/1-1233

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: ABEYANCE ITEM - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive

On February 21, 2001 the City Council approved this license subject to a six-month review after the date of opening (September 15, 2003) due to areas of concern in the police report.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department will be furnished to the City Council prior to the meeting.

✓ Tom / Las Vegas Mtg ✓ 9th WED. 1 SEPT, '04 (END. CHAIR) (CH: May 6/6)
.. < (20") > ..

✓ Agenda
• ITEM #162 • TOM MCGOWAN, LAS VEGAS RESIDENT FOR MORE THAN FIFTY (50) YEARS.

IN MY OPINION AND BELIEF, THE APPLICANT HAS EVERY CONSTITUTIONAL AND STATUTORY RIGHT AVAILABLE UNDER APPLICABLE LAW. ~ HOWEVER:~

• THE APPLICANT DOES NOT SET THE COMMUNITY STANDARD FOR DECENTRY IN THE CITY OF LAS VEGAS, AND NEITHER DOES ELOQUENT AND LEARNED STAFF. ~

● YOU DO, ~ AS THE ELECTED REPRESENTATIVES OF THE PEOPLE OF LAS VEGAS, NEVADA.

(SUBMITTED AND REQUESTED INCLUSION IN THE MINUTES)

THANK YOU.

CC
Submitted at Redevelopment Agency

Date 9/1/04 Item #62

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50% Hassan Davari, Dir, Secy, 50%

Appearance List:

OSCAR GOODMAN, Mayor
BRAD JERBIC, City Attorney
GARY REESE, Mayor Pro Tem
MICHAEL MACK, Councilman
MARK FIORENTINO, Attorney, representing Treasures
JANET MONCRIEF, Councilwoman
LARRY BROWN, Councilman
STEVE WOLFSON, Councilman
TOM McGOWAN, Las Vegas resident
RAD SNELDING, City Auditor

(9:43 – 10:19)

1-1233

17 minutes

Typed by: Angela Crolli

Proofed by: Gabriela S. Portillo-Brenner

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

24 **MAYOR GOODMAN**

25 All right. And there's been a request to call Item 62 forward. Item 62 is a discussion and
26 possible action regarding a six-month review of a Tavern License, D. Westwood, Inc., doing
27 business as Treasures, 2801 Westwood Drive, Ali Davari, Director, President. Hassan Davari,
28 Director, Secretary. This is in Ward 1. I'm going to abstain at this time. My son, Ross and,
29 represents some of the employees of the club, Treasures. I'm looking forward to the presentation
30 by Ms. Jennings of the Ethics Committee, which was scheduled for today, Mr. Jerbic, but she
31 called you, I understand, and asked that that presentation be put off, until when?

32

33 **BRAD JERBIC**

34 October 6, Your Honor.

35

36 **MAYOR GOODMAN**

37 October 6th, to clarify the conditions of, about disclosure and abstentions. So, I look forward to
38 October the 6th, but in the meantime, I'll turn this over to Mayor Pro Tem.

39

40 **MAYOR PRO TEM REESE**

41 Thank you, Your Honor.

42

43 **COUNCILMAN MACK**

44 Mayor Pro Tem?

45

46 **MAYOR PRO TEM REESE**

47 Yes.

48

49 **COUNCILMAN MACK**

50 A quick disclosure: The subject of the review is a client of my business, Treasures, Mack
51 Consulting. Due to the conflict, I'll be abstaining from discussions or any action on it.

52

53

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

54 **MAYOR PRO TEM REESE**

55 Thank you very much. Is the representative from Treasures here, please? For the record, while
56 the attorney is on his way down here, if we hold this in abeyance, what is the ramifications on
57 holding this until the 15th? There – has been, for your information, there has been a request by
58 staff to hold this in abeyance until our February the 15th, I'm sorry, September the 15th meeting,
59 and I think there's a contact with Mr. Fiorentino; is that true, to hold this in abeyance?

60

61 **MARK FIORENTINO**

62 Yes, Mayor Pro Tem. –

63

64 **MAYOR PRO TEM REESE**

65 Okay. There was some – concerns brought forward with this abeyance, being, or this being held
66 in abeyance. If you could, please explain to us, Mr. Jerbic.

67

68 **BRAD JERBIC**

69 Just briefly, Mr. Mayor Pro Tem and members of the Council, the request to hold this in
70 abeyance should not affect business at Treasures at this point in time. They have the legal ability
71 to get two temporary licenses not to exceed six months. The first temporary license had expired.
72 A second temporary license was issued. It expires, I believe, on September 15th. So, the next
73 Council meeting will be the absolute last opportunity for this Council to vote up or down on the
74 license. If the Council does not approve it at the next meeting, it would expire at midnight that
75 night. But between now and then, nothing should change business as usual at Treasures.

76

77 **MAYOR PRO TEM REESE**

78 Thank you. Mr. Fiorentino, do you have anything you'd like to add?

79

80 **MARK FIORENTINO**

81 No, Sir.

82

83

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

84 **MAYOR PRO TEM REESE**

85 Thank you. Councilwoman, do you have anything you'd like to add to this (inaudible)?

86

87 **COUNCILWOMAN MONCRIEF**

88 No.

89

90 **MAYOR PRO TEM REESE**

91 Councilman Brown?

92

93 **COUNCILMAN BROWN**

94 Thank you, Mayor Pro Tem. Understanding the reason for abeyance, I'd – just like a little more
95 details as far as, this certainly has been an ongoing situation with the liquor license. But,
96 certainly, one is related to our original condition of approval, condition and/or intent, as far as
97 any convictions. The second one, either by condition or intent, dealt with the industry standard
98 and the behavior to be allowed or, that has occurred at – the establishment. And this abeyance
99 seems to be touching on a third issue, and I think we're familiar, at least from the last public
100 hearing on it, what, what's involved.

101 My question, Mr. Jerbic, is one that, either through miscommunication or bad timing or lack of
102 resources or too much information, in the next two weeks, do you feel comfortable that we are
103 going to be able to one hundred percent do the research or get the resources needed to raise this
104 third issue to the level that the other two apparently are at today?

105

106 **BRAD JERBIC**

107 The – best way I can answer it, Councilman, is that we will have a report. The auditor will have
108 a report by next week. We are completely aware of the fact that this applicant deserves to have
109 an up or down vote of this Council on September 15th, and, in fact, must have an up or down vote
110 on September 15th. So, wherever we're at with the audit at that point in time, it will be wrapped
111 up and concluded and presented to Council and to Mr. Fiorentino so that he and his client can
112 review it. I've, I, we have a meeting right after this vote this morning with Mr. Fiorentino, and

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

113 the auditor, to go over the details of what will happen in the next week to make sure that that is
114 accomplished.

115

116 **MAYOR PRO TEM REESE**

117 Councilman Brown?

118

119 **COUNCILMAN BROWN**

120 Mr. Fiorentino, you feel comfortable that the two weeks you're gonna be able to have your client
.21 provide the information that's been requested, and likewise, I guess, Mr. Jerbic, and or/our audit
122 function, which is a direct report to the Council, do they feel comfortable that they're going to
123 have the time needed to accomplish this? And, simply stated, what – I would be very
124 disappointed in two weeks from today is we get a report that is incomplete or there are issues put
125 on the record, as far as documents being unavailable or staff needing more resources to
126 accomplish what the intent was, 'cause I don't think that's fair. We're creating, essentially, a
127 third issue, critically important to the review of the character of the ownership. But it's also
128 creating a whole new level in potential innuendos, and I – really need to hear there's a comfort
129 level from Mr. Fiorentino and Mr. Jerbic and Mr. Snelding that something will be of substance
130 two weeks from today, or, again, I'd be disappointed, because today was supposed to be the
.31 hearing and a lot of time and effort has gone into today as the day.

132

133 **BRAD JERBIC**

134 I know that I have been meeting with the auditor, and he's been keeping me updated as to his
135 findings. I believe, based on what I have heard, that the auditor will have something of
136 substance to say, even if we had to go at this moment. But at this moment, again, he hasn't
137 completed everything he needs to look at, and, of course, auditors have audit principles and
138 standards that they have to go by. And –, so, he is very hopeful that he can finish all that by the
139 end of next week. But, either way, you will have a report of substance before you at the next
140 Council meeting.

141

142

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

143 **COUNCILMAN BROWN**

144 And, I would also, Mayor Pro Tem, with your indulgence, I just, from a personal perspective, I –
145 certainly don't speak on behalf of the Council on this issue, but I would encourage, Mr. Jerbic,
146 your office, and Mr. DiFiore, your office, Mr. Fiorentino, you and your client, Metro, to go back
147 and look at the transcripts, especially if we have to go back to 2001. Everybody is familiar with
148 them. But there seems to be some disagreement with conditions and intent and what our
149 objective is with this hearing. And I – get, become frustrated when I start reading, the media is
150 starting to play this hearing out. And some – comments that I felt were inaccurate, by a number
151 of sources, is creating now a cloud of, again, innuendos or suspicion or all these subplots.

152 And the bottom line is, if everybody feel, feels comfortable that on the 15th we are going to
153 review this liquor license and specifically focus in on the City's ordinance and the criteria and
154 the character and all that, that, I would really hope that everybody comes prepared to focus on
155 that. It's not just about condition A or B or potentially C. It's what this Council, and what the
156 City is going to do approaching the industry as a whole. And that seems to be lost in this little
157 trial that's been going on in the media and, certainly, over the last six month. There's a bigger
158 issue here and some of the specific things have been raised, and let's not get focused on this
159 small item when there's a very large item out there that I – want clearly addressed, at least from
160 my perspective, clearly addressed and spoken to on the 15th.

161

162 **BRAD JERBIC**

163 I understand, Councilman. If I can just respond this way: We have always focused the staff
164 recommendation on the core of every staff recommendation when it comes to privileged license,
165 and that also the sole question: Is the applicant suitable? That – will be the core of the
166 presentation, recognizing, however, that there have been, a lot interest is to where this club
167 stands with respect to other clubs and the like. I provided Mr. Fiorentino with some new
168 numbers this morning that Metro had assembled. We are going to update numbers that we
169 provided him before. So, I think, we'll also be able to give you the information as to where the
170 industry as a whole stands with respect to our codes and enforcement of those codes.

171

172

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

173 **COUNCILMAN BROWN**

174 And understanding that that suitability, Mr. Jerbic, I appreciate that because that suitability goes
175 back to the two thousand and one hearing and the testimony that Metro provided and some of the
176 investigative work provided. And I think, independently, both one and two of the issues that
177 have been talked about over the last six months, independently, they could speak to the
178 suitability. Together, there's no question. It's, intuitively, I get very uncomfortable when all
179 these other issues start to arise at the eleventh hour and the innuendos, the Media starts playing
180 out subplots, then we start losing the focus. And that's, again, I can't state it more succinctly,
181 that's my concern for the 15th, that we stay focused on the suitability. And, if people are going to
182 get away from that and start bringing the other issues, then they better be prepared to speak one
183 hundred percent fact and, from the audit standpoint, from the legal standpoint, from the business
184 licensing, from Metro and certainly from the client's perspective, because as you say, that's the
185 deadline. We, we've had a gun put to our heads and – now there is no time. On the 15th, one
186 way or another by ordinance, we have to make a decision.

187

188 **BRAD JERBIC**

189 That's correct.

190

191 **COUNCILMAN BROWN**

192 I appreciate that. Thank you, Mayor Pro Tem.

193

194 **MAYOR PRO TEM REESE**

195 Mr. Fiorentino?

196

197 **BRAD JERBIC**

198 Thank you, Councilman.

199

200 **MARK FIORENTINO**

201 Yes, Mayor Pro Tem, with your indulgence, I'd like to answer Councilman Brown's question,
202 directed towards me. Members of the Council, I'm Mark Fiorentino, representing the applicant.

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

203 Councilman Brown, your staff gave us a very detailed written document asking for a series of
204 things they wanted to do this audit. To the best of my knowledge, and I have no information to
205 the contrary, we have provided everything on that list to them to date. Mr. Jerbic has committed
206 to us that, by the end of day, Wednesday of next week, the report will be done in a format that
207 we can review, and then work with them to either resolve whatever issues are raised in the report
208 or narrow them for your consideration.

209 So, unless there is new requests between now and next Wednesday, I'm — confident they have
210 everything they've asked for.

.11

212 **MAYOR PRO TEM REESE**

213 Thank you. Councilman Wolfson?

214

215 **COUNCILMAN WOLFSON**

216 Thank you, Mayor Pro Tem. I just, on a — personal note, as everybody knows, I'm relatively
217 new to the Council, and, so I want to be prepared for the 15th, as — we all do. I would just simply
218 request that if there are materials that are going to be referred to on the 15th, dating back to a two
219 thousand and one timeframe, I'd request that you provide those to me as soon as possible. Mr.
220 Fiorentino, you've already provided me with a number of documents, and I appreciate that. But
221 Mr. Jerbic and Mr. Fiorentino, or anybody else, Mr. DiFiore, if there are documents, transcripts,
222 or anything, please get them to me as soon as possible, because I do want to be thorough on this
223 matter. I want to be as familiar as I can. So, please get them to me as soon as possible.

224

225 **MARK FIORENTINO**

226 Understood.

227

228 **MAYOR PRO TEM REESE**

229 This is not a public hearing item —

230

231 **TOM McGOWAN**

232 I was going —

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

233

234 **MAYOR PRO TEM REESE**

235 – but I'll give you –

236

237 **TOM McGOWAN**

238 – to inquire, if you would allow to be public comment before you act.

239

240 **MAYOR PRO TEM REESE**

.41 That'd be fine. One minute.

242

243 **TOM McGOWAN**

244 I'll – take probably thirty seconds. Thank you very much, Mayor Pro Tem. Tom McGowan,
245 local resident of the City of Las Vegas for about 50 years. The applicant, in my belief, deserves
246 every constitutional and statutory right and protection, as does everyone else in this City and this
247 country. The bottom line, however, is quite succinct. The applicant does not set the community
248 standard for decency in the City of Las Vegas, neither does eloquent and learned staff. You do.
249 You are the elected and appointed officials of the people of Las Vegas, Nevada. You represent
250 the people. It is bottom line, your responsibility, profound responsibility to set the community
.51 standard of decency, and, in so doing, deserve your rightful place in history. Thank you.

252

253 **MAYOR PRO TEM REESE**

254 Thank you. Mr. Snelding, do you have any, anything you'd like to say?

255

256 **RAD SNELDING**

257 Yes, thank you. Rad Snelding, City Auditor. Members of the Council, I just wanted to let you
258 know that when we made a record's request of the records we're reviewing, we did that back in,
259 and asked for those records to be available on August the second. It turned out that they weren't
260 available at that time, and we really didn't start our work on them until August the 20th. So,
261 we've had, not a whole lot of time on 'em. And as the attorney that I've been working with,
262 which is not who was up here just speaking, Mr. Fiorentino (sic), it was another attorney, made

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

263 aware to him that the records are not complete. But I was able to take the records that we did
264 receive from them and, I believe, satisfy myself to, you know, to a reasonable degree, that I can
265 answer all the questions that were asked.

266 The second thing is, that is all dependent upon, and as I mentioned to the attorney I've working
267 with, that's dependent upon getting some answers on some specific issues. So, there may be
268 some questions that may need to be asked and we're, and, our intent is, or my intent is to ask
269 those either today or tomorrow. But, I don't think there are questions that are going to require a
270 lot of research. I think they're pretty self-evident questions dealing with how the business is
271 handled and how certain bank accounts are used, and possibly what some particular checks or
272 transactions are for. I think that's, those are things that they should have knowledge of. I don't
273 expect that that would cause any delay.

274 And, I've been speaking to Mr. Jerbic, and I think the schedule that we talked about, I – don't
275 think there's any problem with having a – report, from the part that I'm working on, done and
276 available for review by the end of the week. So, I don't anticipate there's gonna be any delay,
277 but I just wanted you to know that – there still is some discussion, and we've had that on-going
278 discussion with the – attorney that I've been working with.

279

280 **MAYOR PRO TEM REESE**

281 Thank you. Mr. Jerbic, is there any problem getting, granting Mr. Wolfson, or Councilman
282 Wolfson's request to have – some of these documents so he can be briefed on 'em?

283

284 **BRAD JERBIC**

285 Not at all. In fact, we have all the transcripts we photocopied, and we're delivering you a
286 package today. So –

287

288 **MAYOR PRO TEM REESE**

289 Are there any, any of the other Councilmembers like to have some of these documents also?

290

291 **COUNCILWOMAN MONCRIEF**

292 Yes, please.

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 62

293 **BRAD JERBIC**

294 Your Honor, I think, out of courtesy to the Council, what we'll do is we'll produce notebooks for
295 everybody that will have all the transcripts in it and – all the requests and any materials that were
296 submitted to the Clerk, so it'll all be in one package, and we'll, obviously, come by and brief
297 between now and the next Council meeting.

298

299 **MAYOR PRO TEM REESE**

300 Thank you. Are there any other questions or comments? Councilwoman, do you wanna make a
301 motion or you want me to?

302

303 **COUNCILWOMAN MONCRIEF**

304 I'll make a motion for abeyance for two weeks, please.

305

306 **MAYOR PRO TEM**

307 Thank you. You've heard the motion. Please cast your vote. Please post. Motion carries.
308 (Motion carried unanimously with GOODMAN and MACK abstaining) Thank you,
309 Council members.

310

311 **BRAD JERBIC**

312 Thank you.

313

314 **(END OF DISCUSSION)**

315 /ac; gpb

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a request to close Cashman Drive between Charleston Boulevard and Hastings Drive (\$5,000 - Neighborhood Traffic Management Program) - Ward 1 (Moncrief) [NOTE: This item will not be considered in the morning session. It will be heard after 1 pm]

Fiscal Impact☐**No Impact****Amount: \$5,000**☒**Budget Funds Available****Dept./Division: Public Works/Traffic Eng.**☐**Augmentation Required****Funding Source: Neighborhood Traffic Management Program****PURPOSE/BACKGROUND:**

Cashman Drive north of Charleston Boulevard has been closed with temporary barriers for a 90-day trial period because of cut-through traffic and speeding concerns identified by the neighborhood. A decision needs to be made on a permanent disposition.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Map
2. Protest letter from William H. Stoddard, Esq., with enclosures (Duplicates submitted at meeting by Mayor Goodman and Attorney William Stoddard)
3. Submitted after final agenda: Photo of Neighbors by the Road Closure taken 7/19/2004 from Councilwoman Moncrief's Office
4. Submitted after final agenda: A Memo from City Attorney's Office to Mayor Goodman regarding Cashman St. Closure from Councilwoman Moncrief's Office
5. Submitted at meeting: Support Letters and Petition with 70 signatures
6. Submitted at meeting: Before and After Closure Comparison Maps
7. Submitted at meeting: Letter from Councilwoman Moncrief to Mr. and Mrs. Stoddard
8. Submitted at meeting: City of Las Vegas Neighborhood Traffic Management Program Final Draft
9. Submitted at meeting: City of Las Vegas Policy For The Closure of Residential Streets

MOTION:**MONCRIEF – APPROVED** subject to conditions as read for the record as follows:

- *A gate shall be added and a key will be given to the Mormon Bishop. The gate shall be opened only to allow Sunday services, nativity event, and twice a year for the state conference.*
- *A six-month review is required.*

- UNANIMOUS

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004

Public Works

Item 63 – Discussion and possible action on a request to close Cashman Drive between Charleston Boulevard and Hastings Drive (\$5,000 – Neighborhood Traffic Management Program) – Ward 1 (Moncrief) [NOTE: This item will not be considered in the morning session. It will be heard after 1 pm]

MINUTES:

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

APPEARANCES:

OSCAR GOODMAN, Mayor
RICHARD GOECKE, Director, Public Works
O.C. WHITE, City Traffic Engineer
WILLIAM STODDARD, 404 Lacy Lane
GARY REESE, Councilman
BRYAN SCOTT, Deputy City Attorney
MICHAEL KIRCH, 826 Kenny Way
JUDY BRAILSFORD, 606 Lacy Lane
TONY SHELTON, 845 Kenny Way
DON ASHWORTH, 2337 Pinto Lane
JANET MONCRIEF, Councilwoman
JEFF DONAHUE, Deputy Fire Marshal
STEVE WOLFSON, Councilman
LORETTA BLOCK, 3317 Hastings Avenue
GEORGE CROMER, 839 Kenny Way
UNIDENTIFIED FEMALE SPEAKER #1
DERRELL PARKER, 3309 Hastings Ave
SHEAN ABRAMS, 3309 Hastings Ave
UNIDENTIFIED FEMALE SPEAKER #2
MARA MESERVY, 2718 Mason Avenue
LEONARD ROSENSTEIN, 909 Cashman Drive
NADINE McINTIRE, 840 Trotter Circle
RYAN O'NEIL, 905 Cashman Drive
PAUL J. CHRISTENSEN, 710 Lacy Lane
BYRNE GALLAGHER, 601 Kenny Way
DOUG RITCHIE, 308 Hibiscus Drive
LORRAINE COPMAN, 906 Cashman Drive
TOM DEMARCO, 651 Clarkway Drive
THERESA HOOPER, 825 Lacy Lane
NORMA CHRISTENSEN, 710 Lacy Lane
RICK HOWE, 827 Kenny Way
CARLOS RAMIREZ, 504 Campbell Drive
DAVID BAUGHN, 814 Kenny Way
GENIE HARRIS, 3324 Hastings Drive
LARRY BROWN, Councilman

(1:04 – 1:04/1:51 – 3:10/3:18 – 4:03)

3-108/3-1778/4-1

CHURCH

AAA

CASHMAN DR

EXISTING TEMPORARY
CLOSURE

LACY LN

KENNY WY

HASTING AVE

CHARLESTON BLVD



LAW OFFICES
Albright, Stoddard, Warnick & Palmer

G. VERN ALBRIGHT
WILLIAM H. STODDARD
WHITNEY B. WARNICK*
G. MARK ALBRIGHT
WILLIAM B. PALMER III
GARY G. BRANTON†
D. CHRIS ALBRIGHT
BRADLEY M. BALLARD
TAMI C. BUDO**
C. ADAM BUCK
TONY M. MAY, P.E.††
MICHELLE L. ANDERTON

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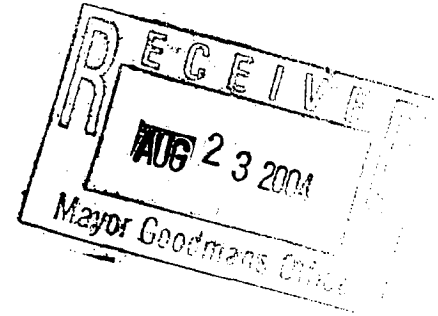
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SENDER'S
E-MAIL ADDRESS
whs@aswalaw.com

* ALSO LICENSED IN UTAH
† ALSO LICENSED IN CALIFORNIA
** ALSO LICENSED IN ARIZONA
†† ALSO LICENSED IN IOWA

August 19, 2004

Mayor Oscar Goodman
Councilwoman Janet Moncrief
Councilman Steve Wolfson
Councilman Gary Reese
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
400 Stewart Avenue
Las Vegas, Nevada 89101



**Re: Proposed Permanent Closure of Cashman Drive
September 1, 2004 City Council Agenda**

Dear Ladies and Gentlemen:

This letter is written to express my opposition to the closing of Cashman Drive, and to inform you of my legal opinion that any such closure would be set aside by the courts as failing to comply with the protocols and standards of the Neighborhood Traffic Management Program adopted by the City of Las Vegas on October 3, 2001.

As I understand Councilwoman Janet Moncrief's position on this matter, the closure is supposedly warranted due to traffic analysis in the area. More particularly, on June 17, 2004, Ms. Moncrief wrote me a letter which stated in pertinent part as follows:

A few months ago, our office was approached by several concerned residents in the area regarding the amount of traffic flowing through their neighborhood. Their major concerns were the safety of the children and preserving this mature neighborhood.

A traffic study was conducted for a 24-hour period in 60-minute increments. This study began on 02/09/04 @ 10:00 a.m. and ended 02/10/04 @ 10:00 a.m. The results of the Nu-Metrics Traffic Analyzer Study showed 458 vehicles passed through Cashman Drive North, off Charleston; 266 vehicles passed through Hastings Avenue West, off Cashman Drive; and 321 vehicles passed through Cashman Drive South, off Hastings. The results alone warranted a permanent closure.

Submitted at City Council

Date 9/1/04 Item #63

August 19, 2004

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Ms. Moncrief's indication that these traffic analysis results warranted a permanent closure suggests to me that Ms. Moncrief is unaware of the legal standards which the City has adopted for determining whether a permanent closure is warranted. According to information which was previously available on the City's web-site, on October 3, 2001, a "Neighborhood Traffic Management Program for the City of Las Vegas" (hereafter the "Traffic Management Program") was adopted by the City of Las Vegas City Council. (See, the first page of the Traffic Management Program's introduction, noting its date of "adoption" by the City Council, attached hereto).

This Traffic Management Program indicates that it was designed to enhance neighborhood livability, which was defined by the program to include a "balanced relationship between the multiple uses and needs of a neighborhood." Since 1960, one of the uses of the neighborhood in which Cashman Drive is located has been for a church building located adjacent to and previously accessible from Cashman Drive. The members of the subject church congregations have utilized Cashman Drive for decades to access their church in order to avoid being required to use the major arterials, with heavier and more dangerous traffic, such as Charleston, or its cross street, Valley View. As many of the members of the church are senior citizens, it is important for them to be able to drive through neighborhood streets in order to attend church, rather than being required to utilize major arterials with heavy and sometimes dangerous traffic.

The Traffic Management Program includes a section regarding the "City of Las Vegas Policy for Closure of Residential Streets" (hereafter the "Closure Policy"). Section 2.0 of this Closure Policy, entitled "Minimum Criteria," indicates as follows:

To effectively use street closures for neighborhood traffic control, specific minimum criteria **must** be met before the installation. They are:

1. Street speed limit must be 25 mph.
2. The street should be primarily residential in nature.
3. **Average daily volumes should be more than 2,000 vehicles per day for complete closures or 1,000 vehicles per day for partial closure.**
4. Street should not be classified higher than neighborhood collector, with no more than 1 lane in each direction.
5. Street cannot be a major emergency response route.
6. **Closure should not cause diversion of traffic to other residential streets.**
7. Street cannot be a Citizens Area Transfer (CAT) bus route. [Emphasis added.]

It appears clear to me that Item 3 on the above-referenced list has not been met and was not met as of the time of Ms. Moncrief's June 17, 2004 letter indicating that a total traffic count of only 458 vehicles passing on Cashman North, and 321 vehicles passing on Cashman South warranted a

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permanent closure, when in fact the City's Closure Policy expressly states that average daily volumes are to "be more than 2,000 vehicles per day for complete closures." In fact, contrary to Ms. Moncrief's statements, the total of these two numbers (779) is far less than one-half of the 2,000 vehicle per day volume which is required under the above-referenced "Minimum Criteria," and thus does not "warrant" the closure. I should point out that I have never seen the traffic study report referred to in Ms. Moncrief's letter of June 17, 2004; however, I have been provided with the traffic study report relied upon by staff and Ms. Moncrief at the July 22, 2004 neighborhood meeting concerning this matter, and that traffic study showed that only 655 vehicles per day passed through Cashman Drive (counting the vehicles traveling in both directions), in the area where the current street closure has been installed, which number is less than one-third of the 2,000 vehicle per day average volume which is required under the above-referenced "Minimum Criteria."

With regard to this Item 3, I note that on July 21, 2004, the Closure Policy, as posted by the City of Las Vegas on its Internet site, included this item; but that two days later, on July 23, 2004, when I reprinted the same web page, this Item 3 had been mysteriously omitted. Pages of the original version of the Closure Policy, as appearing on the City's web site, and the subsequent version of the same web page, with the mysteriously missing language, are attached hereto for your review. I am not sure why Item 3 suddenly mysteriously disappeared from the Closure Policy as posted by the City on its Internet site, although I note that a neighborhood meeting with regard to this street closure, at which these minimal criteria were discussed, was held on July 22, 2004, between these two dates. The official published version of the Traffic Management Program, including the Closure Policy, which I have recently purchased from the City, still contains the original item 3, and I am not aware of any official action of the Council to revise the Closure Policy between the two dates on which the version thereof posted by the City on its Internet site suddenly changed. Subsequently, the entire Closure Policy, and, indeed, the entire Traffic Management Program, appears to have been removed from the City's web site, although I am not aware of any official City action revoking the Traffic Management Program, or the Closure Policy, prior to this removal.

I also note that the Minimum Criteria of the Closure Policy, item 6, states that the closure should not cause diversion of traffic to other residential streets. Obviously, this would occur as a result of any closure herein, where the congregants at the local church will of necessity be required to utilize alternate routes.

Section 3.0 of the Closure Policy, entitled "Placement of Street Closure" further indicates as follows:

1. **The street closure should be made on the perimeter of the neighborhood.**
2. **Street closures should not be made in such a way as to interrupt internal neighborhood travel patterns. For example, the closure should not separate elementary school students from their school.**

3. **The closure of a street by a neighborhood association or other group of individuals will require the vacation of the street right-of-way. The application for the vacation of the street is submitted to the Planning Commission through the Community Planning and Development Department. Once vacated, the land will revert to the adjacent property owners. The City may retain easements for utilities, drainage or emergency access through the vacated right-of-way. The Neighborhood Association will be responsible for the maintenance of the vacated street.**
4. Unless otherwise approved by the Fire Chief, all closures will have to be constructed with an emergency access per Fire Services Department standards.
5. The street closure will require the construction of a cul-de-sac to terminate the street sections. A mid-block closure would require that both stub streets be terminated with cul-de-sacs. The radius of the cul-de-sac will be dependent on parking restrictions. If parking is prohibited, a smaller radius will be allowed. If the resultant stub street contains frontage for four or fewer homes, the Traffic Engineer, with the concurrence of the City Engineer and the Fire Chief, may waive the cul-de-sac requirement. [Emphasis added.]

It appears to me that this contemplated street closure would not comply with Items 1, 2, or 3 of these guidelines. First of all, the closure cuts into the neighborhood and is not on the perimeter of the neighborhood. Secondly, the street closure will not be made in such a way as to avoid the interruption of internal neighborhood travel patterns. In the example provided for this item by the City, the closure should not separate elementary school students from their school. Similarly, the closure should not separate church congregants from their church. With respect to Item 3, I have not been presented with any information indicating that a neighborhood association which can be made responsible for the maintenance of this vacated street even exists, let alone that it has agreed to assume this responsibility once the street is closed.

Based on the foregoing, it does not appear to me that any analysis was performed of whether the permanent closure was truly warranted under the City's policies and guidelines before the decision was made to go forward with presenting this matter to the City Council for its review. Rather, the City's staff has attempted to justify this action under an argument that the City's Closure Policy as outlined above for "the closure or modification of traffic flow on public streets initiated by citizens" does not apply to this case because of a clause which provides that "this policy should not apply when initiated by a local agency to address specific traffic safety issues or to comply with state and federal standards and warrants." Staff has taken this position because it apparently received reports that water district trucks had been seen driving through the neighborhood. If that is truly the case, then it would seem that a simple call to the Las Vegas Valley Water District would solve that problem. Moreover, this argument is not consistent with Councilwoman Moncrief's own statement in her letter to me dated June 17, 2004, as quoted on Page One above, wherein she stated that "[a] few months ago, our office was approached by several concerned residents in the area regarding the

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amount of traffic flowing through their neighborhood." Hence, it is very clear that this street closure action was "initiated by citizens" such that the City's Closure Policy quoted above does in fact apply to this situation.

Based thereon, I do not believe that any action taken by the City Council to close this street will survive judicial review. For example, in Enterprise Citizens Action Committee v. Clark County Board of Commissioners, 112 Nev. 649, 918 P.2d 305 (1996), the Nevada Supreme Court overturned the Clark County Commission's granting of a variance requested by a would-be gravel-pit operator where that variance was not permitted in compliance with the County's own adopted ordinances as to when such variances should be granted. In that case, the Court noted that the County Commission had, via Clark County Code Section 29.66.030, adopted the guidelines under which the Planning Commission would be allowed to grant a variance from the Master Plan: "by reason of exceptional narrowness, shallowness or shape of a specific property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property." Also, such variances from the Master Plan were allowed in order to avoid "exceptional practical difficulties to, or exceptional undue hardships, upon, the owner of such property." The Nevada Supreme Court noted that the party seeking the variance had not met its burden to demonstrate that any of these standards, as adopted by the County Commission for a variance, had been met.

Similarly, in this case, it is clear that any permanent closure of Cashman Drive would not meet the City's adopted Closure Policy standards. In the Enterprise Citizens case, the Nevada Supreme Court noted that where a decision of the County Commission "completely ignored" and failed to demonstrate compliance with the County's own standards for granting a variance, granting the variance was an abuse of discretion and was required to be overturned by the courts. Similarly, if the Las Vegas City Council were to go forward with this subject street closure, in direct contravention and violation of its own adopted policies, standards, and minimum criteria, any such action would likewise be subject to being overthrown by the courts as an abuse of the City Council's discretion for failure to comply with its own adopted standards.

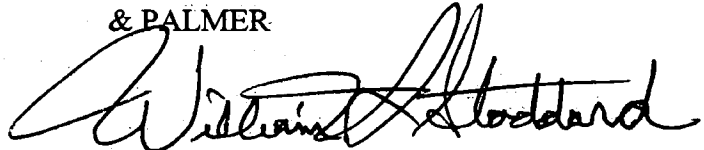
In short, street closures cannot be arbitrary and capricious, but must comply with the rule of law. In order to prevent arbitrary and capricious decision-making, the City has adopted certain standards for determining when a street closure is or is not appropriate. A street closure which is enacted in violation of those standards will not survive judicial review, as it would be an arbitrary and capricious action of the City Council, and therefore subject to being set aside as an abuse of the Council's discretion.

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We hope you will carefully consider the foregoing analysis of the legality of the proposed closure prior to your vote thereon.

Very truly yours,

ALBRIGHT, STODDARD, WARNICK
& PALMER

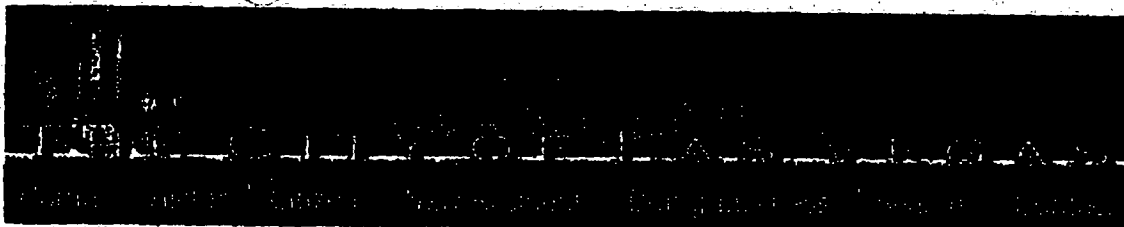
A handwritten signature in dark ink, appearing to read "William H. Stoddard". The signature is fluid and cursive, with the first name "William" and last name "Stoddard" being clearly legible.

William H. Stoddard, Esq.

WHS/ja

cc: Bradford R. Jerbic, City Attorney
Las Vegas City Clerk

Enc.



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Neighborhood Traffic Management Policy for Closure of Residential Streets

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[City of Las Vegas Policy for Closure of Residential Streets](#)

The City of Las Vegas is committed to preserving neighborhood integrity. One of the issues in the maintenance of livable communities is traffic and the need to minimize non-essential vehicular traffic on residential streets and the need to ensure that those vehicles using those streets are not using them to bypass arterial streets. A technique that has been used successfully is the closure of the street to normal traffic.

The purpose of this policy shall be to set forth the process and criteria by which modification of traffic flow or closure of public streets may be considered by the City's staff and elected officials and to identify the conditions under which closures or modifications may be enacted. This policy should only apply to the closure or modification of traffic flow on public streets initiated by citizens. This policy should not apply when initiated by a local agency to address specific traffic safety issues or to comply with state and Federal standards and warrants. The policy also does not apply to temporary changes in traffic that are needed to stage construction/maintenance activities or special events.

1.0 ADMINISTRATIVE PROCEDURES

1. Neighborhood Traffic Management Program (NTMP) project includes issues of excessive volumes of traffic and the project engineer finds that a street closure may be appropriate.
2. Staff evaluates site based on Minimum Criteria. Evaluation would include recommending a location on both the requested street and adjacent streets where a closure or other mitigating measures may be required to mitigate impact of the closure.
3. Following the procedures contained in the NTMP, public comment and approval are received.
4. Action by City Council to approve installation.

2.0 MINIMUM CRITERIA

To effectively use street closures for neighborhood traffic control, specific minimum criteria must be met before the installation. They are:

- OK-1. Street speed limit must be 25 mph.
- OK-2. The street should be primarily residential in nature.
3. Average daily volumes should be more than 2,000 vehicles per

Highlights

City Council To Recognize Local Nevada League Of Cities Youth Award Recipients

Two students will be recognized for academic achievement and commitment to community service.

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Have A Cup Of Coffee With The Mayor

Residents invited to meet with the mayor on Friday, August 13. [More...](#)
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Planning And

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Receives APEX
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Department receives two
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City Expanding
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Residents Invited To
Attend Northwest
Open Space
Meetings
Workshops provide
residents with opportunity
to review information and
provide comments.
More...

day for complete closures or 1,000 vehicles per day for partial
closure.

- OK 4. Street should not be classified higher than neighborhood
collector, with no more than 1 lane in each direction.
? 5. Street cannot be a major emergency response route.
6. Closure should not cause diversion of traffic to other residential
streets.
7. Street cannot be a Citizens Area Transit (CAT) bus route.

3.0 PLACEMENT OF STREET CLOSURE

The following guidelines should be used to determine the placement
of the street closure:

1. The street closure should be made on the perimeter of the
neighborhood.
2. Street closures should not be made in such a way as to
interrupt internal neighborhood travel patterns. For example,
the closure should not separate elementary school students
from their school.
3. The closure of a street by a neighborhood association or other
group of individuals will require the vacation of the street
right-of-way. The application for the vacation of the street is
submitted to the Planning Commission through the Community
Planning and Development Department. Once vacated, the
land will revert to the adjacent property owners. The City may
retain easements for utilities, drainage or emergency access
through the vacated right-of-way. The Neighborhood
Association will be responsible for the maintenance of the
vacated street.
4. Unless otherwise approved by the Fire Chief, all closures will
have to be constructed with an emergency access per Fire
Services Department standards.
5. The street closure will require the construction of a cul-de-sac
to terminate the street sections. A mid-block closure would
require that both stub streets be terminated with cul-de-sacs.
The radius of the cul-de-sac will be dependent on parking
restrictions. If parking is prohibited, a smaller radius will be
allowed. If the resultant stub street contains frontage for four or
fewer homes, the Traffic Engineer, with the concurrence of the
City Engineer and the Fire Chief, may waive the cul-de-sac
requirement.

4.0 SIGNS AND MARKINGS

It is essential to warn roadway users of the street closure and guide
their subsequent action. All signs and markings shall be in
conformance with the Manual of Uniform Traffic Control Devices
(MUTCD).

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3. Following the procedures contained in the NTMP, public comment and approval are received.
4. Action by City Council to approve installation.

2.0 MINIMUM CRITERIA

To effectively use street closures for neighborhood traffic control, specific minimum criteria must be met before the installation. They are:

1. Street speed limit must be 25 mph.
2. The street should be primarily residential in nature.
3. Street should not be classified higher than neighborhood collector, with no more than 1 lane in each direction.
4. Street cannot be a major emergency response route.
5. Closure should not cause diversion of traffic to other residential streets.
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Businesses

Redevelopment funds used for financial incentives. [More...](#)

Residents Invited To Attend Northwest Open Space Meetings

Workshops provide residents with opportunity to review information and provide comments. [More...](#)

3.0 PLACEMENT OF STREET CLOSURE

The following guidelines should be used to determine the placement of the street closure:

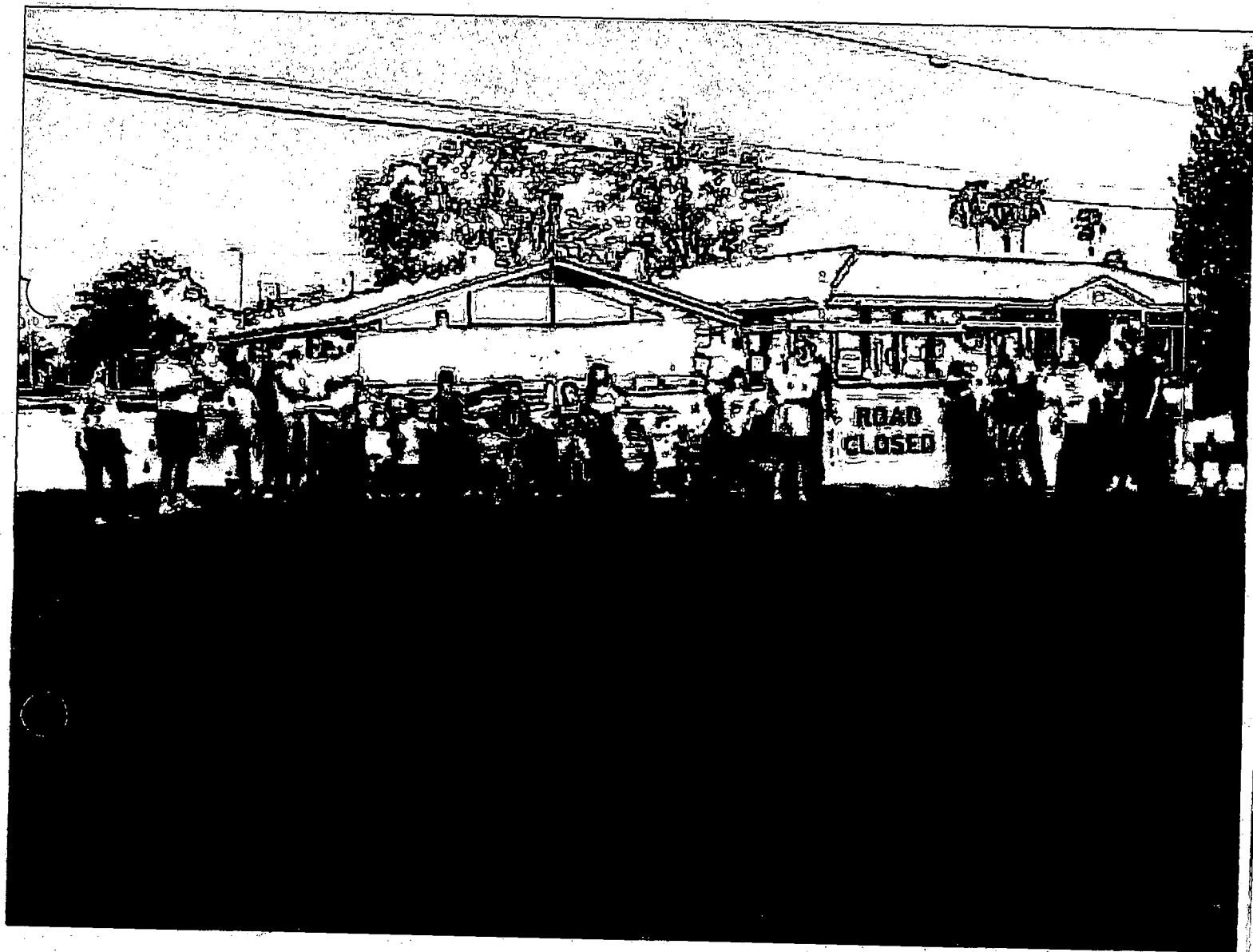
1. The street closure should be made on the perimeter of the neighborhood.
2. Street closures should not be made in such a way as to interrupt internal neighborhood travel patterns. For example, the closure should not separate elementary school students from their school.
3. The closure of a street by a neighborhood association or other group of individuals will require the vacation of the street right-of-way. The application for the vacation of the street is submitted to the Planning Commission through the Community Planning and Development Department. Once vacated, the land will revert to the adjacent property owners. The City may retain easements for utilities, drainage or emergency access through the vacated right-of-way. The Neighborhood Association will be responsible for the maintenance of the vacated street.
4. Unless otherwise approved by the Fire Chief, all closures will have to be constructed with an emergency access per Fire Services Department standards.
5. The street closure will require the construction of a cul-de-sac to terminate the street sections. A mid-block closure would require that both stub streets be terminated with cul-de-sacs. The radius of the cul-de-sac will be dependent on parking restrictions. If parking is prohibited, a smaller radius will be allowed. If the resultant stub street contains frontage for four or fewer homes, the Traffic Engineer, with the concurrence of the City Engineer and the Fire Chief, may waive the cul-de-sac requirement.

4.0 SIGNS AND MARKINGS

It is essential to warn roadway users of the street closure and guide their subsequent action. All signs and markings shall be in conformance with the Manual of Uniform Traffic Control Devices (MUTCD).

 [TOP OF PAGE](#)

[Home](#) | [Visitor](#) | [Citizen](#) | [New Resident](#) | [Doing Business](#) | [Search](#) | [Contact](#)



This Photo was taken on July 19, 2009 @ the
Chosene site and shows some of the Kids, Pets & Parents
who live in this neighborhood. The Banner reads
"Thank you for our neighborhood and was signed
and created by the Kids."

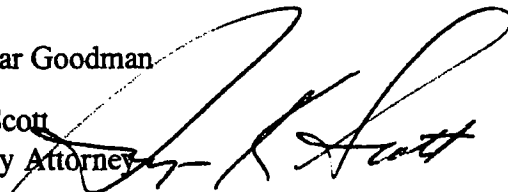
Submitted after final agenda

Date 11/4/2009 Item 63

Memorandum

City of Las Vegas Office of the City Attorney

To: Mayor Oscar Goodman

From: Bryan K. Scott
Deputy City Attorney 

CC: Brad Jerbic

Date: August 30, 2004

Re: Cashman Street Closure

Mayor Goodman:

In accordance with your request, I spoke with the City Traffic Engineer, O.C. White, regarding the traffic study that was conducted before and after the closure of Cashman Drive. O.C. informed me that four (4) traffic counts were done to measure the A.D.T. (Average Daily Traffic) of the neighborhood. The counts were conducted by Traffic Engineering in February and March 2004 before the closure. Those counts were done within a 24-hr period on a week day. The counts recorded 875 total trips on the first occasion and 655 total trips during the second occasion. The third and fourth counts were taken in June and July 2004 after the street closure. Both counts were substantially lower - numbering approximately 12 total trips and 19 total trips, respectively.

In order to overturn the City Council's actions, the District Court will have to determine that the City Council was arbitrary and capricious, manifestly abused its discretion and did not have substantial evidence on the record to support its actions to approve or deny the request. The Nevada Supreme Court has defined the term "substantial evidence" as that which a reasonable mind might accept as adequate to support a conclusion. *City of Las Vegas v. Laughlin*, 111 Nev. 557 at 558, 893 P.2d 383 at 384 (1995).

In this case, the closure was initiated by Councilwoman Moncrief as a result of citizen complaints. Because it was "Council-initiated" the City does not have to follow the criteria established in the Las Vegas Neighborhood Traffic Management Program Manual for a "citizen-initiated" street closure. The policy established in the Manual provides, in pertinent part:

This policy should only apply to the closure or modification of traffic flow on public streets initiated by citizens. This policy should not apply when initiated by a local agency to address specific traffic safety issues or to comply with state and federal standards and warrants.

I think of citizen initiated actions similar to the method we use for citizen initiated SIDs, i.e., requiring the submittal of a petition of some kind by a majority of the neighbors most affected. In this case, no such petition was submitted to the City prior to the closure.

Submitted after final agenda

Date 11/4/2004 Item 63

• Mayor Oscar Goodman
August 30, 2004
Page 2

In this case, the substantial evidence may consist of the traffic counts, the results of a survey sent out by Traffic Engineering to the adjacent neighbors indicating 92% approval of the closure, the comments from the Traffic Engineer, testimony from those neighbors, if any, who speak in favor of the closing. Those neighbors might address quality of life issues, the frequency of cut through traffic through their relatively quiet neighborhood, the dangers it poses to children residing in the area, etc. The majority of those opposed to the closure do not reside in the immediate vicinity of the closure or in Ward 1.

It appears that there is a balancing test between public safety and convenience. The church is located on a major thoroughfare of Charleston and Valley View. The parishioners may also reach the church by way of Campbell Drive. On Sundays, the traffic in that area is not as heavy as it would be during the week at rush hour.

If you have any additional questions regarding this matter, please contact me at ext. 6621.

BKS:b

Septempber 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilman Steve Wolfson

Dear Mayor and Council:

Due to circumstances beyond my control, I am unable to attend this very important meeting of the City Council. As a resident of this Ward 1 neighborhood, I wish to inform you that I support the permanent closure of Cashman Drive North of Charleston and I urge you to cast your vote in favor of the closure.

Respectfully submitted,

Daral Stewart
Wayne Stewart
Signature

708 Kenny Way
Address

878- 6210
Phone #

Submitted at City Council

Date 9/1/04 Item # 63

Septempber 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
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Respectfully submitted,

Philip N. Krapp Philip N. Krapp
Signature

713 Kenny Hwy
Address

877 4892
Phone #

Submitted at City Council

Date 9/1/04 Item #63

1

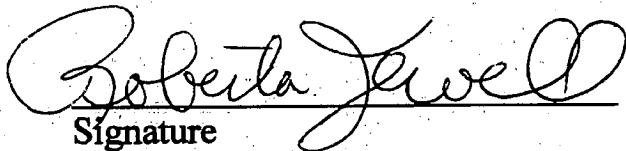
September 1, 2004

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Respectfully submitted,


Signature

717 S. Kenny Way
Address

396-9603
Phone #

Submitted at City Council

Date 9/1/04 Item #63

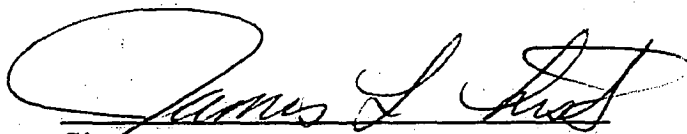
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Respectfully submitted,


Signature

717 KENNY WAY LAS VEGAS NV
Address 89107

702 - 396 - 9603
Phone #

Septempber 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilman Steve Wolfson

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Respectfully submitted,

La Bell M. Miller
Signature

724 Kenny Way
Address

878-6289
Phone #

Submitted at City Council

Date 9/1/04 Item #63

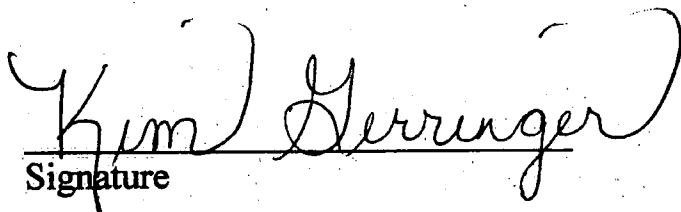
September 1, 2004

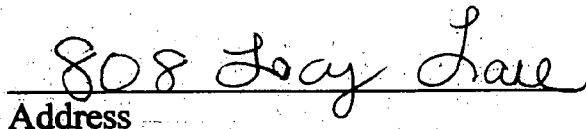
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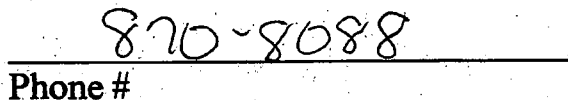
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Respectfully submitted,


Signature


Address


Phone #

Submitted at City Council

Date 9/1/04 Item #163

September 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilman Steve Wolfson

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Respectfully submitted,

KEVIN R. GEORGE



Signature

808 Lacey Ln

Address

870-8088

Phone #

★
Septempber 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilman Steve Wolfson

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Respectfully submitted,

Kim A. Meninger
Signature

808 Lang Lane
Address

870-8088
Phone #

Septempber 1, 2004

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Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
Councilman Larry Brown
Councilman Lawrence Weekly
Councilman Michael Mack
Councilman Steve Wolfson

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Respectfully submitted,

Joe Pignatello
Signature

720 Kenny Way
Address

870-9897
Phone #

Submitted at City Council

Date 9/1/04 Item #63

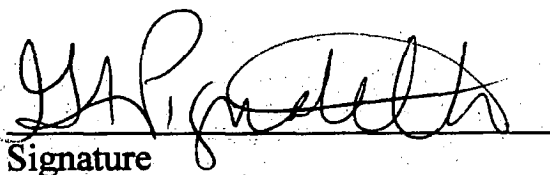
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Respectfully submitted,


Signature

-Gina
(Pignatello)

720 Kenny Wg
Address

870-9897
Phone #

Submitted at City Council

Date 9/1/04 Item # 63

Septempber 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
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Respectfully submitted,

Basia Yakubish M.D.
Signature

800 Kennyway
Address

822-2031
Phone #

Submitted at City Council

Date 9/1/04 Item #63

September 1, 2004

Mayor Oscar Goodman
Councilman Gary Reese, Mayor Pro-tem
Councilwoman Janet Moncrief
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Respectfully submitted,


Signature

800 KENNY WAY
Address

822-2031
Phone #

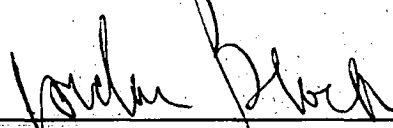
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Respectfully submitted,



Signature

3317 Hastings

Address

258 0026

Phone #

Submitted at City Council

Date 9/1/04 Item #63

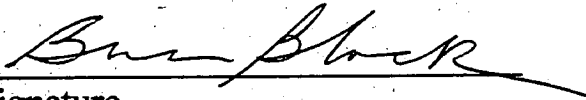
Septempber 1, 2004

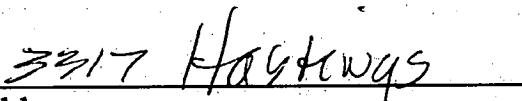
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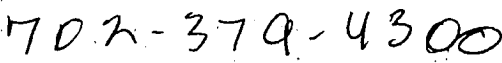
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Respectfully submitted,


Signature


Address


Phone #

Submitted at City Council

Date 9/1/04 Item #63

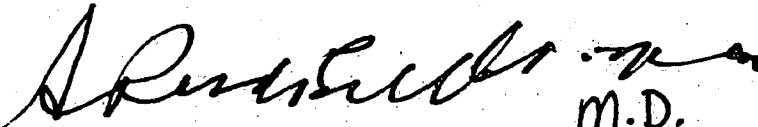
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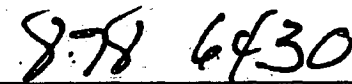
Respectfully submitted,


M.D.

Signature



Address



Phone #

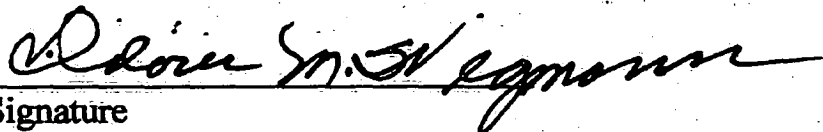
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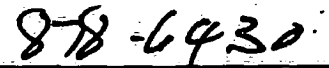
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Signature


Address


Phone #

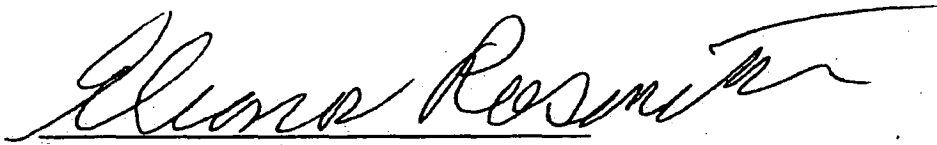
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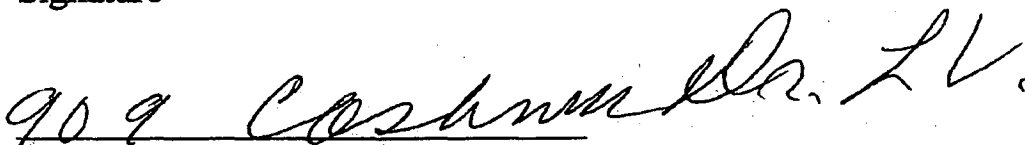
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Signature



Address



Phone #

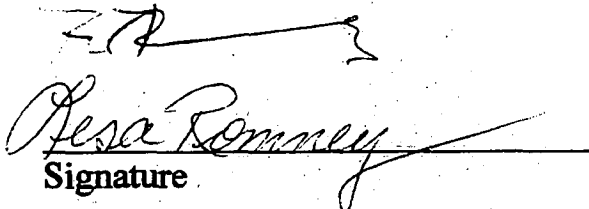
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Respectfully submitted,


Signature

500 KENNY WAY
Address

878-8770
Phone #

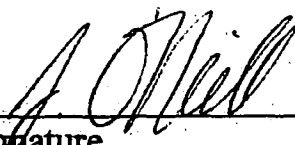
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Respectfully submitted,


Signature

905 Cashman Drive
Address

258-6410
Phone #

* Sorry I could not show my support by attendance. I am a teacher w/ C.C.S.D. and obviously, it would be

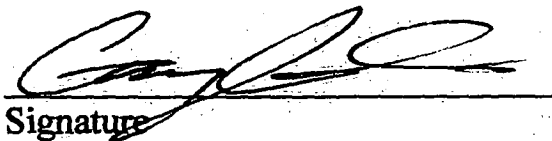
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Respectfully submitted,

A handwritten signature in black ink, appearing to be 'C. J. Wolfson', written over a horizontal line.

Signature

800 LACY LN. LAS VEGAS 89107
Address

702-822-5800
Phone #

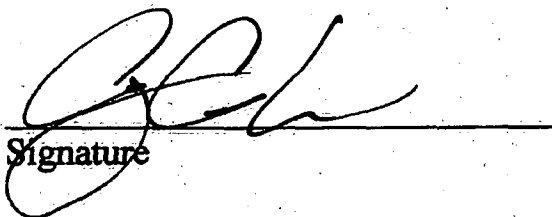
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Respectfully submitted,



Signature

800 LACY LN, LAS VEGAS, NV 89107
Address

702-822-5800
Phone #

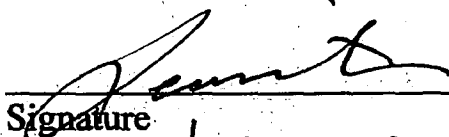
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Respectfully submitted,


Signature

Leanne Chilton

804 Lacy Ln
Address Las Vegas 89107

258-0160
Phone #

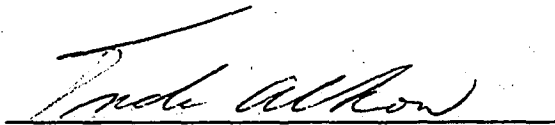
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Respectfully submitted,


Signature

815 S. KENNY WAY
Address

367-1989
Phone #

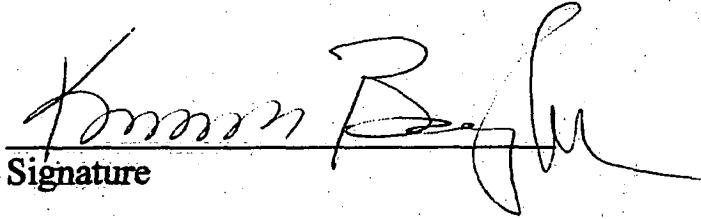
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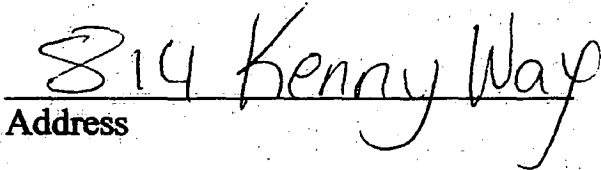
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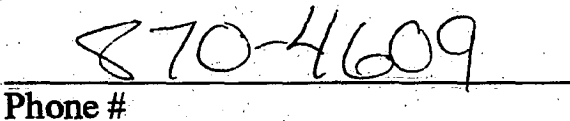
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Respectfully submitted,


Signature


Address


Phone #

July 20, 2004

Mayor Oscar Goodman
City Commission Chambers
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Cashman Drive Closure

Mayor Goodman:

Enclosed in this cover is a copy of a package that is being delivered to Councilwoman Moncrief regarding the permanent closure of Cashman Drive. Mr Mayor approximately 90 days ago the councilwoman did a very good thing for our neighborhood by supporting the temporary closure of Cashman Drive between West Charleston Blvd. and Hastings Avenue. A meeting for the permanent closure is scheduled for July 22, 2004. Any help that you can give in support of this closure would be greatly appreciated.

The majority of the residents in this neighborhood fear that non-residents who only use our neighborhood as a short-cut and parking lot, will try to interfere with the wishes of the majority of the residents. As you can see by the petitions enclosed, the residents are very much in favor of this permanent closure.

Respectfully Submitted,



Derrell Parker



Shelleen "Shean" Abrams-Parker

cc: Councilwoman Janet Moncrief

July 20, 2004

• Councilwoman Moncrief
City Commission Chambers
400 Stewart Avenue
Las Vegas, NV 89101

Re: Cashman Drive Closure

Dear Councilwoman Moncrief:

In an effort to show neighborhood support, please find attached, petitions gathered in our neighborhood. As you will see, the petitions show support for the permanent closure of Cashman Drive between West Charleston Blvd., and Hastings Avenue. This Petition was created from the property owner records acquired from the Clark County Assessor's Office. The names of the homeowners and their addresses are listed individually by street and house number.

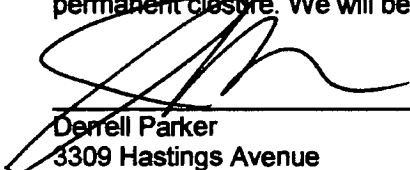
While walking the neighborhood the major positive themes of conversations with residents were: (1) the substantial decrease in cut through traffic, (2) parents felt their children were safe to play in their own front yards again, (3) how quiet the neighborhood has become (many said it felt like it did 10-15 years ago), and (4) many felt their property values are now more protected.

There were some concerns expressed by the residents which included: (1) the length of the light at Campbell and Charleston, (2) what the design and type of permanent closure would look like, and (3) that residents have a voice in the decision and that non-residents who only use the neighborhood for short-cuts and parking, should not have a voice in the matter. Of the residents who expressed concerns, these were the three concerns.

The main reason for conducting this petition was not only to show the overwhelming support of the project, but it was also to identify those persons who actually live in the neighborhood. This is a neighborhood whose dynamics are changing and they reflect new young families with young children, variations in ethnicity, age, and religious backgrounds.

Councilwoman Moncrief, we would like to take this opportunity to commend you for having done a very good thing in the closure of Cashman Drive. So many urban neighborhoods have declined because no one took the effort or had the foresight to see the value in older neighborhoods. As major roads become more congested with movement across the valley, Las Vegas urban neighborhoods are at risk of becoming short-cuts and parking lots for the convenience of those who reside outside of the neighborhood and work or attend functions in these established neighborhoods.

We thank you very much for your attention in this matter in the past and look forward to a permanent closure. We will be in attendance at the neighborhood meeting on July 22, 2004.



Derrell Parker
3309 Hastings Avenue



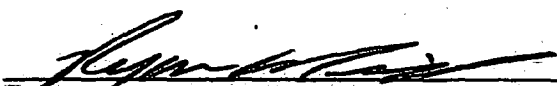
Shelleen Abrams-Parker
3309 Hastings Avenue

2/3

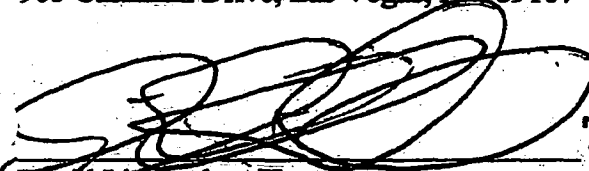
PETITION TO CLOSE CASHMAN DRIVE

We the undersigned homeowners have signed this petition to show our support for the permanent closure for Cashman Drive, North of Charleston Boulevard. We respectfully request that the City Council members support and approve the permanent closure in an effort protect our neighborhood.

CASHMAN DRIVE RESIDENTS

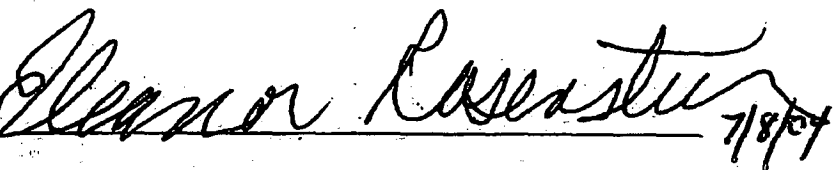
 7/8/04
Ryan O'Neill, Homeowner
905 Cashman Drive, Las Vegas, NV 89107

 7/8/04
Jaime O'Neill

 7/8/04
David Limbocker, Homeowner
906 Cashman Drive, Las Vegas, NV 89107

 7/29/04
Lorraine Kopman

 7/8/04
Leonard Rosenstein, Homeowner
909 Cashman Drive, Las Vegas, NV 89107

 7/8/04
Eleanor Rosenstein

7/11 16 group home

PETITION TO CLOSE CASHMAN DRIVE

We the undersigned homeowners have signed this petition to show our support for the permanent closure for Cashman Drive, North of Charleston Boulevard. We respectfully request that the City Council members support and approve the permanent closure in an effort protect our neighborhood.

HASTINGS AVENUE RESIDENTS

Rex Babin 7/20/04

Rex Babin, Homeowner

3111 Hastings Drive, Las Vegas, NV 89107

Bill Fleming

Jennifer M. Merrell 7/19/04

Jennifer Merrell, Homeowner

3121 Hastings Drive, Las Vegas, NV 89107

Bill Fleming 7/19/04

3121 Hastings Ave

Conrad Rickwartz 7/20/04

Conrad Rickwartz, Homeowner

3125 Hastings Drive, Las Vegas, NV 89107

Frances Conrad Playing Bridge / Not home

Frances Conrad

* Owner not on Site 7/17/04 (Group Home)

Accessible Space Inc, Homeowner

3253 Hastings Drive, Las Vegas, NV 89107

Caregiver verbally
not opposed, but
not owner, so can
sign.

Declined / Opposes 7/17/04

Verne Winn, Homeowner

3259 Hastings Drive, Las Vegas, NV 89107

Daniel Shadwick 7/17/04

Daniel Shadwick, Homeowner

3300 Hastings Drive, Las Vegas, NV 89107

Mary Shadwick 7/17/04

Mary Shadwick

7/5-04

John D. Parker, Homeowner

3309 Hastings Drive, Las Vegas, NV 89107

Shelleen Abrams 7/5/04

Shelleen "Shean" Abrams

Edison

HASTINGS AVENUE RESIDENTS - cont'd

Brian Block 7/12/04

Brian Block, Homeowner
3317 Hastings Drive, Las Vegas, NV 89107

- Undecided -

- Declined till Meeting -

Timothy Kasiewicz, Homeowner
3321 Hastings Drive, Las Vegas, NV 89107

Loretta Block 7/12/04

Loretta Block

will attend meeting before deciding

Mary Kasiewicz McDonald

Ginie Harris 7/17/04

Ginie Harris

Christopher Harris, Homeowner
3324 Hastings Drive, Las Vegas, NV 89107

- Undecided -

- Declined till Meeting

Michael Tamiazzo, Homeowner
3325 Hastings Drive, Las Vegas, NV 89107

Cynthia Tamiazzo

31/41 - 2 Vacant

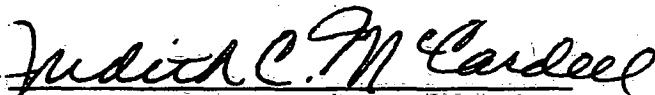
PETITION TO CLOSE CASHMAN DRIVE

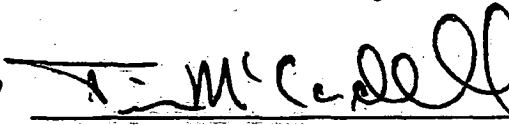
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KENNY WAY RESIDENTS


Russell Romney, Homeowner
500 Kenny Way, Las Vegas, NV 89107

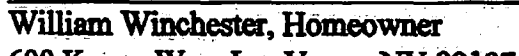

Leta Romney


Judith McCardell, Homeowner
504 Kenny Way, Las Vegas, NV 89107


Tim McCardell


Michael O'Rourke, Homeowner
505 Kenny Way, Las Vegas, NV 89107


Joanna O'Rourke
Shanna


William Winchester, Homeowner
600 Kenny Way, Las Vegas, NV 89107

D. Winchester

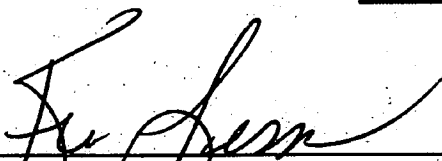

Byrne Gallagher, Homeowner
601 Kenny Way, Las Vegas, NV 89107

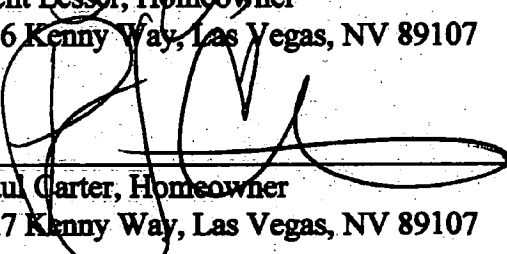

Kristen Gallagher

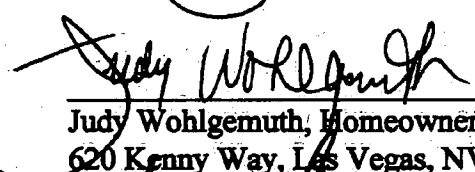

Helen Cannon, Homeowner
608 Kenny Way, Las Vegas, NV 89107

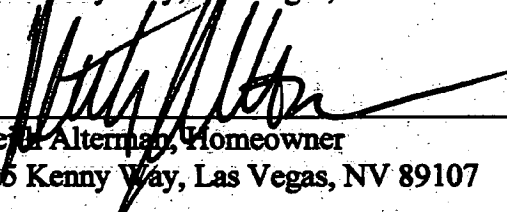

Linda Gray, Homeowner
609 Kenny Way, Las Vegas, NV 89107

KENNY WAY RESIDENTS, Cont'd

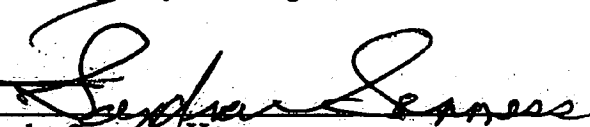

Kent Lesser, Homeowner
616 Kenny Way, Las Vegas, NV 89107


Paul Carter, Homeowner
617 Kenny Way, Las Vegas, NV 89107


Judy Wohlgemuth, Homeowner
620 Kenny Way, Las Vegas, NV 89107

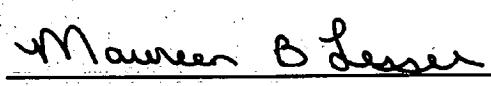

Keith Alterman, Homeowner
626 Kenny Way, Las Vegas, NV 89107

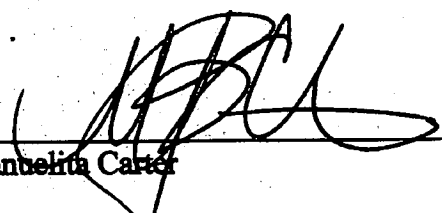
Not home
Douglas Edwards, Homeowner
700 Kenny Way, Las Vegas, NV 89107

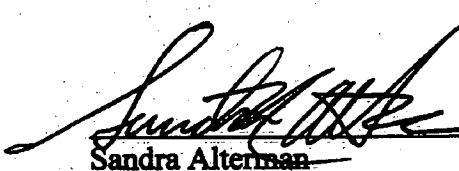

Sandra Senness, Homeowner
701 Kenny Way, Las Vegas, NV 89107

John Momot, Homeowner
704 Kenny Way, Las Vegas, NV 89107

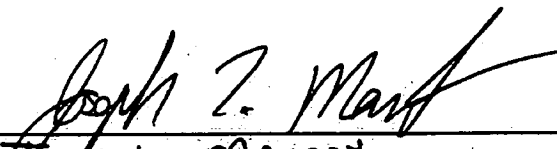
Declined
Adam Vessella, Homeowner
705 Kenny Way, Las Vegas, NV 89107


Maureen Lesser

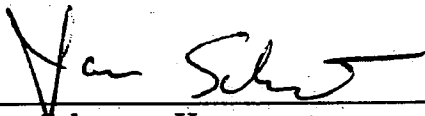

Mabelita Carter


Sandra Alterman

Melody Edwards

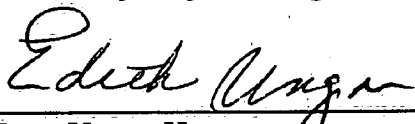
 7/18/04
Joseph Momot
704 Kenny Way

KENNY WAY RESIDENTS, Cont'd



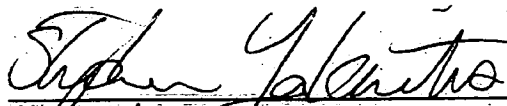
Jason Schwartz, Homeowner
733 Kenny Way, Las Vegas, NV 89107

Shari Schwartz

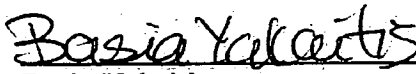


7/29/04

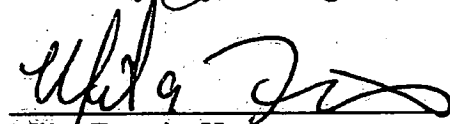
Jesse Unger, Homeowner
737 Kenny Way, Las Vegas, NV 89107



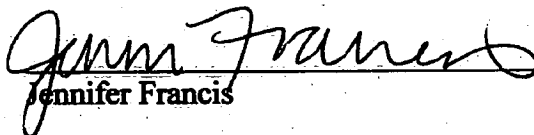
Stephen Yakaitis, Homeowner
800 Kenny Way, Las Vegas, NV 89107



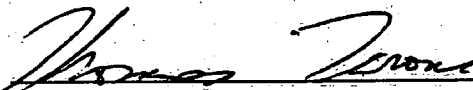
Basia Yakaitis



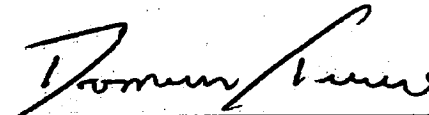
Miles Francis, Homeowner
801 Kenny Way, Las Vegas, NV 89107



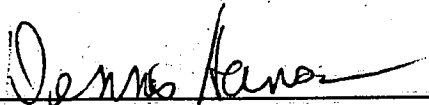
Jennifer Francis



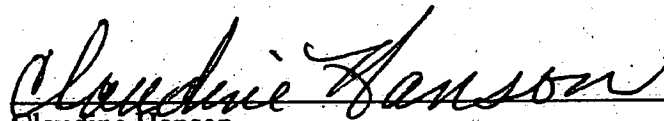
Thomas Tirone, Homeowner
810 Kenny Way, Las Vegas, NV 89107



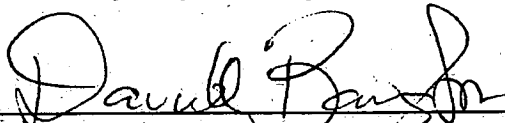
Domenic Tirone



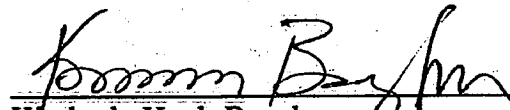
Dennis Hanson, Homeowner
811 Kenny Way, Las Vegas, NV 89107



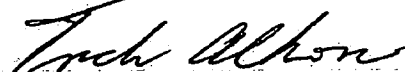
Claudine Hanson



David Baughn, Homeowner
814 Kenny Way, Las Vegas, NV 89107



Kimberly Hook-Baughn



Frida Alkon, Homeowner
815 Kenny Way, Las Vegas, NV 89107

KENNY WAY RESIDENTS. Cont'd

Arloa Sikkema

Arloa Sikkema, Homeowner
820 Kenny Way, Las Vegas, NV 89107

J.D. Martin
J.D. Martin

John Pulliam
John Pulliam, Homeowner
821 Kenny Way, Las Vegas, NV 89107

Barbara Pulliam

Marlene Kirch
Marlene Kirch, Homeowner
826 Kenny Way, Las Vegas, NV 89107

M. F. K.

Richard Howe

Richard Howe, Homeowner
827 Kenny Way, Las Vegas, NV 89107

Bonnie Branch

Bonnie Branch

Not home

Joseph Kelley, Homeowner
830 Kenny Way, Las Vegas, NV 89107

Esther Kelley

Vacant + Remodel

Kalei Dudoit, Homeowner
838 Kenny Way, Las Vegas, NV 89107

On vacation

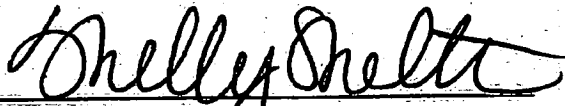
George Cromer, Homeowner
839 Kenny Way, Las Vegas, NV 89107

Norm Venger

Norman Venger, Homeowner
841 Kenny Way, Las Vegas, NV 89107

Sally Venger
Sally Venger

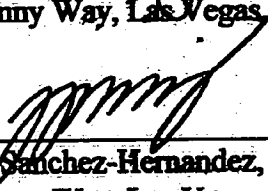
KENNY WAY RESIDENTS, Cont'd



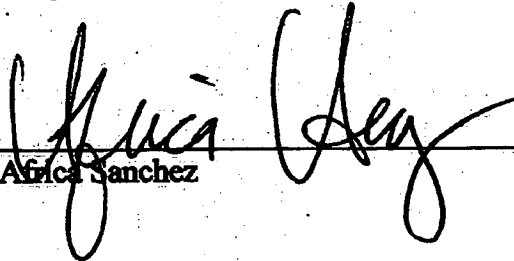
Shelly Shelton, Homeowner
845 Kenny Way, Las Vegas, NV 89107



Tony Shelton



Leonel Sanchez-Hernandez, Homeowner
846 Kenny Way, Las Vegas, NV 89107



Africa Sanchez

37

2/6/37

1 Vacant
1 group home

PETITION TO CLOSE CASHMAN DRIVE

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LACY LANE RESIDENTS

Michelle Lusiani, Homeowner 7/18/04

500 Lacy Lane, Las Vegas, NV 89107

Bruce Baker

Mary Alene Martell

7/18/04

Mary Martell, Homeowner

501 Lacy Lane, Las Vegas, NV 89107

Renee Lusiani

Bruce Baker

Orville Bauer, Homeowner

504 Lacy Lane, Las Vegas, NV 89107

Helen Bauer

Margaret Welsh, Homeowner

509 Lacy Lane, Las Vegas, NV 89107

Jon Carpenter, Homeowner

600 Lacy Lane, Las Vegas, NV 89107

Lori Carpenter

Jimnee Quarmley, Homeowner

605 Lacy Lane, Las Vegas, NV 89107

Jack Brailsford, Homeowner

606 Lacy Lane, Las Vegas, NV 89107

Judith Brailsford

LACY LANE RESIDENTS Cont'd

~~Jose Monroy~~ *Jose Monroy*
Jose Monroy, Homeowner
611 Lacy Lane, Las Vegas, NV 89107

Ena Monroy
Ena Monroy

Nevada Traivai
Nevada Traivai, Homeowner
615 Lacy Lane, Las Vegas, NV 89107

Richard Walker
Richard Walker, Homeowner
616 Lacy Lane, Las Vegas, NV 89107

X Sandra Walker
Sandra Walker

For closure but won't sign
Miriam Nelson, Homeowner
620 Lacy Lane, Las Vegas, NV 89107

Not Home
Gloria Olivares, Homeowner
625 Lacy Lane, Las Vegas, NV 89107

Glen A. Beckner
Glen Beckner, Homeowner
638 Lacy Lane, Las Vegas, NV 89107

Catherine Beckner
Catherine Beckner

X William Fanning
Anthony Tersarkissian, Homeowner
639 Lacy Lane, Las Vegas, NV 89107
William Fanning

Maureen Fanning
Maureen Fanning

Al Madrid 7/18/04
Alfonso Madrid, Homeowner
644 Lacy Lane, Las Vegas, NV 89107

Rafaela Madrid 7/18/04
Rafaela Madrid

LACY LANE RESIDENTS Cont'd

John Henry Clark, Homeowner
700 Lacy Lane, Las Vegas, NV 89107

Sandra Hoag 7/18/04
Sandra Hoag, Homeowner
701 Lacy Lane, Las Vegas, NV 89107

* *Owner Not on Site*
Eric Christensen, Homeowner
706 Lacy Lane, Las Vegas, NV 89107

Paul Christensen, Homeowner
710 Lacy Lane, Las Vegas, NV 89107

Zola McClanahan, Homeowner
711 Lacy Lane, Las Vegas, NV 89107

Vern Christensen, Homeowner
714 Lacy Lane, Las Vegas, NV 89107

Vern Christensen, Homeowner
718 Lacy Lane, Las Vegas, NV 89107

John Morrison, Homeowner
721 Lacy Lane, Las Vegas, NV 89107

Leta Clark

Thomas Hoag 7/18/04

Group Home
Elmina Ann Christensen

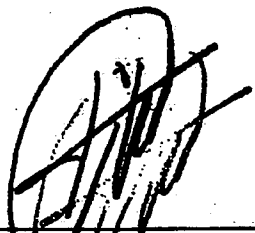
Norma Christensen

Doris Christensen

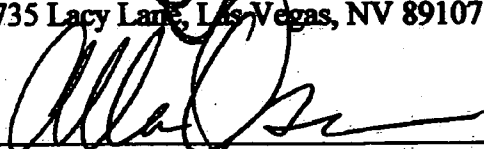
David Christensen

Beatrice Morrison

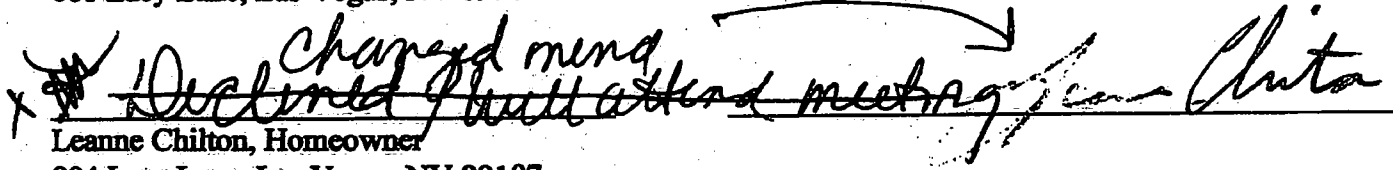
LACY LANE RESIDENTS Cont'd


Paul Windfrey, Homeowner
735 Lacy Lane, Las Vegas, NV 89107


Velda Windfrey

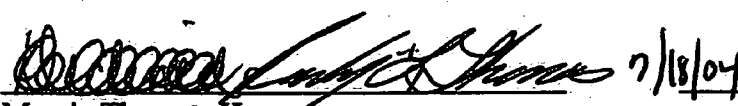

Allan Osman, Homeowner
800 Lacy Lane, Las Vegas, NV 89107

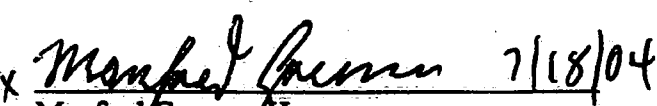
 7/18/04
Danny Magbual, Homeowner
801 Lacy Lane, Las Vegas, NV 89107

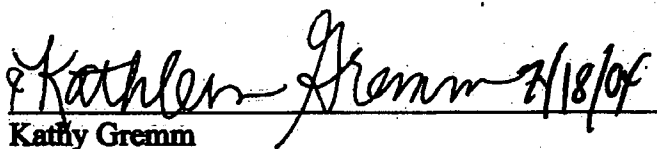
 *Changed name Declined to attend meeting for Anita*
Leanne Chilton, Homeowner
804 Lacy Lane, Las Vegas, NV 89107

 7/18/04
Kim Stoddard-Gerringer, Homeowner
808 Lacy Lane, Las Vegas, NV 89107


Alana Kindt, Homeowner
809 Lacy Lane, Las Vegas, NV 89107

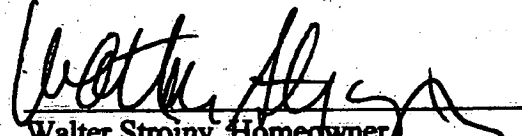
 7/18/04
Marcia Thomas, Homeowner
813 Lacy Lane, Las Vegas, NV 89107

 7/18/04
Manfred Gremm, Homeowner
817 Lacy Lane, Las Vegas, NV 89107

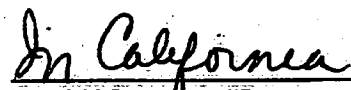
 7/18/04
Kathy Gremm

LACY LANE RESIDENTS Cont'd

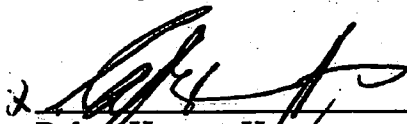

Salvatore Jeppi, Homeowner
818 Lacy Lane, Las Vegas, NV 89107

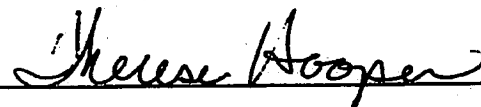
 7/18/04
Walter Strojny, Homeowner
820 Lacy Lane, Las Vegas, NV 89107

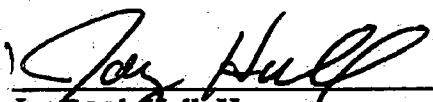
Kelly Slade, Homeowner
821 Lacy Lane, Las Vegas, NV 89107


David Newman, Homeowner
824 Lacy Lane, Las Vegas, NV 89107


Penny Procter


Robert Hooper, Homeowner
825 Lacy Lane, Las Vegas, NV 89107




Jay Frank Hull, Homeowner
829 Lacy Lane, Las Vegas, NV 89107

PETITION TO CLOSE CASHMAN DRIVE

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PALAMINO LANE RESIDENTS

Donald Miller - Lived-owned house since 62 7/17/04
~~Edward Brown, Homeowner~~ Donald Miller Janie Brown
3308 Palamino Lane, Las Vegas, NV 89107

Mary Jacqueline Miller 7/17/04
Mary Jacqueline Miller, Homeowner
3314 Palamino Lane, Las Vegas, NV 89107

Wrote a letter to Moncreaf opposing closure

(Now in favor) Rescinded the letter with her signature today

PETITION TO CLOSE CASHMAN DRIVE

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CAMPBELL DRIVE RESIDENTS

Not home

Romeo Aranas, Homeowner
500 Campbell Drive, Las Vegas, NV 89107

declined

Maria Elena Aranas

Not home

Carlos Ramirez, Homeowner
504 Campbell Drive, Las Vegas, NV 89107

[Signature]

Luisito Espanola, Homeowner
508 Campbell Drive, Las Vegas, NV 89107

[Signature]
Joycelyn Espanola

[Signature]

Adelaida Aranas, Homeowner
512 Campbell Drive, Las Vegas, NV 89107

Not home

David Damas, Homeowner
516 Campbell Drive, Las Vegas, NV 89107

[Signature]

Joselito Aranas, Homeowner
520 Campbell Drive, Las Vegas, NV 89107

Same person owns both

Adelaida Aranas

declined

Bob Camp, Homeowner
525 Campbell Drive, Las Vegas, NV 89107

CAMPBELL DRIVE RESIDENTS Cont'd

Arthur Rando
Arthur Rando, Homeowner
600 Campbell Drive, Las Vegas, NV 89107

Ed Kopecky
Edward Kopecky, Homeowner
604 Campbell Drive, Las Vegas, NV 89107

Jewel Dixon
Jewel Dixon, Homeowner
612 Campbell Drive, Las Vegas, NV 89107

John Nowins
John Nowins, Homeowner
616 Campbell Drive, Las Vegas, NV 89107

John O'Reilly
John O'Reilly, Homeowner
619 Campbell Drive, Las Vegas, NV 89107

~~Not Home~~ Tenant (can't sign)
Rose Gomez, Homeowner
624 Campbell Drive, Las Vegas, NV 89107

Not Home
Elyiahu Rubin, Homeowner
700 Campbell Drive, Las Vegas, NV 89107

Rosalia Guarrella
Rosalia Guarrella, Homeowner
704 Campbell Drive, Las Vegas, NV 89107

Maureen Kopecky
Maureen Kopecky

Not home

For sale
Rosemary Nowins

No home
Rene O'Reilly

Dvora Rubin

Serafina Guarrella
Joseph Guarrella
Serafina Guarrella

CAMPBELL DRIVE RESIDENTS Cont'd

Paul Hejmanowski

Paul Hejmanowski, Homeowner
708 Campbell Drive, Las Vegas, NV 89107

Charlotte Hejmanowski

Loretta Rubin, Homeowner
711 Campbell Drive, Las Vegas, NV 89107

No one present

Vacant

, Homeowner
718 Campbell Drive, Las Vegas, NV 89107

Home For Sale

Don Fooshee

Don Fooshee, Homeowner
720 Campbell Drive, Las Vegas, NV 89107

Margaret Fooshee

Diana Robinson, Homeowner
721 Campbell Drive, Las Vegas, NV 89107

going to meeting, wants to know
Ron who Traffic County

George Cromer, Homeowner
800 Campbell Drive, Las Vegas, NV 89107

Not home

Romeo Aranas, Homeowner
806 Campbell Drive, Las Vegas, NV 89107

VACANT

Maria Romeo

Lennie Alzate

Lennie Alzate, Homeowner
812 Campbell Drive, Las Vegas, NV 89107

CAMPBELL DRIVE RESIDENTS Cont'd

Arnaldo Gomez, Homeowner
813 Campbell Drive, Las Vegas, NV 89107

Vivian Gomez (524-5359)

Virginia Vela
Anthony Vela, Homeowner
818 Campbell Drive, Las Vegas, NV 89107

go before 12:00 pm

Owner Not on Site - Group Home
Emma Lynn Chan, Homeowner
900 Campbell Drive, Las Vegas, NV 89107

**owner don't live here (group Home)
CAN'T sign.*

August 17, 2004

Dear Mayor and Council:

We are writing to inform you of our support of the permanent closure of Cashman Drive. We live at 905 Cashman Drive, located on the southeast corner of Cashman Drive and Hastings Avenue. We have attended all meetings regarding the closure, including all of our neighborhood watch meetings that have addressed this issue. We, along with the overwhelming majority of the neighborhood, support the closure at Cashman Drive. Personally, we have seen a significant reduction in traffic, and this change has returned our neighborhood into a safe environment for our family and friends within the neighborhood. Just beginning to start a family of our own, our concern for the neighborhood safety has grown tremendously. We hope you see that the safety and preservation of our neighborhood outweighs the minor inconvenience bestowed upon everyone to drive around our neighborhood (instead of through it) to reach their place of destination.

The closure of Cashman Drive was never intended to be a personal attack on any businesses, places of worship, or individuals. We have requested this closure for the simple reason of preserving our neighborhood and to create safer streets for our families. Thank you so much for taking your time to address this major concern of ours. If you have any questions at all, please feel free to call us at 258-6410.

Thank you,

Two handwritten signatures in black ink. The first signature is on the left and the second is on the right.

Ryan & Jaime O'Neill

August 16, 2004

Re: Cashman Closure

We are writing to the council to let you know that we are for the closure on Cashman Drive. We live at 717 Kenny Way and have noticed a tremendous decrease in our neighborhood traffic. We are very concerned for the safety of our neighborhood families. The statistical study that was conducted shows the decrease in traffic, and we truly do not understand why this closure has created such an issue. No one started this closure to prevent individuals from reaching their place of business or worship. Their access and address is on Charleston Boulevard. If it has inconvenienced anyone, it would be us who live in the neighborhood. We do not mind going a **few seconds** out of our way to prevent a fatality. Our neighborhood streets should not be used as a short-cut. It would be like walking through somebody's yard (short-cut), instead of going around the block to get to the street I'm trying to access. When you have to make your decision, we hope you make the right decision for what is best for the families that live in the neighborhood. If you would like to contact us, please call 396-9603.

Thank you,


Roberta Jewell
Jim List



Subj: **Cashman Closure**
Date: **8/25/2004 8:28:58 PM Pacific Standard Time**
From:
To:

Dear Mr. Goodman and Ms. Moncrief,

This is my first correspondence to government officials. I apologize in advance if I don't follow the proper protocol in writing this letter, but I write on a matter that is very important to me.

I have lived at 644 Lacy Lane since 1976. I raised my two daughters in this house. My youngest daughter married the son of my neighbor. His parents live right across the street from me at 701 Lacy Lane. Together they have 3 kids, my grandchildren. We help babysit these kids during the school year. When they visit there is quite a bit of crossing the street back and forth between the grand parents house's.

The traffic down our street has bothered me for years. The non-residential traffic that has used our street, travels faster than they should. They are using the street as a shortcut. Lacy Lane is where I make my home. The excess traffic creates an increased and unnecessary safety risk. This street was not designed as a shortcut, but as an access to the houses in this neighborhood.

Thank you so much for the temporary closing at Cashman. That took moral courage, thank you for displaying it. I hope you will strongly consider a permanent closing, and I hope the street will serve the purpose it was designed to serve. Which is to be an access route for those living in the neighborhood.

Sincerely,

Alfonso Madrid
644 Lacy Lane
Las Vegas, NV 89107
Phone 258-0430

✱

J. Derrell Parker

From: "Kimm Baughn" <BaughnKK@cox.net>
To: <sounder2@earthlink.net>
Sent: Tuesday, August 31, 2004 5:07 PM
Subject: Fw: agenda item- Cashman Drive

This message was sent by me to all council members.

Kimm Baughn

— Original Message —

From: Kimm Baughn
To: greese@ci.las-vegas.nv.us
Sent: Tuesday, August 31, 2004 4:59 PM
Subject: agenda item- Cashman Drive

Dear Councilman,

I know that your time is precious, and that you have probably heard from many people regarding the closure of Cashman Drive. I just wanted to send you this email to let you know that as a resident of the area affected by the closure, I am completely FOR this action. I have noticed such a difference in the traffic load for our small neighborhood streets. I feel much safer riding my bike or walking with my family through the neighborhood. As a teacher at Hyde Park Middle School, I am also one of those people who now has to "go around the block" to get to work on a daily basis. It has added just under a minute to my drive time, and I know that extra minute is worth my neighborhood's safety. I hope that you will also support my neighbors and myself and vote in favor of the closure.

Thank you for your time.

Kimm Baughn
814 Kenny Way

8/31/2004

A

J. Derrell Parker

From: "J. Derrell Parker" <sounder2@earthlink.net>
To: <lweekly@ci.las-vegas.nv.us>
Sent: Monday, August 30, 2004 7:00 PM
Subject: Cashman Closure

Councilman Weekly,

I do not have email and I have ask my neighbor to send this for me.

We the residents, neighbors and parents are thankful for the closing of Cashman Drive.

It has accomplished our INITIAL GOAL, or SINGLE INTENTION, that which is to restore SAFETY and quiet to our wonderful neighborhood.

To eliminate excessive "cut thru" traffic and to restore safety to our neighborhood streets.

The temporary closing has made that possible, that is a good thing.

Please consider the positive aspect of this closing when making your decision. Think of your own neighborhood, children at play and the tranquility of your home and how important these matters are in this ever hectic world.

Thank you for your attention to this matter. This allowed us to realize the difference it has made on our neighborhood streets, and that we could not go back to the way it was.

Lorraine and David Limbocker
906 Cashman Drive
Las Vegas, Nevada 89107

8/30/2004

August 30, 2004

TO:

MAYOR GOODMAN/ALL COUNCIL MEMBERS

We the Residents, Neighbors and Parents are thankful for the closing of Cashman Drive.

It has accomplished our INITIAL GOAL, our SINGLE INTENTION - that which is to restore SAFETY and quiet to our wonderful neighborhood.

To eliminate excessive "cut thru" traffic - to restore safety to our neighborhood streets.

The temporary closing has made that possible - that is a good thing!

Please consider the positive aspect of this closing when making your decision. Think of your own neighborhoods, children at play and the tranquility of your home and how important these matters are in this ever hectic world.

Thank you for your attention to this matter. You allowed us to realize the difference it has made on our neighborhood streets, and that we could not go back to the way it was.

Lorraine & David Limbocker
906 Cashman Drive
Las Vegas, Nevada 89107

J. Derrell Parker

From: "Billandmaureen fanning" <mobill19@yahoo.com>
To: <ogoodman@ci.las-vegas.nv.us>; <greese@ci.las-vegas.nv.us>; <tweedy@ci.las-vegas.nv.us>;
<lbrown@ci.las-vegas.nv.us>; <mmack@ci.las-vegas.nv.us>; <swolfson@ci.las-vegas.nv.us>;
<jmoncrief@ci.las-vegas.nv.us>
Cc: <Sunder2@earthlink.net>
Sent: Monday, August 30, 2004 2:26 PM
Subject: Cashman Closure

Mr. Mayor and City Council members,

We are writing to express our view on the continued closure of Cashman Drive. We live at 639 Lacy Lane and strongly uphold the belief that Cashman Drive remain closed. We have experienced much less traffic in front of our home. Most of the vehicles that do use Lacy Lane are recognizable as our neighbor's and it is obvious by the decreased speed that we have observed, that the safety of our children, grandchildren and pets is more important to them then saving time by taking a short cut to or from their destination.

We urge you to take into consideration what the homeowners in this neighborhood want for the good of their families. There is plenty of access to and from this neighborhood, we are not asking for complete closure like some others in the area, just a means to keep our families and properties safe. Thank you very much for your consideration in this matter.

William E. Fanning
Maureen E. Fanning
639 Lacy Lane
LV, NV 89107
702-368-3696

 Maureen

Do you Yahoo!?

Yahoo! Mail Address AutoComplete - You start. We finish.

8/30/2004

J. Derrell Parker

From: <NVenger@aol.com>
To: <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 7:54 PM
Subject: No Subject

We are definitely in favor of keeping Cashman near Charleston permanently closed.

Norman and Sally Venger
841 kenny way
nvenger@aol.com

8/30/2004

?

J. Derrell Parker

From: "David Baughn" <BaughnDW@cox.net>
To: "Tony & Shelly Shelton" <tonyshelton@earthlink.net>; "Shar & Jason Schwartz" <shari@realitybytes.com>; "Ryan & Jamie O'Neill" <Ryan@1ill.com>; "Robin & Jim Jewell/List" <Robin@sincity.com>; "Jim & Libby Jarrell" <jjinlora@aol.com>; "Jennifer & Miles Francis" <mjfrancis2@cox.net>; "Frida Alkon" <Zvizevi@netscape.net>; "Byrne & Kristie Gallagher" <bkgallagher@cox.net>; "Basia & Stephen Yakaitis" <yakaitisbs@earthlink.net>; "Arloa & JD Martinz" <jdmartinz2000@yahoo.com>; "Africa Sanchez" <alvanias@hotmail.com>; "Carol Stewart" <CNS@intermind.net>; "Derrell Parker" <sounder2@earthlink.net>; "Sandra Alterman" <Kman6@cox.net>; "Johanna O'Roarke" <KerinyWay@cox.net>
Sent: Wednesday, July 21, 2004 5:02 AM
Subject: Cashman Dr. Closure

Dear Residents,

As some of you may have heard, Ms. Moncrief and her office were out canvassing the neighborhood yesterday looking for opinions as to how life has been since closing Cashman Dr. Apparently, all her and the Mayor's office have received is negative feedback from the closure. We have gathered signatures; in fact a majority of both Kenny and Lacy signed the petition supporting the closure that will be given to Ms. Moncrief at the Thursday night meeting. If you would like to contact the mayor or Ms. Moncrief's office they have web mail links that make it incredible easy and convent to be "Herd". Please take the time to show your support for this matter by contacting one if not both of their offices via the information below.

Ms. Moncrief's office

http://www.ci.las-vegas.nv.us/councilwoman_moncrief.htm click on "Contact Ms. Moncrief" link
 Her office number is 229-6405

His Honor Mayor Goodman

http://www.ci.las-vegas.nv.us/mayor_oscar_b_goodman.htm click on the "Contact mayor Oscar B. Goodman" link
 His office number is 229-6241

Our meeting for this matter is Thursday night at 6:00 P.M. at the Masonic Temple at 2200 W. Mesquite. Mesquite is the street on the right hand side of the road as you travel north on Rancho before reaching U.S. 95. Please if you can, show up and show your support.

8/30/2004

X

To Whom It May Concern:

This is just a short note to express our family's opinion on the proposed road closure of Cashman Drive. We live on Lacy Lane in the middle of the block. We are in favor of the street closure and of the crash gate. Since the temporary closure the traffic flow that is now on our street is much different than it used to be. It is more like a residential street. The vehicles used to be a constant stream during the day and during rush hour the volume of traffic was incredible. The residential street was more of a major traffic through-street and shortcut than a neighborhood access. The vehicles that would use Cashman Drive as a shortcut from Alta to Charleston or vice-versa seemed to always use the open street as their own speedway in their attempt to beat the other traffic. Since the temporary Cashman Drive street closure the traffic flow seems to be more consistent with that of a neighborhood. The vehicles that now travel the residential streets are more likely residents of the neighborhood and not somebody taking a shortcut. The access to churches and businesses is not being denied in any way, just the shortcut through the neighborhood that many have used is being denied. The churches and businesses are on major streets and have access to them on these streets. There is no denial of access to them on the major streets. Our family is acquainted with a person that works at AAA insurance and she liked to say, "by the time I am at your house I'm going 60", needless to say she does not come down our street any more. The benefits of the Cashman Drive closure are many, but a few of them are: 1) There are more kids in the neighborhood than anyone realized. It seems that with the traffic lessened and slowed considerably it is safer to be outside and play. 2) Lacy Lane is not a

major street yet there were many times that you had to signal to get in your own driveway and hope that you would not get rear-ended by someone driving above the speed limit. Now you can more safely and easily get in the driveway.

3) There were times that you would see cars going pretty fast down the street and then someone going faster would pass them. Passing on a residential street that is supposed to be only 25 mph. Luckily there was never a major wreck on the street because it would have probably ended up in someone's front yard or house. There is still traffic but it usually someone from the neighborhood and they are not driving as fast since they live here. The permanent closure of Cashman Drive and the installation of a crash gate would be a great addition to the neighborhood and the residents of the area would welcome it.

The Hoag's
701 Lacy Lane

X

J. Derrell Parker

From: "Theresa" <hooperette@earthlink.net>
To: <sounder2@earthlink.net>
Sent: Thursday, August 26, 2004 11:33 AM
Subject: On Cashman closing

Hi

Here is a copy of a letter we sent to Goodman and all the council members. We plan to be at the meeting next week...and spend the day if we must. Please let us know if there is anything else we can do....

Theresa Hooper
870.8653

www.RScottHooper.com
"Just Making Pictures...."

RE: Considerations for making Cashman Drive closing permanent

It was early in the morning, just after they closed Cashman drive, although I didn't realize that at the time. I was sitting in the kitchen having coffee and contemplating the day, when I felt a strange sensation, sort of "deja vu". I looked around trying to find a cause for this strange feeling and realized it was just too quiet. When I looked out the front window again, I saw, for the first time in nearly 10 years, that we no longer had a freeway in front of our house! It truly was "deja vu"....our neighborhood had gone back in time to the quiet neighborhood streets my kids played in when they were growing up. I realized then, what we are fighting for by closing Cashman Drive.

We have lived in this house for over 30 years. We bought it mostly for the neighborhood. Quiet country streets with no sidewalks. Since there are only middle class custom homes here, I'm sure most "old timers" built here for the same reason. People used to come over and marvel at the fact that we were in the middle of Las Vegas but when you hit our neighborhood it was like finding a hidden street. We were sure it would last forever since our streets didn't go through to the main drag, Charleston, and Cashman certainly was never going to be an important connector road.

All of that changed a little over 10 years ago. The Water District expanded it's parking lot, a project that also benefited the Mormon Church who would share the parking lot. We had neighborhood meetings at the time, many of us expressing our concern over traffic. Of course, the Water District promised that it would not impact us and they would make sure their employees didn't use our streets as a thoroughfare and the Mormon Church traffic surely wouldn't affect us once a week for Sunday service. Their promises were probably made in good faith, but no one could have foreseen the growth of traffic on Charleston and that our quiet little streets would become virtual freeways for cars trying to cut away from that traffic.

8/26/2004

In the past several years I have stood in front of my house many times and shuddered at the thought of those having to raise young children on this street today. Where our kids used to play, I now fear for the kids riding bikes and even the older folks who take walks down what used to be a quiet street. God forbid that a dog should get out accidentally, or a kid chasing the dog.... the tragedies could be devastating.

We would like to ask you all, the City Council to consider few things while you are voting on this issue.

Number one: We are not asking to close off the entire neighborhood like they did in the Scotch Eighties. Rather we are asking to close one street, Cashman Drive, which is less than a block long. It was never meant to be a connector street because it doesn't go anywhere but into the neighborhood. Had Cashman been meant for that kind of traffic it would continue through to Alta. Campbell (which has always been on the books as an connector street) provides access to all the surrounding neighborhoods. Closing Cashman does not hinder access to the businesses near Charleston & Cashman since they still have the same two ways into their parking lots. The only thing that changes for them is the ability of their clients to cut through our neighborhood as if it were a major thoroughfare. There are still at least four ways into and out of this neighborhood so closing one street should not hinder emergency vehicles in the least trying to reach a house within these few blocks.

Number two: The neighborhood directly across Charleston to the South actually closed at least two streets to keep the traffic from cutting through when Valley View was widened. In retrospect it is pretty easy to imagine what a nightmare those people must have had when cars could turn off Okay, race through their tiny streets and come out on Valley View.

Number three: What we are asking is not such an extreme request. They build neighborhoods now that take these traffic issues into account and make sure the residents are protected from unnecessary cars racing down their streets. Most new housing tracks are built with only one or two ways into them. Those limited entrances and winding streets assure the residents that anyone driving down their streets either lives there or has a reason to be there, not just cars passing through to get out of traffic on the major thoroughfares. It makes their streets safer and they don't have to worry about their kids getting hit by a car going 40 mph down their street. We think that is what was intended for this neighborhood when it was built and through access was limited to Campbell. All we are asking is to preserve that intent.

Number four: We understand that the city streets are made for everyone, but don't we have a right to try and protect and preserve our neighborhood? This is not an issue about keeping people outside our neighborhood from reaching their destinations, but rather an issue about safety and quality of life within our neighborhood. For the past several years, as the residents here got older and their kids left home, many of us didn't pay enough attention to the huge increase in traffic because we didn't have children at risk. But those dynamics are changing as younger people with families move in. Once again we have kids riding bikes, playing ball, chasing puppies and all the other things my kids got to do growing up. When I drive down my street at 25 mph, I am aware of that. People cutting through our streets don't seem to share that awareness, since in they are obviously in a rush to get somewhere and their speeds of up to 45mph are evidence of that. How much worse will this danger be when the Spring Preserve opens and not only cut-through traffic will increase but lost traffic may as well. What kind of tragedy will it take to put 'inconvenience to drivers' as a secondary consideration to preserving the 'safety' of the lives in our neighborhood.

Number five: Councilwoman Montcrief did a very simple thing at the last meeting to find out how the majority of the neighborhood felt about the closing. She asked a show of hands from the people that lived within the four block radius of Charleston (south), Alta (north), Campbell (east) and Lacy (west) who are the most affected by this traffic. There was not much doubt about the overwhelming support for the closing by those people who actually have to live with the traffic everyday. The majority of the dissent about the closing of the street came from people outside that radius. I wonder how they would feel about going the extra few blocks out of their way if it was, in fact, that the 200+ cars were going by their homes everyday. It might save the City Council time if a similar method to Montcrief's were adopted for the meeting on Sept. 1 in order to determine what is really at stake and to whom.

Frankly, we are amazed that anyone would chose to add more than 200 cars racing (35-45 mph) up their street everyday to save themselves from having to drive a couple of blocks out of their way to reach their destination. All of us here are faced with that same inconvenience, but most of us feel that it is well worth it. We would venture to say that if the man who can walk out his front door and see access to Charleston only feet away (Mr. Rosenstien on Cashman) is willing to give up that access and go all the way around to Campbell to exit, that the rest of us should hardly complain about the inconvenience.

Thank you for your consideration.

Robert & Theresa Hooper
825 Lacy Lane
702.870.8653

8/26/2004

J. Derrell Parker

From: "Sandra Hoag" <hopalong@intermind.net>
To: <sounder2@earthlink.net>
Sent: Thursday, August 26, 2004 4:35 PM
Subject: Fwd: Cashman Drive closure

Begin forwarded message:

From: Sandra Hoag <hopalong@intermind.net>
Date: August 26, 2004 4:17:11 PM PDT
Subject: Cashman Drive closure

How are you doing neighbor? This is the note I sent to the city council. I think it got the point across. There will 2 of us at the council meeting on the 1st. Tom

This is just a short note to express our family's opinion on the proposed road closure of Cashman Drive. We live on Lacy Lane in the middle of the block. We are in favor of the street closure and of the crash gate. Since the temporary closure the traffic flow that is now on our street is much different than it used to be. It is more like a residential street. The vehicles used to be a constant stream during the day and during rush hour the volume of traffic was incredible. The residential street was more of a traffic through-street and shortcut than a neighborhood access. The vehicles that would use Cashman Drive as a shortcut from Alta to Charleston or vice-versa seemed to always use the open street as their own private speedway in their attempt to beat the other traffic. Since the temporary Cashman Drive street closure the traffic flow seems to be more consistent with that of a neighborhood. The vehicles that now travel the residential streets are more likely residents of the neighborhood and not somebody taking a shortcut. The access to the churches and businesses is not being in any way, just the the shortcut through the neighborhood that many have used is being denied. The churches and businesses are on major streets and have access to them on these streets. There is no denial of access to them on the major streets. Our family is acquainted with a person that works at AAA insurance and she liked to say, "by the time I am at your house I'm doing 60", needless to say, she does not come down our street any more. The benefits of the Cashman Drive closure are many, but a few of them are: 1) There are more kids in the neighborhood than anyone realized. It seems that with the traffic lessened and slowed considerably it is safer to be outside and play. 2) Lacy Lane is not a major street and yet there were many times that you had to signal to get in your own driveway and hope that you would not get rear-ended by someone driving above the speed limit. Now you can more safely and easily get in the driveway. 3) There were times that you would see cars going pretty fast down the street and then someone going faster would pass them. Passing on a residential street that is supposed to be only 25 mph. Luckily there was never a major wreck on the street because it would have probably ended up in someone's front yard or house. There is still traffic but it is usually someone from the neighborhood and they are not driving as fast since they live here. The permanent closure of Cashman Drive and the installation of the crash gate would be a great addition to the neighborhood and the residents

8/26/2004

of the area would welcome it.

The Hoag's
701 Lacy Lane

8/26/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <lweekly@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:29 PM
Subject: Cashman Drive - Please Keep it closed!

Tony, Shelly and Fayth Shelton
845 Kenny Way (Corner of Kenny and Hastings)
Las Vegas, NV 89107

Dear Mr. Weekly,

On August 1st the matter of closing the Cashman drive shortcut will come before the council. Our family resides less than 200 feet from the closure. Since the closure my wife and 2 yr old daughter have felt safe enough to walk in the evenings. The squealing tires around the corner of Cashman and Hastings have ceased and we feel like we live in a residential neighborhood instead of the inner city.

Our neighborhood is practically united in this matter.

When considering your vote on this matter please put any politics aside and vote in the same way you would vote if you lived here and were united with us in desiring a safer neighborhood for your children.

Thank you.

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <ogoodman@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:13 PM
Subject: Cashman Drive - Please keep it closed!

Tony, Shelly, and Fayth Shelton
845 Kenny Way
(Corner of Kenny and Hastings less than 200 feet from Cashman)

Dear Mr. Mayor,

As residents of the neighborhood directly affected by the Cashman Closure our family asks you to keep Cashman closed. Our daughter Fayth is now 2 1/2 years old. Prior to the closure of Cashman my wife was afraid to walk around the neighborhood with our daughter due to the speeding traffic that used Lacy and Kenny as a shortcut to Cashman.

Sometimes I would stand out in at my driveway and step out into the street in an attempt to get speeders to slow down. I would tell them that next time it might be my 2 yr old running into the street. Amazingly it only got me the finger on most occasions.

Since the closure of Cashman my wife and daughter have been walking some evenings and on the weekends.

Since the closure of Cashman the floored accelerators on Hastings have all but ceased.

Since the closure of Cashman I can get the mail without closing the gate behind me for fear my dog might get near the street during those few seconds.

As you vote on this matter please consider why YOUR street isn't a shortcut anymore. Surely someone in your neighborhood had to drive an extra 1/4 mile or so to get to church or work after the closures at Rancho and at Oakey, but the safety factor far outweighs the convenience.

This closure is no contest and wouldn't even be questioned if it didn't involve opponents with as large a voting block as the Mormon church that is crying foul because they have to drive 4 tenths of a mile farther with Cashman closed.

Please prove yourself to be the mayor our family thinks you are (you're the only Democrat I've ever campaigned for) and stand up for the residents of your city who live in the affected area and allow us the same degree of safety you enjoy in Scotch 80's.

Our family appreciates the job you have done as Mayor of this City. We hope that in this matter, which may seem small in the overall scheme of things, you will use the same sense of fairness and wisdom you have shown in the past.

Thank you,

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <greese@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:27 PM
Subject: Cashman Drive- Please keep it closed

Tony, Shelly and Fayth Shelton
845 Kenny Way (Corner of Kenny and Hastings)
Las Vegas, NV 89107

Dear Mr. Reese,

On August 1st the matter of closing the Cashman drive shortcut will come before the council. Our family resides less than 200 feet from the closure. Since the closure my wife and 2 yr old daughter have felt safe enough to walk in the evenings. The squealing tires around the corner of Cashman and Hastings have ceased and we feel like we live in a residential neighborhood instead of the inner city.

Our neighborhood is practically united in this matter.

When considering your vote on this matter please put any politics aside and vote in the same way you would vote if you lived here and were united with us in desiring a safer neighborhood for your children.

Thank you.

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <lbrown@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:46 PM
Subject: Please keep Cashman Drive closed

Tony, Shelly and Fayth Shelton
845 Kenny Way (Corner of Kenny and Hastings)
Las Vegas, NV 89107

Dear Mr. Brown,

On August 1st the matter of closing the Cashman drive shortcut will come before the council. Our family resides less than 200 feet from the closure. Since the closure my wife and 2 yr old daughter have felt safe enough to walk in the evenings. The squealing tires around the corner of Cashman and Hastings have ceased and we feel like we live in a residential neighborhood instead of the inner city.

Ward 4 is full of safe limited access communities. Time has shown us that as we grow as a city limited access is sometimes the only way to keep neighborhoods from becoming speedways. This is why planned communities like many of the ones in your Ward are constructed with limited access. Unfortunately ours is a 50 year old neighborhood that was built during a time when the kind of high traffic we are now experiencing was unimaginable. Now is the time to act and bring our neighborhood into the present by fixing a problem that wasn't foreseen 50 year ago.

Our neighborhood is practically united in this matter.

When considering your vote on this matter please put any politics aside and vote in the same way you would vote if you lived here and were united with us in desiring a safer neighborhood for your children.

Thank you.

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <mmack@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:40 PM
Subject: Cashman Drive - Please Keep it closed!

Tony, Shelly and Fayth Shelton
845 Kenny Way (Corner of Kenny and Hastings)
Las Vegas, NV 89107

Dear Mr. Mack,

On August 1st the matter of closing the Cashman drive shortcut will come before the council. Our family resides less than 200 feet from the closure. Since the closure my wife and 2 yr old daughter have felt safe enough to walk in the evenings. The squealing tires around the corner of Cashman and Hastings have ceased and we feel like we live in a residential neighborhood instead of the inner city.

Ward 6 is full of safe limited access communities. Time has shown us that as we grow as a city limited access is sometimes the only way to keep neighborhoods from becoming speedways. This is why planned communities like many of the ones in your Ward are constructed with limited access. Unfortunately ours is a 50 year old neighborhood that was built during a time when the kind of high traffic we are now experiencing was unimaginable. Now is the time to act and bring our neighborhood into the present by fixing a problem that wasn't foreseen 50 year ago.

Our neighborhood is practically united in this matter.

When considering your vote on this matter please put any politics aside and vote in the same way you would vote if you lived here and were united with us in desiring a safer neighborhood for your children.

Thank you.

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <mjmoncrief@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <souder2@earthlink.net>
Sent: Monday, August 23, 2004 8:54 PM
Subject: Cashman Drive -Fighting to keep it Closed!! Thank you from a resident

Tony, Shelly, Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107

Re: Cashman closure

Dear Ms. Moncrief,

Our family just wanted to say thank you. Thank you for putting the interest of our small neighborhood of residents ahead of the desires of those more powerful than we.

You have shown your true colors and they have revealed you to be a step above most politicians in this day and age.

Thank you. We will stand behind you.

Tony Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

J. Derrell Parker

From: "Tony Shelton" <tonyshelton@earthlink.net>
To: <swolfson@ci.las-vegas.nv.us>
Cc: "Derrell Parker" <sounder2@earthlink.net>
Sent: Monday, August 23, 2004 8:44 PM
Subject: Cashman Drive - Please Keep it closed

Tony, Shelly and Fayth Shelton
845 Kenny Way (Corner of Kenny and Hastings)
Las Vegas, NV 89107

Dear Mr. Wolfson,

On August 1st the matter of closing the Cashman drive shortcut will come before the council. Our family resides less than 200 feet from the closure. Since the closure my wife and 2 yr old daughter have felt safe enough to walk in the evenings. The squealing tires around the corner of Cashman and Hastings have ceased and we feel like we live in a residential neighborhood instead of the inner city.

Ward 2 is filled with limited access communities. Time has shown us that as we grow as a city limited access is sometimes the only way to keep neighborhoods from becoming speedways. This is why planned communities like your the bulk of your entire ward are constructed with limited access. Unfortunately ours is a 50 year old neighborhood that was built during a time when the kind of high traffic we are now experiencing was unimaginable. Now is the time to act and bring our neighborhood into the present by fixing a problem that wasn't foreseen 50 year ago.

Our neighborhood is practically united in this matter.

When considering your vote on this matter please put any politics aside and vote in the same way you would vote if you lived here and were united with us in desiring a safer neighborhood for your children.

Thank you.

Tony, Shelly, and Fayth Shelton
845 Kenny Way
Las Vegas, NV 89107
702-596-5190

8/25/2004

A

Loretta Block

From: Loretta Block [lblock5@cox.net]
Sent: Monday, August 16, 2004 6:40 PM
To: 'letters@reviewjournal.com'
Cc: 'ogoodman@ci.las-vegas.nv.us'; 'jmoncrief@ci.las-vegas.nv.us'; 'greese@ci.las-vegas.nv.us';
 'lweekly@ci.las-vegas.nv.us'; 'lbrown@ci.las-vegas.nv.us'; 'mmach@ci.las-vegas.nv.us';
 'swolfson@ci.las-vegas.nv.us'
Subject: Cashman "shortcut" Closed!

Dear Editor –

RE: Article "Shortcut through neighborhood fuels discord, with Moncrief in the middle"
 By Jane Ann Morrison (Thursday, 8/5/04)

After reading Jane Ann Morrison's column regarding this subject – I felt the people of our city should hear the other side of the story. I am concerned with people being able to get to their church, as I hope they are concerned about the safety of the neighborhood adjoining their property.

My husband's family built the house I live in, in 1954. We moved into this home in 1991. We really didn't have a problem with traffic, my children rode bikes to school (Wasden) and played ball games in the street. The Las Vegas Valley Water District called a meeting for our neighborhood, maybe 10 years ago, to let them know they were doing a major construction project and needed to "borrow" the LDS church's parking lot during the construction. The neighbors said NO – this would add too much traffic to the neighborhood. At this time, Paul Christenson was a Clark Co. Commissioner and the commissioner of the LVVWD. After a heated discussion (because if Mr. Christenson is involved in a discussion it's heated), Will Stoddard and I came up with a solution to put a chain across the parking lot, so the employees would have to enter and exit on to Charleston. This chain stayed up for the construction (with a guard) and was soon taken down after the construction was over, BUT the opening in the wall between the LVVWD's & the LDS's church parking lot, stayed and here, started the major problem.

I live at the end of Lacy Lane and when in my kitchen from 6:30a-8a, there is a steady flow of traffic coming down (South) on Lacy and heading East on Hastings. They turn on Cashman and then turn into an alley way, cut through the LDS church parking lot and into the LVVWD parking lot. Again, at closing time – it starts up again – just the other way. People are not driving 25 miles an hour in a residential area, they are driving the fastest way they can to get to work. OUR concern is the safety of our children and our neighbors – we like to pull out of our driveways and not have to be afraid of a 50 miles an hour car whizzing by us. Wasden Elementary school is close by and many children would like to walk or ride bikes – it becomes a safety issue, many parents have to drive their children for safety sake.

On Sunday's we have people using the neighborhood roads to get to their church. We are asking them to drive one half block out of their way. The church's parking lot's entrance is on Charleston – not through a back alley (and if it is – maybe the City needs to look at that?). It is Sunday – Charleston Blvd. is a breeze, it is easy to make a left out of Cashman and go that one half block out of their way. I don't think this is asking too of these fine church people.

I would also like to give Ms. Morrison a math project to work out. Our neighborhood fought and fought NOT to have a commercial building encroach into our neighborhood several years ago. The City

8/23/2004

Council room was FILLED to the brim of people opposing this. Ms. Pam Black (project developer) and her attorney, John Moran, were fighting for this project. Filled room against 2 people. The 2 won! You do the math! Hopefully the City Council will realize asking the good people from the LDS church to go one half block out of their way - isn't asking too much. AND the safety of our neighborhood is worth protecting.

Loretta Block
(3317 Hastings Avenue, Las Vegas, NV 89107)

8/23/2004

August 21, 2004

Councilman Lawrence Weekly
400 Stewart Avenue
Las Vegas, NV 89101

Re: Closure of Cashman Drive

Dear Councilman Weekly:

I am writing as a concerned resident of an urban neighborhood in the City of Las Vegas. My wife and I have lived in the city for over 35 years and we have raised our family in this city. For over twenty years we lived in the Huntridge area and would still reside there, but as the city grew more and more residents moved to the suburbs such as Summerlin and Green Valley abandoning the older neighborhoods in the city. As a result, our quiet, quaint neighborhood began to decline because of cut through traffic becoming the norm, abandoned cars on streets, graffiti, litter and increased gang activity. The safety of our neighborhood and family as well as the security of property became a greater concern than leaving friendships, support of neighborhood businesses and other neighborhood familiarities of more than 20 years.

Ten years ago we relocated to another urban neighborhood and I might add that this was the neighborhood we had often admired. When we moved into the new neighborhood it was quiet, no traffic and little to no crime. Much to my dismay I am beginning to see the same type of activities taking place here as in the Huntridge Area. We reside in Ward 1 at 3309 Hastings Avenue between Alta Drive and West Charleston Blvd., and Lacy Lane and Campbell Drive. As you are probably aware, the neighbors in this area have met with Councilwoman Moncrief and asked for some relief regarding our problem of cut through traffic. The drivers attempt to avoid lights at Valley View and Charleston by cutting through our neighborhood and our streets are used as parking lots for businesses on Charleston. Prior to this closure we lost two mail boxes and my neighbor lost his fence to drivers moving to fast to negotiate the corner at Lacy Lane and Hastings Avenue. This neighborhood has numerous young families with small and active children but it also has a large number of older residents who deserve to feel safe in their neighborhood.

Cashman Closure

August 25, 2004

Page 2

Las Vegas is no different than any other city, it takes action by concerned citizens and our elected officials to preserve and maintain the livability and viability of it's neighborhoods, cultural diversity and tax based businesses. We have watched the Mayor and this Council diligently pursue actions that preserve these aspects of our city and we ask that you again, help us preserve our neighborhood. Please do not allow this fine neighborhood to reach the point that it will begin to decay and require large sums of money to restore. Take action now to prevent any further decline of the neighborhood by making the closure at Cashman Drive permanent.

Respectfully Submitted,

Derrell Parker, Resident
3309 Hastings Avenue
Las Vegas, NV 89107
Sounder2@earthlink.net

August 21, 2004

Councilman Lawence Weekly
400 Stewart Avenue
Las Vegas, NV 89101

Re: Closure of Cashman Drive

Dear Councilman Weekly:

There is an item to be discussed at the upcoming City Council meeting on September 1, 2004. The item is the permanent closure of Cashman Drive North of Charleston Blvd. This closure should have been a simple and straight forward issue based solely on the safety and preservation of one of the city's older historical neighborhoods, but instead, it has been transformed into a political issue which is very unfortunate.

This all began approximately six months ago when concerned neighbors asked Councilwoman Moncrief to look into the issue of increased traffic cutting through the neighborhood as motorists took shortcuts for their own convenience and used our residential streets for auxiliary parking for businesses and functions on West Charleston Blvd. Speeding cars destroyed property, endangered residents and showed little regard for the safety of our neighborhood. Councilwoman Moncrief had a traffic study conducted and it rendered results that supported the neighbors concerns. After Councilwoman Moncrief made the decision for a temporary closure a subsequent traffic study was conducted and all areas had reductions and most areas were quite substantial. Peace and quiet was restored. Children were able to play outside and ride their bikes again. Residents, young and old were able to walk their pets and feel safe. What Councilwoman Moncrief did was good and fair thing.

I personally walked this neighborhood collecting signatures of homeowners on a petition supporting the permanent closure of Cashman Drive. Of the 150 residents contacted, more than 125 residents agreed with the closure. Some properties were vacant, some residents were on vacation and there are three group homes that are not owner occupied. Only a handful of residents were in opposition and only one has been very vocal. This particular resident felt he was being denied access to his church which is located on Charleston

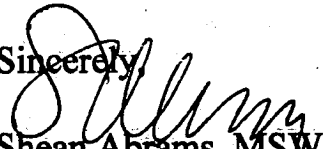
Cashman Closure
Page 2

Blvd., as it would require traveling an extra half block or .4 of a mile for him to reach his church. It was never the intention of the neighbors to exclude or deny anyone access to their places of worship. The majority of the residents have been willing to travel the extra half block in order to have a safer neighborhood.

I strongly believe that all citizens have the right to express their opinions, however, I don't feel it is fair for the opinions of individuals who do not reside in this neighborhood to have any bearing on the decision that affects the safety, well being and preservation of this neighborhood just for the sake of their convenience.

I watch the City Council meetings on a regular basis and I have always found the council to make sound and fair decisions especially when it involves preservation of inner-city neighborhoods. The two most important aspects of neighborhood preservation are neighbors who are willing stand-up to protect their neighborhood and the elected officials who have the power to support their efforts. I urge you to help us preserve our neighborhood by giving us a vote of support for permanent closure for Cashman Drive.

Sincerely,



Shean Abrams, MSW, LCSW
3309 Hastings Avenue
Las Vegas, NV 89107
Sounder2@earthlink.net

August 22, 2004

Councilman Lawence Weekly
400 Stewart Avenue
Las Vegas, NV 89101

Re: Closure of Cashman Drive

Dear Councilman Weekly:

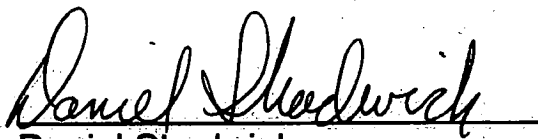
We are residents of Ward 1 and reside at 3300 Hastings Avenue. We have lived at this address for more than 12 years and during the past several years we have noticed a slow and steady increase of drivers cutting through the neighborhood at all hours of the day and night. Before the temporary closure of Cashman Drive, the traffic had become so regular that even a Brinks armoured truck would cut through the neighborhood on a daily basis from Charleston up Cashman Drive to Hastings Avenue, North on Lacy Lane to Alta Drive.

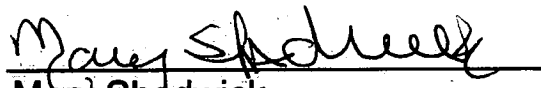
Along with this increased traffic has been increased litter and a number of homes have been burglarized including our own home. Numerous vehicles have been stolen, broken into and vandalized. My own fence has been vandalized with graffiti more than once. Employees and customers of local businesses and organizations on Charleston Blvd., routinely park their cars on Cashman Drive and Hastings Avenue often impeding resident driveways, mail delivery and garbage pick-up. These same offenders have become so casual in their activities that they even hire private car wash companies to wash their cars while parked in front of residences. Property damage caused by hit and run drivers have occurred on more than one occasion leaving the homeowners to repair and pay the costs.

The residents are taking a stand on this issue. We are determined to protect our children, our elderly residents, our property and the right to live in a safe and peaceful environment. The neighborhood urges you to vote for a permanent closure of Cashman Drive North of

Charleston Blvd. This is strictly a safety and welfare issue and please do not have your attention diverted by those who would have you believe that the issue more than a simple safety and preservation issue.

Sincerely yours,


Daniel Shadwick


Mary Shadwick

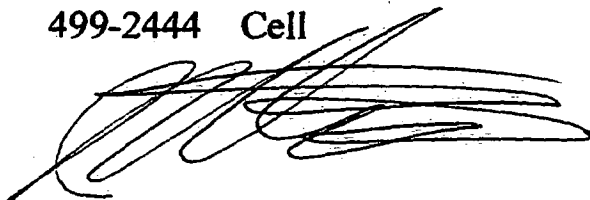
Councilwoman Moncrief
Facsimile Number 464-5764
382-8558

Dear Councilwoman Moncrief:

My name is Joe Pignatello. I reside at 720 Kenny Way in Las Vegas. I am writing to you because I am in favor of the road closure at Cashman Dr. just north of Charleston Blvd. I am a native Las Vegan and was raised in the Scotch 80's neighborhood. I have purchased and resided in homes in other areas of the valley but truly believe I am home again since purchasing our home on Kenny Way last August. I am the proud father of five beautiful children with our sixth on the way (my wife and I are beyond blessed). My wife Gina and I chose this well-established, beautiful neighborhood to make a home and raise our family. We never imagined such a quiet little street would be a major thoroughfare for businesses and the like with the drivers paying little or no attention to posted speed limits. I don't really know what civic planners have in mind when building roads in small neighborhoods but it seems to me they are there to serve the needs of the homes on that street, not to serve the convenience of patrons cutting through a neighborhood that they have no vested interest in to access a business or otherwise when there are major thoroughfares designed, fully capable of handling heavy traffic flow, and easily accessible.

I sincerely appreciate the time and consideration you've given this matter. I most certainly plan on attending the meeting on July 22 to show my support for this initiative in person and to personally thank you for your efforts thus far in fairly assessing our neighborhoods concerns.

Sincerely,
Joe & Gina Pignatello
720 Kenny Way
Las Vegas, Nevada 89109
870-9897 Home
499-2444 Cell



July 21, 2004

Councilwoman Moncrief
City Commission Chambers
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Cashman Drive closure

Dear Janet,

I would like to personally thank you for your concern for the neighborhoods which you represent. The temporary closure of Cashman Drive was a wonderful step for the residents of the streets of Lacy Lane, Kenny Way and Hastings. I have lived at 808 Lacy Lane since October of 1973.

These past 3 months have reminded me of the "good old days" when it was safe to back out of my driveway. Lacy Lane is a wide street, and many times the cars and trucks would reach high speeds when they passed my house. There was a Brinkman armored truck that came each day at 5pm. Many large commercial vehicles also used our neighborhood streets as a short cut. Thank you for the relief we have experienced these past 90 days.

I hope that the closure of Cashman will become permanent. I have personally contacted the residents of Lacy Lane and assure you that the majority of those who live on our street are in favor of permanent closure.

Please find attached, the petition gathered in our neighborhood. It clearly shows the desire of the residents of my street.

I have driven from my home to the LDS church on Charleston. Using Cashman, turning right on a red light, and arriving in the parking lot of the church takes five minutes.

I am the parent of a child who has died as the result of an auto crash. My greatest fear is that it will happen to another family member. I will be in attendance at the meeting on July 22, 2004.

If you have any questions or concerns, please feel free to contact me.



Kim Gerringer
808 Lacy Lane
870 8088

Traffic count

To the editor:

In her Aug. 5 column headlined "Shortcut through neighborhood fuels discord," with Moncrief in the middle, Jane Ann Morrison challenged readers to do the math. So we neighbors in the Cashman Drive area have done the math.

Prior to the (temporary) closure of Cashman, the traffic count conducted by the city engineers shows counts as high as 2,638 vehicles daily on some streets. On Cashman, the vehicle count was 655 daily. After the closure, the count dropped to 19 cars on Cashman, with reductions on other streets ranging from 165 to 694 vehicles daily. This is a significant reduction of traffic in an urban residential neighborhood.

The confines of this neighborhood are Lacy Lane to Campbell Drive on the south side of Alta Drive to West Charleston Blvd. Of the "150 or so happy neighbors" to whom Ms. Morrison alludes in her article, more than 120 signed a petition that favors a permanent closure. The 120 people are in favor of protecting their children, their neighborhood and their investment.

Ms. Morrison's article tells the story of two well-connected people who oppose the closure for reasons that were never an issue. She forgets to mention she also heard the other side of the story from a group of neighbors who are in favor of the closure. But apparently in her biased view, they were not well-connected enough so she chose to ignore their input. She dedicated one sentence to the neighbors and the remaining article to issues that were unrelated to the closure of Cashman.

My neighbors and I have faith that our City Council members will do the right thing for the right reason and will view this as a preservation of an older, well-established, urban neighborhood issue. When they do the math they will realize the 1,600 people you cited and the 2,638 from the traffic count who do not live in this neighborhood, should not be allowed a short-cut just for the sake of their convenience.

DERRELL PARKER
LAS VEGAS

Opinion

and commentary

OPINION DESK 383-0273

LAS VEGAS REVIEW-JOURNAL • WEDNESDAY, AUGUST 18, 2004

Shortcut through neighborhood fuels discord, with Moncrief in the middle

This is a "he said, she said" story in which the "he" is former Clark County Commissioner Paul Christensen and the "she" is Las Vegas Councilwoman Janet Moncrief.

Christensen is steaming, he said, because at a recent neighborhood meeting, Moncrief threatened to have him arrested.

She said she never used the word "arrested."

Christensen and Will Stoddard, the only other person present, said she did.

So you either can believe Christensen, a public official for 24 years who once represented Ward 1, and Stoddard, an attorney and former president of the Las Vegas Stake of the Mormon Church, or the politically inexperienced Ward 1 councilwoman.

The issue that stirs such hostility: road closure.



Jane Ann Morrison

COMMENTARY

Moncrief undoubtedly had the best intentions when residents of a neighborhood between Alta and Campbell drives and Charleston and Valley View boulevards came to her with complaints. Drivers were taking a shortcut through their neighborhood to avoid traffic.

Closing Cashman Drive south of Hastings Drive shuts off that shortcut used during the week by Las Vegas Valley Water District employees. It

also makes it harder to get in and out of the Mormon stake center on Charleston Boulevard.

The furor will have political ramifications.

Not only has Moncrief annoyed a prominent retired public official, she's annoyed a church membership of 1,600 people.

She held two meetings to discuss the closure.

At the first meeting of about 50 people on March 23, Moncrief admitted: "I didn't keep control of the meeting."

Christensen, brusque and a powerful personality who lives in the neighborhood and attends the Mormon Church, dominated it.

Moncrief said he was rude. He said he was "telling it like it is."

At the next meeting on July 22, she had a city marshal in attendance. About 200 people were there, many from the church but who didn't

necessarily live in the immediate neighborhood.

"I let Paul know I am keeping control of this meeting, and no one will control the meeting but me, and a marshal was on the way to help me control this meeting," Moncrief explained. "I never said the word 'arrest.' I said I'd keep control."

Stoddard remembers differently. He recalled Moncrief saying that if Christensen "caused as much of a problem at this meeting as he did at the last, she had a marshal there to arrest him. I was shocked."

Moncrief said, "If it were my church, I wouldn't mind driving that extra minute to keep out of the neighborhood."

But the neighborhood dates to the 1950s, and the church was built in 1960. A 44-year tradition is hard to overcome.

Still, closing off the shortcut has delighted many in the neighborhood.

The final decision hasn't been made. "Rather than make the decision myself, it will be a full council decision," Moncrief said Tuesday.

Christensen said the conflict between supporters and opponents of the street closure already is stirring up talk of finding someone to run against Moncrief in 2007.

Ward 1 has a history of controversial council members. Moncrief, a nurse, defeated incumbent Michael McDonald, who was found guilty of ethical violations. McDonald, a police officer, had defeated incumbent Frank Hawkins, who also violated ethics laws.

Moncrief is under investigation by a grand jury for allegedly violating campaign laws during her 2003 election.

"I voted for her. I'm sorry, but I did," Christensen said. "It proves sometimes the devil you know is better than the

devil you don't."

But there are many neighbors pleased with the closure, including Shean and Darryl Abrams, who said they supported McDonald but now would vote for Moncrief.

The 2007 election is a long time from now, and many things could happen.

Moncrief said she's not worried about not being politically astute. "I'm worried about what's right or wrong for the neighborhood. The last thing I think about is whether my decision is going to get me re-elected."

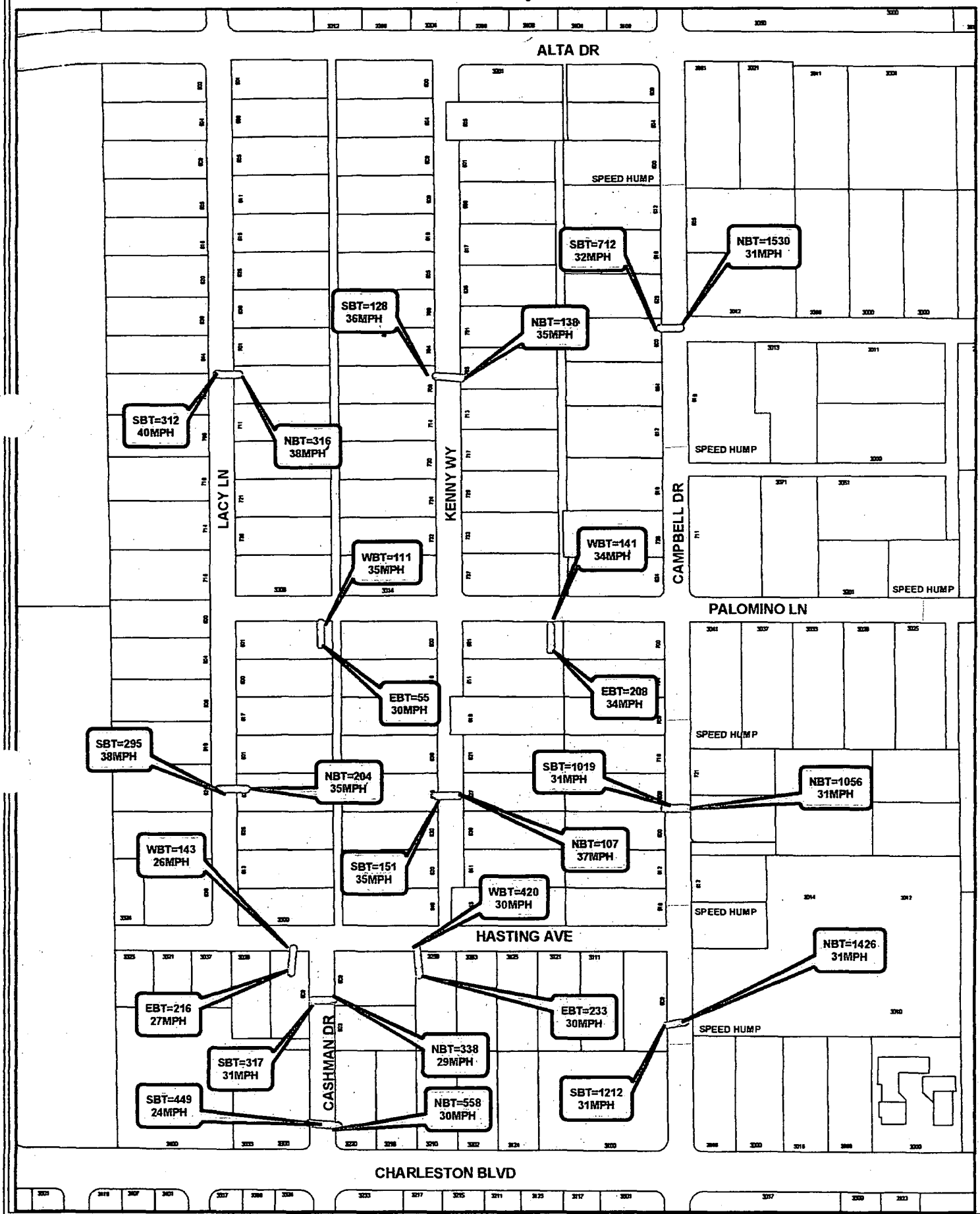
But if the road is closed permanently by the council, it will be a weekly reminder to those 1,600 church members and a daily reminder to 150 or so happy neighbors.

You do the math. The City Council probably will.

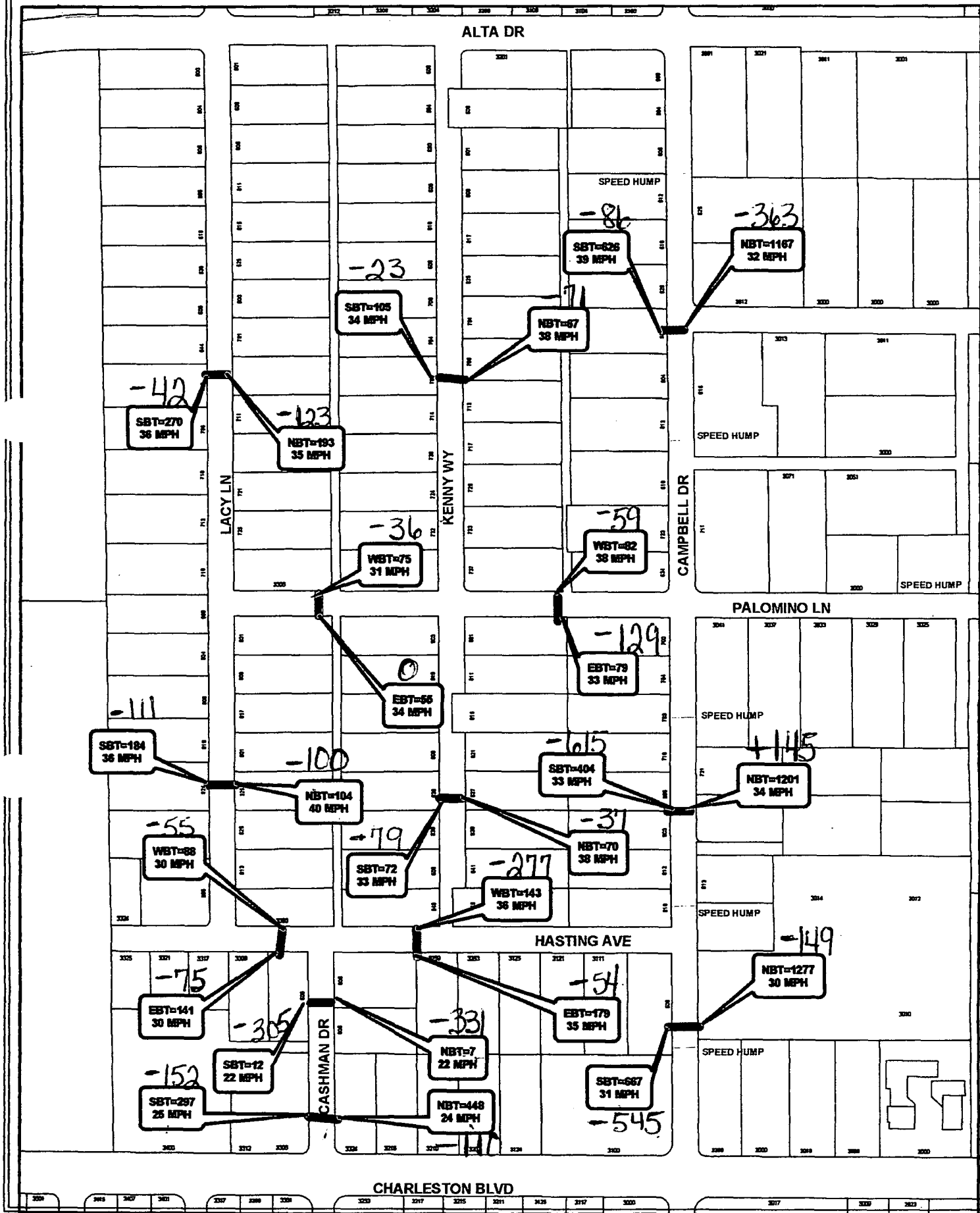
Jane Ann Morrison's column appears Monday, Thursday and Saturday. E-mail her at jane@reviewjournal.com or call 383-0275.

Cashman Ave Closure @ Charleston Blvd

Before Study



Cashman Ave Closure north of Charleston Blvd Afterstudy





City of Las Vegas

Janet Moncrief
COUNCILWOMAN

June 17, 2004

Mr. William H. Stoddard
Albright, Stoddard, Marnick & Palmer
Quail Park 1, Suite D-4
801 South Rancho Drive
Las Vegas, NV 89106

Dear Mr. Stoddard:

Thank you for your letter dated June 11, 2004. I certainly appreciate your input on this matter.

A few months ago, our office was approached by several concerned residents in the area regarding the amount of traffic flowing through their neighborhood. Their major concerns were the safety of the children and preserving this mature neighborhood.

A traffic study was conducted for a 24-hour period in 60-minute increments. This study began on 02/09/04 @ 10:00 a.m. and ended 02/10/04 @ 10:00 a.m. The results of the Nu-Metrics Traffic Analyzer Study showed 458 vehicles passed through Cashman Drive North, off Charleston; 266 vehicles passed through Hastings Avenue West, off Cashman Drive; and 321 vehicles passed through Cashman Drive South, off Hastings. The results alone warranted a permanent closure.

Our office, also, held a Neighborhood Meeting to discuss the traffic flow off Cashman Drive into the neighboring streets. During this meeting, a proposal was made to install temporary closures devices for a 90-day trial period. After the trial period, the City will re-evaluate the effects of this closure. To date, the residents in the immediate area are very pleased. I understand this closure has been somewhat of an inconvenience; but at the same time, it is serving its purpose to minimize the amount of cut-through traffic.

If you should have any further questions or concerns, please feel free to contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Janet Moncrief".

Janet Moncrief
Councilwoman, Ward 1

Submitted at City Council

Date 9/1/04 Item # 63



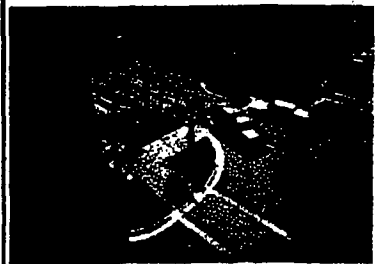


City of Las Vegas
neighborhood
traffic management
program

ntmp

STREETS, A USERS' MANUAL

**A Guide to Las Vegas' Neighborhood Traffic
Management Program**



FINAL DRAFT

September 2001



Submitted at City Council

Date 9/1/04 Item 763

City of Las Vegas
neighborhood
traffic management
program

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INTRODUCTION

If you've ever been concerned by speeding traffic, cut-through traffic, or just too much traffic in your neighborhood, this book is for you. Individuals and neighborhood groups who want to see solutions to neighborhood traffic problems, make their neighborhoods more attractive for pedestrians and bicyclists, and be active participants in improving the quality of life in their neighborhoods will enjoy using this handbook to improve and empower their neighborhoods.

Neighborhood traffic management programs are becoming standard practice for cities taking an active role in managing growth and making sure their roadways are safe, attractive, and convenient for all users. Citizens play an integral role in developing successful traffic management programs for their streets, by using street design tools, education, and enforcement to manage and calm traffic.

In Las Vegas, we too have a traffic management program for residential streets. Our program lays out a process for our citizens and city staff to assess local residential streets and address problems related to speeding traffic, excessive traffic volumes, and safety. This handbook is your guide to that program. It contains information on the relationship between managing traffic and maintaining livable communities. It is a resource that can help you better understand issues, identify opportunities, and recommend improvements to streets throughout your neighborhood. This handbook also illustrates how a successful neighborhood street program is just one part of a successful neighborhood plan. It will help you to participate in the development of possible future improvements while preserving the best aspects of your neighborhood streets. As a resident and daily user of the streets in your neighborhood, your input can provide valuable insight to the activity on the street, what works, and what needs fixing. This handbook will show you how citizens and city staff can get the job done by working together.

.....

HOW TO USE THIS BOOK.

This book is divided into five sections. The first two sections ('The Place We Call Home,' and 'Having Visions') describe the local context—the city and region in which we live—and discuss some basic principles of planning for your neighborhood. In the third part ('Taking It to the Street') the manual explores in greater detail what makes up a street, how streets function, streets and safety, and street design principles. Under 'Tools and Devices' an array of devices that can be used in most neighborhood traffic management programs is presented. Finally, there is useful information on how to actually implement a traffic management project ('From the Ground Up'). A resources chapter and appendix contain more detailed information on traffic management and related issues, and specific city policies.

This manual includes the basic tools you will need in order to begin your neighborhood traffic management program. However, the most important elements of any neighborhood project are the people involved: the involvement, collaboration, and persistence of neighbors cannot be taught by any book, yet these features will be a strong measure of success for your project.

1

THE PLACE WE CALL HOME

The Las Vegas Valley is a popular area and is growing fast. For decades, Nevada has been the fastest-growing state in the nation, and most of that growth has occurred in the Las Vegas Valley. A mild desert climate, affordable land and homes, and an abundance of good family-wage jobs help to make Las Vegas a desirable place to live, for long-term residents and newcomers alike.

Nearly a half-century into this phenomenal period of growth, we are experiencing consequences of our growth spurt – worsened air quality, traffic congestion, suburban sprawl, loss of open space, changes to our landscape and neighborhoods — many fear we are losing some of the very things people originally came here for.

These unwanted side effects of growth are challenges that must be faced in order to maintain the quality of life in our area. In order to accommodate growth successfully, our fast-growing city needs to make policy, design, and management decisions that work well together to create a strong link between transportation and land use. This book will discuss Las Vegas' neighborhood traffic management program and how it encourages good policy, design, and management practices for your neighborhood streets.

For those of us who make Las Vegas our home, the city is more than a dazzle of neon and a roll of the dice. In Spanish, Las Vegas means "The Meadows," a name the town earned as an oasis of springs, creeks, grasses and cottonwoods in the middle of the Mojave Desert. From Mormon settlement to 'Sin City,' our history is rich and complex, and Las Vegas' are not easily categorized.

We Las Vegans like to take an active role in shaping our future. In a recent community vision survey in which over 500 local residents participated, a majority of people indicated a preference for safe, well-designed and pedestrian-friendly streets. These survey results point toward a need for new street design standards that balance the needs of pedestrians, automobiles, bikes, and transit. (See www.questions.net/demo/lasvegas for the sample survey.)



LAS VEGAS' GROWING PAINS

The 2000 census shows that, as it has for the last fifty years, the Las Vegas metropolitan area remains the fastest-growing region in the country, adding about 70,000 people a year to a population of 1.4 million. But troubles abound for this city that was built to grow in supply levels for 40 years ago, from bad air to choked traffic to diminishing water supplies to a downtown ignored by the big money casinos that are just beyond the city limits on the Las Vegas Strip.

Nevada, with a 66 percent population growth rate over the last decade, was the nation's fastest-growing state. Clark County grew by 85 percent between 1990 and 2000. Nevada is attracting young singles and families who find easy jobs in the booming service and construction economy and can afford to buy homes on the suburban fringe. It is also attracting retirees, such as those who have helped make Henderson, a Las Vegas suburb, the fastest-growing city in the nation for the past decade.

The question some people in Las Vegas are asking is how long until this region resembles the places from which people are fleeing. Bad air and clogged traffic are major concerns, so much so that the Environmental Protection Agency has said Las Vegas could lose some federal money if it does not take steps to clean the air.

The smog is in large measure a result of auto traffic and fast-track construction of new homes. Federal officials say a hint that the Vegas boom may be creating the foundation of a new decade.

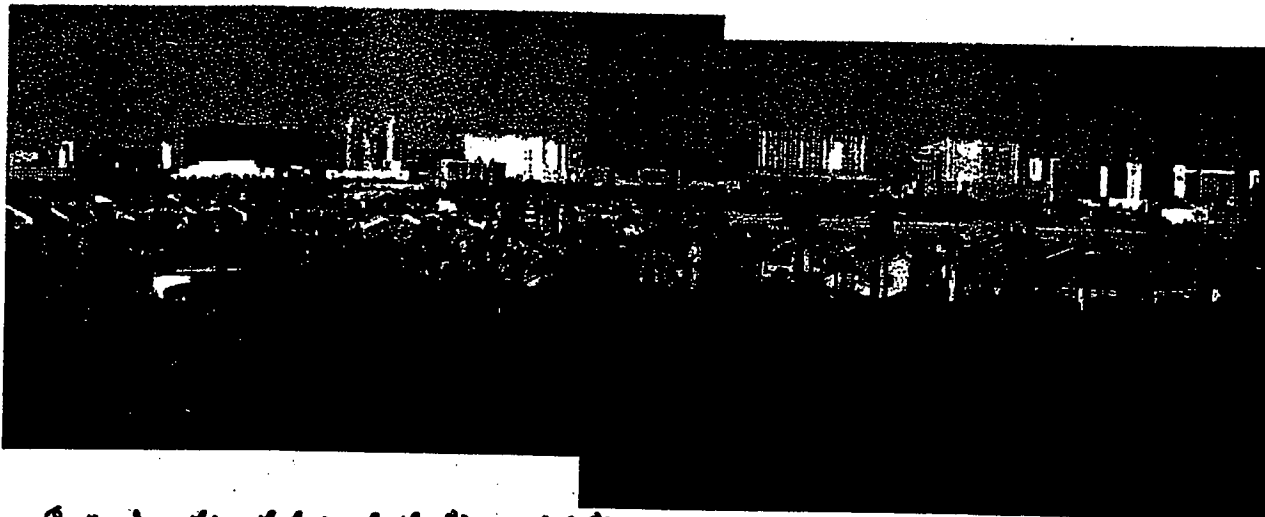
The older neighborhoods close to the city, some of an era when there but Las Vegas was just a city, a train depot with barely 8,000 souls in 1900, are run down, with few services.

The remainder of the city, with the exception of the Strip, is growing out, not in, gobbling up hundreds of desert acres—and precious water rights—every day. Revivification, a city by word, is what Las Vegas Mayor Oscar B. Goodman would like for his city. Since taking office, he has made "reurbanization" his primary goal, voicing a need for more public spaces and downtown housing.

If Las Vegas does not act to channel the additional half-million people expected to move here in the next decade into some semblance of a dense, vibrant city, the mayor said, then it is only inviting the kinds of urban ills that have plagued older cities. But then again, he is not so sure what to make of the metropolis growing fast in the Mojave.

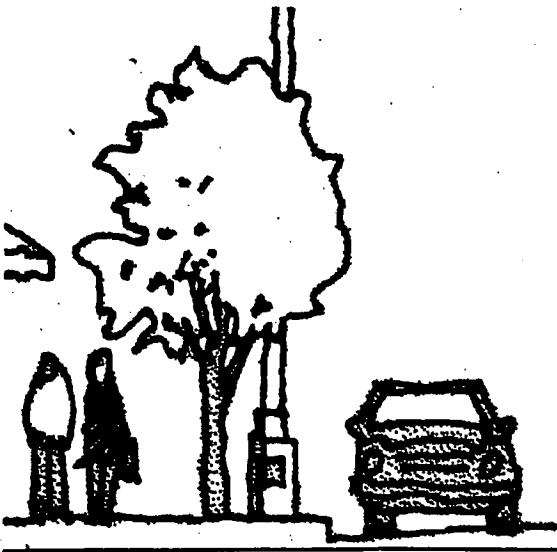
"Las Vegas is either the most unreal place in the world or the most real place," Mr. Goodman said. "I've lived here 37 years, and I've yet to figure out which it is."

Condensed from the New York Times, January 26, 2001.



Continued growth is on the horizon for Las Vegas and the Valley.

2



HAVING VISIONS : PLANNING FOR YOUR NEIGHBORHOOD

WHERE WE ARE AND WHERE WE WANT TO BE—OUR CITY, OUR NEIGHBORHOODS, AND OUR STREETS

Las Vegas Strategic Plan 2005

Before we start to plan for our streets, we must understand the context. A good street program derives from a good neighborhood plan, which fits into the overall vision of a citywide or region-wide strategic plan. Las Vegas's master plan recognizes the need for a comprehensive and organized approach to planning for the future, and that means managing growth, maintaining a good quality of life, and revitalizing our urban core.

The strategic plan understands the need for safe streets and strong neighborhoods, and has a goal of instilling a sense of community, all in keeping with the city's commitment to become a singularly livable city.

Neighborhood planning

Neighborhoods, too, have their own visions, or blueprints, for how they want to grow. Neighborhood planning is grassroots planning, from the bottom up, as opposed to old-fashioned 'from the top down' approach to planning. Instead of government telling neighborhoods what is best for them, governments and neighborhoods now work together to plan for the future of their communities. One goal of neighborhood planning is for citizens and government to work together on projects that will serve both the neighborhood and the city into the future.

MISSION AND GOALS: STRATEGIC PLAN 2005

The vision of the City of Las Vegas is to be recognized locally, nationally, and internationally as a world-class city, a leader in public sector innovation, and a singularly livable city.

There are four areas of emphasis in the Las Vegas 2005 Strategic Plan: growth, quality of life, re-urbanization, and fiscal responsibility.

Neighborhood planning and traffic management directly relate to growth and quality of life strategies. They are also important tools in the re-urbanization of Las Vegas.

People in neighborhoods in many American cities are now directing their own futures, by developing and implementing solutions to their challenges. Neighborhood planning is the forefront of community planning, and has been successful in many American cities.

Planning for your neighborhood

Why do neighborhood planning? As growth and change occur, they affect all portions of the region, including neighborhoods. By working within neighborhoods, focusing on key interest areas, and coordinating with the overall goals and objectives of the city's strategic plan, neighborhood planning can provide specific direction for city policy changes as well as projects that will implement neighborhood visions.

Las Vegas' Neighborhood Traffic Management Program (NTMP) is a good example of how neighborhood planning works. The city and its neighborhoods work together to identify traffic issues of concern and figure out acceptable solutions. Neighbors meet neighbors at public meetings or while working on a piece of their overall traffic management plan. City staff can get to know the neighbors in each community and can look to them for guidance on future projects. The final product, a neighborhood traffic management plan, is a blueprint for the future that has the support of the community and the city.

What is a neighborhood, and how is it defined?

Neighborhoods are typically defined by geographic, physical, and social characteristics. A neighborhood is also defined by its street grid or network. Neighborhood streets should have a hierarchy: residential streets tend to be narrower, accommodating slower moving local traffic, parking, landscaping, and sidewalks. Wider, busier streets are often the location of major commercial and cultural activities, and may also define the edges of the neighborhood. Neighborhoods may be characterized by their mixed uses, including a diversity of housing types, and a variety of commercial buildings of different sizes and ages.

One of the best qualities of a strong neighborhood is walkability. Walking from your home to transit, shopping, or your job along the streets in your neighborhood has many benefits, not the least of which is that walking is great exercise. Walkable neighborhoods have balance: commercial areas are near residences, cars travel at speeds that are compatible with walking and bicycling so that all users can travel comfortably. Streets in shopping districts are easy to access by pedestrians and have buildings with shop windows adjacent to the sidewalks with parking along-side or behind the building.

What is in a neighborhood plan

A good neighborhood plan includes a vision statement, along with its goals, objectives, and a list of proposed projects to achieve the vision. It identifies assets, challenges, and areas of opportunity: parks and open space, neighborhood landmarks, neighborhood business, public safety, transportation, traffic, and parking, jobs, education, institutions, 'neighborhood character,' and design elements. Neighborhood plans can deal with land use, economics, transportation, job retention,

housing, public safety, arts and culture, and planning for major institutions. An NTMP is one element of a good neighborhood plan.

GROWING SMARTER

In communities across the nation, there is a growing concern that current development patterns – dominated by what most call “sprawl” – are no longer in the long-term interest of our cities and existing suburbs. Though supportive of growth, communities are questioning the economic costs of low-density sprawl, which requires massive amounts of infrastructure to support it. They are questioning the social costs of the imbalance between new employment locations in the suburbs and the available workforce in the city. They are questioning the wisdom of eating up the open space at the suburban fringe, and polluting the air of an entire region by driving farther to get places. Spurring the smart growth movement are demographic shifts, a strong environmental ethic, increased fiscal concerns, and more nuanced views of growth. The result is both a new demand and a new opportunity for smart growth.

Smart growth recognizes connections between development and quality of life. It leverages new growth to improve the community. In general, smart growth invests time, attention, and resources in existing communities and virtually no existing developed areas. New smart growth is more than better transit and better transit-oriented, and has a greater mix of housing, commercial and retail uses. It also preserves wilderness and many other environmental amenities. But there is a common thread to all solutions: successful communities tend to have one thing in common – a vision of where they want to go and of what things they want in their community – and their plans for development reflect these values.

Closely related to Smart Growth is the New Urbanism movement. Based on the development patterns used prior to World War II, New Urbanism seeks to reintegrate the components of modern life – housing, workplace, shopping and recreation – into compact, pedestrian-friendly, mixed-use neighborhoods linked by transit and set in a larger regional open space framework.

New Urbanism is best known for projects built in new growth areas, but the principles defining New Urbanism can also be applied successfully to sites within existing urbanized areas. In fact, the leading proponents of New Urbanism believe that infill development should be given priority over new development in order to revitalize city centers and limit sprawl.

Major Principles of New Urbanism

- Compact, walkable neighborhoods with clearly defined edges, and a center including public uses.
- Neighborhoods that encourage transit use and pedestrian activity without excluding automobiles. An interconnected street network (usually in a grid pattern), forming coherent blocks where building entrances front the street rather than parking lots.
- A diverse mix of activities (residences, shops, schools, workplaces and parks, etc.) within walking distance.
- A wide spectrum of housing options. No large developments featuring a single use or serving a single market segment.
- Prominence given to civic buildings and open spaces.

*Adapted from the executive summary of *My Smart Growth: A Primer* by International City/County Management Association with Geoff Anderson, July, 2000, and *New Urbanism Basics* by the Congress for the New Urbanism from their website: www.cnu.org*

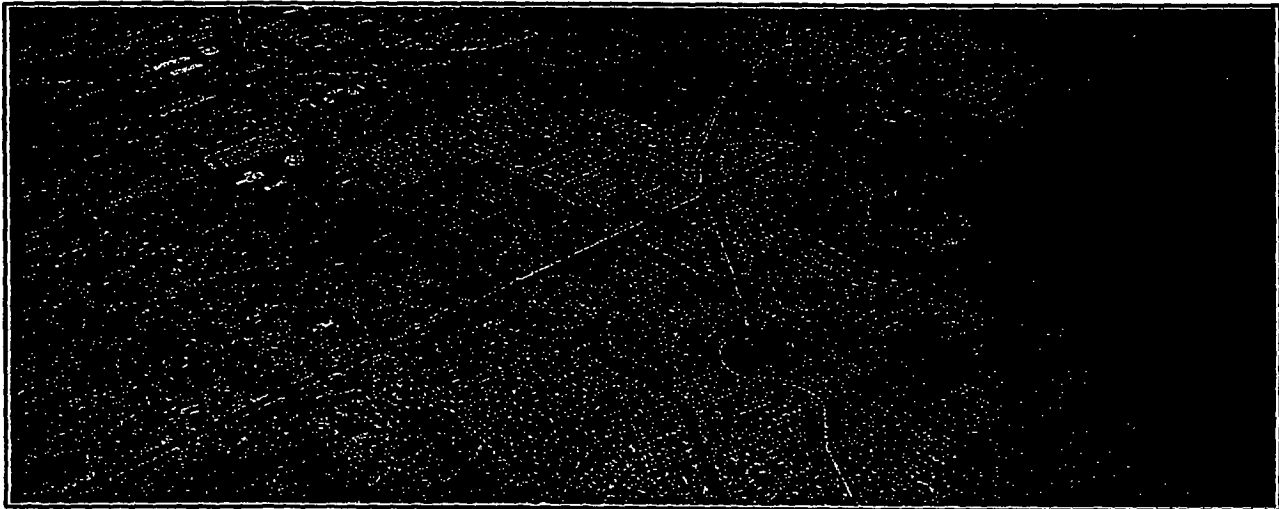
3

TAKING IT TO THE STREET

We started with a citywide vision and have taken it to the neighborhood level. Now it's time to bring your neighborhood vision to street level. First, let's discuss how your streets fit into a regional transportation network.

From the narrowest alley to the largest interstate highway, all streets help us to get around our growing region. From trucks to cars to pedestrians to bicycles and buses, Las Vegas's street system accommodates many modes of transportation and connects to other modes, such as air and rail.

Each street has a different function and can be designed and operated to carry out this function as effectively as possible.



Consider how the streets in your neighborhood fit into this city and regional street system:

- *Interstate highways and many principal arterials are designed to carry large volumes of people and freight over long distances at high speeds.*
- *Streets in business districts are designed to accommodate pedestrians, cars, transit, bicycles, and serve a mix of activities.*
- *Streets in residential areas are designed to carry people to and from their homes.*

WORD ON THE STREET

What is a street? Who uses it?

Streets are the principal public space in any city or town. Historically, streets were used more for communication and public gathering than for transportation. In modern times, the emphasis has been almost exclusively on transportation, and most recently, on moving cars. A growing number of people want to correct what is perceived as an unbalanced use of the street, and are working to restore a more balanced set of uses to neighborhood streets.

Streets still serve a variety of functions, including:

- **Linkage.** They connect parts of cities to each other, one town to another, and activities and places.
- **Transportation.** They provide the surface and structure for a variety of modes. All modes and users should be provided for: pedestrians, bicyclists, transit, motor vehicles, emergency services, and maintenance services.
- **Access.** They provide public access to destinations.
- **Public right-of-way.** Space for utilities and other infrastructure is a necessary but often unseen function of the street.
- **Space and place.** The street is a definable place, a place for people to interact, and the heart of a community. In this role, some streets often serve as a place for parties, fairs, parades and community celebrations.

Streets are often designed to emphasize some functions over others. At one extreme is a limited access highway, which serves as a corridor for motor vehicle travel. At the other is a private cul-de-sac, which has no linkage and limited access. Some streets may have been improperly designed, so that certain desirable functions are not met. Examples include commercial streets where access to destinations is difficult, and strip development along high-speed roads where no sidewalks or pedestrian crossings exist. Poor street design can be bad for business!

When streets and roads are evaluated for improvements, it is helpful to consider whether the design effectively meets all the desired functions of the roadway. If not, the street should be redesigned to adequately meet those functions.

Streets must balance the needs of, and be shared by, all users

The objective and principal challenge of a neighborhood traffic management program is to develop and implement a plan that can successfully balance the needs of the many users of the street. In some cases, this may require shifting a balance that now falls in favor of the automobile to include pedestrians, bicyclists, and transit.

Hierarchy of streets: balancing needs for all users

Street classifications define the function of a street and the standard to which it should be designed and operated. Many factors are taken into account when determining a street's classi-

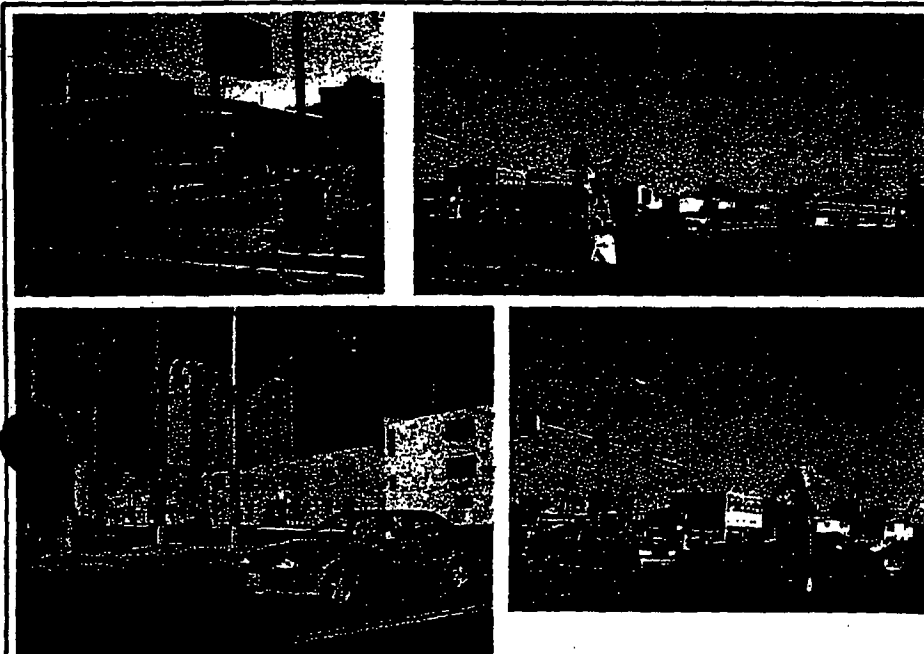
fication. These include: travel demand, street right-of-way width, maintenance costs, needs for access to adjacent property, safety, preservation of neighborhood character, distance between arterials, adjacent land uses, connections to the regional transportation network and to major destinations. Street classifications can limit the kinds of possible design or operation changes to a street.

The terms 'arterial streets' and 'residential streets' are used throughout this guide. The treatments presented in this guide are most appropriate for use only on residential streets. The use of nearby properties determines the category into which each street belongs. The arterial street system is designed to carry the majority of the traffic through and around Las Vegas. An arterial street generally carries 1,500 to over 40,000 vehicles per day. Residential streets are designed to provide access to and from individual homes to destinations via the arterial system and generally carry fewer than 1,500 vehicles per day.

Anatomy of a street

What are the components of a street? Who 'owns' the street? Who maintains it? What are the roles and responsibilities?

Each street has an anatomy of parts, and each component has its function. Curbs, for example, perform several functions including defining the edge of the roadway, separating pedestrians from motor vehicles, and channeling excess runoff water to storm drains. Streetlights increase our ability to see and be seen after dark, and in doing so increase safety. Streetlights can also be used as an urban design element of the streetscape. Signs orient us to our location and warn us about upcoming obstacles or changing conditions. Utilities and sewers, though often underground, are equally important to the smooth function of streets.



A closer look at the street reveals interplay of buildings, streets, and sidewalks, and how cars, pedestrians, bicyclists, and transit all fit together to make the neighborhood street function...or not.

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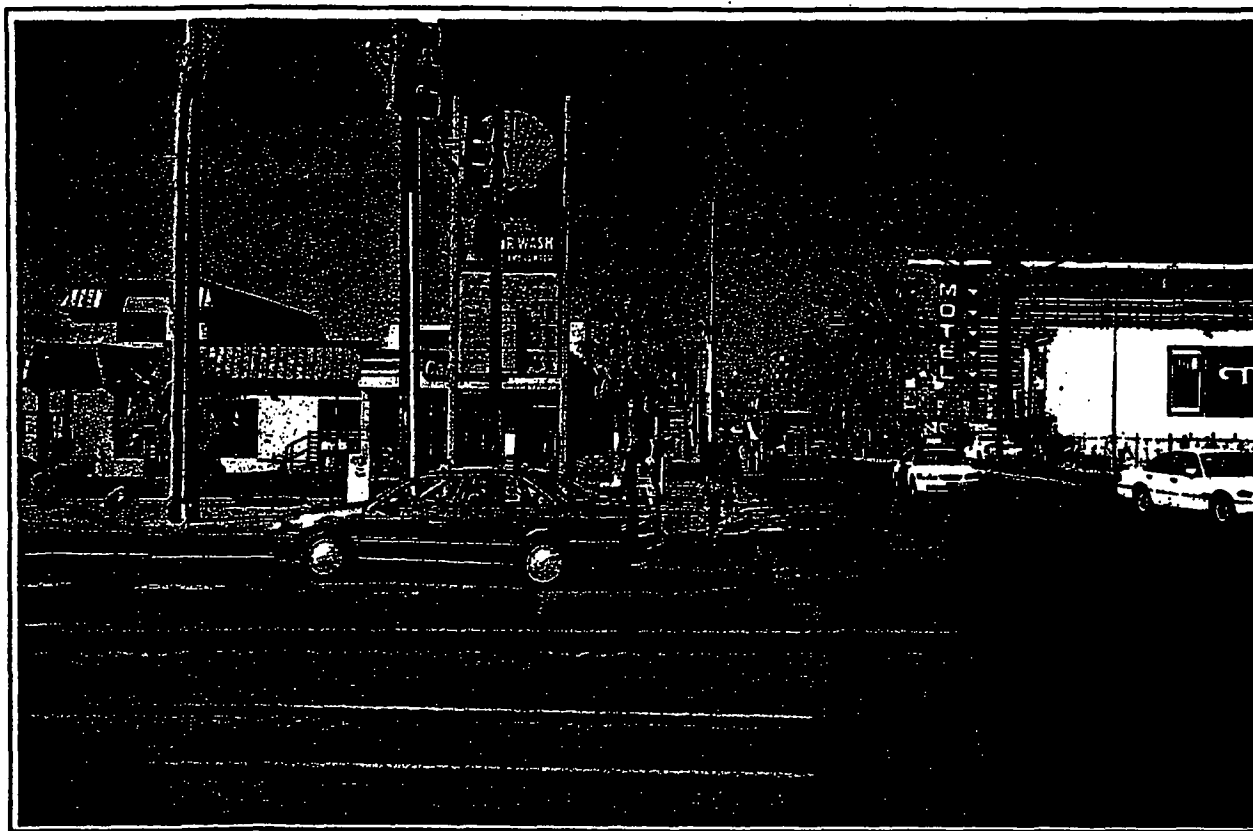
The street is more than the sum of its parts, however. Streets are the basic framework on which a neighborhood, a city, and a region, are formed. For example:

The street right-of-way is the publicly owned area between property lines. It can include elements such as lanes for vehicle travel, parking lanes, sidewalks, street furniture, bus stops, utility poles, and planting strips, and signs.

The intersection of two streets is the area where drivers, pedestrians, bicyclists and other users of the street meet and navigate the same space. Traffic control devices such as stop signs or traffic signals help define who has the right-of-way. Crosswalks and curb ramps help define the pedestrian crossing area, and make crossings easier and safer.

Sidewalks and unpaved shoulders are frequently the scene of some of the liveliest activity on the street right-of-way.

The picture on this page will help you to understand the workings and complexity of a street.



This cutaway view of a Las Vegas street shows all the activity that takes place on, around, and under the street.

STREETS, LAND USE, AND URBAN DESIGN

How the design of a street affects neighborhood character and activity

Transportation and land use are closely linked. Higher density land uses make it more efficient, easier, and cheaper to provide transit service, and can attract pedestrians and bicyclists. Mixing land uses provides opportunities for living, shopping, and working in the same area, reducing the need for vehicular travel. In lower density areas, the automobile is often the only means of transportation.

The street environment is shaped by the location and design of adjacent buildings. These are controlled by land use ordinances. Buildings with blank faces on the street are unpleasant to walk along, while those that are built to the sidewalk and have windows and entrances are inviting to pedestrians. Buildings that have signs readable at driving speeds, or are separated

TRANSPORTATION CHOICES AND LAND USE

Which came first: the strip mall or the highway to nowhere? It can sound like a chicken-and-egg scenario, but the interrelationship of urban form and the street network is very closely linked. A street that favors pedestrians and walking is usually narrow, with shorter distances between crosswalks, houses and/or small storefronts, and has slow-moving traffic. There may be amenities such as pedestrian-scale lighting, trees, telephone booths, and newspaper boxes. A street which favors the car features more (and typically wider) traffic lanes, great distances between crossings, large-scale commercial or retail buildings, and amenities for cars, such as curb cuts, driveways and drive-throughs, large parking lots in front of the buildings, and turn lanes. Such streets can move many cars quickly, but pedestrians and bicyclists are not likely to be comfortable in such an environment.

from the sidewalk by drive-ways or parking lots are designed for drive-by traffic and create an automobile-oriented environment.

Some land uses lend themselves to certain kinds of street activity and transportation choices. For example, a coffee shop with outdoor seating is a magnet for pedestrians. Customers will come by foot, bus, and bicycle to enjoy the ambience of the street while they drink their coffee. On the other hand, a car wash or gas station

creates an entirely different type of environment: one that is convenient for automobile access, but difficult and undesirable for pedestrians.

The same kind of use can be designed to give priority to one type of user over others. For example a bank can be designed with a front door and a walk-up cash machine that faces directly onto the sidewalk. The same bank can be designed to favor the automobile by locating its 'front' door facing a parking lot. In these examples, the activities are closely tied to the patterns of transportation choice and affect the character of the streets on which they are located. These various mixes of access have profound effects on the street and on neighborhood character.

The density of residences and/or employment in an area is also an important factor in what happens on the streets. Above a minimum threshold of residential density, transit service will be

viable. Moreover, a 'critical mass' of neighborhood activity can sustain a variety of retail shops that are accessible on foot or on bicycle.

The overall activity patterns of an area are very important to understanding the roles that streets play in creating a livable city. Areas with a diverse mix of residences, shops, restaurants, and other destinations open into the evening hours will indicate the overall importance of pedestrian activity and transit service. In contrast, streets in a quiet, low-density residential area may be best suited to accommodate local traffic and deliveries. The neighborhood planning work you do with this book will be based on these kinds of distinctions.

COMMUNITIES RECLAIMING PEDESTRIAN PLACES

When Sarah Van Gelder moved to suburban Seattle with her husband and daughter, she was drawn by a seemingly affordable, family-friendly neighborhood on a hill that was a short walk to the glittering blue waters of Lake Washington. But despite being able to get occasional glimpses of the lake and having a few backyard trees, vestiges of the area's once plentiful forests, the young mother was shocked to find the suburban lifestyle anything but healthy. The main streets, says Van Gelder, "are a nightmare of speeding cars and congested intersections flanked by gas stations and tiny, one-lane streets, sidewalks." The beach was just a 15-minute walk away, but the jumble from the cars lining up the road beside the sidewalk, the danger of letting go of my daughter's hand for even a second, made the trip impossible. "The evening out, on most, I felt like a rat in a maze," she says, recalling that her quest for back streets always led nowhere, back into the main traffic arterial. Having just moved from a lively, walkable city neighborhood, where shops, parks, and conveniences were situated close by, she found street life in suburbia stifling.

"People living next to each other for years didn't even know each other. Maybe it was because people walked directly to their garages from the house," she laughed, "never even setting foot on the street!"

Van Gelder's situation reflects the suburban life most Americans live. But if studies like those by Anton Nelessen of Rutgers University are correct, most people prefer a traditional neighborhood to the communities created by many developers today.

Using questionnaires and land-use photos, Nelessen has found that people he surveyed are attracted to open space surrounded by higher-density buildings and narrower streets than are found in most suburban streetscapes. This social dissatisfaction could be what is making the old-style Main Street new again. "People want to be able to walk again, and want a more powerful sense of community," says Peter Calthorpe of San Francisco, a leading planner among the New Urbanist designers of walkable, mixed-use developments. Such streetscapes can vastly improve quality of life, he says, while raising real estate values in the process. Among other benefits: lower crime rates, greater sense of community, better environmental quality due to lower dependence on cars, and improved health from more exercise.

A survey conducted in Las Vegas in 2000 revealed a similar desire for more traditional neighborhoods and commercial districts. (www.questions.net/demographics/)

"People's lifestyles are intimately connected with their health -- and physical design can be a key part of that," says Sarah James, an architect/planner in Cambridge, Mass. "That extends from feeling comfortable walking down a street to feeling physically safe and less vulnerable to street crime."

Adapted from a web article by Frances Green, www.newurbanist.com/

WHAT IS TRAFFIC MANAGEMENT? WHY HAVE A NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN?

Traffic management is a process for identifying and addressing problems related to speeding, excess traffic volume, and safety on streets. The practice of using roadway geometry to improve safety has come to be known as traffic calming. Speed bumps, curb bulbs, and other combinations of geometry, landscaping, and street furniture can be effective in lowering drivers' speed on local streets.

Traffic management and traffic calming: what's the difference?

Although they are sometimes lumped together, traffic management and traffic calming are different tools and address different problems. Traffic management includes the use of traditional traffic control devices to manage volumes and routes of traffic. Traffic calming deals with what happens to traffic once it is on a street. For example, limiting access to a street (e.g., diverting traffic from entering a street on one end) may reduce the amount of traffic on that street, but will do nothing to affect the speed of the traffic that travels on that street or others. Traffic management and traffic calming are often complementary, and a plan to retrofit an area often includes a variety of tools.

Communities should think about the broader context of traffic. If there is too much traffic on any one street, it may be that there is too much traffic everywhere. A more significant plan to reduce overall traffic volumes would be appropriate: encouraging and providing for alternate modes of travel, implementing transportation demand management, enhancing transit systems, and improving land use planning. Comprehensive traffic reduction or mitigation strategies are important but beyond the scope of this guide. Resources that provide guidance on these issues are included in the reference section.

Livable Las Vegas

Most neighborhood groups undertake a traffic management program because they are seeking a more livable community. A livable community is one that is safe, secure, and attractive, where it is easy to travel by bicycle, car, transit, or on foot. In a livable community, there are many opportunities to interact with other people because the streets are pleasant places to walk and socialize.

Traffic calming addresses the following measures of livability:

- **Access and mobility:** Safer streets balance mobility and access for all users, particularly for those who travel by non-motorized means, like pedestrians and bicyclists. This is especially important for children, the disabled, and the elderly.
- **Quality of life:** Traffic calming improves 'livability' by reducing the number of automobile trips taken, thereby decreasing levels of pollution and traffic-related noise. Traffic calming devices can provide additional space within the street right-of-way for landscaping, street furniture and outdoor eating areas, and transit shelters. These amenities create pleasing

streets that attract pedestrians, encourage people to walk more frequently for short trips, and increase the likelihood of interactions among neighbors.

- **Safety:** Traffic travels slowly on traffic-calmed streets, resulting in fewer and less severe accidents. The number of fatalities due to motor vehicle crashes is also reduced on streets with slower-moving traffic. In fact, streets where traffic management or traffic calming is at work are proven to be safer than other streets in a variety of ways, as shown below.

STREET DESIGN AND SAFETY

Setbacks, street walls, and speeds

When buildings are set back far from the street edge, the roadway appears to be very wide. This often results in excessive vehicle speeds. Buildings that are closer to the sidewalk create a 'street wall' that frames the street and narrows the driver's field of vision. Taller buildings placed close



This pharmacy is set back from the street, in a parking lot.



This grocery store is next to the sidewalk, creating a street wall.

together create a solid street wall and give the street a sense of enclosure. Pedestrians tend to feel more comfortable walking on streets with a sense of enclosure. How wide are your neighborhood streets? Is there a sense of enclosure?

A recent community vision survey for Las Vegas showed that the most popular images were those showing tree-lined streets in residential areas, and commercial buildings close to the street in business districts (as shown in the photograph above at right). Both trees and buildings contribute to the sense of enclosure.

Studies also show that drivers will drive faster on wider, straighter streets than on those that are perceived to be narrower. In a recent study in the city of Longmont, Colorado, the most significant relationships to injury accidents were found to be street width and street curvature. The analysis illustrates that as street width widens, accidents per mile per year increases exponentially.

(Peter Swift and Associates, Longmont, CO, 1998. From their website (<http://members.aol.com/Phswi/Swift-street.html>)).

Safety and driver behavior



Field of vision at 15 mph...



at 25 mph...



at 30 mph.

Maintaining slower speeds allows drivers to be more aware of their surroundings. The series of pictures above shows how a driver's field of vision is reduced as he or she increases the speed of the vehicle being driven. The setting for these pictures is a busy street in a commercial district. Shops and residential buildings line both sides of the street. At 15 miles per hour (mph), the driver can see that he or she must share the road with pedestrians and bicyclists. At 25 mph, the driver's field of vision is greatly reduced and at 30 mph, all the driver sees clearly is the roadway in the distance.

Streets and life safety

Another area of concern often expressed by those dealing with the subject of traffic management and traffic calming is maneuverability and response time for emergency vehicles, typically fire trucks. A recent report shows that many kinds of traffic calming devices and strategies can work effectively and still permit unimpeded access for these vehicles. (*Emergency Response, Traffic Calming and Traditional Neighborhood Streets*. Local Government Commission, Sacramento, CA, 2000.)

Related to this theme, communities must also decide their safety priorities when designing their streets and undertaking traffic management and traffic calming programs. While fire rescue is of primary importance, so is the prevention of injury and death on neighborhood streets. Fire safety is but one part of the larger picture of life safety. And in neighborhoods, the biggest threat to life safety, by a very large margin, is car accidents. Indeed, if wider streets with wider turning radii are actually contributing factors to increases in accidents and injuries, as current research indicates, perhaps it is time to reconsider priorities for public safety when designing streets and traffic management programs.

TOOLS AND DEVICES: DESIGNING A NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

PLANNING FOR YOUR STREETS

Now that you have been introduced to some of the basic concepts about streets, you are ready to develop a traffic management program as part of an overall program to make your community more livable.

Las Vegas' Neighborhood Traffic Management Program

The City of Las Vegas adopted a neighborhood traffic management program for residential streets in 1995. The program represents the commitment of the City of Las Vegas and its Department of Public Works to the safety and livability of Las Vegas' neighborhoods. See the appendix of this book for details on Las Vegas' neighborhood traffic management program.

The planning process—where are we now, where do we want to be, and how do we get there?

While this guide can be used by individuals as a reference for understanding streets, it will be most effective when used as part of a larger plan involving many people. That plan can be for a single block, or the streets of an entire neighborhood; it can focus on a single issue, such as the design of a

LAS VEGAS' NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM OBJECTIVES

- Improve neighborhood livability by mitigating the impact of vehicular traffic on residential neighborhoods
- Promote safe and pleasant conditions for all users of neighborhood streets.
- Encourage citizen involvement in all phases of neighborhood traffic management activities
- Make efficient use of city resources by prioritizing traffic management requests
- Support policies contained in the comprehensive plan

street, or cover issues other than streets.

Making choices about the design of and possible changes to streets is a form of planning. Planning offers a way to solve problems, balance differing points of view, and set and achieve goals. Planning is also a cyclical process, in which ideas are tested against goals and actual conditions to find the best solutions. Neighborhood planning involves working closely with others in your community, as well as professionals in government and the private sector.

Getting started

Where should you begin investigating potential traffic safety problems? Which areas should be identified? What can you do to improve the quality of life in your neighborhood? What are sources of data that you can use to begin studying your community? Whom should you contact to get more information? This chapter will help you answer these questions and take you through the process of preparing a traffic management plan for your neighborhood.

Will traffic management work in my neighborhood?

Traffic calming and other traffic management strategies can work in most neighborhoods. Communities that are organized, active, and motivated are most likely to design and carry out effective traffic management programs. Communities with a capacity to develop a plan for their future and work together to carry it out are likely to find and solve traffic problems. Strong communities where people look out for each other and place a high value on the quality of their neighborhood have what it takes to set up and carry out a traffic calming program.

Traffic management is a process as much as a product. Because traffic management is a relatively new idea in Las Vegas, most people do not understand its benefits. Many people would rather live with what they have than entrust their future to an unknown idea or plan. Because people who live within a neighborhood have the ability to generate widespread support, they are in a better position to make changes to their street. For traffic management to be accepted, a majority of the people living in the area must be in favor of the program. Typically, 60 to 75% approval from neighbors is sought by the city in order to begin a traffic management project.

The process works best if many people are involved: your neighbors, students and staff from nearby schools, local business owners and employees, city staff, representatives from police and fire agencies, and anyone else who uses neighborhood streets on a regular basis.

Reach out

Get everyone involved. A good plan is one on which the neighborhood and the city can have consensus. Develop a process for frequent and open meetings and plenty of opportunities for public involvement to suit all age levels, abilities, and interests.

Identify groups or individuals whom you are likely to be working with. Include those who may be opposed to your project!

What organizations currently exist to serve your neighborhood? Are there new ones to be formed?

What are the issues facing your neighborhood?

Who are your contacts with city and regional government? How is your neighborhood connected (formally or informally) with these agencies? What are the roles?

The neighborhood charrette

One good way to get people involved is to hold a neighborhood design workshop, also called a charrette. It is an intensive, fast-paced, highly interactive workshop where everyone's ideas, hopes, and issues about the neighborhood are expressed, and then organized by the charrette leaders into a clear action program for future work.

Charrettes work best when they involve as many members of the community as possible. The activities that take place during a charrette draw out issues and problems and help people to identify practical solutions, or longer-term approaches to problems. The priorities and projects coming out of a charrette will form the framework of your traffic management program.

THE NEIGHBORHOOD CHARRETTE

1. **Find a location.** Select a time and a place in a location that is easy to get to. A good rule of thumb is to select a place that can be reached easily by someone in a wheelchair. Make sure the room is large enough, has plenty of tables and chairs, and can be darkened to show slides.
2. **Invite people.** Work with your city staff contacts as well as neighborhood friends and groups to advertise the charrette. Invite your neighbors. Phone calls, fliers, and announcements at meetings are good ways to spread the word. On the day of the charrette, post signs to direct people to the right room. Have nametags and something to eat or drink. Encourage people to sign in so you can compile a mailing list to inform people of the progress of your project.
3. **Show slides.** Begin the program with a slide show of traffic management treatments that explain how traffic management can make communities more livable.
4. **Identify the problem.** Following the slide show, invite people to describe their street-related problems. Have someone from the group be a "scribe," that is, record everyone's observations on a flip chart. Post the lists on a wall.
5. **Vote.** After everyone has had a chance to speak, give each participant up to ten colored dot stickers and ask them to place dots on the statements that describe their highest priorities.
6. **Work.** Following the voting, ask the participants to assemble in small groups of six to eight participants. Each group gets a large-scale map of the study area. Each group should take 30 to 60 minutes to identify on the map solutions to the problems the entire group has identified in the previous exercise. A scribe takes notes and a group leader is appointed to help keep the group focused on the task. The group leader summarizes the results of the exercise.
7. **Present.** Each table sends a presenter to describe the team's issues and solutions. Typically, the audience begins to realize that many of the groups are in agreement on key issues. The design team can work out any areas of disagreement later.

DEFINING THE PROBLEM

Define and describe a neighborhood vision

Streets are public places and are used by many people over the course of an average day. By working together, neighbors can define a successful street environment for their neighborhood—how the streets should function, and how they should look. These descriptive terms for the character of the neighborhood and its streets form the core of a neighborhood vision.

Neighborhood visions for Las Vegas

These are some of the responses given by residents of two Las Vegas neighborhoods when asked to describe a vision for their neighborhood ten years from now:

General character

- A destination, and a place to enjoy
- Quiet
- Well-kept
- Walkable
- Safe for everyone
- A good place to raise children
- Stable

Community involvement

- More involved neighbors with better participation
- Great sense of community pride
- Neighbors knowledgeable of neighborhood history and context

Physical appearance and land use

- Attractive landscaping
- Single family homes and long-term resident homeowners who care for their homes
- No more busing, but neighborhood schools

Safety

- Better lighting
- More police presence
- Safer school bus stops

Transportation and access

- Less traffic, especially less cut-through traffic
- Traffic calming on busier streets
- Slower traffic
- Better signage and traffic control, with traffic regulated to 15-25 mph
- A better way to reach the nearby shopping center, by foot or by car
- Re-use of horse (or other recreational) trail
- More entry and exit points to and from the neighborhood

Take stock of your streets: inventory, problem areas, and type of problem

Once you have agreed on your vision for the neighborhood and its streets, the next step is to inventory what is there now. For streets, there are two important components to this step—identifying the local street network, and the neighborhood streets' role in the larger transportation network. To help define those roles, every street in the city has been assigned a street classification. Your street's classification will, in part, suggest the tools that may be appropriate and the options available for traffic management and street redesign.

Map your neighborhood

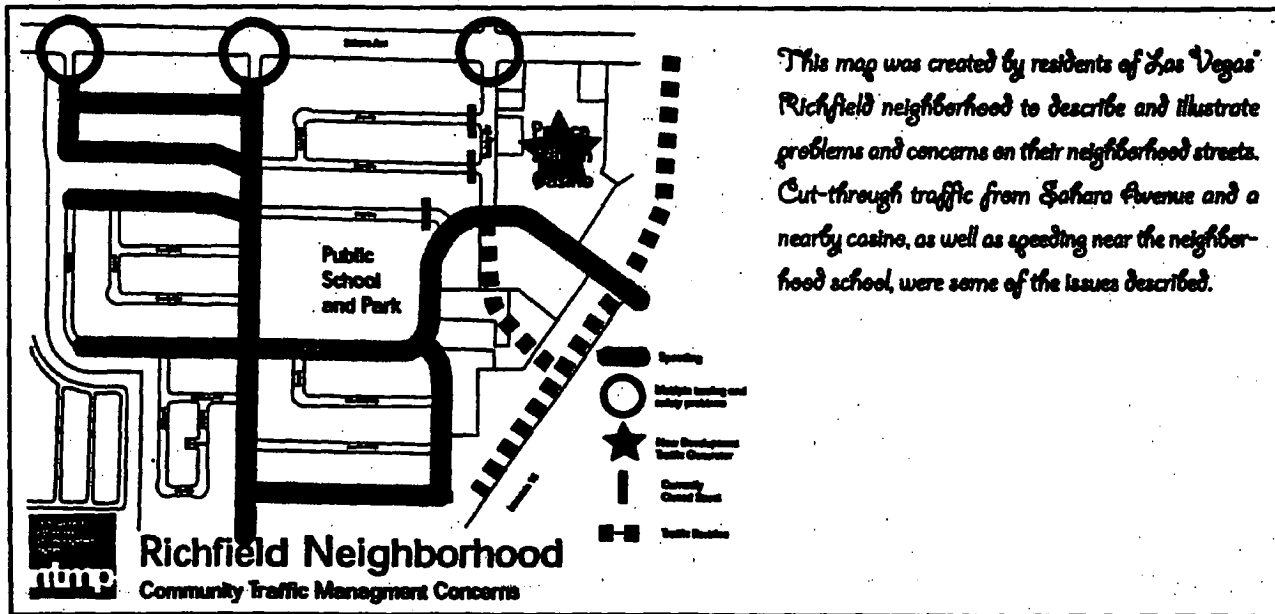
Exercise: Define and describe your neighborhood. Show how it is connected to other parts of the city and region.

Identify neighborhood boundaries, landmarks, major institutions and sites, general land uses. What are the major destinations? Identify supermarkets or shopping centers, library, post office, schools, places of worship, businesses, and gathering spots. How do people travel to these places? At what times of day or days of the week? How do they get there?

Diagram your street(s)

Start with basic features, such as the width of the street right-of-way, intersection dimensions (are the turning radii large or small?), number of lanes (how wide are the lanes? are they marked?), and adjacent land uses (e.g., residential, institutional, commercial). Show physical characteristics, such as the width of the sidewalk and planting strip, how the lane by the curb is used (for parking? loading?), locations of streetlights, and landscaping, if any.

Diagrams can also show relevant traffic information, such as traffic volumes and speeds, peak hours of travel, turning patterns, collision history, conflicts, transit and bicycle routes and volume, freight use, and pedestrian patterns and volumes. Traffic 'bottlenecks' or particularly busy intersections can be indicated. You may need several diagrams to show this information, along with how your street fits into the larger urban transportation network. See the sample from Las Vegas' Richfield neighborhood on the next page. Be sure to describe problems/issues objectively.



The Richfield neighborhood began their neighborhood charrette by describing areas of concern regarding local traffic (as shown above), and concluded by recommending possible solutions.

Analyze results

Ask questions! What works well now? What does not work well? Can pedestrians walk along the streets and cross safely? Is there a sidewalk, and is it in good repair? Is visibility good for pedestrians, drivers, and bicyclists? Does traffic flow smoothly at speeds appropriate for the neighborhood? Is there enough room for trucks (including emergency vehicles) to maneuver safely, and at intervals of 300 feet or less? Do all signs and signals function as they should? Are bus stops attractive and safe? Can bicyclists travel through the area safely and easily? Is the street freely accessible for people with disabilities? Is the street attractive and free of litter? Does it display the quality and character of the neighborhood? Are there adequate lighting and drainage? Are noise levels acceptable? Is there landscaping? If so, is it healthy, appropriate to a desert climate, and located in the correct places?

Make a plan

This next step is one of the most critical. It is time to match your vision with a plan, one that is informed by the challenges posed by your street and neighborhood inventory, and is also realistic in the time frame and budget you have allotted.

Examine the tools in this chapter for how they might help your neighborhood achieve your vision for the streets. Each tool description includes advice on the general situation in which that tool would be appropriate, but whether or not a tool is appropriate ultimately depends on the specific circumstances of a location.

Once potential street improvements have been identified, you will need to work with your city representatives to determine the tools' feasibility at the selected sites. It is important to consult

with city staff early in your street program, to ensure that your street improvement program is consistent with existing traffic regulations and requirements.

DO NOT SHIFT THE PROBLEM

We've already mentioned that every street is part of a larger network. And a basic scientific principle states that "every action has a reaction." So what happens if you design a neighborhood street improvement? Well, chances are that, unless it is designed properly and takes other streets and adjoining neighborhoods into account, your street improvements are going to be someone else's traffic problems.

Don't shift the problem. If access is limited on a busy street, or if a residential street is closed, the traffic will not go away, it will just go somewhere else. Examine how the improvements you are recommending affect adjacent streets and neighborhoods. If your neighbors will be negatively affected by a proposed street improvement, it is time to think about another solution. As we stated earlier, sometimes too much traffic on one street means too much traffic everywhere, which means it is time to think about region-wide solutions and transportation alternatives.

Build consensus early. If you have a street improvement project that you think would be of great benefit to your neighborhood, make sure to ask others in your community if they support your plan. Building consensus among your neighbors is essential. Including your neighbors NOW will help you in the future as you begin to take the steps necessary to get a street improvement approved and constructed. In many cases the city will require a neighborhood vote on a street improvement. Make sure that those most directly affected by your proposed street project(s) are consulted.

Take responsibility. Some of your street's problems could be solved through working with your neighbors to care for and maintain the streets in your neighborhood. Encourage your neighbors to make sure that the planting strip and sidewalk in front of their property is clean and in good repair. Maintenance of traffic bulbs, circles, and sidewalk planters is the responsibility of the neighborhood. Share ideas about how your block can work together and take responsibility to improve the streets in your area.

MOVING TOWARD SOLUTIONS

Symptoms and potential solutions

The chart on the following page will help you to analyze the symptoms you are experiencing on your streets and identify a course of action. These pages ask you to think about some experiences you may have had on the streets in your neighborhood. The symptoms you experience are keyed to a particular family of solutions. You may find that addressing one symptom may require tools from more than one solution family.

DEVICE	VEHICLE VOLUME	VEHICLE SPEED	NOISE
CHICANES AND ANGLED SLOW POINTS	↓	↓	↓
CHOKER	↓	↓	↓
CROSSING ISLANDS		↓	↓
CROSSWALK MARKING			
CURB EXTENSIONS		↓	
DIVERTERS	↓	↓	↓
● L STREET CLOSURE	↓	↓	↓
GATEWAYS	↓	↓	
INTERSECTION MEDIAN BARRIERS			
MODERN ROUNDABOUTS		↓	↓
ONE-WAY/TWO-WAY STREET CONVERSIONS	↑	↑	↑
PARTIAL STREET CLOSURE	↓		↓
RAISED MEDIANS		↓	↓
● D SIGNS			
SERPENTINE STREET	↓	↓	↓
SPEED HUMPS AND SPEED TABLES	↓	↓	↑
SPEED MONITORING TRAILER		↓	↓
TRAFFIC MINI-CIRCLES		↓	↓
TWO-WAY TURN LANES		↓	

VEHICLE CONFLICTS	TRAFFIC DIVERTED TO RESIDENTIAL STREETS	PEDESTRIAN/ BICYCLE SAFETY	EMERGENCY/SERVICE VEHICLE ACCESS	RECOMMENDED FOR

↓	↑	↓	↓	residential streets
	↓	↑	↓	residential streets
↓	↑	↑	↓	arterial streets
		↑		both
	↑	↓	↓	both
↓	↓	↑	↓	residential streets
●	↑	↑	↓	residential streets
↓		↑	↓	both
↓	↑	↑	↓	both
↓		↑		arterial streets
↓	↑	↑ ↓		arterial streets
↓	↑	↑		residential streets
↓	↑	↑	↓	both
↓				both
		↑	↓	residential streets
		↑	↓	residential streets
				both
↓		↑		residential streets
↓			↑	arterial streets

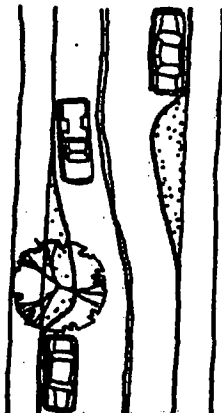
A LIST OF TRAFFIC MANAGEMENT DEVICES

Traffic management: balancing modes

There are many competing demands placed on a city's streets. Each transportation mode places demands on the street system. Sometimes these demands conflict. For example, curb extensions shorten the crossing distance for pedestrians at an intersection. They also reduce the speed at which vehicles can turn at an intersection. For these reasons, curb extensions make intersections safer for pedestrians. Curb extensions also require buses or trucks to maneuver more slowly around turns. If the intersection you are examining is used by many turning trucks or buses, this will factor into how wide the bulbouts can be or if another type of treatment is more appropriate. The 19 devices described in this chapter can be used, either alone or in combination to accommodate many users of our roadways. Keep in mind that traffic management programs are most successful when they have the involvement and support of local communities.

CHICANES AND ANGLED SLOW POINTS

The chicanes pictured here narrow this residential street to one lane and require traffic to move slowly.



Definition:

Chicanes and angled slow points usually consist of a series of bulb-outs or curb extensions, narrowing the street to two narrow lanes or one lane at selected points and forcing motorists to slow down to maneuver between them. Such treatments are intended for use only on residential streets with low traffic volumes. These treatments can be gentler or more restrictive depending on the design and the operational needs of the street. Angled slow points divert the path of travel plus restrict lanes (as described under *Chokers*).

Share the road:

As with all traffic management devices, chicanes and angled slow points must be designed to accommodate bicycles.

Benefits:

Chicanes and angled slow points reduce vehicle speeds as long as the taper is significant enough so that motorists must slow down to travel through the device. Shifts in travelways can be created by shifting parking from one side to the other (if there is only space for one side of parking), or by building landscaped islands. If the device does not restrict the number of lanes, chicanes can be used on streets with higher volumes. Chicanes also provide an opportunity for landscaping.

Consider this:

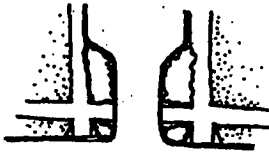
- Chicanes may reduce on-street parking.
- Maintain good visibility by planting only low shrubs or trees with high canopies.

Estimated cost:

Costs for landscaped chicanes are approximately \$40,000 (for a set of 3 chicanes) on an asphalt street and \$60,000 on a concrete street. Drainage may represent the most significant cost consideration.

CHOKER

Chokers create a clear transition between a commercial and a residential area, narrow an overly wide intersection, add room along the sidewalk or planting strip for landscaping and reduce cut-through traffic.



Definition:

Chokers are curb extensions that create a pinch point along the street by widening the sidewalks or planting strips. Chokers can be created by bringing in both curbs, or they can be done by more dramatically widening one side at midblock locations. They can also be used at intersections, creating a gateway effect when entering a street.

Benefits:

Chokers can have a dramatic effect by reducing a two-lane street to one lane at the choker point, requiring motorists to yield to each other. In order for this to function effectively, the width of the travelway cannot be wide enough for two cars to pass.

Consider this:

- If two travel lanes are maintained on a two-way street and/or the travel lane widths are unchanged do not narrow at the location of the choker, it will have a minimal effect on speed.
- This kind of design is usually only appropriate for low volume, low speed streets.

Estimated cost:

\$10,000 to \$40,000 depending on site conditions and landscaping. Drainage may represent a significant cost.

Share the road:

As with all urban management tools, design chokers to improve bicyclist access.

CROSSING ISLANDS

This crossing island in the Uplands neighborhood allows pedestrians to deal with only one direction of traffic at a time, stopping part way across the street and wait for an adequate gap in traffic before crossing the other half of the street.



Definition:

Crossing islands—also known as center islands, refuge islands, or pedestrian islands—are raised islands placed in the center of the street at intersections or midblock. They highlight the crossing for both pedestrians and drivers, and create a safe refuge in the middle of the street for pedestrians particularly at unsignalized crossings.

Benefits:

Crossing islands have been shown to decrease the percentage of pedestrian crashes and casualties by 57%–82%. Benefits for pedestrian safety include reduced conflicts, reduced vehicle speeds approaching the island, greater attention called to the existence of a pedestrian crossing, opportunities for additional signage in the island, and reduced exposure time for the pedestrians.

Consider this:

- Crossing islands are designed to deviate the travel lane around the island. The approach can be designed to force a greater or lesser slowing of cars, depending on how dramatic the curvature is. The deviation and roadway markings alert motorists that they are in a location where pedestrian may be crossing and encourage them to reduce speeds.
- Curb extensions may be built in conjunction with crossing islands where there is on-street parking.
- Illuminate or highlight islands with signs and reflectors to ensure that motorists see them.
- Design crossing islands to accommodate those in wheelchairs.
- Crossing islands at intersections or near driveways may affect left turn access.

Share the road:

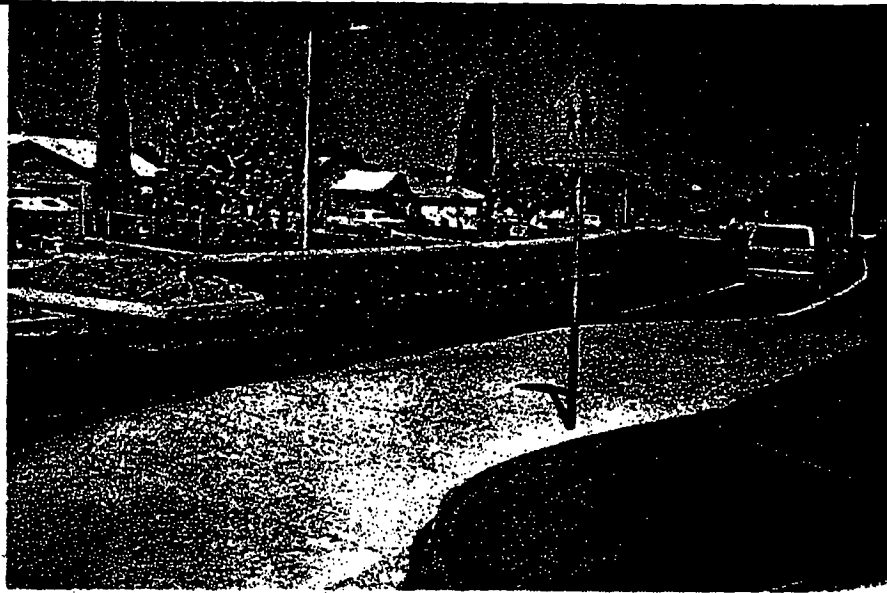
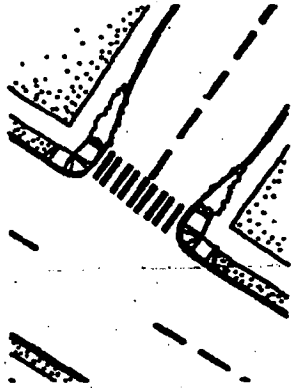
Bicycle lanes (or shoulders) must not be eliminated or squeezed in order to create the island.

Estimated cost:

The cost for installing a raised concrete crossing island (with landscaping) is about \$20,000 to \$40,000. The cost is less for an asphalt island or one without landscaping.

CURB EXTENSIONS

Curb extensions significantly improve pedestrian crossings by reducing the pedestrian crossing distance, improving the ability of pedestrians and motorists to see each other, and reducing the time that pedestrians are in the street.



Definition:

Curb extensions extend the sidewalk or curb line into the parking lane reducing the effective street width. They can be used at intersections and at mid-block locations.

Benefits:

Curb extensions reduce turning speeds at intersections and encourage motorists to travel more slowly. They encourage pedestrians to cross at designated locations and increase the visibility between the pedestrian and driver by extending the curb and sidewalk further out into the street and in the drivers line of vision. Curb extensions at intersections prevent motorists from parking in or too close to a crosswalk or from blocking a curb ramp. They can be used to place landscaping and street furniture, which is especially beneficial where sidewalks are otherwise too narrow.

Consider this:

- Curb extensions should be used where there is a parking lane.
- If street furniture and landscaping are used with a curb extension, they must not block motorists' views of pedestrians.
- Where intersections are used by significant numbers of trucks or buses, the curb extensions need to be designed to accommodate them. However, it is important to take into consideration that those vehicles should not be going at high speeds, and most can make a tight turn at slow speeds. Keep in mind that speeds should be slower in a pedestrian environment.

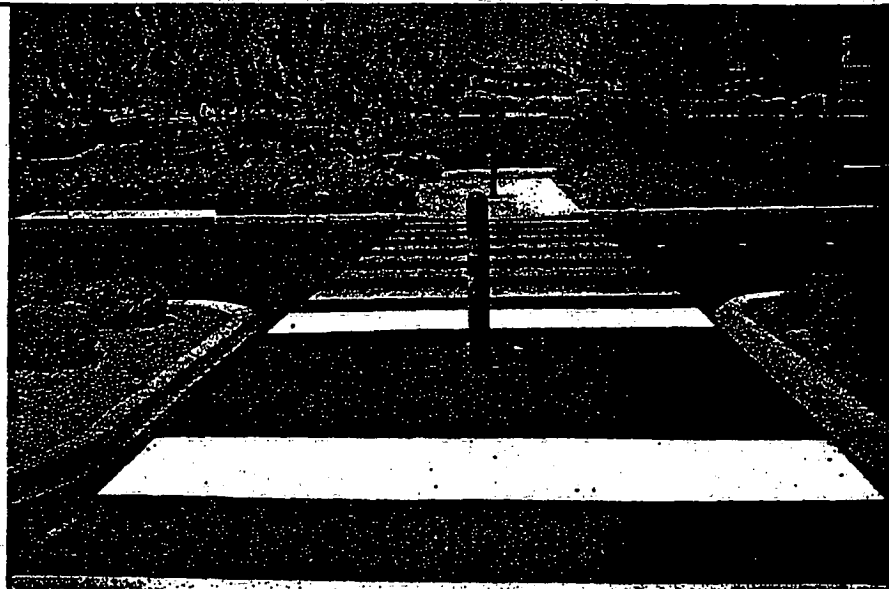
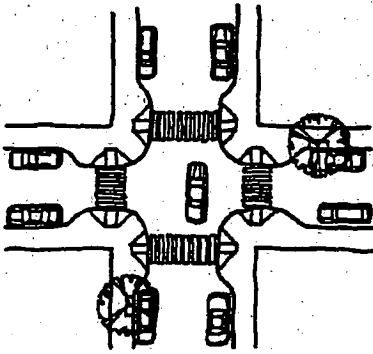
- Emergency access is often improved through the use of curb extensions, as intersections are kept clear of parked cars. Emergency vehicles can climb a curb where they would not be able to move a parked car. At mid-block locations, curb extensions can keep fire hydrants clear of parked cars and make them more accessible.

Estimated cost:

Curb extensions cost from \$10,000 to \$40,000 per corner, depending on design and site conditions. Special paving, drainage and moving existing signal equipment to accommodate a curb extension contribute to the cost.

Share the road:

Curb extensions work best for bicyclists in locations where trucks and cyclists travel outside the curb edge for the length of the street. They must not extend into travel lanes, bicycle lanes or shoulders.

CROSSWALK MARKING**Definition:**

Legal crosswalks exist at all intersections, but they are not always marked by signs

or pavement markings. Crosswalks can be marked at intersections and at midblock locations. Crosswalks are usually marked lines, either two parallel lines or a ladder-type pattern. They can also be textured or made of colored concrete. Midblock crosswalks are accompanied by signs or flashing beacons.

Benefits:

Marked crosswalks alert motorists that they are approaching a high pedestrian location, and guide pedestrians to a safer crossing. A marked crosswalk also identifies a preferred crossing for the pedestrian, one that optimizes sight distance, reduces crossing distance, and reduces the potential for pedestrian/vehicle conflicts.

Consider this:

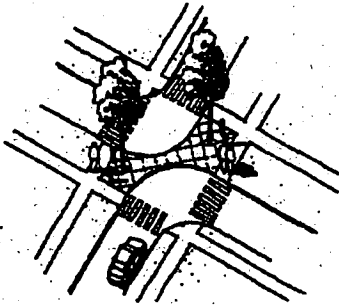
- Marked crosswalks work best if they are used by a high number of pedestrians at intersections.

Estimated cost:

The cost for a regular striped crosswalk is \$100, \$300 for a ladder crosswalk, and \$3,000 for a patterned concrete crosswalk.

DIVERTERS

By eliminating direct passages through a neighborhood, communities can ensure that through traffic remains on the appropriate roadways. This treatment is best used as part of an overall neighborhood traffic management plan.



Definition:

A diverter is an island built across a residential street intersection that prevents certain through and/or turning movements. A diagonal diverter breaks up cut through movements and forces right or left turns in certain directions. A star diverter consists of a star-shaped island placed at the intersection which forces right turns from each approach. A truncated diagonal diverter is a diverter with one end open to allow additional turning movements.

Benefits:

The main benefit of diverters is to discourage traffic from cutting through a neighborhood. Diverters must be used in conjunction with other traffic management tools. Any of these diverters can be designed for bicycle and pedestrian access.

Consider this:

- Diverters impact residents more than through traffic, so they must have strong neighborhood support to be successful. Consider less restrictive measures first.
- Evaluate traffic patterns to determine whether other streets would be adversely affected.
- Diverters generally do not effectively address midblock speeding problems.
- Consideration should be made of diverters effect on emergency and service vehicles.

Estimated cost:

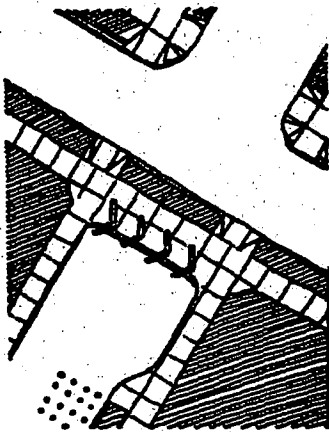
\$30,000-\$60,000 each, depending on the type of diverter.

Share the road:

Despite diverters to allow bicycle access, if the volume is high and the street is a major thoroughfare, a diverter should not be used.

FULL STREET CLOSURE

Access is temporarily closed to this Las Vegas residential street.



Definition:

A full street closure, including cul-de-sacs, has a physical barrier that blocks the street to motor vehicle traffic.

Benefits:

This device creates the ultimate limitation of motor vehicle traffic to certain streets. Should be designed so that emergency vehicles can access the street by using a barrier or gate that permits large vehicles to traverse it but not automobiles. Examples are mountable curbs or an access way with a raised element in the center that a low vehicle would hit.

Consider this:

- Full street closures should be used in the rarest of circumstances and as part of an overall traffic management strategy. Neighborhoods with cul-de-sac streets require extensive out-of-the-way travel, which is both a convenience issue for local residents and typically has significant negative impacts to other streets. All traffic is forced to travel on feeder streets, which has negative consequences for the people who live on those streets and forces higher levels of controls at critical intersections.
- Analyze whether other streets would receive diverted traffic as a result of the street closure, and whether alternative streets exist for through traffic.
- Provide a turn-around area for motor vehicles including service vehicles and provide for surface drainage.
- This device will not address speeding problems.
- Full street closures may be considered for local streets but are not appropriate for collector streets.
- Does not adversely affect access by children to community areas.
- Not an appropriate measure for addressing crime or other social problems.

Estimated cost:

The cost for a full, landscaped street closure varies from approximately \$30,000 to \$100,000, depending on conditions.

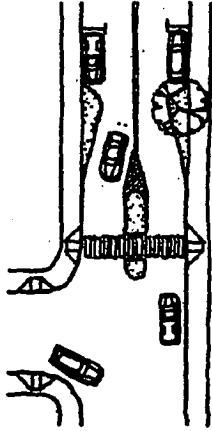
Note: See "City of Las Vegas policy for the closure of residential streets" in the appendix to this handbook.

Share the road:

If a street closure is done, it should always allow for the free through movement of pedestrians (including wheelchair users) and bicyclists.

GATEWAYS

Gateways, such as this landscaped median and circle, create a unique image for an area and send a clear message to motorists that they have reached a specific place and must reduce speeds.



Definition:

A gateway is a physical landmark that indicates a change in environment from a higher speed road to a lower speed residential or commercial district. Gateways may be a combination of street narrowing, medians, signing, archways, roundabouts, or other identifiable features.

Benefits:

Gateways create an expectation for motorists to drive more slowly and watch for pedestrians where traffic enters a commercial business or residential district from a higher speed roadway. Gateways are only an introduction and slower speeds are not likely to be maintained unless the entire area has been redesigned or other traffic calming features are used.

Consider this:

- Traffic slowing effects will depend upon device chosen and overall traffic calming plan for the area.

Share the road:

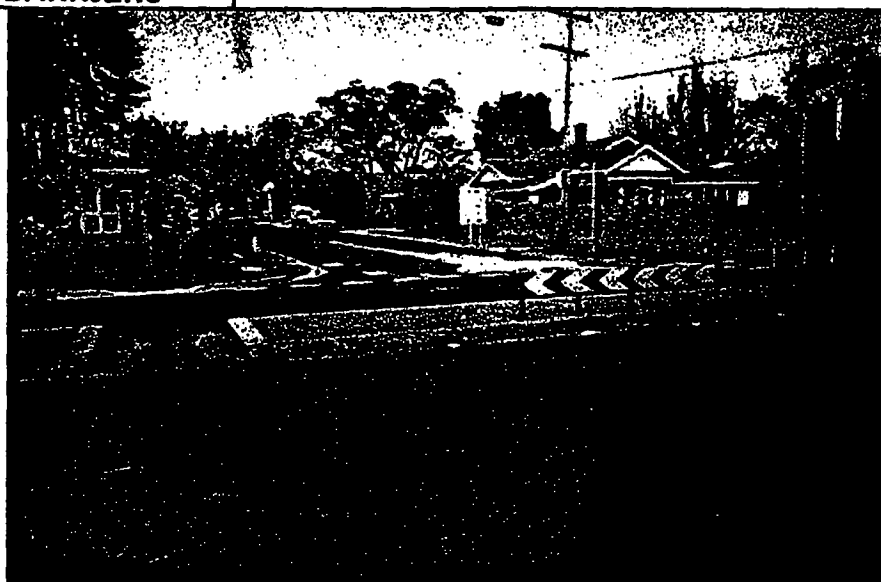
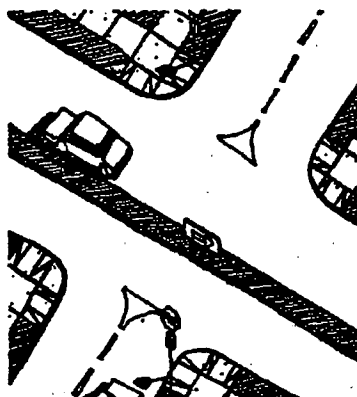
Estimated cost:

Varies widely depending on measures chosen.



INTERSECTION MEDIAN BARRIERS

Intersection median barriers reduce cut through traffic and restrict vehicle movement onto neighborhood streets.



Definition:

A shorter version of a raised curb median placed in the center of the roadway, across the intersection to prevent traffic from traveling through the intersection or main left turns onto the main street.

Benefits:

By restricting through and turning movements, this device reduces the number of conflict points for a pedestrian at the intersection. It also reduces cut through traffic by restricting vehicles from entering neighborhood streets.

Consider this:

- The barriers that keep cut through traffic out of your neighborhood will also restrict your access. Consider local access needs to make sure that any diversion is acceptable to the community.
- An analysis of traffic patterns should be done to ensure that cut through traffic would not be diverted to a nearby street.
- Ensure that emergency access is not negatively impacted. Some designs (e.g. high mountable curbs) may allow fire truck access while inhibiting cars.

Estimated cost

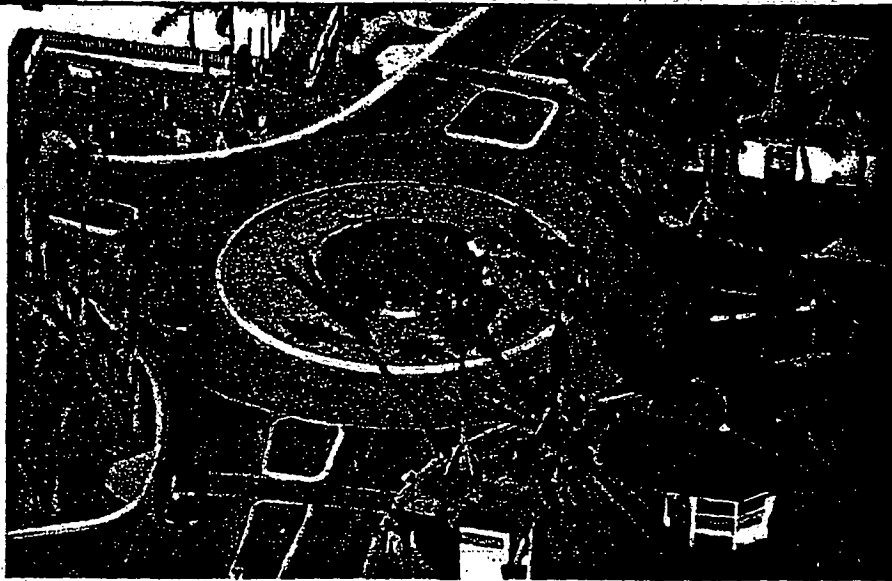
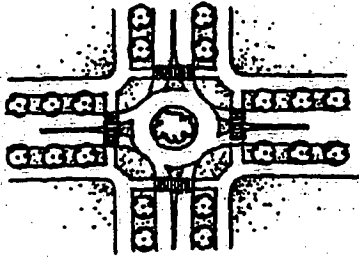
\$20,000 - \$40,000

Share the road:

Create a barrier free cut-through for cyclists and pedestrians to ensure safe, convenient bicycle and pedestrian access.

MODERN ROUNDABOUTS

Modern roundabouts create gateways into a neighborhood while slowing speeds at large, complicated intersections. They can replace signalized intersections at locations with heavy traffic backup and congestion.



Definition:

A modern roundabout is a large raised island located at the intersection of an arterial street with one or more crossing roadways. Splitter islands at the approaches slow vehicles and allow pedestrians to cross one lane at a time. Roundabouts may take the place of a traffic signal. Traffic maneuvers around the circle in a counter clockwise direction, and then turns right onto the desired street. All traffic yields to motorists in the circle and left-turning movements are eliminated.

Benefits:

Unlike a signalized intersection, vehicles generally flow and merge through the roundabout from each approaching street, traveling at slower speeds, and yielding to traffic already in the circle. Vehicles are not required to stop and wait for a signal where long traffic queues can form and create congestion, including blocking access to side streets. A roundabout needs to accommodate pedestrians and bicyclists. Pedestrians may need to travel out of their way to cross the intersection, but generally have a shorter wait than with a signal and have only one direction of approaching traffic to watch for. The large island at the center of a roundabout provides space for entry markers, gateway features and landscaping.

Consider this:

- Street widths or right-of-way needs to be sufficient to accommodate a properly designed roundabout.
- Roundabouts have a mixed record regarding bicyclist safety – low design speed required.
- Roundabouts are generally not appropriate if traffic volumes are extremely high.
- Roundabouts often work best where there is a high percentage of left-turning traffic.

- Deflection on each leg of the intersection must be set to control speeds to 15-18 mph.
- Visually impaired people have difficulty crossing at roundabouts. This issue needs to be adequately addressed in the design of roundabouts.

Estimated cost:

The cost for a landscaped roundabout varies widely and can range from \$100,000 – \$250,000.

Share the road:

Bicyclists usually have a difficult time with roundabouts. If the road is very narrow and long in each direction, speeds are very slow and the view is poor. Bicyclists may not be able to share the road comfortably. In larger roundabouts, an off-road bicycle path should be created to direct cyclists to follow the pedestrian route. While this is usually inconvenient and takes longer, it is generally safer.

ONE-WAY/TWO-WAY STREET CONVERSIONS

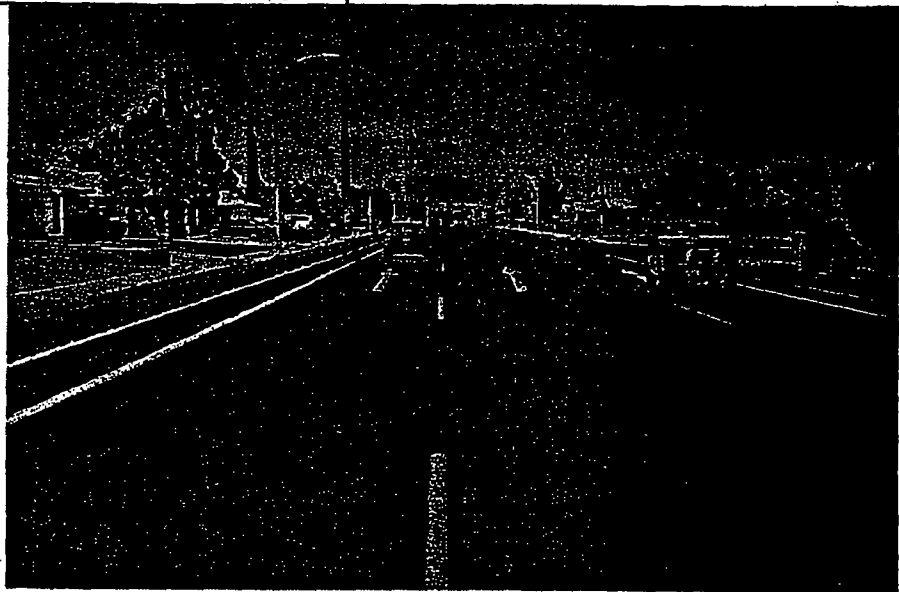
This one-way street also includes a parking lane and a bike lane.

Definition:

Converting the flow of traffic on a street from two-way to one-way to manage traffic patterns and reduce conflicts.

Benefits:

A one-way to two-way conversion will generally reduce speeds. One-way streets can simplify crossings for pedestrians, who must look for traffic in only one direction. While studies have shown that conversion of two-way streets to one-way generally reduces pedestrian crashes, one-way streets tend to have higher speeds, which creates new problems. If a street is converted to one-way, it should be evaluated to see if additional changes should be made, especially if the street or lanes are overly wide. Also, traffic circulation in the broader area must be carefully considered before conversion to one-way streets. As a system, one-way streets can increase travel distances of motorists and create some confusion, especially for non-local residents. One-way streets operate best in pairs, separated by a block to no more than one-quarter mile. Conversions can go the other way as well: some places are returning one-way streets back to two-way to allow better local access and to slow traffic. Two-way streets tend to be slower due to friction, especially on residential streets without a marked centerline.



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Consider this:

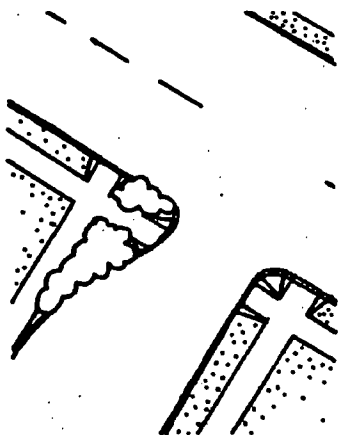
- Consider impacts on other streets.
- Be careful not to create speeding problems where a two-way is changed to a one-way. Redesign or traffic calming measures may be required to address this.

Estimated cost:

\$20,000–\$200,000 depending on length of treatment and if the conversion requires modification to signals.

PARTIAL STREET CLOSURE

This partial street closure in Las Vegas allows vehicles to exit from the neighborhood street but not enter.



Definition:

A partial street closure involves physically closing or blocking one direction of vehicle travel into or out of an intersection. It could also involve blocking one direction of a two-way street.

Benefits:

Partial closures prevent turns from an arterial street onto a residential street. They also reduce the use of the street as a cut-through route and restrict access to a street without creating one-way streets. A partial closure provides better emergency access than a full closure. Since this design allows motorists to easily violate the prohibitions, police enforcement may be required.

Consider this:

- Analyze whether less restrictive measures would work.
- Analyze whether other local streets will be adversely affected and/or access into or out of the neighborhood would not be adequate.
- Will create out-of-the-way travel for residents and put additional traffic on other streets.
- Do not use if the street is an emergency or school bus route.
- Will not solve speeding issues; speeds may increase on the new one-way street.

Estimated cost:

A well-designed, landscaped partial street closure at an intersection typically costs approximately \$30,000-\$50,000.

Share the road:

The design of this measure should allow for easy access by bicyclists and pedestrians.

RAISED MEDIANS

This landscaped median in the Scotch Eighties neighborhood of Las Vegas converted a 4-lane street to one lane in each direction.

Definition:

Medians are raised barriers in the center portion of the street or roadway. Raised medians manage motor vehicle traffic and provide comfortable left-hand turning pockets with fewer or narrower lanes. They are most useful on high volume, high speed roads.



Benefits:

Raised medians provide a refuge for pedestrians crossing the street and create space for street trees and other landscaping which can help reduce speeds by changing the character of a street. They also have benefits for motorist safety when they replace center turn lanes. Desired turning movements need to be carefully provided so that motorists are not forced to travel on inappropriate routes such as residential streets or an unsafe U-turn condition is not created. In some environments, medians can be constructed in sections creating an intermittent rather than continuous median. Another good alternative device for two, three or four lane roads is the crossing island, which provides the crossing refuge for pedestrians, and in some designs, aids in decreasing vehicle speeds (see p. 29).

Consider this:

- In some cases, raised medians can increase traffic speeds by decreasing the perceived friction through separating traffic flow directions.
- Medians may take up space that can be better used for wider sidewalks, bicycle lanes, landscaping buffer strips, or on-street parking.

Share the road:

Ensure that there is enough room for wider sidewalks, bike lanes, and planting strips before proceeding with construction.

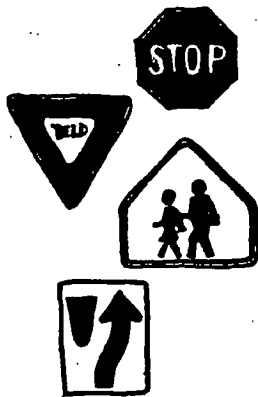
- Consider crossing islands if cost is an issue or space is limited.
- Landscaping in medians should not obstruct the visibility between pedestrians and approaching motorists.
- Midblock crossings must be fully wheelchair accessible.

Estimated cost:

The cost for adding a raised median is approximately \$20,000-\$40,000 per 100 feet, depending on the design, site conditions, and whether the median can be added as part of a utility improvement or other street construction project.

ROAD SIGNS

This sign instructs drivers to share the road with bicycles, and reminds them that others use the road also.



Definition:

Signs provide regulations or information to road users as to what to expect and how to behave.

Benefits:

Signs can provide important information that can improve road safety. By letting people know what to expect, there is a greater chance that they will react and behave appropriately. For example, giving motorists advanced warnings of upcoming pedestrian crossings or that they are entering a traffic-calmed area will enable them to modify their speeds. Regulatory signs, such as "Stop," "Yield" or turn restrictions require certain driver actions and can be enforced. Warning signs can provide helpful information, especially to motorists and pedestrians unfamiliar with an area. Some examples of signs that affect pedestrians include pedestrian warning signs, motorists warning signs, "No Turn on Red" signs, and guide signs. Advance pedestrian warning signs should be used where pedestrian crossings may not be anticipated by motorists, especially if there are many motorists who are unfamiliar with the area. A new fluorescent yellow-green color is now approved for use on non-motorized warning signs. This bright color attracts the attention of drivers because it is unique. In some cases, signs may be used to prohibit pedestrian crossings at an undesirable location and re-route them to a safer crossing location, or warn pedestrians of unexpected driver maneuvers.

Consider this:

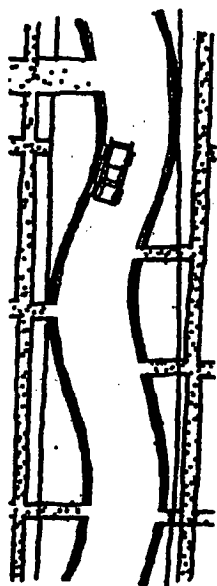
- Overuse of signs breeds noncompliance and disrespect. Too many signs can lead to visual clutter with the result that a driver is not likely to read or pay attention to any of the signs.
- Traffic signs must be in compliance with the Manual on Uniform Traffic Control Devices.
- All signs should be periodically checked to make sure they are in good condition, free from graffiti and continue to serve a purpose.

Estimated cost:

\$100-\$200 per sign.

SERPENTINE STREET

A winding street, landscaping, and colored pavement are the visual cues that slow drivers down in this illustration.



Definition:

A serpentine street refers to the use of a winding street pattern. Driveways create a link to the street for residents.

Benefits:

The winding street allows for two-way through movements while forcing vehicles to slow.

The serpentine pattern provides areas which can be planted to create visual obstructions.

Purpose:

- Sends a visual cue about the function of a street.

Considerations:

- This type of design can be more expensive than other traffic calming options and needs to be coordinated with driveway access.
- Ideal to build when a street is being reconstructed for major utility or other purposes, or when slow streets are being designed as part of construction of a new neighborhood.
- Don't use if lower-cost traffic calming strategies would be effective.

Estimated Cost:

\$90,000 and higher

SPEED HUMPS AND SPEED TABLES

Speed humps are frequently used on residential streets to reduce speeds. However, they can create unwanted noise if they are too severe, or cause motorists to slow down more than is necessary.

Definition:

Speed humps are a paved, raised device usually constructed out of asphalt. They are approximately 3-4 inches high at their center, and extend the full width of the street. Speed humps should



not be confused with a speed bump that is often found in mall parking lots. Speed humps are longer (12-22 feet) are designed to slow traffic, and do not require vehicles to stop in order to travel over them. A speed table is a very long and broad speed hump that can accommodate a pedestrian crossing in the flat portion of the speed table. Speed tables can be used in combination with curb extensions where parking exists.

Benefits:

Speed humps and speed tables reduce vehicle speeds. Raised measures tend to have the most predictable speed reduction impacts. They also enhance the pedestrian environment and pedestrian crossings.

Consider this:

- Do not use if sight distance is limited and/or if the street is on a steep grade.
- If the street is a bus route or primary emergency route, design must be coordinated with operators. Usually some devices are acceptable if used prudently - one device may be appropriate if used in a location in most need of slowing traffic to improve pedestrian conditions.
- The aesthetics of speed humps and speed tables can be improved through the use of color and special paving treatments.
- Noise may increase particularly if trucks use the route regularly.
- May create drainage problems on some streets.

Estimated cost:

The cost for each speed hump is approximately \$4,000. Speed tables are \$8,000-\$15,000, again depending on drainage conditions and materials used.

Note: See "City of Las Vegas policy for the use of speed humps on residential streets," in the appendix to this handbook.

Share the road:

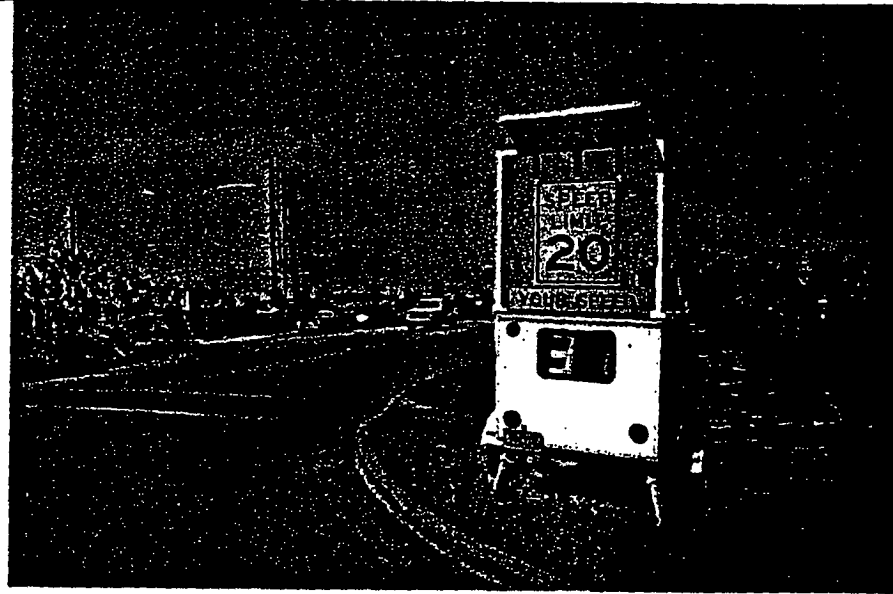
Make sure to design speed humps and tables to accommodate bicyclists.

SPEED MONITORING TRAILER

Speed monitoring trailers let motorists know the speed limit, and the speed they are traveling.

Definition:

Speed monitoring trailers—signboards on trailers that display the speed of passing vehicles—are used by police departments as educational tools that can enhance enforcement efforts directed at speed compliance.



Benefits:

Enhance enforcement efforts through public education and awareness. Speed radar trailers are best used in residential areas and may be used in conjunction with Neighborhood Speed Watch or other neighborhood safety education programs. They can help raise residents' awareness of how they themselves are often those speeding, not just outsiders. Speed trailers are not substitutes for permanent actions such as traffic calming treatments to address neighborhood speeding issues. Speed trailers can be used at several locations and should have occasional police monitoring and enforcement to maintain driver respect.

Consider this:

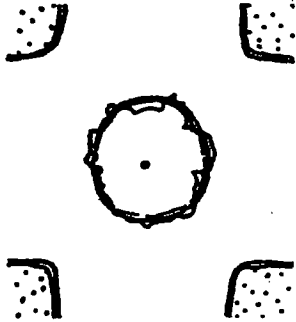
- Occasional enforcement is needed to supplement the speed trailers.
- Speed trailers are not a substitute for engineering measures.

Estimated cost:

\$10,000 plus the costs to move the trailer to different locations.

TRAFFIC MINI-CIRCLES

A traffic mini-circle helps reduce vehicle speeds, but still allows cars, buses and other large vehicles to pass through the intersection with little difficulty.



Definition:

Mini-circles are raised circular islands in the center of residential street intersections.

Benefits:

Mini-circles manage traffic at intersections where volumes do not warrant a signal. They have been found to reduce motor vehicle crashes at the intersections of residential streets by an average of 90% in Seattle. They can reduce vehicle speeds at the intersection when used on a series of intersections along a local street as part of a neighborhood traffic improvement program. They are commonly enhanced with landscaping or special paving treatments.

Consider this:

- Signs may be installed within the circle to direct motorists to proceed around the right side of the circle before passing through or making a left turn.
- Traffic circles with splitter islands make crossing easier for pedestrians (especially for persons with disabilities) and control vehicle movements entering the intersection, but require more space.
- Larger vehicles that need access to streets (e.g. school buses and fire engines) may need to make left hand turns in front of the circle. They can also be accommodated by creating a mountable curb in the outer portion of the circle.
- Use yield, not stop controls.

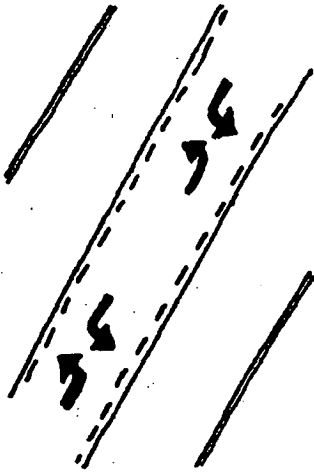
Estimated cost:

The cost is approximately \$20,000 - \$40,000 for traffic mini-circle on an asphalt street and about \$30,000 - 60,000 for mini-circle on a concrete street.

Share the road:

Mini-circles must be properly designed to benefit pedestrians and cyclists. Right-turning vehicles are not controlled at an intersection with a mini-circle, potentially putting pedestrians and cyclists at risk. Do not make generous allowances for motor vehicles by increasing the turning radius - this compromises pedestrian and cyclist safety.

TWO-WAY TURN LANES



Definition:

Two-way left turn lanes are marked in the center of the street. Usually, a two-way left-turn lane can be accommodated by reducing the number of through lanes or by eliminating parking.

Benefits:

Left-turn lanes move turning vehicles out of the traffic flow. Two-way left-turn lanes can help decrease accidents, slow traffic, create smoother traffic flow, and provide crossings for pedestrians. Two-way left turn lanes can be used in conjunction with bicycle lanes to make the roadway appear narrower.

Consider this:

- A two-way left-turn lane may be marked as an interim solution in locations where a future median may be constructed.
- A two-way left-turn lane can be successful in an area experiencing collisions involving left-turning traffic, or on streets with many intersecting driveways and cross streets.
- Do not use if the street is not wide enough to accommodate a two-way left-turn lane, or if the project conflicts with need for on-street parking.
- Some studies have shown that two-way left-turn lanes may not reduce speeding.

Estimated cost:

The estimated cost for a left-turn lane is \$1,000 per block.

LANDSCAPING AND XERISCAPING

In a 2000 Las Vegas community vision survey, the image of a well-landscaped residential streetscape emerged as the epitome of a walkable neighborhood. The careful use of landscaping along a street can provide separation between motorists and pedestrians, reduce the effective width of the roadway (which in return can reduce vehicle speeds), and provide a more pleasant street environment for all.

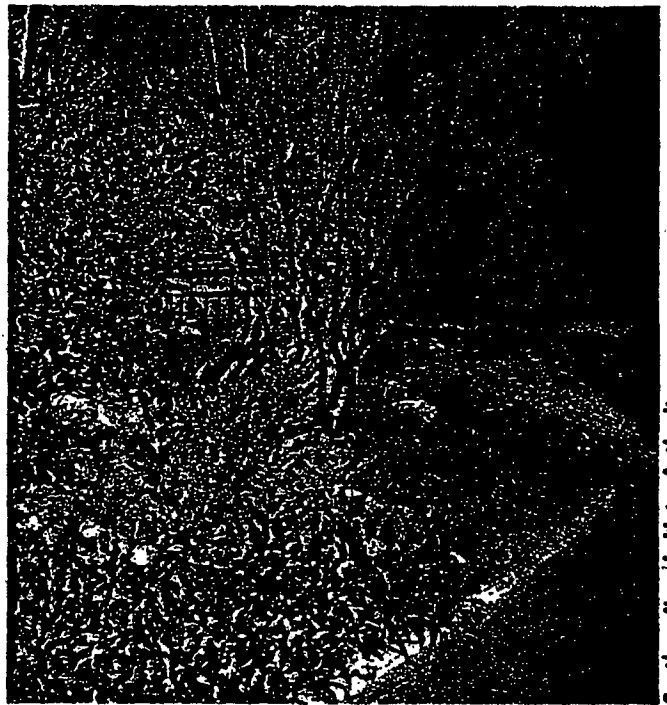
However, our dry desert climate demands careful consideration of any type of planting program. *Xeriscaping* is the name of the program the Southern Nevada Water Authority (SNWA) has developed to promote water-efficient landscaping. A neighborhood xeriscape (pronounced *zeer-ih-scape*) program can include plantings from the SNWA's list of over 250

native and desert-tolerant plants, and should follow recommended guidelines for watering and/or irrigation. Some xeriscape programs may also be eligible for water credits.

Neighbors should be prepared to maintain their street-planting program. A good maintenance program consists of:

- Fertilizing, pruning, and winterizing
- Removal of tree stakes when appropriate
- Aerating and fertilizing turf
- Pest and disease control
- Watering or irrigation

See the accompanying plant list, contact the Southern Nevada Water Authority, or visit the Desert Demonstration Gardens for more information on xeriscaping:



Southern Nevada Water Authority

Southern Nevada Water Authority

Conservation Helpline
(702) 258-SAVE (7283)

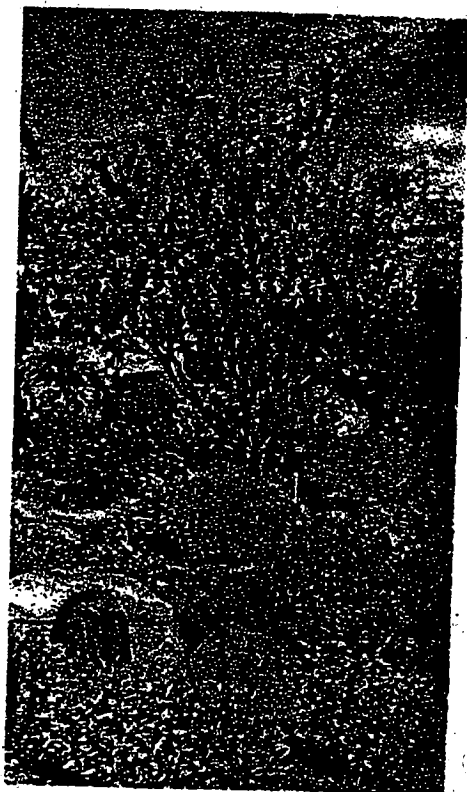
www.snwa.com

The Southern Nevada Water Authority is committed to managing Southern Nevada's water resources and to developing solutions that will ensure adequate future water supplies for the region.

Desert Demonstration Gardens

3701 West Alta Drive
(702) 258-3205

The Desert Demonstration Gardens are eleven theme gardens featuring plants suited to Southern Nevada's climate. Free workshops, tours, and classes covering a wide range of landscape and irrigation issues are offered.



South-Southern Nevada Water Authority

A Desert Plant Sampler

The results of the present study indicate that the use of the
 100% ethanol solution for the disinfection of the endodontic
 irrigant can be considered an effective method for the disinfection
 of the root canal system.

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5

FROM THE GROUND UP— IMPLEMENTING YOUR STREET PROJECT

Now that you have identified your goals and issues with the streets in your neighborhood, and established a program over which you have neighborhood consensus, how do you go about getting a project done? Here is how to begin:

- You will likely be presenting your proposals to a variety of groups, including neighborhood groups and perhaps City Council. Present your proposals clearly and concisely. Use pictures and diagrams whenever possible.
- Use the cost estimates given in this guide to estimate the cost of your program.
- Prioritize your recommendations. While sometimes and opportunity comes up to redesign a street all at once (such as a major utility project), improvements are often made one at a time. Setting priorities allows you to focus on key improvements first.
- Document community support. Many of the tools in this guide require neighborhood petitions. Community validation is important in building and maintaining the credibility of your program.
- Work with your contacts in city government, preferably as you are formulating your recommendations. There may often be multiple ways to achieve your neighborhood's goal. City staff can help you determine the effect of a project on safety and functioning of a street, or the likelihood of obtaining outside grant funding for a project.
- Be patient but persistent. Redesigning a street can take many years, many meetings, and much convincing, but most all who have participated in such a project say it has been worth the effort.

5 STEPS TO A STREET PROJECT

1. Neighborhood audit
2. Street inventory
3. Problem definition
4. Program design and implementation
5. Program validation

Las Vegas' Neighborhood Traffic Management Program has an existing procedure that helps the City to implement neighborhoods' requests for traffic management projects. This procedure is as follows:

THE IMPLEMENTATION PROCESS

From initial request through monitoring and follow-up

Request:

Traffic management projects can be requested by individual citizens or by neighborhood associations. A petition describing the neighborhood concerns and the requested improvements shall be submitted to the city's Traffic Engineering Division to initiate the process. This petition must include the signature of at least 10 residents residing along the street requested for consideration. City staff will gather preliminary data about the traffic request, including volume, speed, and accident information. Staff will assign points to the request, as described in the appendix. A minimum of 40 points is required for a project to be eligible for this program.

A request for speed humps meeting the minimum criteria will be presented in a public hearing at the monthly Traffic and Parking Commission meeting, and if approved, forwarded to City Council for consideration. City staff will notify by mail those residents fronting the affected street of the public hearing date. Speed humps approved by City Council will be placed on a construction schedule.

All other request for traffic management improvements such as traffic circles, chokers, street closures, and other improvements will follow the process described in the following paragraphs. All requests are also reviewed by the traffic engineer for other possible solutions. If the preliminary review shows that an immediate hazard to the public exists, the city may choose to address the problem separately from the NTMP.

Balloting:

Projects meeting the minimum score requirement will proceed for further evaluation. A ballot advising the area residents of the proposed improvement will be mailed out. City staff establishes the balloting area, based on information obtained in the preliminary review. This area is generally defined as those households fronting on the affected segments of the project street. In the case of a single intersection problem, the minimum area would be approximately one block in all directions. If significant diversions to other residential streets are reasonably expected, those streets' residents would also be included in the study area. The purpose of the ballot is to determine the level of agreement with the proposed improvement among the project street residents. If two-thirds of the ballots indicate agreement with the proposed improvements, the item is placed on the following Traffic and Parking Commission agenda for consideration. Those items approved by the Traffic and Parking Commission are then forwarded to City Council with a recommendation for approval. (2 months)

Alternate plan development:

The city may hold a public meeting in the neighborhood if the majority of the ballots indicate a disfavor with the proposed improvement. This meeting will inform area residents of the concerns

of some of their neighbors, describe the NTMP process, and gather additional information about the traffic problems and related neighborhood needs. A neighborhood traffic committee of no more than six individuals may be formed at this stage. This traffic committee will be selected by the area citizens to represent them while working with city staff to develop an alternate plan to address the neighborhood concerns. Plan development consists of the following steps:

- Assessment of problems and needs
- Identification of project goals and objectives
- Identification of evaluation criteria
- Development of alternative plans/solutions
- Selection of a proposed plan

The first two steps are accomplished through public meetings, neighborhood association meetings, and traffic committee meetings. The traffic committee, in conjunction with city staff, will propose possible solutions based on the area citizen input. City staff will provide technical assistance based on sound engineering principles and current city ordinances, regulations and laws, to this committee. Possible solutions and their impacts are evaluated by the traffic committee, city staff, and other affected agencies. The selected plan will be presented in a public hearing before the Traffic and Parking Commission. If approved by the Traffic and Parking Commission, the item will be placed on the City Council for their consideration. (4 months)

Test installation:

City Council may elect to provide a test installation prior to approving/denying the final plan. This test installation can range anywhere from 30 to 120 days. The purpose of the test installation is to provide the residents an opportunity to see what effects the improvement will have on their neighborhood and to allow city staff to perform studies to evaluate the effectiveness of this proposal. If the city traffic engineer finds that an unforeseen hazard is created by the test, the test installation may be revised or removed. (2 - 6 months)

Project evaluation:

Following the test period, the city evaluates how well the test has performed in terms of the previously defined problems and objectives. The evaluation includes the subject streets and streets affected by the project, and is based on:

- before-and-after speeds and volumes,
- Impacts on emergency vehicles or commercial uses,
- other evaluation criteria determined by the traffic committee during plan development.

If, in the evaluation, desired improvements in quality of life are not met to the satisfaction of the traffic committee and city staff, the traffic plan may be modified and additional testing conducted. The final test results will be reviewed with the traffic committee, area residents, and relevant city staff, and the information distributed during the second balloting stage. (1 month)

Second Ballot:

To forward the project to the stage of placing on the ranking list for permanent improvements, approval from the majority of the residents and property owners within a defined ballot area must be obtained through a second mail ballot administered by the city. The ballot area includes all properties located on the project street and on adjacent local residential streets that may have experience a substantial traffic volume increase due to the proposed improvements. A majority of returned ballots must be in favor for a project to continue. (1 month)

City Council action:

Based on the project evaluation and a positive ballot, city staff prepares a report and recommendations for the City Council. The report outlines the process followed, includes the project findings, and states the reasons for the recommendations. If the proposed traffic management program includes the vacation of streets, the request will be forwarded to the Planning Commission before action by City Council. After receiving staff report and hearing testimony from affected citizens, City Council will vote on the project. (2 months)

Ranking:

Projects approved by City Council are ranked citywide. Highest-ranking projects will be undertaken first. The number of projects initiated in any given year is dependent on available city resources and funding. At any time, a neighborhood may request consideration to proceed with the implementation of an approved NTMP project that does not involve city funding. The neighborhood seeking this approval will be responsible for all costs, including design and construction, associated with this project. All requestors are notified of the status of their request after the annual ranking. The city also will make available the status of the ranked projects upon request.

Once in the process, a project is considered in the annual priority-ranking step for up to three years. If, after three years, a project has not received a high enough ranking or there isn't sufficient funding for that particular project to proceed, it is no longer eligible for consideration. The requestor is notified when the three-year time limit expires. (Rankings are done annually in August).

Design and construction:

Final design and construction are administered by the city after City Council approval and will be based on project annual ranking and availability of funds. (6 months to 2 years)

Monitoring:

The city will monitor constructed traffic management devices. The city will be responsible for maintenance of the physical features of the devices. (ongoing)

Follow-up evaluation:

The city may conduct a follow-up evaluation to determine if the project's goals and objectives have continued to be met if dramatic changes in traffic patterns or land uses occur. The evaluation may entail traffic studies of volumes, speeds, and accidents. (within 3 to 5 years)

HOW PROJECTS ARE RANKED

Projects are ranked annually in August. They are given a numerical score, and are compared against other neighborhoods' projects. A high ranking project may be bypassed for the following lower cost project(s) if there is not sufficient funding available for the higher ranked project.

These are the factors used to rank a neighborhood traffic management project:

- Traffic volume—if volume is below 800 vehicles per day, the NTMP will not be applied
- Speed—percent of vehicles traveling at greater than 5 mph over the speed limit
- Accidents—accident rate over three consecutive years
- Elementary schools—within 200 feet of the subject street
- Other extraordinary circumstances—Includes pedestrian-oriented facilities, such as elderly housing or parks, school bus stops, public projects external to the neighborhood, side streets with sight visibility below 25 mph.
- Designated pedestrian routes.

See the following page for a sample project ranking sheet.

TYPICAL PROJECT TIME FRAME

It can take approximately one to three years (depending on the complexity of a project) from initial submittal of a project to its completion. An estimated timeframe for each of the steps is shown in parentheses above.

SAMPLE**NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM**

DATE OF COUNT:

85TH PERCENTILE SPEED

85TH PERCENTILE SPEED MUST BE GREATER THAN 35 MPH

35 MPH - 40 MPH = FACTOR OF 1.1 TO 1.5

GREATER THAN 40 MPH = FACTOR OF 2

*TOTAL POINTS TO BE MULTIPLIED BY 85TH %TILE FACTOR

____ MPH FACTOR = ____

EMERGENCY RESPONSE ROUTE

STREET CANNOT BE A MAJOR EMERGENCY RESPONSE ROUTE

MAJOR EMERGENCY RESPONSE ROUTE: _____**SECONDARY EMERGENCY RESPONSE ROUTE:** _____**TRAFFIC VOLUME**

AVERAGE DAILY TRAFFIC VOLUME (ON THE SEGMENT OF THE PROJECT STREET HAVING THE HIGHEST VOLUME), DIVIDED BY 100.

30 POINTS MAXIMUM SCORE.

[NOTE: IF THE VOLUME IS BELOW 600 VPD, THE NTMP SHALL NOT BE APPLIED, REGARDLESS OF OTHER SCORES]

ADT= _____ PTS _____

SPEED

PERCENTAGE OF VEHICLES TRAVELING MORE THAN 5 MPH OVER THE SPEED LIMIT (ON THE SEGMENT OF THE PROJECT STREET HAVING THE HIGHEST PERCENTAGE OVER THE LIMIT), DIVIDED BY 4.

20 POINTS MAXIMUM SCORE.

____ % PTS _____

ACCIDENTS

ACCIDENT RATE OVER 3 CONSECUTIVE YEARS (ACCIDENTS PER MILLION VEHICLE MILES TRAVELED).

20 POINTS MAXIMUM SCORE.

PROJECT LENGTH IN MILES= _____
ACCIDENTS IN LAST 3 YEARS= _____

PTS = (# ACC)(PROJECT LENGTH)(ADT)(3 YEARS)(1 MILLION)

____ PTS _____

ELEMENTARY SCHOOLS

5 POINTS FOR EACH PRIVATE OR PUBLIC ELEMENTARY SCHOOL ON OR WITHIN 200 FEET OF THE SUBJECT STREET.

EA= _____ PTS _____

OTHER EXTRAORDINARY CIRCUMSTANCES

UP TO 5 POINTS FOR EACH INDIVIDUAL PEDESTRIAN-ORIENTED FACILITY, SUCH AS ELDERLY HOUSING OR A PARK ON OR WITHIN 200 FEET OF THE SUBJECT STREET.

EA= _____ PTS _____

1 POINT FOR EACH SCHOOL BUS STOP ALONG THE STREET SEGMENT.

EA= _____ PTS _____

UP TO 5 POINTS FOR EACH PUBLIC PROJECT EXTERNAL TO THE NEIGHBORHOOD WHICH WILL SIGNIFICANTLY INCREASE THE TRAFFIC CUTTING THROUGH THE NEIGHBORHOOD.

EA= _____ PTS _____

1 POINT FOR EACH SIDE STREET WHICH HAS SIGHT VISIBILITY BELOW 25 MPH.
10 POINTS MAXIMUM SCORE.

EA= _____ PTS _____

DESIGNATED PEDESTRIAN ROUTES

5 POINTS WHENEVER A SUGGESTED ROUTE-TO-SCHOOL CROSSES THE SUBJECT STREET.

EA= _____ PTS _____

FIVE (5) MORE POINTS IF THE CROSSING IS LOCATED WHERE TRAFFIC ON THE SUBJECT STREET IS NOT CONTROLLED BY EITHER A STOP SIGN OR A TRAFFIC SIGNAL.

EA= _____ PTS _____

TOTAL POINTS= _____**TOTAL NTMP PTS=** _____

*TOTAL POINTS X 85TH%TILE FACTOR

A MINIMUM OF 40 POINTS IS REQUIRED FOR A PROJECT TO BE ELIGIBLE FOR THIS PROGRAM.

CRITERIA MET:

TYPE OF TRAFFIC MANAGEMENT DEVICE RECOMMENDED

COMMENTS

POSTED SPEED: 25 MPH

RIGHT-OF-WAY WIDTH: 60 FT.

6

RESOURCES FOR IMPLEMENTATION AND INFORMATION

Sources and programs for assistance and funding include existing funding programs for neighborhoods, the City of Las Vegas general fund, and other transportation funding programs.

The Las Vegas Neighborhood Partners Fund

The Neighborhood Partners Fund is a city-sponsored program designed to assist in improving the livability of Las Vegas neighborhoods through community-matched funding for neighborhood improvement projects. Neighborhood associations, homeowners associations, or business associations whose primary purpose is neighborhood improvement may apply for Neighborhood Partners funds. Joint applications are also encouraged.

The program will issue grants up to \$5,000 per neighborhood association. The funds must be matched by the neighborhood with cash, volunteer labor, donated supplies, equipment, or professional services.

Eligible project types include neighborhood physical improvements, projects that reduce crime and enhance public safety. All projects must be completed within the proposed twelve-month fiscal year period.

For more information on this program, contact the Department of Neighborhood Services, Neighborhood Planning and Support division, phone (702) 229-6269.

Other Local Funding

The NTMP receives approximately \$100,000 annually through the City of Las Vegas general fund. To date, this program has funded the majority of NTMP projects. Additionally, the Regional Transportation Commission is a funding clearinghouse for a variety of transportation improvements from gas taxes and other sources. While most of these transportation projects are for highways and arterial streets, including a NTMP project as part of a larger street repaving project can reduce its cost.

Other Sources

The Nevada Department of Transportation Office of Traffic Safety funds some local projects that improve safety.

Additionally, for new residential subdivisions, the City of Las Vegas encourages developers to build traffic management devices to city standards.

SAMPLE PROJECTS IN LAS VEGAS

(to be added for final)

RESOURCES FOR NEIGHBORHOODS:

Websites

- **Narrow Streets Database**
<http://www.sonic.net/abcala/narrow.htm>
- **Institute of Transportation Engineers**
[http://www.ite.org/](http://www ITE.org/)
- **Walkable Communities, Inc.**
<http://www.walkable.org/>
- **Pedestrian and Bicycle Information Center:**
www.walkinfo.org
- **Smart Growth Network**
<http://www.smartgrowth.org/index2.html>
- **Congress for the New Urbanism**
<http://www.cnu.org/>
- **Center for Livable Communities**
<http://www.lgc.org/clc/>

Other cities' websites

- **Albuquerque Neighborhood Traffic Management Program**
<http://www.cabq.gov/streets/ntmp.html>
- **City of Austin: Neighborhood Traffic Calming Program**
<http://www.ci.austin.tx.us/roadworks/tc.htm>
- **City of Boulder Department of Public Works:**
www.ci.boulder.co.us/publicworks/
- **Orlando Traffic Calming Library**
http://www.ci.orlando.fl.us/departments/public_works/trans/TCdrawings.htm
- **City of Sacramento Neighborhood Traffic Management Program**
<http://pw.sacto.org/traffic/ntmp.html>
- **Scottsdale Traffic Calming programs**
<http://www.ci.scottsdale.az.us/traffic/trafficcalmprog.asp>
- **Seattle Transportation: Making Streets that Work**
<http://www.ci.seattle.wa.us/td/mstw.asp>

Manuals

- **The Guide: The Citizen's Guide to Traffic Calming In Honolulu, City and County of Honolulu**
Department of Transportation Services (1998)
- **Making Streets That Work, City of Seattle Transportation Department (1996)**
- **Pedestrian Users' Guide, Federal Highway Administration (publication TBA)**

APPENDIX**LAS VEGAS NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM: ADOPTED POLICIES**

The following policies are established as part of the Neighborhood Traffic Management Program (NTMP) for local residential streets:

- a. Through traffic should be routed to arterial streets, as designated in the Master Plan of Streets and Highways. Arterial streets are those of sufficient width to be marked for four or more travel lanes.
- b. Traffic may be rerouted from one local residential street to another as a result of an NTMP project. The amount of rerouted traffic that is acceptable should be defined on a project-by-project basis.
- c. Adequate emergency vehicle access must be preserved.
- d. Reasonable automobile access should be maintained. NTMP projects should encourage and enhance pedestrian, bicycle, and transit access to neighborhood destinations.
- e. Application of NTMP shall be limited to local, public residential streets, herein defined as streets with 60 feet or less of right-of-way, except as arterial treatments contribute to improvement of conditions on local residential streets.
- f. The City shall typically employ traffic management devices to achieve the NTMP's objectives. Traffic management devices are roadway features and shall be planned and designed in keeping with sound engineering and planning practices. The City Traffic Engineer shall direct the installation of traffic control devices (signs, signals, and markings) as needed to accomplish the project, in compliance with the municipal code and pertinent state and federal regulations.
- g. To implement the NTMP, certain procedures shall be followed by the Department of Public works in processing traffic management requests according to applicable codes and related policies and within the limits of available resources. At a minimum, the procedures shall provide for submittal of project proposals, evaluation of proposals by city staff, citizen participation in plan development and evaluation, and communication of any test results and specific findings to area residents and affected neighborhood organizations before installation of permanent traffic management devices.

CITY OF LAS VEGAS POLICY FOR THE USE OF SPEED HUMPS ON RESIDENTIAL STREETS

The City of Las Vegas is committed to preserving neighborhood integrity. One of the issues in the maintenance of livable communities is traffic and the need to minimize non-essential vehicular traffic on residential streets and the need to ensure that those vehicles using those streets do so at an appropriate rate of speed. A technique that has been used successfully to manage this situation is the installation of speed humps.

Administrative procedures

1. A Neighborhood Traffic Management Program (NTMP) project includes issues of excessive speeds, and the traffic engineer finds that a speed hump installation may be appropriate.
2. Staff evaluates the site based on minimum criteria. Evaluation would include recommended locations on both the requested street and adjacent streets where installation may be required to mitigate impact of installation.
3. Following the procedures contained in the NTMP, public comment and approval are received.
4. Action by City Council to approve installation.

Minimum criteria

To effectively use speed humps for neighborhood traffic control, specific minimum criteria must be met before the installation. They are:

1. Street speed limit must be 25 m.p.h.
2. 85th percentile speeds must be greater than 35 m.p.h.
3. Average daily volumes must be between 800 and 3,000.
4. Street is not classified higher than neighborhood collector, with no more than one lane in each direction.
5. Installation location must be visible from 200 feet.
6. Street grades cannot be higher than 8%.
7. Street cannot be a major emergency response route.
8. Hump installation should not cause diversion of traffic to other residential streets.
9. Street cannot be a Citizens Area Transit (CAT) route.

Placement of speed humps

The following guidelines should be used to determine the number and placement of speed humps for various street lengths:

1. Single short blocks (less than 400 feet) with speed control problems are unusual. Where such blocks must be treated, a single hump positioned near mid-block would likely provide satisfactory speed control over the entire block.
2. Where control is required on single block segments of moderate length, a two-hump configuration should be satisfactory.

3. On very long blocks, three or more humps may be necessary.
4. On lengthy continuous segments or on control segments composed of a number of blocks, it appears desirable to space interior humps 400 to 600 feet apart, although spacings up to 750 feet apart may be satisfactory. At least one hump should be placed in each block of a control segment.
5. The first hump that is approached in a system should be located within 100 feet of the street entry.

Signs and markings

It is essential to warn roadway users of a speed hump's presence and guide their subsequent action.

Signs: The most common warning sign will be the MUCTD W8-1 "BUMP" warning sign. The sign should be located based on MUCTD Table II-1, "A Guide for Advance Warning Sign Placement Distance." Advisory speed plates should be added indicating the recommended crossing speed and to educate unfamiliar roadway users of the recommended crossing speed when the humps are initially installed.

Markings: The speed humps will be marked with distinctive painted markings, so as to be visible to the approaching traffic.

Implementation

Installation angle: Speed humps should be installed exactly at a right angle to the vehicular travel path.

Drainage and utilities: Speed humps should be installed with appropriate provisions made for roadway drainage and utility access. Humps should generally not be located over or contain maintenance access holes, or be located next to fire hydrants.

Ideally, a hump should be installed at a location immediately on the downside of an existing drain inlet. If this is not feasible, the construction of a bypass drain or other treatment to route water around the hump should be considered.

Roadway edge treatments: On roadways with 'L' curbs, humps should ideally extend fully across the road from curb to curb. If tapering is necessary for drainage or other reasons, the edge taper should be accomplished at an angle that will not affect the downstroke of bicycle pedals or subject vehicles to undercarriage damage.

A phenomenon known as 'gutter running' may be encouraged with the tapered hump edges since drivers can drive with one wheel in the gutter, thereby reducing the hump's ability to slow vehicles. If humps are installed with tapers, or used on non-curbed roadways (not recommended), raised pavement markings, delineator posts, or other treatments should be considered to eliminate or reduce the possibility of vehicles attempting to partially or totally avoid the hump. It should be recognized, however, that these devices may have an impact on maintenance. If in-

stalled on roadways with paved shoulders, the hump should ideally extend across the shoulder to discourage vehicles from attempting to avoid the hump.

Coordination with traffic operations: Speed humps should not be installed within an intersection or driveway or within 250 feet of a traffic signal. This suggestion is not intended to apply to the use of a raised intersection as a valid traffic management technique.

On-street parking: Care should be taken to ensure that the vehicles parked on streets do not diminish the effectiveness of the signing and marking for speed humps. Should parking be removed adjacent to or before the hump, the ability of vehicles to avoid tapered humps by 'gutter running' will be enhanced. Each hump installation should be evaluated independently for site-specific parking consideration.

Street lighting: to improve nighttime visibility, especially where sight distance is less than desirable, coordination of hump locations with existing or planned street lighting should be considered.

Construction materials: The construction of the hump can be pre-cast concrete sections, concrete cast in place, asphalt or brick/concrete pavers. Experience has shown that the use of soft material will result in deformations as the top of the hump is pushed in the direction of the traffic stream.

Construction procedures: It is recommended that a template be constructed to verify the accuracy of the hump profile and to ensure that the desired dimensions are attained within the reasonable tolerances (normally one-half inch or less). If the profile is incorrect, hump characteristics will be changed, which may result in vehicle damage or ineffective speed control.

If the hump is constructed in place, it is recommended that the road surface be excavated at the tapering edges to prevent spalling.

Monitoring and evaluation

The type, number, and extent of studies performed to determine the effectiveness and impacts of speed humps will vary based upon the particular circumstances of each installation. However, some review should be performed after installation to ascertain whether the humps have achieved the desired results without creating unexpected problems.

On-site observations: Immediately after the speed humps' installation and at selected times thereafter, observations will be made to determine motorists' behavior patterns and any unusual operating conditions (such as gutter running.) The observations should be scheduled during both day and night conditions.

Speed studies: Speed studies should be performed before hump installation. After installation, speed studies should normally be performed before, at, and beyond each speed hump to determine its impact on vehicle operating speeds.

Volume studies: Traffic volume counts should be made on the subject street and on those streets where traffic diversion may be expected. These counts should be made before installation and after traffic patterns have stabilized to determine the magnitude and specific location of this diversion. Both turning movements and 24-hour volume counts may be needed to quantify these impacts.

Stop sign obedience: Studies may be desirable before and after hump installation to determine if the speed humps have impacted the compliance rate of affected stop sign locations. Increased violation rates should be considered in speed hump evaluations, and selective enforcement may be necessary to address the problem.

Travel time studies: Based on the particular requirements of the installation, it may be desirable to perform detailed travel time studies before and after hump installation to determine the effect on overall travel time along the subject street or through the area.

Accident analysis: A thorough before and after accident analysis should be performed to determine if accident trends have been noticeably impacted by the speed hump installation. It may be necessary to establish ongoing analysis at some locations to gauge the longer-term trends of accident rates.

Resident and driver surveys: within 30 to 60 days after installation (or at the end of the established trial period), it may be desirable to survey adjacent residents and other affected residential areas to assess their concerns and perception of the speed humps' performance. Motorists continuing to travel the street may also be selectively surveyed to assess their opinion of the speed humps' installation. Emergency and service agencies should also be offered the opportunity to comment on the installation.

Liability concerns

Speed humps and other pavement undulations are not traffic control devices as defined by the Manual on Uniform Traffic Control Devices. They are, however, geometric design features of the roadway and should be designed, installed, operated, and maintained using accepted engineering principles and prudent engineering judgment.

If speed humps are not installed in a proper manner and with due care, and vehicle damage or personal injury occurs, it is possible that the installing agency could be found to be maintaining a public nuisance, i. e., a known defect in the street system which may result in increased liability exposure. Therefore, complete and proper documents should be retained to justify the decisions made. Local and state laws should also be reviewed to identify any regulations pertaining to roadway design, roadway maintenance, traffic control, or other elements that may be related to the use of speed humps or other geometric design features.

Vehicle and cargo damage: Where streets with speed humps are expected to carry substantial numbers of long wheel-base vehicles or other special vehicle types such as motorcycles and

bicycles, a special attempt should be made to warn and notify drivers of these vehicles that speed humps exist and how they should be driven to minimize problems. It may also be desirable to modify the standard hump design to further minimize impacts to these users.

Other considerations

Coordination with pedestrian crossings: If mid-block pedestrian crossings exist or are planned, it may be desirable to coordinate them with the speed humps, since vehicular speeds will generally be lowest at speed hump crossings. In fact, it may be desirable to install a hump directly adjacent to or on the pedestrian crossing. Pedestrian access can be encouraged by paving any grassed area connecting the hump to nearby sidewalks. In addition to standard signing, pedestrian crossing signs should be installed for any established crossing.

Aesthetic considerations: It is possible that speed humps can be constructed of special materials such as brick pavers or specially treated concrete to enhance their appearance. However, consideration should be given to street maintenance requirements in the area and whether special materials can be properly maintained by the responsible agency.

Incorporation in new street design: It is desirable in the planning of new residential subdivisions to configure and design local streets to minimize excessive speed, excessive volumes, and cut-through traffic from outside the immediate neighborhood. However, where adequate subdivision planning and street design have not or cannot be achieved, and one of the aforementioned problems is considered likely, it may be appropriate to include speed humps as a part of new street construction only after consideration of less restrictive design or traffic control techniques. Adequate signs, markings, and other devices should also be provided to support their installation.

Enforcement needs: During the initial stages of speed hump experience, it will be generally be desirable to employ special police assignment to enforce traffic violations occurring at or near speed humps and along routes experiencing diversion.

Maintenance issues: Care should be taken in the initial installation and monitoring of speed humps to ensure that edge raveling and profile deformation do not exceed established tolerances. Regularly scheduled inspections and maintenance should be performed to maintain the appropriate design relationship between the hump and the street, so the hump continues to perform its intended purpose within allowable tolerances. If pavement maintenance activities result in speed hump markings being reduced or eliminated, they should be promptly replaced or supplemented with temporary signs providing the same warning to motorists.

CITY OF LAS VEGAS POLICY FOR THE CLOSURE OF RESIDENTIAL STREETS

The City of Las Vegas is committed to preserving neighborhood integrity. One of the issues in the maintenance of livable communities is traffic and the need to minimize non-essential vehicular traffic on residential streets and the need to ensure that those vehicles using those streets are not using them to bypass arterial streets. A technique that has been used successfully is the closure of the street to normal traffic.

The purpose of this policy shall be to set forth the process and criteria by which modification of traffic flow or closure of public streets may be considered by the City's staff and elected officials and to identify the condition under which closures or modifications may be enacted. This policy should only apply to the closure or modification of traffic flow on public streets initiated by citizens. This policy should not apply when initiated by a local agency to address specific traffic safety issues or to comply with state and federal standards and warrants. The policy also does not apply to temporary changes in traffic that are needed to stage construction/maintenance activities or special events.

Administrative Procedures

5. Neighborhood Traffic Management Program (NTMP) project includes issues of excessive volumes of traffic and the project engineer finds that a street closure may be appropriate.
6. Staff evaluates site based on minimum criteria. Evaluation would include recommending a location on both the requested street and adjacent streets where a closure or other mitigating measures may be required to mitigate impact of the closure.
7. Following the procedures contained in the NTMP, public comment and approval are received.
8. Action by City Council to approve installation.

Minimum criteria

To effectively use street closures for neighborhood traffic control, specific minimum criteria must be met before the installation. They are:

1. Street speed limit must be 25 m.p.h.
2. The street should be primarily residential in nature.
3. Average daily volumes should be more than 2,000 vehicles per day for complete closures or 1,000 vehicles per day for partial closure.
4. Street should not be classified higher than neighborhood collector, with no more than one lane in each direction.
5. Street cannot be a major emergency response route.
6. Closure should not cause diversion of traffic to other residential streets.
7. Street cannot be classified a Citizens Area Transit (CAT) bus route.

PLACEMENT OF STREET CLOSURE

The following guidelines should be used to determine the placement of the street closure:

1. The street closure should be made on the perimeter of the neighborhood.
2. Street closures should not be made in such a way as to interrupt internal neighborhood travel patterns. For example, the closure should not separate elementary school students from their school.
3. The closure of a street by a neighborhood association or other group of individuals will require the vacation of the street right-of-way. The application for the vacation of the street is submitted to the Planning Commission through the community Planning and Development Department. Once vacated, the land will revert to the adjacent property owners. The City may retain easements for utilities, drainage, or emergency access through the vacated right-of-way. The neighborhood association will be responsible maintenance of the vacated street.
4. Unless otherwise approved by the fire chief, all closures will have to be constructed with an emergency access per Fire Services Department standards.
5. The street closure will require the construction of a cul-de-sac to terminate the street sections. A mid-block closure would require that both stub streets be terminated with cul-de-sacs. The radius of the cul-de-sac will be dependent on parking restrictions. If parking is prohibited, a smaller radius will be allowed. If the resultant stub street contains frontage for four or fewer homes, the traffic engineer, with the concurrence of the city engineer and the fire chief, may waive the cul-de-sac requirement.

Signs and markings

It is essential to warn roadway users of the street closure and guide their subsequent action. All signs and markings shall be in conformance with the Manual of Uniform Traffic Control Devices (MUCTD).

ACKNOWLEDGMENTS

This revised Neighborhood Traffic Management Program was adopted by the Traffic and Parking Commission on May 24, 2001.

Las Vegas City Council

Mayor Oscar B. Goodman

Michael J. McDonald - Ward 1

Lynette B. McDonald - Ward 2

Gary Reese - Ward 3

Larry Brown - Ward 4

Lawrence Weekly - Ward 5

Michael Mack - Ward 6

Traffic and Parking Commission

Chair Bob White

Commissioner Lew Brandon

Commissioner Ted Carry

Commissioner Martin Esbin

Commissioner Robert Hoban

Commissioner John Phillips

Commissioner David Turner

Commissioner Joe Greenwood (Metro)

Commissioner Dick Goecke (Public Works)

Technical and Advisory Committees

City Council Liaisons

CLV Department of Public Works

CLV Department of Field Operations

CLV Fire and Rescue

CLV Neighborhood Services

CLV Department of Planning and Development

Metropolitan Police Department

Regional Transportation Commission

State of Nevada Department of Motor Vehicles

Clark County

City of North Las Vegas

City of Henderson

Grand Entries Neighborhood

Richfield Neighborhood

Consultants

Design Analysis, Seattle, Washington — Dennis Sellin, Barbara Gray, AJ Silva

photo simulations by Charles Loftin

CITY OF LAS VEGAS POLICY FOR THE CLOSURE OF RESIDENTIAL STREETS

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Signs and markings

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CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 63

Discussion and possible action on a request to close Cashman Drive between Charleston Boulevard and Hastings Drive (\$5,000 – Neighborhood Traffic Management Program)

APPEARANCE LIST:

OSCAR GOODMAN, Mayor

RICHARD GOECKE, Director, Public Works

O.C. WHITE, City Traffic Engineer

WILLIAM STODDARD, 404 Lacy Lane

GARY REESE, Councilman

BRYAN SCOTT, Deputy City Attorney

MICHAEL KIRCH, 826 Kenny Way

JUDY BRAILSFORD, 606 Lacy Lane

TONY SHELTON, 845 Kenny Way

DON ASHWORTH, 2337 Pinto Lane

JANET MONCRIEF, Councilwoman

JEFF DONAHUE, Deputy Fire Marshal

STEVE WOLFSON, Councilman

LORETTA BLOCK, 3317 Hastings Avenue

GEORGE CROMER, 839 Kenny Way

UNIDENTIFIED FEMALE SPEAKER #1

DERRELL PARKER, 3309 Hastings Ave

SHEAN ABRAMS, 3309 Hastings Ave

UNIDENTIFIED FEMALE SPEAKER #2

MARA MESERVY, 2718 Mason Avenue

LEONARD ROSENSTEIN, 909 Cashman Drive

NADINE McINTIRE, 840 Trotter Circle

RYAN O'NEIL, 905 Cashman Drive

PAUL J. CHRISTENSEN, 710 Lacy Lane

BYRNE GALLAGHER, 601 Kenny Way

DOUG RITCHIE, 308 Hibiscus Drive

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 63

31 LORRAINE COPMAN, 906 Cashman Drive

32 TOM DEMARCO, 651 Clarkway Drive

33 THERESA HOOPER, 825 Lacy Lane

34 NORMA CHRISTENSEN, 710 Lacy Lane

35 RICK HOWE, 827 Kenny Way

36 CARLOS RAMIREZ, 504 Campbell Drive

37 DAVID BAUGHN, 814 Kenny Way

38 GENIE HARRIS, 3324 Hastings Drive

39 LARRY BROWN, Councilman

40

41 (1:04 – 1:04/1:51 – 3:10/3:18 – 4:03)

42 **3-108/3-1778/4-1**

43

44 **2 hours and 5 minutes**

45

46

47 Typed by: Angela Crolli/Gabriela Portillo-Brenner/Vicky Darling

48 Proofed by: Angela Crolli

CITY COUNCIL MEETING OF
September 1, 2004

VERBATIM TRANSCRIPT — ITEM 63

49 **MAYOR GOODMAN**

50 There's been an item that's been held over from this morning. It's Item Number 63, which is the
51 discussion and possible action on a request to close Cashman Drive between Charleston
52 Boulevard and Hastings Drive. I get the sense out of looking, from my vantage point, there're a
53 lot of folks that are here on that. Probably take some time. So, I'm going to call the other items
54 ahead. There doesn't seem to be too much difficulty on those, so we don't hold people up from
55 their – other responsibilities. So, I'll trail Item Number 63. Madame Clerk, would you make
56 note of that, please.

57 **END OF RELATED DISCUSSION**

58 **RESUME RELATED DISCUSSION**

59

60 **MAYOR GOODMAN**

61 All right. We'll call Item 63. This is discussion and possible action on a request to close
62 Cashman Drive between Charleston Boulevard and Hastings Drive. This item was agendized for
63 this morning, but it was put over to be heard after one o'clock this afternoon. The
64 recommendation is for approval. What I'd like to do, before we hear the presentation, Mr.
65 Goecke and Mr. White, what I'd like to do is, I'd like to see by a show of hands so I can see the
66 best way to – preside over this. How many are in favor of the closure? If you just show me by
67 hand. How many of those folks desire to speak today? All right. And how many are against the
68 closure? Okay. And how many of those folks desire to speak today? All right.

69 Then, I think, what we'll do is, we'll hear from the, Mr. Goecke and find out where we stand,
70 and then we'll use Robert Rules of Order. You don't have to stand up through the whole thing
71 but what I'd like to do is have those who'll be speaking for the closure to use that mike there,
72 and you can line up. But as I say, don't have to stand on a long line. When you see the line
73 subside, then you can get up there if you want to speak. And those who want to speak against
74 the closure, please use that mike and use the same procedure, and we'll go one by one and that
75 way everybody will have an opportunity to express themselves to the Council.

76 I think I'll ask, after we hear Mr. Goecke, I'm going ask Mr. Stoddard to, I'm going to give you
77 five minutes, Mr. Stoddard, to present your position, and then with the rest, we'll have a three-
78 minute time clock on it. And I would ask everybody to abide by that so, everybody will be able

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79 to be heard. I would ask the folks please not to repeat each other because we saw by a show of
80 hands as to how you stand, basically. But if you feel that you have something that you want to
81 bring to our attention, we're certainly delighted and it's our obligation to hear it. So, let's try to
82 do it that way and we'll see how we get along. Mr. Goecke.

83

84 **RICHARD GOECKE**

85 Staff initiated a temporary closure of Cashman and after a period it's necessary that we bring the
86 item before Mayor and Council so they can take some final action. I'm going have O.C. provide
87 you with some background as to why, what brought us to this point, and then we'll proceed from
88 there.

89

90 **MAYOR GOODMAN**

91 All right. Thank you.

92

93 **O.C. WHITE**

94 Good afternoon Mayor and Council members.

95

96 **MAYOR GOODMAN**

97 Good afternoon.

98

99 **O.C. WHITE**

100 Just a short, quick background. Back in March, we were asked to meet with the neighborhood
101 that's bounded by the area of Alta on the north, Campbell on the east, Lacey on the west, and
102 Charleston on the south regarding some traffic issues that they were experiencing. We held a
103 neighborhood meeting on March 24th, I believe, at Wasden Elementary School, where we had a
104 number of residents from the area come together to talk about some of the traffic issues in the
105 neighborhood. Again, that particular meeting we actually talked about a number of ideas that
106 might help solve some of the problems. Councilman (sic) Moncrief was in attendance at that
107 meeting and at the hearing the number of concerns, safety concerns that the residents had
108 brought forth, she approached me and asked me about just closing Cashman just to see if that

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109 would resolve the issue. I explained to her that the best thing, probably to do, would be to have a
110 temporary closure.

111 Prior to talking to me about this, she – did, at that meeting, ask for a raise of hands how many
112 people would be interested in – seeing Cashman close and how many would not. And then we –
113 talked about the – ninety-day test period closure so that we could actually see the benefits of
114 closing or the – disadvantages of closing it. What we did, there was another issue that came up
115 also during that meeting that dealt with parking along Cashman and Hastings, and what we
116 agreed to do is provide a – set up a resident to neighborhood parking program where we would
117 elimin, we would restrict parking to a number of hours by the general public along Cashman.
118 And Hastings was another street that was, had some interest, but after we did a survey of – both
119 Hastings and Cashman, only Cashman residents, north of the commercial development, indicated
120 that they had a real desire to see restrictions placed.

121 We sent out a letter later in the month indicating that what we were – going follow through on
122 from this particular meeting, that was the temporary closure and the parking restriction on
123 Cashman. And – on May 4th we ins, we installed the park, the temp, the barriers for the
124 temporary closure, and during that time, we also put up the one-hour parking signs or two-hour
125 parking signs, depending what the residents had requested. Excuse me.

126 After the closure had been in place for several weeks, we went back and began doing our after
127 studies of the area, looking at traffic conditions after – the closure is in place. Then, when we
128 had completed that, we asked, we provided that information to the Council's office and – she
129 asked us to go ahead and set up a meeting. In fact, their office, actually set up the second
130 meeting, which happened July 22nd for the neighborhood to – provide them the results. At that
131 meeting we came back, we indicated what the difference was between the before and – the after.
132 Obviously, with the closure of Cashman, there was a significant reduction in traffic in the entire
133 neighborhood bounded by the boundaries I mentioned before, and to the point, that there was
134 even a reduction in some of the speed limits. And – actually, when you look at the actual traffic
135 numbers, you saw a reduction, overall, of speeders.

136 From that meeting we've been, we were asked to go ahead and – set up this item to be agendaed
137 today so that we can make this decision. I – do want to point out, on the dais, on the table here,

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we did have a map of the area that has a combination of red dots and green dots. This was, the red indicated in favor of a closure and the green indicate disapproval of the closure.

MAYOR GOODMAN

I don't think they, the overhead reflects that. I do have and made available for you, what you're talking about, if anybody wants to see it. Why don't we just, Ms. Ronemus, if you be kind enough to take this exhibit and put it up on the dais there so folks can make reference to it, if they want to while they're speaking to us. And thank you very much. I appreciate the, any questions at this point in time of the gentleman? All right.

I'd like the record to reflect that I received a letter from Will Stoddard, from the firm of Albright, Stoddard, Warnick and Palmer setting forth a supposition paper, very well thought out and it's dated August 19th, 2004. Like to file that as part of the permanent record here. I also received facsimile from Mr. Stoddard concerning neighborhood traffic management policy for the closure of residential street. I'd like to make that part of the record as well. And I have spoken with several folks both in the area, who live there, as well as members of the Mormon Church. And there's no question that the feelings run very, very deep.

At one of my meetings with the Mayor that I have frequently, I had a group of residents come up and see me, and they were very concerned, as are the folks who spoke to me from the church, and I came up with a solution. I thought it was a fair solution and I wanted to, at least, postulate at this point in time and then ask some questions as to whether or not the solution makes any sense. And that was, recognizing that services take place virtually the entire day of Sunday, if there was some type of a gate that was put up there, which would be open so, to allow the congregants to attend their services in a peaceful, expeditious manner, and then close the rest of the time so the neighborhood could have the quality of life that they believe they're entitled to, whether that would be an acceptable resolution. And I asked some of the folks who live in the neighborhood to run that by the officials at the church, and I was told that that was an impractical, that the church is utilized far more than on Sunday, that there are evening matters that take place there, morning matters that take place and that that would not be acceptable, to at least to the folks that I spoke to, who were representing the church's interest.

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167 So, I just want to put that out there. I would -- be very interested in, from my own perspective in
168 resolving the matter that way 'cause I think it's fair and it's equitable. But if -- those who are
169 affected by it don't think it is, then I want to hear that when they make their presentation to us. I
170 -- just would like to, as Rodney King said, I'd like to see us all get along, but, if we can't, then
171 we're gonna do what we have to do, as a matter of conscience, and we're gonna vote and
172 somebody's gonna be unhappy.

173 So, with that, I'd like Mr. Stoddard to come up here. Got five minutes, Will. Not five minutes
174 and one second, five minutes, and I mean, take me at my word. And, if you don't wanna use it
175 all, you don't have to.

176

177 **WILLIAM STODDARD**

178 There, there's some items I'd like to just put on the record before my time starts, if I could, or
179 just some documents.

180

181 **MAYOR GOODMAN**

182 Documents you can.

183

184 **WILLIAM STODDARD**

185 One thing is simply a copy of a letter that I received from -- Ms. Moncrief concerning the matter
186 --

187

188 **MAYOR GOODMAN**

189 Yeah, well, you have to identify yourself, please.

190

191 **WILLIAM STODDARD**

192 This is, my name is Will Stoddard, 404 Lacy Lane, Las Vegas, Nevada, firm of Albright,
193 Stoddard, Warnick, and Palmer at 801 South Rancho, Suite D-4. First item I have, Mr. Mayor, is
194 a letter from Ms. Moncrief. It's actually two letters, one to my wife on the back and one to me on
195 the front. The second item that I just wanna make sure is on the record is a -- before study

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196 document concerning the traffic. There're actually plenty of copies here for all of the
197 Councilmen, if you'd like to distribute those, in fact, of all of these items.

198 The third item is the letter that Your Honor referred to, which was the letter of August 19th. I just
199 wanted, the fact is, I've sent it to everybody. I think it's been distributed to everybody, but I just
200 wanna make sure that it is, so there are various copies of that letter. The next thing I wanted to
201 make sure was in the record is the entire street users manual document, which I received from
202 the County Clerk. I, that's quite thick. I've got a couple of copies here. I just wanna make sure
203 that that's in the record. Those are the documents, I think, a few pages of which Your Honor
204 asked to be on the record as well.

205 In addition to that, just for ease of reference, I have a, the last two pages in that thick document
206 of the users manual are here that are highlighted. And I believe that, I believe, Your Honor, that
207 includes all of the items that I wanted to be sure was -- in the record.

208

209 **MAYOR GOODMAN**

210 All right, and the record will reflect that the Clerk has copies of all those, and we on the Council
211 have been provided copies --

212

213 **COUNCILMAN REESE**

214 (inaudible) upside down --

215

216 **MAYOR GOODMAN**

217 -- copies of all those. And, now we'll use the timer, and you got five minutes, my friend.

218

219 **WILLIAM STODDARD**

220 Thank you, Your Honor. As indicated, I represent a large body of constituents here who are
221 against this closure. Obviously, the main reason we're against the closure is 'cause we feel that it
222 violates the Las Vegas City Policy for closing streets. As is pointed out in my correspondences,
223 and so forth, to the City Council on October 3rd of two thousand and one, City Council adopted a
224 streets manual. It's been published in a fine book that's made part of the record here, and in the

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225 last few pages of that it sets forth the criteria that are supposed to be used by the – City when –
226 streets are closed.

227 And, for example, if I could just refer to the last couple of pages here, if that will, yeah. It
228 indicates that the purpose of the policy is to determine when it is you close streets and what – the
229 criteria are. It indicates that the minimum criteria are, and it says, in fact, it says, must be met
230 before the installation, or, number one, the average daily volume of vehicles is supposed to be
231 2,000 vehicles. Two thousand vehicles. Well, the fact of the matter is just before the temporary
232 closure went into effect the traffic study was apparently conducted, and I find that going in one
233 direction were three hundred and seventeen cars where the roadblock has been placed and in the
234 other direction were three hundred and thirty-eight, for a total of six hundred and sixty-five,
235 which doesn't even rise to the level of one-third of the number that's set forth in the City's own
236 minimum criteria. So, I think, that's the first reason we feel that it's improper to close the street.

237 The second reason, it indicates, that it shouldn't cause a division of traffic to other residential
238 streets. Obviously, if one closes off Cashman –, traffic's gonna be diverted down the other
239 streets, such as Hastings, diverted onto Campbell and other streets. And I know that the traffic
240 engineer indicated, oh, gee, when we put up the roadblock, everything slowed down. But the
241 truth of the matter is school was out when they took the second – study, and, obviously, the
242 numbers were gonna be down.

243 The third reason why we think it'd be appropriate, or it's inappropriate, is, in the placement of
244 street-closure guidelines on the very next page in the guidelines that I set forth in my letter and
245 we introduced here, the street closure should be made on the perimeter of the neighborhood.
246 Obviously, this is not in the perimeter of the neighborhood; this is well into the neighborhood, so
247 we can't have access to the church. And, in fact, the very next item, on Item No. 2 of the
248 placement criteria addresses this subject. In fact, it says that the street closure should not be made
249 in such a way as to interrupt the internal neighborhood traffic patterns, and then it gives an
250 example. It says, for example, closure should not separate community elementary schools from
251 the people that go to school. I submit that the same thing applies to people going to church. If the
252 rule applies for people going to school, it ought to apply to go, for people going to the church.
253 And, so, I think –, that's a significant and perhaps as significant of any reason why this thing
254 should be denied.

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255 And then the third, and the last item I'd like to indicate here, indicates the placement of the street
256 closure should not occur unless the street is vacated and the neighborhood comes up with some
257 way to maintain the thing. Well, I submit that there's never been any proposal put forth to vacate
258 the street, no neighborhood association to take care of it, and, I must say, those of you who have
259 been out to take a look at it, the thing is, well, it's — a horrible sight to your eye, and I assume
260 that it's simply gonna do nothing more than get worse if it's allowed to stay there.

261 Now those are the legal reasons. The other reason, Mr. Mayor and members of the Council, are I
262 think it's a dangerous and an impossible situation. Last Sunday, for example, I picked up a bunch
263 of people from church that lived down on this end of town. I was taking them home. I pull out.
264 Is (sic) 12:22, and I'm trying to turn left, and I must tell you the oncoming traffic come on and
265 on and on. It was virtually impossible. In fact, I would have been better off if I'da (sic) turned
266 right, gone all the way down to Valley View, waited for the light, turned around and come back,
267 and I would have made better time.

268 It brought me back to a couple of years ago, when I was awakened at 7:00 o'clock in the
269 morning. My daughter, Tara, who's now graduated from Clark High School, was going to High
270 School, crossing the very same intersection, trying to get across this very same street at 7:00
271 o'clock in the morning, was hit broadside and totaled our car. Thank Heaven she was in a large
272 car. She hated the car 'cause it was so big, and maybe that was one good thing that came of it.
273 But the truth of it is thank Heaven she was in a large car, and she was protected, and —, you
274 know, she wasn't maimed or injured, but both cars were totaled at that very same intersection.

275 And, I guess, I'm just simply concerned with the other activities that we have that go on there.
276 For example, State Conference twice a year. We have our annual live and activity pageant that's
277 in the first part of December. And, when we get all those people there and try to get 'em to come
278 out and we say, oh, you know, you gotta turn right, don't turn left, you're gonna have problems.
279 You know, we don't control what people do. And, I guess, knowing personal injury lawyers the
280 way I do, first time somebody gets seriously hit at that intersection, it's gonna be the City, it's
281 gonna be the church, and it's gonna be all of us that are named as defendants for creating the
282 situation that violates the policies of the City of Las Vegas. I think it's important that we
283 understand and know that, you know, the case —

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284 **MAYOR GOODMAN**

285 All right. Finish up, please.

286

287 **WILLIAM STODDARD**

288 Am I done?

289

290 **MAYOR GOODMAN**

291 No. Finish up.

292

293 **WILLIAM STODDARD**

294 As pointed out in the letter that I indicated, the Supreme Court's ruled on this subject in the
295 Enterprise Town Case and various other cases, but principally in that case. And it indicates that
296 when the City, or the County, or any other public agency prints guidelines that go in a book like
297 this, we're supposed to follow them, and, if we don't follow them, our actions are arbitrary,
298 they're capricious, they're an abuse of discretion, and subject to be overturned. And that's not
299 what we want. We just simply wanna be good neighbors, but we would like to have access to our
300 church. And we'd simply like to indicate that – this is a very important thing to us. And if the
301 real problem is the problem of traffic, perhaps what we ought to do is look at expanding Valley
302 View on between Charleston and US-95 and put a couple of turn lanes going there so people
303 won't be inclined to cut through the traffic. Thank you, Your Honor.

304

305 **MAYOR GOODMAN**

306 Thank you. I, I've –, go ahead.

307

308 **COUNCILMAN REESE**

309 I just wanted to ask Mr. Stoddard. The Mayor asked a question about using the facility on
310 Sunday or you can open the, and you – didn't respond to that question.

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311 **WILLIAM STODDARD**

312 'Cause I got cut off. But, my – view concerning that is, and, obviously, you know, I can't speak
313 for everybody, but I think a workable solution would be, much as I don't like it, but in the spirit
314 of compromise, if we could have the key so we could open the gate all day Sunday, then in the
315 weekdays, and I've expressed this to Councilman (sic) Moncrief and to the Mayor, if we could
316 have it so we could open it on weekdays, Tuesday through Saturday, from six in the evening
317 until ten at night, during that period of time. I think we could live with that. Because, you know,
318 like, for instance, I go over four nights a week to the church now, and I get there, you know, a
319 little bit after six, typically after work and typically by ten most everybody is gone, and so forth.
320 So, if we had – it open between – 6:00 and 10:00 p.m. in the evenings, not Monday, but Tuesday
321 through Saturday, I think that would be workable. There are sometimes when, you know, that
322 might not work, but I think we could live with that. I think we could live with that. You have a
323 large funeral that's early in the morning and people come out, you know, we just have to live
324 with that I suppose.

325 But that's – my suggestion is to a way that I think would be reasonable and workable.

326

327 **COUNCILMAN REESE**

328 I've – always been a – neighborhood advocate, for the many years I've been up here. This is
329 definitely a problem, and I certainly respect Councilwoman Moncrief and what she's trying to
330 do. The nativity scene you have at Christmas time I've attended that a number of times, and it is
331 a problem getting out at that time. I'm kinda like the Mayor, I would like to see us come up with
332 some kind of a solution, so I wanna sit here and listen to what the rest of the neighbors have to
333 say. And I would like to say, or ask those people that speak to tell me, or to tell us which ones
334 actually live in the neighborhood and which ones are outside the neighborhood. No. No. Just
335 when they get up and speak, if they would.

336

337 **MAYOR GOODMAN**

338 Yeah, well, I've been out there, because I wanted to see what it was like, of course, and I don't
339 live too far from the area. And, been out a couple mornings and the – church has been locked up.
340 Nobody is there in the morning. I don't know whether that's standard or whether it was just

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341 during the summer before school started. But, for instance, I think I was there yesterday morning
342 about 9:00 o'clock and all the doors were locked. But the, and nobody was there, but the parking
343 lot was full. Apparently, that's being utilized by the Water District and perhaps people that go to
344 the three A's, is that —

345

346 **WILLIAM STODDARD**

347 Two things — On the east end of the property, next to Triple A, we have a reciprocal easement
348 agreement with those folks, so that on Sundays we're able to use the Triple A parking, and
349 during the week those folks are able to use the church parking. Then on the far west end we have
350 a reciprocal, basically, easement agreement with the Water District people, but I don't think
351 that's what you're — witnessing. 'Cause I think the Water District are now all able to park on the
352 far west end to the west of the wall.

353

354 **MAYOR GOODMAN**

355 No. They were — using your property.

356

357 **WILLIAM STODDARD**

358 Well, what we have, we have a reciprocal easement agreement with them to that effect, because,
359 frankly, we're leasing from the Water District all of the property to the west of the chapel, once
360 you get approximately 20 feet west of the westerly most end of the building.

361

362 **MAYOR GOODMAN**

363 Okay. We may — have some more questions of you later, but let's — Mr. Scott, do you wanna
364 comment at this point in time?

365

366 **BRYAN SCOTT**

367 Just a few comments, Your Honor.

368

369 **MAYOR GOODMAN**

370 All right. Good.

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371 **BRYAN SCOTT**

372 First of all, I'd like to refer to the exhibit that's highlighted that the gentleman was holding up,
373 this — document here.

374

375 **MAYOR GOODMAN**

376 All right, let's — refer to it. This would be, it's designated, at the upper right-hand corner, City
377 Council meeting of October 3, 2001, Page A-35.

378

379 **BRYAN SCOTT**

380 That's correct, Your Honor. If you look below the highlighted section on the second paragraph,
381 you'll see also below that section it says, this policy should not apply when initiated by a local
382 agency to address specific traffic safety issues or comply with state and federal standards and
383 warrants.

384 So, all the criteria that he was basing his argument on are only if this is a citizen-initiated action.
385 When it's a Council-initiated action, those criteria are not applicable. In this instance, this was a
386 — Council initiated action by Councilwoman Moncrief, so those criteria with regard to the traffic
387 counts are not applicable.

388 Also, with regard to the case he cited, Enterprise Citizens, that case will not be applicable in this
389 instance because of the fact that that — involves a variance issue. In this instance we are not
390 varying from our code but are actually following our code, so that will not be applicable in this —
391 instance.

392

393 **MAYOR GOODMAN**

394 And that's the Enterprise Citizens in this case?

395

396 **BRYAN SCOTT**

397 That's the Enterprise Citizens Action Committee versus Clark County Board of Commissioners
398 at 1, 12 Nevada, 6, 49, 9, 18 Pacific second 3, "O," 5, 1996 Case. Also, with regard to his
399 argument with regard to the traffic counts because of the school, I think that Traffic Engineering,

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400 and they can testify to this, that they consider that and the tra, and the school being in session or
401 out of session would have no significant impact on the traffic count numbers.

402

403 **MAYOR GOODMAN**

404 All right. Thank you.

405 Okay. This is what we're gonna do, folks. Three-minute timer. We'll have those who are for
406 speak first, one at a time. Against, one at a time, and we'll go back and forth until everybody
407 feels they've had an opportunity to be heard. Okay. Can I have somebody who's for, please.
408 That's for the closure. Please tell us your name and your address, and we'll use the timer here.

409 **MICHAEL KIRCH**

410 Mayor, Council, Council members, Michael Kirch, 826 Kenny Way. Some of you Council
411 members have seen me for the last 11 years. I spent nine months in here fighting one of these
412 things about five years ago. Don't need to go into 33-year resident, lender, run Wells Fargo
413 Mortgage, know all about values of homes and increase in tax dollars that have taken place. I
414 wanted to hit it just a little different way today. The house has been in our family, Marlene and
415 mine, since 1969. We inherited the home and moved into it 11 years ago. At that time, I was in
416 my mid 50s, along with my wife, and we were about the youngest people in the neighborhood.

417 Unfortunately, the neighborhood had spent many, many years with the same residents. They had
418 kept the houses nice. But a few months ago some of our very aggressive and positive neighbors
419 put together a neighborhood watch. We've had many meetings with the neighborhood watch,
420 and then about a month ago when they had, I think it was Tuesday Night Out for Neighborhood
421 Watch, we blocked off the block, or part of the block, and we got the residents together. I
422 honestly, since I traversed this neighborhood four times a day, three hundred and sixty-five days
423 a year, could not believe the amount of children that were out there playing with the safety of
424 everybody else around. The integrity of the neighborhood has changed from older folks to
425 younger folks. I met three or four couples that have just decided to buy, upscale houses by the
426 way, and move into this neighborhood and raise their children.

427 A couple other things: To my knowledge, and I think I've been doing this longer than anybody
428 else, this is at least the fourth traffic study that's been done by you folks to determine what we do
429 with cut-through traffic. I'm part of the Palomino area preservation society or association. I spent

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430 eight months, along with some of the Council people and your Traffic Division, and we rezoned
431 all of the commercial property. And you go back, and you folks voted on it, we rezoned all of the
432 commercial property from Rancho to Valley View to make sure that we would not have ingress
433 into our neighborhood. We also know that you all approved and spent a sub, substantial amount
434 of money on Alta Boulevard; in fact, there's a couple of big stone signs, they call us a – historic
435 neighborhood, that we want to keep this as a historic neighborhood.
436 Now, we talk about, and you asked for, whether you're for or against or whether you live in the
437 neighborhood. I would ask Councilman Reese if he would do one other thing. We had our hands
438 up for who was for or against. Try it one more time. Who's for or against, and who lives in the
439 neighborhood? Our good neighbors at the Mormon Church, by the way, one of the comments
440 made was interior of the neighborhood. Legally, and that's what we're looking at in some of
441 these things. Our good folks at the Mormon Church, legal address is on West Charleston. That is
442 not interior of the neighborhood for all the changes. I wanna thank you so very much for hearing
443 me. Thank you.

444

445 **MAYOR GOODMAN**

446 Thank you very much for coming down. Ms. Brailsford.

447

448 **JUDY BRAILSFORD**

449 My name's Judy Brailsford. I live at 606 Lacy Lane, Las Vegas, Nevada, and I live in the
450 neighborhood. I've lived there seven years. I walk the streets on a regular basis. I have never
451 really noticed nor thought that the traffic was dramatic at any time in that neighborhood. And I
452 have a question about the traffic counts, because in the last neighborhood meeting that we
453 attended your Traffic Engineer told us that people had continually been breaking the counters.
454 And, so, obviously, the traffic counts were flawed somehow. I don't know if that meant you
455 didn't as many cars as came through, or they just broke down. And, so, I really have a question
456 with the traffic counts.

457 Also, you have little red dots and green dots in here, and I – don't know who went out and
458 designated who those were, but I think a couple of those homes have sold first or at least are on
459 the market, so you'd have to take a few of them out.

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460 I, personally, not just because I attend that church, but I, personally, oppose it, because I believe
461 that traffic flow goes more onto Cashman, or onto Campbell now, which, walking the
462 neighborhood, I can tell you that Campbell – and Palomino are the two most dangerous streets at
463 this time of the year in that whole entire neighborhood, and that's where our kids walk and ride
464 their bikes to school, and the cars are gonna go down there and use those streets instead of the
465 street to get onto Cash, or onto Charleston.

466 So, I'm definitely not for the closure, and I just wanted to go on record as being – saying so. And
467 I would also like to call into question the traffic studies.

468

469 **MAYOR GOODMAN**

470 All right, let's have that answer. What's the story about the traffic counter?

471

472 **O.C. WHITE**

473 Mr. Mayor, during the, after the study, once we had finished putting in the barricades, we had a
474 couple of counters that for some reason came up damaged. But we – were able to take a number
475 of studies. We took plenty of time so that we could make sure we did get good counts. So, the
476 counts that we used were actual counts that, from counters that we knew were working properly.

477

478 **MAYOR GOODMAN**

479 All right. Thank you. All right, this is against the, for the closure. Sir.

480

481 **TONY SHELTON**

482 Tony Shelton, 845 Kenny Way. My wife and I and our two-year-old daughter live on the corner
483 of Kenny and Hastings. We've been there around a year. When we bought this house, we
484 thought that we were in a residential neighborhood. Once we got in there, we realized we can't –
485 leave our gate open for any period of time, because, if our dog was to get out or if our daughter
486 was to even step two feet on the street for a second, cars were flying by there at 40 miles an hour
487 or more. And, coming, many times they would take that Cashman shortcut, and, as they rounded
488 the corner, they would squeal tires and floor their accelerator as soon they got onto Hastings and
489 go right past our house like that. Since the closure, we've had virtually none of that. There were

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490 times when I would go out and stand on Hastings, before the closure, and step out into the street,
491 and I'd get the finger, or something like that, and I'd ask 'em, you know, what if that was my
492 two-year-old daughter that stepped out into the street, and you're going 45, 50 miles an hour
493 down our, down a two-block street?

494 So, anyway, since this has been closed, we have felt much safer. My wife has been taking my
495 daughter out and walks through the neighborhood. Which she never did, was able to do before.
496 And, we feel like this is now a residential neighborhood. I sent some e-mails to the some of the
497 Council members. In the newer parts of town, they're all closed off. I mean, you have to drive
498 some times, a mile, almost, just to get into a neighborhood. Nobody foresaw this when this
499 neighborhood was built. Nobody foresaw the traffic going through here. This – was a residential
500 neighborhood. But now, as time has gone by, as Las Vegas has grown, this has become a
501 shortcut for people to use who have no regard for our, the fact that this is a residential
502 neighborhood.

503 Furthermore, as soon as, just – to show the character of who is cutting through our
504 neighborhood, for the first few days, and I'll also say on Sunday, after the first closure, we sat in
505 our yard and we listened to tires squealing and squealing and squealing from people turning
506 around and being so mad that they couldn't cut through their little shortcut anymore. That
507 subsided after about the first four or five days, and we've had no problem with it since. But that
508 shows, right there, the character of the people who are cutting through our neighborhood and
509 couldn't care less that there are families that live in there. And, I'm 100 percent for the closure.

510

511 **MAYOR GOODMAN**

512 All right. Let me ask you this. Wait, wo, wo, wo, wo. wo. Let me ask you this. The suggestion
513 that was made to leave the street open on Sunday, how do you feel about that?

514

515 **TONY SHELTON**

516 I have no problem, if they have a key to open it on Sunday and close it, on Sunday, but I'm not
517 for leaving it open at night. That's some of the worst time. And, also, after 6:00 p.m., Charleston
518 is a ghost town. I mean, you can pull out and turn left or right on Charleston after 6:00 p.m. any

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519 time. So, between 6:00 and 10:00, they should have no problem coming out of the church onto
520 Charleston.

521

522 **MAYOR GOODMAN**

523 All right. Thank you. All right. Commissioner Ashworth.

524

525 **DON ASHWORTH**

526 Mayor and Councilmen, my name is Don Ashworth. I live at 2337 Pinto Lane. For some reason,
527 to begin with, they – have closed this area down. Ms. Moncrief stated I wasn't in that area. I'm
528 in her Ward. I've been in her Ward for 38 years. I've never lived anywhere but right in that area.
529 Thirty-eight years I've been there. This gentleman, to say that it was not foreseen what was gonna
530 happen to these roads, that is not true. I remember when that chapel was built. I remember the
531 individuals that dedicated the land for the chapels. It was understood that we would be able to
532 come in that back way, so we would not have to go onto Charleston Boulevard.

533 And, in regard to Mr. Jerick, in regard to his statement concerning who initiated this, you have to
534 look at Mrs. (sic) Moncrief's letter and see that she states it was initiated by those people that
535 lived in this area.

536 And, so, it's a situation that, many things that we've had in this situation are not congruous.
537 When we had the – last discussion, an individual pointed out that there was a, that it was not
538 consistent with the report that they had on two or three items. That's when they said, the reason
539 they're not consistent is because the – machines' malfunction. They didn't say that the reason
540 they were inconsistent was because we took the report three times and it always came out or
541 always came out good. That was never even brought up. They just stated, all they basically stated
542 was the thing had broken and that's why they were not consistent.

543 Like I said, I've lived in this area for a long, long time. I go to that church. It's very offensive to
544 me to go onto Charleston to be able to, have to come over there. Once you're in there, you
545 cannot get out, except by, the way it seems right now, except by going onto Charleston
546 Boulevard. And that left-hand, left turn off from Cashman onto – Charleston, right there in that
547 area, is a bad situation. And, once again, I would just ask that we be allowed to use that area, and

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548 that's the situation that's before this —, these, you individuals. And I realize that, it's a — poignant
549 thing that you're gonna have to do.

550 But, I think, to say that just those people in that area are the only ones that can control the
551 decision on what's going to happen is not correct. Thank you.

552

553 **MAYOR GOODMAN**

554 What do you feel about keeping it open on Sunday? Would that fall long way to satisfying the
555 issues or not?

556

557 **DON ASHWORTH**

558 The only problem I have with that, with the closure, who's, the type of closure you're gonna
559 have, who's gonna maintain the street? It —

560

561 **MAYOR GOODMAN**

562 You — mean maintain the gate?

563

564 **DON ASHWORTH**

565 The whole — area.

566

567 **MAYOR GOODMAN**

568 Open up the gate and close the gate on Sunday?

569

570 **DON ASHWORTH**

571 Right.

572

573 **MAYOR GOODMAN**

574 The, I'll worry about that.

575

576 **DON ASHWORTH**

577 Okay. What about the Fire Department, if we have a — closure there, a turnaround?

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578 **MAYOR GOODMAN**

579 It would be a crash gate, I assume.

580

581 **COUNCILWOMAN MONCRIEF**

582 Your Honor, we have someone from the Fire Department here that would like to speak also.

583

584 **MAYOR GOODMAN**

585 All right. Why – don't you tell the folks how you would perceive this, if, in fact, there was a
586 gate. Please tell us your name, what unit you're assigned to.

587

588 **JEFF DONAHUE**

589 Jeff Donahue, Deputy Fire Marshal, Las Vegas Fire and Rescue. Currently, after review with the
590 suppression crews, there is no issue with the closure of the street at this time. If it was a gate, that
591 would be better, because then we could have access, though, through emergency conditions. We
592 would just cut the lock.

593

594 **MAYOR GOODMAN**

595 And, as I understand it, with a gate, you do have the ability to push a button, or something, and it
596 opens the gate.

597

598 **JEFF DONAHUE**

599 If – an AVI loop was installed, which is electronic wire in the – roadway, we do have automatic
600 detectors on each emergency unit that would open that automatically.

601

602 **MAYOR GOODMAN**

603 Okay. All right. Thank you very much.

604

605 **JEFF DONAHUE**

606 Thank you.

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607 **DON ASHWORTH**

608 See, the other thing you need to realize is there's only two homes. Only two homes on Cashman,
609 in that area.

610

611 **AUDIENCE**

612 Three.

613

614 **DON ASHWORTH**

615 The other home is not on Cashman. The other home is on Hastings, and that's where the address
616 is.

617

618 **AUDIENCE**

619 (inaudible)

620

621 **MAYOR GOODMAN**

622 All right. Thank you very much.

623

624 **COUNCILMAN WOLFSON**

625 Your Honor, if I may. May I ask Mr. Ashworth a couple of questions?

626

627 **MAYOR GOODMAN**

628 Certainly, Councilman.

629

630 **COUNCILMAN WOLFSON**

631 Mr. Ashworth, thank you. I've known you for a long time, and I have — the utmost respect for
632 you. I did receive your letter, and you asked me to do two things. You asked me to read the
633 letter, written in the last two weeks, to the City Council by Will Stoddard, and I did do that. And
634 then you asked me to go out to the site so that I could visually be informed as to our problem,
635 and I did that as well. And I'm just trying to get a clear appreciation of where you and some of

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636 your friends are coming from. I recognize that you don't live in the immediate area. You live a
637 couple three blocks away from what I'll call the immediate area.

638

639 **DON ASHWORTH**

640 I live five homes.

641

642 **COUNCILMAN WOLFSON**

643 You live five homes from the proposed closure?

644

645 **DON ASHWORTH**

646 Yeah. I'm right down — on Pinto Lane, right across from Steve Morris and John Moran.

647

648 **AUDIENCE**

649 (inaudible)

650

651 **DON ASHWORTH**

652 That's not five blocks.

653

654 **COUNCILMAN WOLFSON**

655 Well, the map I have places Pinto Lane a few blocks —

656

657 **DON ASHWORTH**

658 Okay, a few blocks.

659

660 **COUNCILMAN WOLFSON**

661 We don't — have to quibble about that. But here — is my question. I'm trying to appreciate where
662 you're coming from. If this Council were to vote to close Cashman, that would cause you to have
663 to rather than drive the interior streets and end up on Cashman to enter your church, you would
664 have to enter onto Charleston, and then enter into the church; is that what this boils down to?

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665 **DON ASHWORTH**

666 That's correct. There is no other way to get onto the, into the church, other than by Cashman, if
667 this closed, I mean, by Charleston, if this is closed. No other way.

668

669 **COUNCILMAN WOLFSON**

670 Now, here, here's the trouble I'm having, and I'm not telling anybody how I'm going to vote
671 today, 'cause I haven't yet decided. But the trouble I'm having is I am afraid about waiting until
672 some small child is run over by a speeding vehicle on Lacy Lane. I went and looked at Lacy
673 Lane, and that's a long, long street. And it brings me back to the Maryland Parkway/Bishop
674 Gorman incident that we had a number of years ago. And that was, I believe, a high school
675 student who was run over and killed right out in front of the school, and that prompted an action
676 to put, I believe, a – crosswalk with a streetlight, as I recall. And, but for that incident, that
677 streetlight may not have been put in, and now, I don't believe, we've had any other incidents.

678 So, what I have to do, as a City Councilman, along with my colleagues, is weigh the
679 inconvenience, and I realize it is an inconvenience to people, versus the safety and the integrity
680 of the neighborhood. Could you respond to that, Mr. Ashworth?

681

682 **DON ASHWORTH**

683 Sure. You could, my response to that would be, that same analogy is true on every cut-through in
684 Las Vegas. Every cut-through through a neighborhood, that same analogy, is exactly the same,
685 and yet we're –

686

687 **COUNCILMAN WOLFSON**

688 But I'm not being – asked to consider other neighborhoods.

689

690 **DON ASHWORTH**

691 Well, not –

692

693 **COUNCILMAN WOLFSON**

694 I'm being asked to consider this one under the circumstances that we have tonight.

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695 **DON ASHWORTH**

696 Okay. What about the situation where we have some of our teens that come there in the –
697 evening for church or for their meetings, and they pull out and do a left-hand turn on Charleston
698 and all of a sudden they're broad sided, because of the traffic coming down Charleston, and
699 they're all killed? We got three or four of 'em in the car. It's the same situation.

700

701 **COUNCILMAN WOLFSON**

702 We don't – live in a perfect world. We don't have a perfect solution.

703

704 **DON ASHWORTH**

705 We do not. And this is why this is so great. The people have an opportunity to come and be
706 heard, and then you will make that decision. I understand that.

707

708 **COUNCILMAN WOLFSON**

709 Thank you.

710

711 **MAYOR GOODMAN**

712 All right. Thank you very much. Yes, Ma'am?

713

714 **BRYAN SCOTT**

715 Mayor –, if I could, just for the record, before the next speaker comes up. This is Bryan.

716

717 **MAYOR GOODMAN**

718 Certainly.

719

720 **BRYAN SCOTT**

721 There's a difference between a citizen-initiated action and a Council-initiated action. In
722 reviewing Councilwoman Moncrief's letter, it just says a few months ago our office was
723 approached by several concerned residents in the area regarding the amount of traffic flowing
724 through their neighborhood. That, to me, doesn't rise to the level of being a citizen-initiated

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725 action. Normally, when we consider citizen-initiated actions, as, like as in SIDs, that requires a
726 petition of the majority of the homeowners –

727

728 **DON ASHWORTH**

729 What is an SID?

730

731 **BRYAN SCOTT**

732 Oh, I'm sorry. Special Improvement District.

733

734 **DON ASHWORTH**

735 Thank you.

736

737 **BRYAN SCOTT**

738 Whenever that's done in a neighborhood and it's initiated by citizens, that requires a petition
739 signed by a majority of the homeowners within the area asking for the, asking the Council to do
740 a certain thing. In this case, this was a Council- initiated action.

741

742 **MAYOR GOODMAN**

743 Thank you.

744

745 **COUNCILWOMAN MONCRIEF**

746 Your Honor, I might clarify that also.

747

748 **MAYOR GOODMAN**

749 Councilwoman.

750

751 **COUNCILWOMAN MONCRIEF**

752 In our first town hall meeting, it wasn't just, we weren't talking about just closure. We were
753 talking about somehow restricting traffic, putting squeeze devises, bumps, anything we could
754 think of, and I'm the one that asked O.C. White, can I close the street? Because I didn't know if I

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755 could or not, being a new Council member. And he said, yes, you could temporary close it. So,
756 I'm the one that initiated that closure. It wasn't like a petition of people trying to get it closed.

757

758 **MAYOR GOODMAN**

759 Thank you.

760

761 **COUNCILWOMAN MONCRIEF**

762 Thank you.

763

764 **MAYOR GOODMAN**

765 All right. Yes, Ma'am.

766

767 **LORETTA BLOCK**

768 Good afternoon. My name is Loretta Block, and I live at 3317 Hastings Avenue. I am in the
769 neighborhood, and I've been there since 1991. We bought our home from my in-laws, who've
770 been there and built that home in 1954.

771 My point that I wanna get across is that about ten years ago, and I don't have the exact date, the
772 neighborhood was invited to the Las Vegas Valley Water District to discuss construction that
773 they were gonna do. Mr. Stoddard was also at that meeting. Frank Hawkins, at the time, was the
774 Council member. They were doing major construction, and they wanted to open their parking lot
775 for the employees to use the – LDS Church parking lot. We were, of course, concerned about the
776 traffic. That was the big thing. We agreed upon a chain being put across the parking lot, and a
777 guard was there. So, during the construction, the Water District employees still had to come in
778 off Charleston, pull in to the parking, use the LDS parking lot, and then they had to leave by
779 going back onto Charleston. Of course, when the construction was done, the chain came down,
780 and the guard is gone.

781 And, I don't have the books to read, as Mr. Stoddard did, but somewhere there has to be where
782 you can't have a parking lot for the employees of the Las Vegas Water District, which is huge.
783 Their entrance to their parking lot is through a parking lot in the LDS Church. They, there's no in

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784 and out from Charleston, there's no in and out from Valley View. I don't know how that
785 happened, and I can't believe that, you know, that's happening.
786 That's where our problem is. The — people from the Water District has found the shortcut. I live
787 at the end of Lacy Lane and from 7:00 to 8:00 in the morning there's a constant flow of traffic.
788 That has stopped.
789 And Mr. Stoddard addressed the left-hand turn out of Charleston on Sunday morning. Just
790 recently, I don't know how long ago, but the Council, and I'm not sure how many of you were
791 on it, West Bay, something, I don't know what it's called. It was Pam Black and Mr. Moran, got
792 that on. Those people have to make a left. They don't have a streetlight. They have to make a left
793 out of that — parking lot to get, if they wanna go left on Charleston, they have to come out. And
794 they do it Monday through Friday, not just on Sunday.
795 To wrap up, we are, we're the Church neighbors. I'm not asking these people not to go to church.
796 I'm asking them to drive one block out of their way, just one block around the corner. They can
797 come down my, in my neighborhood. They're my neighbors. I don't mind them driving in my
798 neighborhood. But, for the safety of the people that live in this neighborhood, I would — ask that
799 they just drive one block out of their way to stop the excessive traffic. Thank you.

800

801 **MAYOR GOODMAN**

802 Thank you very much. All right.

803

804 **GEORGE CROMER**

805 Good afternoon. George Cromer. I live at 839 Kenny Way, just three houses from Hastings on
806 Kenny. I —, I'm against the closure of Cashman, for one simple reason is that that's taking a
807 Band-Aid to stop hemorrhaging. What's happened is you've got people that backup on
808 Charleston and cut through Hastings, and visa versa off of Alta and Valley View. And that's the
809 cut-through traffic that goes through there. The problem is not Cashman. The problem is
810 Charleston at Valley View. There's not enough turn lanes for people to make that turn onto
811 Valley View so they can make I-95 at Valley View and 95. That's — the major problem there.

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812 Additionally, the church problem. The church has a Water District parking lot, the church
813 parking lot, and then Triple A's parking lot, which they cut through to dump out onto Hastings.
814 That's the problem, is that there's no blockage of that.

815 And, I know Metro's policies concerning, you know, the ability to travel through parking lots
816 and different parcels. They don't like that because it allows fleeing people to escape. The
817 problem is is that you get that – pass-through traffic on those – Sundays. You get Water District
818 trucks that go in that way. But the – real problem is not closure of Cashman. The real problem is
819 that Charleston backs up, and that's why the Water District trucks go through the neighborhood,
820 that's the why the church people cut-through the neighborhood, that's why Triple A parks in that
821 area around the neighborhood, and that's why people going home at 5:00 o'clock, westbound on
822 Charleston, cut through that neighborhood. It, because Charleston backs up, and I've seen
823 Charleston backup almost all the way to Rancho on several occasions between, at 5:00 and 7:00
824 o'clock rush hour.

825 A Band-Aid fix is not what this Council needs to concern itself with. What it, Council needs to
826 concern itself with is a permanent fix. How do you create a – safe neighborhood in addition to
827 continued access for the neighbors, as well as other people who may need the additional
828 assistance to avoid the major streets in gaining – access to their church. Because of that, the only
829 – solution is to create a better turn, or a double turn lane, or even a single turn lane, from
830 westbound Charleston to northbound Valley View, and then prevent the cut-through coming
831 down Valley View and Alta. That will eliminate it, because the Water District trucks will then be
832 able to go around into their parking lot, the church people will be able to get out onto Charleston
833 conveniently and make the turn one way or the other. The Triple A people will be able to get out
834 of their parking lot, but the problem is is you're dumping all of that – traffic from those three
835 parking lots onto Hastings. And that's simply not right. What they should be doing is – have the
836 ability to make that right turn on Charleston safely, so they can get to the freeway, so they can
837 move traffic down into the corridors that they, that the City and the State and the County have
838 been working on in order to move traffic effectively through this area.
839 But simply taking a Band-Aid and saying we're going to close this –

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840 **MAYOR GOODMAN**

841 Thank you. Appreciate it.

842

843 **COUNCILMAN REESE**

844 Next please —

845

846 **DERRELL PARKER**

847 Good afternoon. My name is Derrell Parker. I reside at 3309 Hastings Avenue. And, I have a
848 couple of things I'd like to — pass in also. We have a list of names of people who could not be
849 here today that gave us a letter that said they would like to be here, but, because of their conflict
850 in schedule, they couldn't be. And, I also have in this packet for each of you a petition that was
851 signed by the neighborhood, and I also have copies of letters and e-mails that have been sent out.
852 And I'd like to submit those, if I could, please.

853

854 **COUNCILMAN REESE**

855 Please submit it to the Clerk, please.

856

857 **UNIDENTIFIED FEMALE SPEAKER #1**

858 And the petition has been updated.

859

860 **DERRELL PARKER**

861 And the petition has been updated over the one that was — last seen. Here's, these go with that.
862 I'd like to —

863

864 **COUNCILMAN REESE**

865 Are — these all the same petitions —

866

867 **DERRELL PARKER**

868 — bef, excuse me?

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869 **COUNCILMAN REESE**

870 – or are they a copy for us?

871

872 **DERRELL PARKER**

873 They're all for, they're for each individual one. Well, –

874

875 **COUNCILMAN REESE**

876 Just the – ones down there?

877

878 **DERRELL PARKER**

879 Yeah.

880

881 **COUNCILMAN REESE**

882 Keep one for the record, please.

883

884 **DERRELL PARKER**

885 Before –, going into, I'd like to – clarify a couple of things. My neighbor, a few minutes ago,

886 Loretta Block was, she made a statement about the – parking at the Water District.

887 Unfortunately, that's where part of our problem is. Not having an egress out of that parking lot

888 onto Charleston has forced a lot of those people to come through the neighborhoods in the

889 morning and in the afternoon to go and come from the Water District. So, that has been part of

890 our problem that we had.

891 But, the main problem that we had was strictly safety, safety for the neighborhood and

892 preservation of the neighborhood. We have a very nice neighborhood over there that we'd like to

893 maintain. As a matter of fact, Councilman Reese, we were in your Ward at one time in the old

894 Huntridge area. And, we moved out of the Huntridge area for the very same reasons we're seeing

895 happen in this neighborhood right now. We – toughed it out until the second drive-by shooting

896 took place, and then it was time to move. And we left a neighborhood of – almost 20 years to

897 move into a new neighborhood. We've been here now ten years, and we don't wanna see the

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898 same thing happen. We don't wanna see the City have to invest hundreds of thousands of dollars
899 to bring back a neighborhood that could have been saved at its initial stages at this point in time.
900 We have a —, an issue of safety for the children. We have an issue for safety for some of our
901 elderly citizens that we have living in this neighborhood. I don't know how many of you are
902 aware of a lady named Helen Cannon, but she is one of our neighbors, and she's a real asset to
903 this City. She rides her bike every morning. She's a little over 90 years old, at this point, and she
904 rides her three-wheel bike every morning in the neighborhood. She's finally gotten to the point
905 where she can now venture into some of the other streets that she was not able to ride on before.
906 We saw excessive speed in the neighborhood, up until the time that the closure took place. We
907 saw property damage in the neighborhood. We had some at our, in our own property that was,
908 that my wife will talk about in a second.
909 Part of the problems that we had —

910

911 **SHEAN ABRAMS**

912 You're done.

913

914 **DERRELL PARKER**

915 Okay. (inaudible)

916

917 **SHEAN ABRAMS**

918 My name is Shean Abrams. I live at 3309 Hastings. We, one of the things that we wanna talk
919 about is, Ryan here and I went to meet with President Webb of the church. We wanted to talk,
920 and we were there for 90 minutes. We had a very nice conversation with him. And, we just
921 wanted to talk and see what their feelings were. We wanted, let them know that we're not bad
922 people, that we really do care about our neighborhood, and that they are our neighbors. And we
923 wanna be, you know, fair.
924 The only thing, we — promised him that we would not quote him, and but we could paraphrase,
925 and basically what the information was that he gave was that it wasn't a church issue; it is a
926 neighborhood issue. And that's all I'm gonna talk about at that meeting.

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927 I am in favor of the closure, complete closure. I did bring another one that was updated with the
928 other additional signatures we got off of the petition. It might be a little easier to see. As you can
929 see, there's a significant number of people who really want this closure. I, personally, walked
930 this neighborhood for three months, and I talked to people. And, people who were against it, I
931 invited them to come, because I wanna hear their opinion. I wanna see why they're against it,
932 and – I wanna hear what they have to say. I appreciate the fact that they have the right to feel
933 opposed or in favor of it.

934 I –, it has created great safety in our neighborhood. Our mailbox was driven down, was driven
935 over twice, knocked down. Our neighbor's fence was bowled over, and our mailman won't
936 deliver our mail when our mailbox is knocked down.

937 So, in closing, I don't wanna keep it too long, please consider keeping our neighborhood safe
938 and helping us preserve this wonderful neighborhood. We're too old to move again. So, we, you
939 know, we ask for your consideration.

940

941 **MAYOR GOODMAN**

942 Okay. What do you think about the gate being open on a Sunday?

943

944 **SHEAN ABRAMS**

945 You know, I'm, personally, against it. Only because, you know, the neighbors have been pushed
946 so far and intimidated so far that I'm afraid that if we just, if it goes for Sunday, then it's gonna
947 turn into Monday, Tuesday, Wednesday, Thursday, Friday.

948

949 **MAYOR GOODMAN**

950 Well, let's assume that people are of their word, and that the agreement was that it would be
951 open all day Sunday, do you have a problem with that?

952

953 **SHEAN ABRAMS**

954 I – don't see what the problem is with driving on Charleston on Sunday. It's virtually no traffic. I
955 go out on, left all the time, and I don't see the problem with Sunday traffic as being an issue.

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956 **MAYOR GOODMAN**

957 All right.

958

959 **SHEAN ABRAMS**

960 You know, one option that we could offer, I mean, I would, I don't know about the other
961 neighbors, but, you know, maybe to – allow all the neighbors inside of our neighbor, and we
962 talked to – President Webb about this, maybe all the neighbors inside of our neighborhood that
963 want to go to the church, maybe we should consider Lacy and Kenny as the – streets we close
964 down, which keeps our neighborhood open to all those people who want to go to church. That
965 might just be another option that we would consider. Cut the – two, Alta off, allowing the
966 opening of all the neighborhood to have access to Charleston.

967 In talking to President Webb, quickly, he did have concerns about the parking for his Christmas
968 pageant, and we had told him that we had absolutely no problem with the church parking in our
969 neighborhood, even if the closure was there. They could park and walk through the – sidewalk.
970 Absolutely. That would not be a problem to us. And they park in front of my house for four days
971 and I don't have a problem with it. And – most of the people there don't. So, you know, we're
972 just asking them to go around a little bit.

973 And –, then maybe Kenny and Lacy. This is a little more expensive. I think it's kind of silly. We
974 can close one instead of two, and go half, I mean, a block around. But –

975

976 **UNIDENTIFIED FEMALE SPEAKER #2**

977 (inaudible) Kenny and Lacy.

978

979 **SHEAN ABRAMS**

980 Yeah. I know.

981

982 **MAYOR GOODMAN**

983 Okay. All right. All right. Thank you. Appreciate it.

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984 **SHEAN ABRAMS**

985 Thank you.

986

987 **MARA MESERVY**

988 Mara Meservy, 2718 Mason. I don't live in the neighborhood. I live across Charleston. I have
989 attended this church since 1961, when it was opened. And, the Mayor asked a really good
990 question and I wanted to answer it. He asked, why do you need that open, other than Sundays?
991 We have two Boy Scout Troops that are open to the community that meet in there on Tuesdays
992 and Wednesdays. We have, on Tuesday nights, an employment agency that is open, an
993 employment service that is open at the church. This is just stuff I know of. I'm not a big leader.

994

995 **MAYOR GOODMAN**

996 And I, that would be from 6:00 to 10:00?

997

998 **MARA MESERVY**

999 Yes, in the evening hours.

1000

1001

1002 **MAYOR GOODMAN**

1003 Okay.

1004

1005 **MARA MESERVY**

1006 We have, funerals, if you're a Latter-Day Saint, funerals and weddings are — free, provided free at
1007 the church. And, so, on Friday morning, for instance, we're having a funeral for a very long-term
1008 friend of mine. And those go on. I can't ever tell when people are gonna choose to get married or
1009 are gonna pass away.

1010 Every Tuesday and Wednesday evening, along with the Boy Scout Troop meeting, we have the
1011 young women's group that meets. I have four children, and I send three of them in with my 17-
1012 year-old in his car to church so that I can take the van and go to Martin Luther King and
1013 Washington and then on to Rancho and Washington to pick up five other children that I take

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1014 every Wednesday to the young women's group, and then return home. We used to take Alta. I
1015 used to, after I picked them up, I would come down Rancho to Alta and take Alta to Campbell
1016 and take Campbell into the church. And I can't do that anymore, and it's no big deal. You're
1017 right. I, instead I take Rancho all the way to Charleston and come in.
1018 It is a bigger deal for me with my children. My children, I worry about just as much as your
1019 children. I worry about every single child that is in that chapel, and there's many, many children
1020 in that chapel. There's also a lot of older women. One Thursday a month, from the hours of 9:00
1021 until they quit, tucker out about 2:00 o'clock, they meet for a humanitarian project. They have
1022 made over the course of the last 43 years thousands of chemo hats and quilts and baby blankets
1023 for Ronald McDonald House. And, that's the day that these older sisters get together. One day a
1024 month and do their humanitarian projects.
1025 It's just a building that gets used a lot in the evenings, a lot for community purposes, and then a
1026 lot on Sundays, when we have hundreds of people, there on Sunday. Also, the nativity pageant, it
1027 has been an ideal central location. And I spoke with President Webb, myself, after the second
1028 neighborhood meeting. And I said, gee, you know, these are people with strong neighbor
1029 concerns, and they have really good points, and I can see why Councilwoman Moncrief wanted
1030 to help them. And he said, I know, and I am so afraid, and I can't get over my fears of what do
1031 we do when we're not allowed onto those streets to park, and it's night, and we have, literally,
1032 thousands of people from the community coming free to attend our nativity pageant. Will we no
1033 longer be able to have that right, to have our Christmas pageant? That's, perhaps, for you, maybe
1034 not a big deal; for us, it is a big deal.
1035 And, so, those are the issues that I have. I am concerned when I leave in the evening with that
1036 carload of five children that don't belong to me, and the only way I can get out, and the only way
1037 my children can get out of that. And we have, in my group that meets on Wednesday nights, we
1038 have about 55 kids, and then the adults with them, from the hours of 7:00 until 9:00. And, when
1039 we're leaving, we have to turn either left. I have, I'm trying to turn left, because I'm trying to get
1040 down to Martin Luther King. But I can turn right and I can go up and around.

1041

1042 **MAYOR GOODMAN**

1043 Gonna have to –

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1044 **MARA MESERVY**

1045 Oh, sorry. Those are the issues.

1046

1047 **MAYOR GOODMAN**

1048 We gotcha. Okay.

1049

1050 **LEONARD ROSENSTEIN**

1051 Your Honor, Council members, I reside at 909 Cashman Drive. Name is Leonard Rosenstein.

1052 We've lived there thirty something years now, long enough to see our kids go to school, go to

1053 college, go elsewhere. We're still there. We're still there by choice, because we just found the

1054 conveniences, excuse me, of this, what has become now, pretty much a core area of the City, a

1055 portion of it, which has changed drastically over the years. During that time, we've seen the

1056 rebuilding of the Water District property and creation of that wall. The wall that would normally

1057 separate the church property from the Water District property. My – wife remarked about and

1058 said, won't that increase traffic? I said, well, I said that should not be your only consideration.

1059 Why not use that parking lot when their holidays and so on. I believe that it just makes sense for

1060 the church. She said, well, about the increased traffic? I said, well, you have to live with that.

1061 Things have changed since then. And one of the adversaries has mentioned difficulty of the

1062 Charleston/Valley View intersection. I agree with that wholeheartedly. But what has occurred in

1063 the meanwhile and the reference to the lineup of cars east from Valley View on Charleston

1064 during return home hours, and so on, has increased to times when, except for the intervention of

1065 Campbell with the traffic light, the traffic has been backed up all the way.

1066 The easy access, for many people, is to now use Cashman as an arterial, Cashman to Hastings, to

1067 Lacy, to Alta, and on to the freeway. The freeway, as everyone knows here, has become a

1068 significant and major thoroughfare. And I can assure you that it has not benefited, in that sense,

1069 Cashman as a way to get a – shortcut at least in time and ignoring traffic lights. We live at 909,

1070 which is the house that I would say is most impacted by the barrier that would be erected. When

1071 the first temporary barrier was put up, it was a straight line, and the straight line tied in with the

1072 property west of us, on the other side of Cashman –

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1073 **MAYOR GOODMAN**

1074 Mr. Rosenstein, I'm gonna have to cut you short. Really. I'm trying to give everybody time here,
1075 and I'm trying to be fair.

1076

1077 **LEONARD ROSENSTEIN**

1078 Okay –

1079

1080 **MAYOR GOODMAN**

1081 I cut the young lady short, and I have to cut you short.

1082

1083 **LENOARD ROSENSTEIN**

1084 All right. We opted to elect for that radius to stay within the community. And, I would say in
1085 conclusion that this is a neighborhood situation and should be regarded as such, as opposed to
1086 the overall area, the City, the immediate surroundings, those who live there. And the vast
1087 majority within that neighborhood are for the closing of Cashman. Thank you.

1088

1089 **MAYOR GOODMAN**

1090 Okay. Thank you – I'm gonna ask everyone to try to please abide to the three-minute time
1091 limitation so everybody can have an opportunity here. Yes, Ma'am.

1092

1093 **NADINE McINTIRE**

1094 My name is Nadine McIntire. I live at 840 Trotter Circle, which I do consider to be in the
1095 neighborhood, but it is not directly adjacent to Cashman. Trotter Circle is a small private street
1096 with a gate. And, so, I'd like to bring up a point that hasn't been addressed yet, to my mind. And
1097 that is, with the question of a permanent closure, that, basically, makes Cashman a private street.
1098 Right up until the closure it's been a public street. Everything's been paid for by the public
1099 taxpayers, as far as its upkeep, and so forth. As a member of a private community on a private
1100 street, I must contribute to the cost of maintaining that street and the lighting, and so forth, on
1101 that street. And, the major cost for us, as a neighborhood, is our gate. The gate is electronic,
1102 which, I'm assuming the gate you're proposing will not be electronic but would simply be a

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1103 manual gate with a key. But, we have people ram our gates. Outsiders thinking it's a lark, I
1104 guess, vandalism. I really question the validity of taking a public street and making it into a
1105 private street without asking the taxpayers or the residents of that street to absorb the costs of
1106 maintaining a private street.

1107 So my question, I guess, is, if it is not agreed upon to have a gate and to have access at least part
1108 of the time for the members of the church, what kind of barrier would be in place? Would it
1109 remain this ugly, you know, concrete thing? Or is there some idea of a permanent structure that
1110 would be more attractive to our neighborhood? Has any of this been decided or thought of?

1111

1112 **MAYOR GOODMAN**

1113 I don't believe so. At least I, it has not been discussed with me as to what type of, how the
1114 closure would take place.

1115

1116 **NADINE McINTIRE**

1117 And, so, what would be the process for that, and how would the expense of that borne out?

1118

1119 **MAYOR GOODMAN**

1120 Good questions. You're able to help us, Mr. Green? Or, Mr. White, can you help us with that?

1121 'Cause I don't know the answer. Mr. Goecke?

1122

1123 **RICHARD GOECKE**

1124 We've created different types of closures. It's true. The, what's out there now is just simply
1125 temporary in nature, and that goes away; and we substitute that by a permanent gate of some
1126 type. Or, working with the neighborhood, there's been different types of permanent closures
1127 installed, and it's just a matter of working through the closure issue. If, in fact, Mayor and
1128 Council choose to permanently close the street.

1129

1130 **MAYOR GOODMAN**

1131 Let me ask you this. The other question that was raised, if, in fact, the street is closed, is it gonna
1132 become a private street?

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1133 **RICHARD GOECKE**

1134 No. We've closed, since the creation of the manual, we've closed 15 streets. They all continue to
1135 remain as public streets.

1136

1137 **BRYAN SCOTT**

1138 Your Honor, just to add to that, it would require a vacation in order to make that a private street.

1139

1140 **MAYOR GOODMAN**

1141 Thank you. All right. Tried to answer the questions anyway. Yes, Sir.

1142

1143 **RYAN O'NEIL**

1144 Ryan O'Neil. I live at 905 Cashman Drive. My wife and I purchased the house in January of this
1145 year. And, around the 20th of January I noticed, you know, I – said enough's enough with the
1146 traffic flow. I e-mailed Councilwoman Moncrief and said, what are our options here? This is
1147 before that I knew that our neighborhood had all this support wanting to close Cashman down.

1148 My main concerns is that, the road that this has taken. At first, this was just a safety and
1149 neighborhood preservation issue, and it's turned into a religious and political issue that we, our
1150 intent was never to personally attack any business, any churchgoer. We wanna preserve the
1151 neighborhood, and it just seems like it's a – small price to pay to drive around two-tenths of a
1152 mile to get onto Charleston, where the access is to those businesses and the LDS Church.

1153 The parking that has been addressed, this is, this occurred at least once a month. I wanna show
1154 you a picture of the type of parking on our streets from Triple A members, the church goers. The
1155 – picture on the bottom is taken from the Triple A parking lot, where – Triple A entrance would
1156 be. The one on the top there is taken from my front driveway. I live next door to Mr. Rosenstein,
1157 Leonard, that spoke earlier. His wife has came over in tears. She's a cancer patient, and she can't
1158 back out of her driveway. And, the one lady that spoke earlier and mentioned that they're
1159 concerned with the – safety of the children within the chapel; we're concerned with the safety of
1160 the children in our neighborhood. There, like it was mentioned earlier, there's a lot of younger
1161 neighbors, younger residents coming to this neighborhood. There's a lot more children. We're
1162 concerned for that, for our safety as well. So, it's a minor inconvenience.

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1163 Along with Shean, I did meet with President Webb, and we did discuss some alternatives. You
1164 know, we wanted to let you know that this wasn't a personal attack on the church. All my
1165 family's LDs, so, I don't — have any attack against the church.

1166 My, as what I can say, as far as the —, departing the chapel and Triple A, is that turn right on
1167 Charleston. If you don't feel comfortable making that left-hand turn onto Charleston, turn right,
1168 make a U-turn at Valley View, which, it can't be more than a tenth of a mile away, or go down to
1169 Valley View and take a right, and then go home.

1170 Many — of the neighborhoods, when we did our survey, are not in support of a gate that will
1171 allow access on Sundays or during the evening. We feel —

1172

1173 **MAYOR GOODMAN**

1174 You say you are or are not?

1175

1176 **RYAN O'NEIL**

1177 We are against that. The majority of the neighbors are against having access on Sundays.

1178

1179 **MAYOR GOODMAN**

1180 Okay, but when we spoke, you thought it was a pretty good idea.

1181

1182 **RYAN O'NEIL**

1183 No. When we spoke at Starbuck's, we — said, we'll consider that. We'll meet with President
1184 Webb. When I, after that, we went home, we've got our neighborhood meeting watch. We got
1185 together. The majority of us are against that idea. We feel that it, why should, I'm not gonna say
1186 one person, but why should a couple residents that, some of them not even within the
1187 neighborhood boundaries that we've discussed earlier, why should they have any impact, such an
1188 impact that where we have to have that accessible? And who's gonna have the key? You know,
1189 if, like they said, I know that there's young men's and women's meetings during the week.
1190 There's all sorts of other meetings, and, obviously, they're not happy with that either. So, we
1191 would, we want a permanent closure, no gate.

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1192 **MAYOR GOODMAN**

1193 Okay. Well, Justice Holmes, of the United States Supreme Court, once said that the best decision
1194 he ever made is when both parties are unhappy. Okay?

1195 All right. Yes, Sir?

1196

1197 **UNIDENTIFIED COUNCILPERSON**

1198 Did he say that?

1199

1200 **MAYOR GOODMAN**

1201 No, I made it up. I made that up, Mr. Christensen. Holmes never said anything even close to that.

1202

1203 **PAUL J. CHRISTENSEN**

1204 I approach this board with some trepidation, because I don't know whether I'm going to be
1205 arrested and thrown in jail or not. That's what happened when I went to the last meeting. I was
1206 threatened with that, and I have yet to get the apology.

1207

1208 **MAYOR GOODMAN**

1209 Please — identify yourself.

1210

1211 **PAUL J. CHRISTENSEN**

1212 Paul J. Christensen.

1213

1214 **MAYOR GOODMAN**

1215 And your address, Sir?

1216

1217 **PAUL J. CHRISTENSEN**

1218 7-1-0 Lacy Lane.

1219

1220 **MAYOR GOODMAN**

1221 Thank you.

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1222 **PAUL J. CHRISTENSEN**

1223 I can set you straight on a lot of matters that have been mistakenly put forth here, because the
1224 only person that's lived on Lacy Lane longer than I have is the lady across the street, and she's
1225 not here today. Did all of you get my letter that I wrote to Councilman (sic) Moncrief?
1226 Councilwoman Moncrief? I left 'em all with Loretta, who –

1227

1228 **MAYOR GOODMAN**

1229 I believe we did –

1230

1231 **PAUL J. CHRISTENSEN**

1232 And I – understand that you people have a hard job. I had it for a number of years. I sat right
1233 where Weekly's seat is. But, this initiating the study routine, excuse me, when somebody
1234 contacts the City Council, or their City Councilman, who seems to be king of the ward, that they,
1235 or queen, that they want something done, that's a – constituent initiation, not a City initiation.

1236 Let me – raise a couple of issues that you, were talked about with the Water District. The one
1237 lady made a comment about the Water District when they had a – meeting on some construction.

1238 The construction was two major pipelines coming into the pumping stations there that came in
1239 that area just west of the church's parking lot. They had to tear that up, and that was when they
1240 used the church's parking lot, because they had to use that parking lot for a while. I was
1241 president of the Water District at the time. That's also about the same time we chopped off the
1242 entrance to the Water District from Hastings, because those people didn't want that. So, the
1243 people at the west end of Hastings now have their own private little street there where they play
1244 basketball and everything, and that's wonderful. More power to 'em.

1245 The, as far as the cul-de-sac there, whatever you wanna call it, the gating of the church, that was
1246 initiated when we built the church, which I helped built, build with own two hands. To alleviate
1247 having the traffic go on to Charleston Boulevard, we ended up with very small driveways on
1248 Charleston, because the City didn't want us to use Charleston Boulevard. It was too crowded. So,
1249 we came the other way.

1250 Now, since that time, when we worked an interlocal agreement with the – Water District, that
1251 entrance on the west side of the church's parking lot is closed, and we use the Water District's

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1252 entrance. So, to get out of the church parking lot directly onto Charleston, we have to traverse the
1253 Water District's property. Our property line ends where that curb is. We don't have a driveway
1254 anymore. And that was to satisfy the City, because they wanted us to get out of, to not use
1255 Charleston Boulevard.

1256 The Water District, I've heard people say at these town meetings that the, these neighborhood
1257 meetings, that the Water District runs their big trucks through there. That's physically
1258 impossible, having been in the Water District parking lot more times than anybody here. We
1259 arranged that parking lot so they have to go out on Alta Drive and turn west. Or they have to go
1260 out on — Valley View. That's the only two ways out of there. And that was done to cooperate
1261 with the City and the City's request.

1262 So what we have here is we've got a problem, because the City, we can't depend on anything
1263 anymore. I've got a letter from O.C. White that says the traffic barriers will be there for a 90-day
1264 trial period. They're there today. The 90 days was up at August the 4th. But they're still there. So
1265 you send a letter saying it's gonna be for 90 days, that doesn't mean 90 days.

1266

1267 **MAYOR GOODMAN**

1268 Mr. Christensen, I'm gonna have to treat you like everybody else and —

1269

1270 **PAUL J. CHRISTENSEN**

1271 Well, the last guy went way over his time, but that's okay. I don't want to be arrested and thrown
1272 in jail.

1273

1274 **MAYOR GOODMAN**

1275 Yes.

1276

1277 **BYRNE GALLAGHER**

1278 My name's Byrne Gallagher, and I'm currently living at 601 Kenny Way. I've been in the
1279 neighborhood about six months, lived in Las Vegas about four years. I would like to thank that
1280 my wife and I are part of the resurgence of the neighborhood, moving in to looking to start a
1281 family. We currently don't have any children but would like to at some point in time. But,

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1282 looking at the – neighborhood and what we have tried, what we're trying to do, and I just wanted
1283 to thank you for letting us all speak here, didn't know if everyone has had a chance to actually
1284 drive through the neighborhood.

1285 One thing, with a lot of the discussion of traffic, that we do not have on Kenny Way, I know
1286 Lacy is the addition of sidewalks or curbs, so, as children move into the neighborhood, I am
1287 lucky. For some reason, I think when Alta was redone, I, my, in front of my house I do have a
1288 sidewalk that goes for two houses and dead-ends at Alta. But the majority of the neighborhood
1289 does not have sidewalks. Campbell Way, or Campbell does have sidewalks, speed bumps, and
1290 stop lights. So, when we're actually talking about, you know, just to – focus on the safety issue
1291 there, as more cars and more children are moving into this neighborhood with a barrier or
1292 without a barrier, they're all using the street. There's nowhere else for them to go. So, there, you
1293 know, that is an issue that I'd like, you know, everyone to kind of keep in mind.

1294

1295 **MAYOR GOODMAN**

1296 Okay. And based on that, and I'm gonna keep going back to my same old tune here, because
1297 that's where I'm thinking at this point in time. If this were open on Sunday, that wouldn't impact
1298 your quality of life to any particular stead, would it?

1299

1300 **BYRNE GALLAGHER**

1301 Me personally?

1302

1303 **MAYOR GOODMAN**

1304 Yes.

1305

1306 **BRYNE GALLAGHER**

1307 Not speaking for the whole neighborhood?

1308

1309 **MAYOR GOODMAN**

1310 Right.

1311

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1312 **BYRNE GALLAGHER**

1313 On a Sunday opening?

1314

1315 **MAYOR GOODMAN**

1316 Right.

1317

1318 **BYRNE GALLAGHER**

1319 You know, realizing we're talking perfect world here on who open and close?

1320

1321 **MAYOR GOODMAN**

1322 Right —

1323

1324 **BYRNE GALLAGHER**

1325 I don't see an issue with that on a Sunday. On a 6:00 o'clock to 10:00 o'clock during the
1326 weekdays, I'd have an issue with that one. But —

1327

1328 **MAYOR GOODMAN**

1329 Why?

1330

1331 **BYRNE GALLAGHER**

1332 Six o'clock, I mean, you are talking a — rush-hour time, when you —

1333

1334 **MAYOR GOODMAN**

1335 How about — 7:00 to 10:00?

1336

1337 **BYRNE GALLAGHER**

1338 I, there might be something that I would be available to.

1339

1340 **MAYOR GOODMAN**

1341 I'm asking about you. Yes.

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1342 **BYRNE GALLAGHER**

1343 I could see working something out. Personally. Yes.

1344

1345 **MAYOR GOODMAN**

1346 Okay. Do you have any problem if it were open for the nativity event?

1347

1348 **BRYNE GALLAGHER**

1349 No. I think, you know, talking to some of the neighbors, the parking's an issue that, for the
1350 nativity event that they, the church has brought up. And, I think, people within the neighborhood
1351 have been open to trying to work something out with the — church on that.

1352

1353 **MAYOR GOODMAN**

1354 And I also understand that twice a year there's a conference that's held there on Saturdays;
1355 would you have a problem with that twice a year?

1356

1357 **BYRNE GALLAGHER**

1358 Don't know much about that one right off — the hand. I've, this is the first I've really heard of
1359 that. But I have heard of nativity scene before.

1360

1361 **MAYOR GOODMAN**

1362 All right. Well, I interrupted you. If you have more to say, I'm happy to —

1363

1364 **BYRNE GALLAGHER**

1365 No, that was it. I just wanted to, you know, bring up the sidewalk issue within the neighborhood.
1366 Thank you.

1367

1368 **MAYOR GOODMAN**

1369 Thank you. Appreciate it. Thank you. Okay, anybody against the closure. Yes, Sir?

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1370 **DOUG RITCHIE**

1371 (inaudible) Static electricity.

1372

1373 **MAYOR GOODMAN**

1374 Anybody help us with this? It's almost through. Pardon me? Okay, the sound people are coming,
1375 folks. We'll just be in recess for a moment, please.

1376

1377 **MEETING MOMENTARILY RECESSED DUE TO AUDIO PROBLEM**

1378 **MAYOR GOODMAN**

1379 Yes, Sir. Be happy to hear from you.

1380

1381 **DOUG RITCHIE**

1382 Doug Ritchie, 308 Hibiscus Drive. I guess, this is a really charged issue today. I'm, I appreciate
1383 the Council's willingness to hear everyone. You know, the issue really isn't about whether
1384 people are willing to drive a few blocks. I'm sure that at least four of the church members are
1385 willing to drive all the way up to Valley View and – go out to 95, or flip a Uee or whatever's
1386 necessary. The issue truly is about safety. Now the question there, therefore is, you know, what
1387 – is the standard for what is necessary to achieve safety. Under this, apparently under the rules,
1388 at least 2,000, you have to have at least 2,000 cars going through a neighborhood before it
1389 becomes a safety issue that would warrant the closure of a street. I don't know how less than a
1390 third of that now suddenly rises to the issue of a safety concern, because Councilman (sic)
1391 Moncrief has responded to the concerns of her, the members of her Ward.

1392 Now, I've – heard frequently the people talking about, well, in our neighborhood, see all these
1393 red dots, all these people in our area want this street closed. But this is not just one ward. We
1394 are a community. More than just a group of people are involved. And that's why, I presume,
1395 there's a city-wide plan for traffic management as well as standards for closing and opening
1396 roads.

1397 Now, it appears that, just based on the testimony I've heard today, that the issue seems to be
1398 traffic on Charleston wanting to cut through, which seems natural if you have to wait a half hour
1399 to get up to Valley View. And the issue of the – water trucks. Again, if the issue's about safety,

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1400 prior to the closure of the street, people could go down, hit Campbell and hit the light there.
1401 Now however, they will have to, there is no other option, they have to go onto Charleston. They
1402 either have to attempt a left, which would not be advisable, or they would have to go up and
1403 again hit Valley View.

1404 If, you know, I – guess the City Council, their – job is to – show some wisdom like Solomon and
1405 to try to arrive at a just result. If it seems like the traffic is during the day, then why, perhaps a
1406 proposal similar to what Brother Will Stoddard has proposed, where Sundays are open and then
1407 in the evenings, when the traffic is not so bad, the rush hour's over. Then people could enter into
1408 the facilities at the church and use it. Again, although Sunday isn't, there's a lot of use at the –
1409 church during the week. There are scouts that meet there. There's a number of other activities
1410 are going on. And I don't, at least from what I've heard, that it doesn't sound as if that is the
1411 major issue for the neighbors. It's the – heavy traffic, people cutting through, particularly during
1412 rush hour. Therefore, although there is a standard for – setting whether a street's going to be
1413 closed, we don't want to make this arbitrary and capricious.

1414

1415 **MAYOR GOODMAN**

1416 Thank you very much.

1417

1418 **DOUG RITCHIE**

1419 Thank you.

1420

1421 **MAYOR GOODMAN**

1422 Yes, Ma'am.

1423

1424 **LORRAINE COPMAN**

1425 Lorraine Copman, 906 Cashman. I've been a resident there for six years and I would like to
1426 thank Councilwoman Moncrief for trying to restore some dignity and some safety and some
1427 quiet to our neighborhood. I appreciate even the temporary closing.

1428 There are three houses on Cashman. I wanted to clear that up. They were mentioning that there
1429 were only two and that one faced Hastings. There are actual three residences on Cashman. It

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1430 didn't start out about being a church issue. We never even talked about the church and their
1431 members. What we were talking about is the overwhelming parking on Monday through Friday.
1432 We were talking about the people speeding through. Actually we've had our fence taken out.
1433 We've talked about the trucks from the Water District starting at 5:30 in the morning and the
1434 incredible amount of noise and traffic. And mostly, of all, of course, the safety issue.
1435 As far as the church is concerned, only half of the street of Cashman is closed. Where the
1436 temporary blockade is they could actually still enter on Cashman, as do the people for Planned
1437 Parenthood and Triple A. They could enter on Cashman and there's an alleyway behind that
1438 they could travel to the church parking lot. And they can actually come out that way, turn right
1439 on Cashman, and then Charleston is right there.
1440 The most important thing to me is the speeding traffic. The parking, overwhelming parking
1441 during the week and people washing their cars out on Cashman. People, the — street cleaner
1442 can't clean the streets, the — postman, there's cars in front of our mailbox. He doesn't want to
1443 deliver the mail. He's argued with us about it, and what not. But the safety of the children is the
1444 most important thing.
1445 The lady from the church mentioned carpooling children from other areas to the church. Why,
1446 that's a lot safer than playing in the street or having your bicycle in the street or your friends in
1447 the street while traffic is cutting through. And that is the issue, that it has been a major cut
1448 through, both from Alta, down Kenny and Lacy, down Hastings and over Cashman. Now all
1449 they're having to do, if they're cutting through, is come down Alta through Kenny and Lacy and
1450 go down to Campbell, which is only a half a block, not even a full block away.
1451 But in any case, the closure on Cashman is only half the street and I don't see the problem
1452 getting in and out of Triple A or the church. And it gives the people on the other side of the
1453 closure the privacy and to eliminate the cut through traffic and, of course, the safety of our
1454 neighborhood. And it's been so wonderfully quiet, I can't even tell you. The amount of activity
1455 that the church has has never been a problem. We've always respected their nativity and we've
1456 always respected their Sunday. It's never really been a problem before. But we were really
1457 talking about the other cut through traffic that was taking place five days a week, and that's what
1458 we're most concerned about. And we thank you for your consideration. This is real important to
1459 us. Thank you, Mayor.

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1460 **MAYOR GOODMAN**

1461 Thank you. Yes, Sir.

1462

1463 **TOM DEMARCO**

1464 My name is Tom Demarco. I live at 651 Clarkway Drive. I'm on the other side of the tracks,
1465 but I – go to this church and I use, I drive that area quite a bit. My issue is, and I'll quote Ms.
1466 Moncrief, she says she wants to do the right thing. If we just go down early in Las Vegas and
1467 look at that neighborhood, they vacated those street and they put up a, their gates and a guard.
1468 These people are talking about exclusivity. And I don't blame them and I appreciate they want
1469 the safety and they want that exclusivity. Go to Bonanza Village. They put up a wall around
1470 their – homes. Again, this gave them some sense of exclusivity and being, you know, in a
1471 private area.

1472 I think Councilman (sic) Moncrief has opened up a quagmire here for you folks to decide on and
1473 to vote. The – a cat's out of the bag if all it takes is a Councilperson to say I'm going to initiate
1474 something, then we can have a lotta gates put up all over this town. Matter of fact, Councilman
1475 Weekly, I'd like ask you suggest put up a gate in my street. I have semis going down my street
1476 and people speeding. When we try to shut it off, we have to put a cul-de-sac in. Well, things
1477 have changed. All I have to do is get a Councilman to initiate it and I can put up a security gate.

1478 It's just a bad precedent that you're setting here when the right thing to do has already been
1479 established. Their neighbors, over by Our Lady Las Vegas Church, by vacating it and – make it,
1480 like (inaudible) have them pay for it and do it the right way.

1481 If you do pass this, I think conditions should be set that you definitely need to put a signal light
1482 on Charleston, there at the intersection. Just go east aways and, I like, if there's somebody here
1483 from the City identify how many accidents you've had just east of that intersection where the
1484 business area is. I've seen at least three or four myself and you're going to create a greater
1485 problem by making people go onto Charleston and heavy traffic when they don't have to.

1486 That's all I have. And if it scores any points, I've been here 50 years. So, thank you.

1487

1488 **MAYOR GOODMAN**

1489 Thank you. Yes, Ma'am.

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1490 **THERESA HOOPER**

1491 Hi. My name is Theresa Hooper and we, at 825 Lacy Lane. And we've lived on Lacy Lane for
1492 over 30 years. And I don't need a traffic study to tell me how much the traffic has changed.
1493 When they finally did close the street, I was sitting in the kitchen and it was just a weird, weird
1494 morning. I mean, couldn't figure out what it was. The traffic had stopped. The noise, the
1495 sound, the reflection of the cars going by like a freeway, had stopped. I really didn't know what
1496 it was. You closed the street.

1497 In the last ten years, this street, our street, changed from being a nice, quiet country street to
1498 being a virtual freeway. Starting at seven, eight in the morning, going through the traffic hours
1499 in evening. And most of it is cut through traffic, people trying to get off Charleston, people
1500 trying to get off of Alta, whatever.

1501 My kids grew up and we – bought our place in this neighborhood because it was that kind of
1502 street. It, however, has changed. And I don't think that whoever built the neighborhood,
1503 whoever made Cashman Drive one block long, meant it to do anything but go into the
1504 neighborhood. Otherwise it would have, otherwise Kenny and Lacy would go straight through to
1505 Charleston. I don't think they were ever meant to be streets that handled that kind of traffic,
1506 which is what we have now, with it open.

1507 I think that what we're asking, by closing the street, we're asking to close one street. We're not
1508 asking to be an exclusive neighborhood. We're not closing off all the streets and putting a gate.
1509 We're asking to close one street, one half block long street. There's four other ways into our
1510 neighborhood. We're asking to close one street that draws the traffic through, draws it through
1511 our nice little neighborhood.

1512 And it's been done before. Because across Charleston, in the older neighborhood, right straight
1513 across Charleston from us, there's at least three streets that have been closed. They were closed
1514 after Valley View was widened. I – imagine for the simple reason that people would be on
1515 Oakey and wanted to get out of the traffic, so they cut through these little tiny streets over to
1516 Valley View. Now they got it closed. I, some, you know, some place there must be some legal
1517 precedent for what it takes to close a street to protect your neighborhood.

1518 And I don't think anybody here is, I mean, first of all they've been my neighbors for over thirty
1519 years, has a problem with the church. I think the problem is with the, today's traffic. We have

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1520 become a whole totally different kind of neighborhood. If, there, here's a thought, this is totally
1521 off the wall, but since the church and the Water District share parking lots, maybe there's
1522 something else we can do and consider putting, opening the back end of the Water District that
1523 goes, that's behind Lacy Lane, which is where the Water District is and letting them go to church
1524 that way and share the parking lot for that way. Just a thought.

1525

1526 **MAYOR GOODMAN**

1527 Thank you very much. Before this young lady speaks, I, I'd like to ask Mr. Goecke, do you have
1528 any institutional knowledge as to how the streets in my neighborhood got closed off, with those
1529 fire fences? Because I'll tell you, I – sure don't remember how that happened and it – I'm not
1530 particularly happy living like – that.

1531

1532 **RICHARD GOECKE**

1533 I – would consider that as being Council initiated as well. I think there were some citizens that
1534 went to the Councilperson at the time and that's how it came down to our office, is through the
1535 Council office.

1536

1537 **MAYOR GOODMAN**

1538 I see.

1539

1540 **RICHARD GOECKE**

1541 Typically, when we close a street, the fifteen that we've closed since the traffic manual was
1542 initiated have all come through the elected officials' office. We didn't necessarily entertain them
1543 ourselves because they didn't meet the warrants, but if they can make a convincing argument to
1544 the elected official, then – we – work with that elected official.

1545

1546 **MAYOR GOODMAN**

1547 Okay. Thank you. Councilman Reese?

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1548 **COUNCILMAN REESE**

1549 Yes. You're asking questions about the closures that we've had. I've been part of four closures
1550 that I could remember since I've been on the Council. One of them was on East Charleston and,
1551 again, the reason being was cut through traffic from Charleston into the neighborhood towards
1552 Stewart. We had a chapel over on Stewart. It was kind of the, not the same thing, but it was
1553 similar.

1554 We had two other closures, over there, I think it's called McNeil Estates off Rancho, that I was
1555 privy to. And again those barriers you're talking about, I was part of those. And you have a
1556 neighborhood here today that is kind of divided for the same reasons that those other neighbors
1557 come to the Council members and asked for help, and that is preserving the neighborhood. And
1558 I think one of the statements I made when the meeting started here on this item, I said I have
1559 always tried to preserve our neighborhoods. And I think this here is – going to come to a head
1560 here pretty soon where we do have to make a decision on what we're going to do with our
1561 neighborhoods. And I've – gone to many churches. Out on Hollywood and Stewart, Hollywood
1562 and Nell, Jones and Alta, there is traffic problems on all of these chapels when you go to get out,
1563 when you leave your – meetings.

1564 I – think that we have many safety issues throughout the Valley when we start talking about
1565 traffic. Whether it's at a, this type of a venue or any other religion, when you have a large group
1566 of people leaving a chapel or a house of worship. My – thing is – trying to preserve the
1567 neighborhood. And I have been very supportive of speed humps. I've been very supportive of
1568 those streets that we have closed. And I'll tell you, it, the – streets that I've seen that we have
1569 closed, that we worked with the neighbors on, have, has really saved the neighborhood.

1570

1571 **MAYOR GOODMAN**

1572 All right. Thank you. I –

1573

1574 **AUDIENCE**

1575 Disruptive applause.

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1576 **MAYOR GOODMAN**

1577 Yes, Ma'am.

1578

1579 **NORMA CHRISTENSEN**

1580 My name is Norma Christensen, 710 Lacy Lane. And I have lived there for 46 years. And part
1581 of —

1582

1583 **MAYOR GOODMAN**

1584 Does somebody else live there?

1585

1586 **NORMA CHRISTENSEN**

1587 No, I live there by myself. No, I had quite a family there. And part of your problem is the traffic
1588 coming down, okay, down Kenny, down Lacy, down Cashman. Okay. You caused, the City
1589 Council caused that problem by doing what they did to Alta. That's part of your problem, is
1590 Alta. You can't tell me there are five people in this audience that like that the way it is. But,
1591 maybe so.

1592 I've lived there for 46 years. I've raised my children there. I was sitting here when they were
1593 talking about their kids getting killed, getting run over, so on and so forth. Let me tell you, just
1594 on the west side of Lacy Lane, and I didn't go clear down to Alta, there were 34 children raised
1595 on that street when I was raising mine. Not a one of 'em was ever hit by a car. Now, I realize
1596 that was, oh, be quiet. There was years, that was years ago. I grant you. My youngest isn't that
1597 old and his friends, and we had a lot of kids in that neighborhood. I didn't count the east side of
1598 Lacy Lane.

1599 Okay. So there were a lot of kids raised there. Alta did not go clear through then. They played
1600 out there. We welcomed when Alta was put through, but that's another story. Okay. Another
1601 reason why that, there's that traffic problem is, and I, I'm sure you all realize this, is because the
1602 City of Las Vegas has grown. Where are they going to go? If they, and that Cashman was
1603 supposed to be a street that would carry part of the traffic. So why have they got, I mean, when
1604 they bought the houses they should've realized that that was where they were building a house,
1605 that was a through street and it was programmed that way and it was on your — map, your City

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1606 map, whatever. You know, it was planned a long time ago. They should have seen where they
1607 were building their houses or buying their houses.

1608 I have nothing against speed bumps. I don't like them, but I would go along with them rather
1609 than that closure. I don't like that closure. I think it's wrong and I'm not talking about because
1610 it's church, I'm talking about getting in and out. I would hate to have to take an older person in
1611 that neighborhood to the hospital or to somewhere like that and try and get out there. But you'll
1612 have to think about that too.

1613 Okay, so if you're going to close Cashman, how about closing the end of Lacy and the end of
1614 Kenny? That way we don't have, then – we're not being partial to one group. You talk about it
1615 has nothing to do with the church, but it does and if you do that, then how about the people going
1616 to, the other way, to church? They've got an open alley. So, that's it.

1617

1618 **MAYOR GOODMAN**

1619 (inaudible). Thank you.

1620

1621 **RICK HOWE**

1622 My name is Rick Howe. I live at 827 Kenny Way and I'm in favor of the closure of Cashman.

1623 My good neighbor, George Cromer, has pointed out there's a larger problem, but we're not here
1624 to talk about the larger problem. That's up to you folks to identify and resolve. We've got a
1625 problem in our neighborhood. The neighborhood has a great deal of character. It's always been
1626 quiet, it's been comfortable and relaxing. There's a lot of traffic on there now that wasn't there.
1627 I've only been in the neighborhood sixteen years. There are people all around me who have a lot
1628 more time there than I do. But we have seen, with our own eyes, a dramatic increase in the
1629 amount of traffic and it was very easy to identify the fall off in traffic and the return to calm and
1630 quietness in the neighborhood when you put up the temporary block out there.

1631 I, myself, in my home, have had a ten-year-old tree taken out by a guy going 75 miles an hour,
1632 on my front lawn. It's a 25-mile-an-hour neighborhood. And, by the way, that guy's car flipped
1633 over and took out part of George's wall. We don't need that kind of traffic through the
1634 neighborhood. It's destroying the character and the quality of the places that we bought and
1635 where we want to live. And we're not trying to act against our neighbors or – cause any

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1636 problems, we're trying to protect what we got. There are more young children on our street now
1637 than I remember at any time since we've been in there. And all the folks around us who are
1638 bringing those kids here, into our town and into our neighborhood, have a right to have some
1639 kind of an idea that they've got some safety playing out on their front lawn or in the street in
1640 front of their houses. So I'm supporting the thing and I couldn't support an opening on Sunday,
1641 because those same kids are out of school on Sunday and they're more likely to be out playing in
1642 front of their houses during the school year, with their dog, walking with their parents, whatever
1643 they're doing, on a Sunday or a Saturday, because they're in school all week. So I – would not
1644 be in favor of that. And – would like to thank Councilwoman Moncrief.

1645

1646 **MAYOR GOODMAN**

1647 Okay.

1648

1649 **COUNCILMAN REESE**

1650 (inaudible)

1651

1652 **MAYOR GOODMAN**

1653 Excuse me?

1654

1655 **COUNCILMAN REESE**

1656 (inaudible)

1657

1658 **MAYOR GOODMAN**

1659 Oh. Anybody wants to speak for the closure? I guess against the closure? Okay, I don't know
1660 where I am any more. Okay. Like to take a u-turn. Go ahead.

1661

1662 **CARLOS RAMIREZ**

1663 Mayor, good afternoon. My name is Carlos Ramirez. I live at 504 Campbell Drive. I've been
1664 on the street for the past thirty years, own the – house for the past thirty years. And one of the
1665 reasons I'm against the closure of the Cashman is because the project grader out there, you – run

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1666 out to Campbell. Run on Campbell is really busy again. And one of the, one of these I'm
1667 concerned about is the safety of the kids. We got a couple kids, say about ten kids, in the streets
1668 and run over with the traffic. They close Cashman, they run up to Campbell and the traffic's
1669 really bad on Campbell right now. If you go up there right now, I guarantee that the street is
1670 packed right now. That's one of the reasons I'm against closing Cashman.

1671 If you're going to close Cashman, why don't you close – Campbell too? You know, I'm –
1672 asking you before you make a – decision to think about the possibilities. What else can we do
1673 about it?

1674

1675 **MAYOR GOODMAN**

1676 Thank you.

1677

1678 **CARLOS RAMIREZ**

1679 Thank you.

1680

1681 **MAYOR GOODMAN**

1682 Mr. Goecke, that – point strikes a cord with me. What do we create? One of the speakers talked
1683 about Alta perhaps creating this problem. What do we create if we close off Cashman, as far as
1684 the other streets, Kenny and Campbell? What's created as a result of this?

1685

1686 **RICHARD GOECKE**

1687 Well, we haven't evaluated that, Mayor, and it –

1688

1689 **MAYOR GOODMAN**

1690 Don't we have to?

1691

1692 **RICHARD GOECKE**

1693 Pardon me?

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1694 **MAYOR GOODMAN**

1695 Don't we have to?

1696

1697 **RICHARD GOECKE**

1698 I mean that particular, closing those streets off you mean?

1699

1700 **MAYOR GOODMAN**

1701 No, what I'm saying is don't we have to see what kind of reverberating effect you get if you
1702 close one place, what happens to other places; isn't that part of the analysis?

1703

1704 **RICHARD GOECKE**

1705 Oh – yes. Yes, it is. We have that information. O.C., yeah, we, that's – part of the traffic count
1706 data we collect. So we – know the answer for that.

1707

1708 **MAYOR GOODMAN**

1709 Okay, but – You do know the answer; okay.

1710

1711 **O.C. WHITE**

1712 Yeah, yes.

1713

1714 **MAYOR GOODMAN**

1715 Well, what happens, assuming for the sake of discussion, that the Council closes Cashman, what
1716 happens?

1717

1718 **O.C. WHITE**

1719 Mayor, what happens is this, we look at Alta, Campbell and they way they're designed and the
1720 type of loads they're able to carry. Campbell and Alta actually de, were actually designed to
1721 carry much more traffic than any of the other, internal streets such as Lacy, Kenny, Hastings and
1722 Palomino or – Cashman itself. Because those were actually residential streets designed for low
1723 volume. Where – Campbell, which, is just the opposite. It's a – even though it's a two-lane

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1724 roadway, it's actually designed to carry more traffic. That's why we have signals, both at Alta
1725 and at Charleston, so we – could accommodate the additional traffic. And we've, and – on Alta,
1726 on Campbell, we've done something that we haven't done on any other collector street, and that
1727 is we put speed humps on Campbell to even keep the speeds lower. And – in essence, we
1728 thought at one time that might have been one of the factors why people were going into the
1729 neighborhoods, because speed humps were on Campbell, where they were supposed to be and it
1730 might have diverted traffic into a residential neighborhood.

1731 But – putting that aside, the – neighborhood is designed to – actually use streets like Campbell
/32 and Alta to get away from the – neighborhood.

1733

1734 **MAYOR GOODMAN**

1735 Okay. Thank you. Appreciate that. All right. Next, please.

1736

1737 **DAVID BAUGHN**

1738 Your Honor, Council members, my name's David Baughn. I live at 814 Kenny Way. And I
1739 wanted to say thank you for, whether it's temporary or not, closing this. The one thing you get
1740 from this type of action is real data. And we can tell you that you're – hearing it first hand.
1741 People are telling you the traffic is much better in the neighborhood.

1742 I – agree with George said, yeah, we have a problem with Valley View. We do. But we also
1743 have a different problem in that people just use our neighborhood to cut through. I have an
1744 internet camera and I did a crazy thing. I pointed it out towards the street and I said every time it
1745 sees a car it's going to count something. So I went through and I looked at it. And I could see
1746 between the hours of midnight to 6:00 a.m., our traffic went down 50%. Now 12:00 p., or 12:00
1747 a.m. to 6:00 a.m., Valley View's not that busy. So it is just people are using it as a shortcut.
1748 And that's what we're saying. It's not that we have anything against the church. I personally,
1749 personally, and I can't speak for everyone. I came in and I spoke to you three Fridays ago, or
1750 whenever that was, and I went back and I talked to the neighbors about the options of leaving a,
1751 the gate open on Sunday. Some of the neighbors were okay with it, some of them weren't. I
1752 personally don't really have a problem with that on a Sunday.

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1753 I do have a problem with the six to ten. When I come home, my family, we eat dinner and then
1754 we like to go out for a walk with the boys. And I can guarantee you every time we do that it's
1755 between six and ten. Well, it's before the streetlights come on at least. But, that's, that would be
1756 my problem with six to ten.

1757 If a Sunday option were there, when you guys have gaming licenses and liquor licenses, you
1758 have review periods; right? Couldn't we look at some sort of a review period, if we did have a
1759 Sunday opening? Six months down the road say let's revisit this, renotify the homeowners and
1760 let's come back and talk about it. Has the church held up to, if the — church were to be given the
1761 key to open it on Sunday, or whatever mechanism is designed there, then in six months come
1762 back, let's look at that mechanism. Let's see what's happened. This is about compromise. You
1763 guys have a horribly, horribly tough job to do today. And I want to say thank for having the
1764 courage to do it.

1765

1766 **MAYOR GOODMAN**

1767 Thank you. Anybody else? Yes, Ma'am.

1768

1769 **GENIE HARRIS**

1770 My name's Genie Harris. I live at 3324 Hastings Drive and I used to live at 905 Cashman Drive,
1771 which is exactly on the corner of Hastings and Cashman. So I am witness to the fact of the
1772 amount of traffic that comes by there, the parking that goes on there. I am also a member of the
1773 church and I am in favor of this closure. I respectfully ask you to please do not remove the
1774 barrier. Our neighborhood has changed hugely since it's been closed off.

1775 I live now at the end of Hastings, which is a deadend. So now when the tra, barrier was open,
1776 not only did I move to the end of the street to get a little more privacy, but now I get traffic that
1777 comes down there because they think it's a shortcut and then going, oh, wait a minute, this is a
1778 deadend, they use my driveway to turn around to go back out to get on Lacy or to go down
1779 Hastings.

1780 As a member of this neighborhood, why should we have this closure? Of course for the safety. I
1781 am a mother of four, I have children from elementary school and in college. I want you to please
1782 consider the type of traffic that will also happen if, when the Preserve opens next year, 'cause

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1783 more people are going to be going to access that, so they'll be using our street again, as a
1784 shortcut.

1785 Also I am proud the fact that this is a historical neighborhood. I have lived in Las Vegas since
1786 '69. I've lived in this neighborhood since '97. I'm very proud of that it's part of a historical area
1787 and I think that's important to create that.

1788 As a church member, I would like you to know I am my own unscientific research, there are only
1789 ten homes in the Lacy, Kenny, Cashman, Hastings area that are members, or the homes are
1790 church members, that go to that church. There's only ten homes in there.

1791 I'm also guilty of using Cashman as a shortcut to go to church or take my kids to drop them off,
1792 but you know, it takes thirty days to break habits. It was inconvenience in the beginning, but
1793 now it's less than 4/10ths of a mile to go down to Campbell to catch the light to go the other way
1794 around. Or I can take them to the barrier and they walk the rest of the way.

1795 I've thought about that the gate that was suggested and I really can't support that. I believe on
1796 Sunday, it's like the best day to drive on Charleston. If we think back, how Charleston used to
1797 be, it used to be a residential street, just like Jones used to be. There used to be homes on
1798 Charleston. I would, I've attended that church since '69 and we can go to homes right across the
1799 street from the church and then go walk right over to church. The area's changed. Sunday is not
1800 that busy, so it shouldn't affect the traffic going in and out and I'm definitely in favor of the
1801 closure.

1802

1803 **MAYOR GOODMAN**

1804 Thank you. Anybody else like to be heard? This is the time to do it. All right. I don't see
1805 anybody. I appreciate how decent everybody was, as far as being courteous during the
1806 presentations. That's important to us, in order for government to work the way it should work,
1807 it's important that we respect one another's views even though we may not agree with them and
1808 even though we may disagree with them. So, I want to thank you all for coming down here. I
1809 think that this is a wonderful process, where our citizens can address the Council and then it's up
1810 to us to make the decision that we believe is correct. But I think it's – just great that you take the
1811 time to do this and I hope that we made it as easy as possible for you. So with that, we'll close

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1812 the public hearing and I'll ask the Council whether you have any statements you want to make
1813 before I consider a – motion. Does anybody want to be heard before Councilwoman Moncrief?

1814

1815 **ELECTRONIC NOISE**

1816 (Disruptive feedback.)

1817

1818 **MAYOR GOODMAN**

1819 Now, are you telling me something?

1820

1821 **AUDIENCE**

1822 Disruptive laughter.

1823

1824 **MAYOR GOODMAN**

1825 Councilman Wolfson.

1826

1827 **COUNCILMAN WOLFSON**

1828 Thank you, Your Honor. I feel like every time we touch something. Just – a number of
1829 observations. Thank you, Your Honor. First of all, somebody said that we were denying access
1830 to the church if we supported this closure. I don't – see that at all. I'm not even going to dignify
1831 that statement with much more than a statement. This is not a political or church or religious
1832 issue at all to me. This is an issue of deciding what to do, regardless of political, church or
1833 religious issues.

1834 As far as a setting a bad precedent, I – don't think so at all. Each case, as far as I'm concerned,
1835 will be decided on an individual basis. I'll note that the Council has spent almost three hours on
1836 this issue. I reviewed materials between last night and today for about one and a half hours and I
1837 visited this site, personally. So, I don't think we're going to be setting any bad precedent. My
1838 opinion, my approach to these things is, just like I said, on a case-by-case basis. What I'm
1839 looking at primarily is the people who are going to be most effected by this decision today. And,
1840 in my opinion, the people who are going to be most effected are the people who live in the
1841 immediate area of Cashman. They're the ones who are effected on a daily basis. They are the

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1842 ones who sometimes two or three or four times a day, when they come and go from their homes,
1843 are going to be effected by this closure. Not the people who may visit the area one or two times
1844 a week. And I think that's every important. Because what we are talking about, by considering
1845 a closure, is inconveniencing. That's what it is. It's causing people to take an alternative route.
1846 It's not the quickest route. It's an alternative, longer route, and that's an inconvenience. So who
1847 are the people that are most effected? Obviously the people who are in the immediate area.
1848 I've been presented with a map that we've all been looking at and referring to and I haven't been
1849 told that the designations on this map, as far as who's for the closure and who's against the
1850 closure are inaccurate. And overwhelmingly, the people that are in the immediate area, that are
1851 going to be most effected are for the closure.
1852 And then finally, what it really boils down to for me, like I said before, is the safety of children
1853 and the quality of life. And in my opinion the – safety of children, the safety of everybody, not
1854 just children, but anybody who's walking or riding a bike or jogging in this area, easily outweigh
1855 what I consider respectfully to some of my colleagues and my friends in the audience a – minor
1856 inconvenience of those drivers who are going to have to choose an alternative route. So, at this
1857 point, without hearing the motion, it's, I'm going to be supporting the closure. Thank you.

1858

1859 **MAYOR GOODMAN**

1860 All right. Would any body –

1861

1862 **AUDIENCE**

1863 Disruptive applause.

1864

1865 **MAYOR GOODMAN**

1866 Other Council members like to be heard, before Councilwoman? Yes, Councilman Brown.

1867

1868 **COUNCILMAN BROWN**

1869 Thank you, Mayor. I'd like to make two disclosures. One is it was referenced earlier in 1993
1870 when the Water District worked with the church and the neighborhood for some parking, I was
1871 asked by the General Manager, Mrs. Mulroy, as an employee at the Water District, at the request

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1872 of Mr. Christensen and Councilman Hawkins, to go knock on the doors in the neighborhood, to
1873 ask permission. So, I'm very familiar with the history behind that little parking lot.
1874 And secondly, as an employee there for seven years, I may have been in that parking lot more
1875 than Commissioner Christensen, at least Monday through Friday, and am very familiar with the
1876 neighborhood, the area, the traffic patterns and such. The – good news, and I think the Mayor
1877 touched on it, is this issue and the speakers that have spoken today, it's not about the church,
1878 which is a good thing. I certainly appreciate both sides, their comments, and the respect they
1879 showed, the church to the neighborhood and the neighborhood to the church. Because I – really
1880 believe churches and neighborhoods are compatible, very compatible. And if parking is an issue
1881 at a church, that's, I think that's a good thing. When we have to look for additional parking for
1882 churches in Las Vegas, that – usually is a good thing. My sense is the issue seems to be the cut
1883 through traffic, primarily Monday through Friday, 7:00 a.m. to 7:00 p.m., and that's just inherent
1884 in that whole corridor. But that seems to be the focus of where most of the impact has been,
1885 prior to the temporary closing.
1886 And there are, Dick, you can correct me if I'm wrong, but there are some things that were
1887 brought up by the speakers that are going to be addressed and – perhaps mitigate to a certain
1888 degree some of the Charleston issues. One is, I know that NDOT has looked at that
1889 Charleston/Valley View intersection for a while now, as far as enhancements, improvements,
1890 double – turn lanes. I don't know what the status of that is.

1891

1892 **RICHARD GOECKE**

1893 We're – working with the State on that issue. There's some other issues also we're dealing with
1894 in trying to enhance the ability of Charleston to handle more traffic, because traffic congestion is
1895 an issue on Charleston Boulevard, no doubt.

1896

1897 **COUNCILMAN BROWN**

1898 And then likewise, separate from the current lawsuit on the 95, ultimately when that 95 does get
1899 expanded, you're going to get a lot more volume heading all the way through the Spaghetti Bowl
1900 or all the way through to I-15 and not using Valley View and Rancho as kind of the cut through
1901 to head south. And these are things that are going to happen. It's certainly not going to improve

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1902 anything today. But, as some of the speakers appropriately addressed, was the fact that there are
1903 things on Charleston right now that need to be improved. So I, Your Honor, I'm not real
1904 convinced, because there are both sides to the argument, as far as the closure on Sun, the opening
1905 of the gate on Sunday, if we go that way, or even during the evening. But I really believe that
1906 it's not the church traffic that is the issue to the neighborhood. It's the private businesses along
1907 that Charleston corridor and their cut through and their tenants and their clients and I think we –
1908 probably all have been guilty, if we're running to the appointment at 4:45 and we've gotta get
1909 home, we're going to find the fastest way. And we've, we're familiar with the neighborhood,
1910 we'll find that fastest way.

1911 So, I – likewise, I would certainly support the closing of Cashman, but would – like to see some
1912 – kind of compromise made with the church and perhaps even, as one of the speakers suggested,
1913 that we could come revisit it in three months or six months or nine months, and – see if that
1914 compatibility is still there. That these, it's wonderful to see that the neighbors, some of the
1915 neighbors are in fact members of the church and those that aren't spoke highly of the church and
1916 the fact that the church president spent ninety – minutes talking to the neighbors. This is a good
1917 thing. Paramount, everything that's been said today is the safety of that neighborhood,
1918 especially our children and perhaps some of our elderly people. And that safety issue, to me,
1919 justifies in itself, with all the statistics that have been given, to – really cut off Cashman.

1920

1921 **MAYOR GOODMAN**

1922 All right. Thank you. Would anybody else like to be heard? All right, Councilwoman, from my
1923 experience, living in my neighborhood, I live right down the street from there, over in the Scotch
1924 80 area. I don't know how it happened, but they closed off our streets and Councilman Reese
1925 indicates they did it for safety purposes. And you may get what you wish for, to me, it's the
1926 biggest pain in the neck in the world not to be able to go out on Oakey and not be able to get
1927 ingress and egress off of Rancho, but that's what the neighbors wanted and that's what the
1928 neighbors got. And we live with it. So, the – one thing I can tell you, the bottom line is once
1929 that went up and they did that to our neighborhood our neighborhood became quiet. It, we used
1930 to be a speedway, it was unsafe. And after it was blocked off, even though it's inconvenient,
1931 there's no question to me that it made for a better quality of life.

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1932 On the other hand, I – think that we have to respect everybody here and I – try to suggest a
1933 resolution in a Solomonic manner. I thought it was a good idea then, I think it's a good idea
1934 now. And I would be supportive of the closure, with the understanding that the gate would be
1935 open all day Sunday, so that the folks could go back and forth without any difficulty and attend
1936 their religious services. I think that's appropriate that an exception be made during the nativity
1937 period, because I think that has to be respected, that the gate would be open during those days.
1938 That's a very quiet time of year and, as Miss Harris indicated, people are creatures of habit. And
1939 I think once this gate goes up, people won't be going through there and much of the issues that
1940 we're talking about, if the gate is opened for these limited periods of time, such as for the
1941 conferences, two Saturdays a year for the nativity period and on Sundays, after awhile people
1942 will stop driving through there and even when it's open, I think, the quality of life will be
1943 maintained. So, that's what I would be supportive of, Councilwoman. But it's your motion and
1944 I'm ready to hear it.

1945

1946 **COUNCILWOMAN MONCRIEF**

1947 Thank you, Your Honor. When I was approached by the neighbors, I never thought that this
1948 would be a problem. I thought this would have been just a simple, easy closure to preserve the
1949 neighborhood. And I am very sorry if in any way anyone is, feels that I did something wrong
1950 against the church or anything like that, because the church was never even thought of as an
1951 issue in the initial meeting at all.

1952 But I know that our City's vision, and we as Council members we read that vision often, and the
1953 number one thing that I always think of is we're supposed to preserve our neighborhood. And
1954 when I was elected as Ward 1 City Councilwoman, and I was elected by all of you neighbors, the
1955 one thing I'm supposed to do is stand up for you, I'm supposed to be the voice for you and I'm
1956 supposed to protect your neighborhood. I try to look at this, and boy have I been in your
1957 neighborhood a lot lately and I try to look at it on both sides. And I think of it if I attended that
1958 church or if I worked at that Water District, would I mind taking that extra minute just to go
1959 around. And I know that if everybody looked in their hearts, they would not mind taking that
1960 extra minute to go around to preserve a neighborhood and to make it quieter and for the safety of
1961 the children.

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1962 I was going to state all the reason why I thought that this should be closed today, but I don't
1963 think it should be what I think. I think it should be what you think. So, I decided to read some
1964 of the e-mails that I received, very shortly, just short little brief notes of why you feel that this
1965 neighborhood should be preserved and this neighborhood should be, the closure should be done.
1966 Just a couple e-mails.

1967 As a teacher of Hyde Park Middle School, I am one of those people who now go around the
1968 block to get to work daily. It added just a minute to my drive time. It has accomplished the
1969 single intention that is to restore safety to a wonderful neighborhood, eliminate excess cut
1970 through traffic to restore safety. Since the closure, it's more like a residential street. Closure
1971 makes it a lot safer for our children and grandchildren who walks home from Wasden
1972 Elementary School.

1973 When some of you were speaking about pulling out on Charleston with children in your car
1974 when you leave, think about all the other places that you pull out on Charleston or Sahara or
1975 Jones or Decatur. Do you ever take your children to a McDonald's or Wendy's and there's not a
1976 light there and you have to pull out? We're a population of 1.6 million now. It's not the same
1977 type of streets as it used to be. We have traffic issues throughout this whole Valley.

1978 Couple other things. Please, the interests of the small neighborhood of residents ahead the
1979 desires of the more powerful. I have been concerned by the quality of traffic by non-residents of
1980 the neighborhood and the speed in which they travel. I have seen a great change since the
1981 Cashman closure. Our streets are safer through the reduction of the amount of traffic. It has
1982 made the neighborhood aware that there are young children living in this neighborhood. One
1983 said I have lived at this residence for 30 years. I have a radar gun and have recorded speeds up
1984 to 60 miles per hour in a 25-mile hour zone. This is a residential street where children play.

1985 Again, I want to state that I never tried to create a problem in this. I was trying to stand up for
1986 the residents and preserve a neighborhood. I'm going to **move today for approval on this**
1987 **closure and I'd like to add to that that I'd like to put a gate and give the key to the Mormon**
1988 **Bishop so that he can open it all day on Sundays, so that the neighbors can go to and for to**
1989 **church. Also to include your nativities event, nativity scene event. But I will not go along**
1990 **with the evenings, 'cause that's when the traffic is – at it's most. And that's my motion.**

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1991 **COUNCILMAN REESE**

1992 If I – could, Councilwoman, are you also going to include in there the two year – or two times
1993 a year they have State conference, on Saturdays and Sundays?

1994

1995 **COUNCILWOMAN MONCRIEF**

1996 Yes, please.

1997

1998 **COUNCILMAN REESE**

1999 And I – would like to –

2000

2001 **MAN FROM AUDIENCE**

2002 Leave it open.

2003

2004 **COUNCILMAN REESE**

2005 I would like to look at this and see if we could have maybe a six month review?

2006

2007 **COUNCILWOMAN MONCRIEF**

2008 That'd be fine.

2009

2010 **MAYOR GOODMAN**

2011 Very good. All right, that's the motion. Let's vote. Post. Motion carried. (Motion carried
2012 UNANIMOUSLY)

2013

2014 **AUDIENCE**

2015 (Disruptive applause and noise as Chambers clear.)

2016

2017 **(END OF DISCUSSION)**

2018 /ac/gpb/vwd;ac