

>> I'LL CALL THIS MEETING TO ORDER, GOOD MORNING COMMISSIONERS.  
>> GOOD MORNING, THE FIRST ITEM IS APPROVAL OF THE AGENDA.  
ITEM 19, WITHDRAWN FROM THE APPLICANT.  
THE NEXT HOLD TO THE 16th WITH COMMISSIONER WOODBURY.  
ITEM 26, TM-0068-08, HOLD TO JULY 16th 2008 BOARD OF COUNTY COMMISSIONERS  
FOR COMMISSIONER WOODBURY.  
HOLD TO THE AUGUST 6, 2008 FOR THE APPLICANT.  
ITEM 29 (READING ITEM NUMBER) HOLD TO AUGUST 6 2008.  
ITEM 30, WITHDRAWN PER THE APPLICANT.  
ITEM 32, WS151-07 WITHDRAWN FOR THE APPLICANT.  
ITEM 34, WS0385-08, HOLD TO JUNE 24th SPRING VALLEY TOWN BOARD MEETING AND  
JULY 2nd 2008 TO REWRITE AND RENOTIFY.  
WS0493-08 IS NOT SCHEDULED FOR TODAY'S BOARD OF COUNTY COMMISSIONERS  
MEETING.  
PUBLIC HEARING NOTICES WERE SENT WITH TODAY'S MEETING DATE.  
NEW NOTICES WILL BE SENT CURRENT WI SCHEDULED JUNE 24th 2008 SPRING VALLEY  
TOWN BOARD AND BOARD OF COUNTY COMMISSIONERS MEETING.  
THESE WILL BE OPEN AS A PUBLIC HEARING.  
>> CAN I INTERRUPT FOR A SECOND.  
I'VE SEEN PEOPLE SIT HERE FOR HOURS WATCHING THIS AND THEN REALIZE THEY  
WEREN'T SUPPOSED TO BE HERE AND THEY GET A LITTLE BIT ANGRY.  
SO LET'S REPEAT THAT.  
WS0493-08, IF YOU ARE HERE FOR THAT ITEM, IT WAS INADVERTENTLY NOTICED FOR  
TODAY AND IT WON'T BE HEARD.  
>> THEY WILL BE OPEN AS A PUBLIC HEARING AND RECESSED UNTIL THE DATES AS  
PREVIOUSLY STATED WITH THESE NINE DELETIONS ITEMS 19-24, 25, 26, 27, 29,  
30, 32 AND 24.  
-- 34.  
AND IFS THIS NO OBJECTION FROM THE AUDIENCE WE NEED YOUR APPROVAL.  
>> DISCUSSION FROM THE AUDIENCE?  
FROM THE BOARD?  
>> MOTION MOVED AS STATED BY STAFF.  
CAST YOUR VOTE.  
MOTION CARRIES.  
>> THE NEXT ITEM ON THE AGENDA IS APPROVAL OF MINUTES.  
>> DISCUSSION ON MINUTES?  
>> MOTION FOR APPROVAL.  
>> CAST YOUR VOTE.  
>> Rory: MOTION CARRIES.  
>> NEXT ITEM, ROUTINE ACTION ITEMS 3-19 EXCEPT FOR ANY ITEMS PREVIOUSLY  
HELD OR DELETED, THEY MAY BE CONSIDERED TOGETHER IN ONE MOTION AND SUBJECT  
TO CONDITIONS LISTED WITH EACH AGENDA ITEM.  
STAFF REQUESTS ITEM 15 BE HEARD SEPARATELY.  
IN ADDITION WE HAVE THE FOLLOWING AMENDMENTS.  
ITEM 12, UC0489-08.  
ADD CIVIL ENGINEERING CONDITION TO READ TO BE RELOCATED OUTSIDE THE  
EXISTING PEDESTRIAN BRIDGE EASEMENT.  
ITEM 14,, ADD A CIVIL ENGINEERING TO READ: [READING]  
ITEM 16, DELETE THE LAST TWO CONDITIONS FROM MAJOR PROJECTS ENGINEERING.  
ITEM 18, AMEND CIVIL ENGINEERING'S FIRST CONDITION TO READ RIGHT OF WAY  
DEDICATION TO INCLUDE 30 FEET, FOR EL CAMINO AND ASSOCIATED SPANDREL.  
VACATION TO BE ADDRESSED WITH FUTURE PLANS.  
FOR COMMISSIONER'S INFORMATION ITEM 3, [READING], STAFF RECEIVED ONE CARD  
IN PROTEST.

ITEM 8, [READING]

TOWN BOARD RECOMMENDS DENIAL, THEY DIDN'T SUPPORT THE ORIGINAL REQUEST.

ITEM 9 [READING]

THE SUNRISE MANOR TOWN BOARD RECOMMENDS DENIAL, THEY DIDN'T SUPPORT THE ORIGINAL REQUEST.

ITEM 10 (READING).

ENTERPRISE TOWN BOARD RECOMMENDS APPROVAL UNTIL JUNE 21 2010 TO REVIEW.

ITEM 11.

NO RECOMMENDATION DUE TO NOT HAVING A QUORUM AT THEIR MEETING.

STAFF RECEIVED THREE CARDS IN SUPPORT AND 34 IN PROTEST.

ITEM 14 [READING], WINCHESTER TOWN BOARD HAS NO RECOMMENDATION DUE TO NOT HAVING A QUORUM.

ITEM 14.

SUNRISE MANOR TOWN BOARD RECOMMENDS DENIAL, THERE ARE TOO MANY INSTITUTIONS.

STAFF RECEIVED FOUR CARDS IN SUPPORT AND EIGHT CARDS IN PROTEST.

ITEM 18.

[READING].

STAFF HAS RECEIVED 3 CARDS IN SUPPORT AND 7 CARDS IN PROTEST.

ANY PERSON WHO DOES NOT AGREE WITH CONDITIONS RECOMMENDED BY STAFF AS LISTED ON THE AGENDA OR PREVIOUSLY AMENDED SHOULD REQUEST THE ITEM BE REMOVED FROM THIS PORTION OF THE AGENDA AND BE HEARD SEPARATELY.

ADDITIONALLY ITEMS RECOMMENDED FOR DENIAL OR WITH DIFFERENT CONDITIONS OF APPROVAL WITH RESPECTED TOWN BOARDS AREN'T AUTOMATICALLY REMOVED.

IF YOU WISH TO SPEAK ON ANY ITEM ON THE ROUTINE ACTION AGENDA YOU MUST COME FORWARD AND REQUEST THE BOARD REMOVE FROM THE ROUTINE ACTION AGENDA AND HEAR IT SEPARATELY.

WITH THESE AMENDMENTS THE ROUTINE ACTION PORTION OF THE MORNING AGENDA STANDS READY FOR APPROVAL.

>> ANY DISCUSSION?

>> JAY BROWN.

GOOD MORNING, I WOULD ASK ITEM 14 BE HEARD SEPARATELY PLEASE.

>> YES, SIR

>> Rory: ANY OTHERS?

ANY DISCUSSION FROM THE BOARD?

>> MOVE THAT WE APPROVE SUBJECT TO 14 AND 15 BEING HEARD SEPARATELY.

IS THAT THE ONLY TWO?

>> Rory: YES, SIR MOTION FOR APPROVAL.

WE WILL HOLD ITEMS 14 AND 15 SEPARATELY.

>> COUNCIL I NEED TO DISCUSS ON ITEM 12 THAT MY LAW FIRM DOES WORK FOR, AFFILIATE SHAREHOLDER OF THE APPLICANT.

MY QUESTION IS WHETHER OR NOT I CAN PARTICIPATE, HAVING DISCLOSED THAT.

>> YES YOU CAN PARTICIPATE, YOU DO NOT HAVE TO ABSTAIN.

>> ANY OTHER DISCLOSURES?

CAST YOUR VOTE ON THE MOTION.

ANYONE WHO WISHES TO SPEAK ON AN ITEM SHOULD MOVE TO THE FIRST COUPLE ROWS AND BE PREPARED TO SPEAK.

IF THERE ARE SEVERAL SPEAKERS ON ONE ITEM IT'S SUGGESTED A SINGLE REPRESENTATIVE BE APPOINTED TO PRESENT THE ISSUES.

THE NEXT ITEM IS ITEM 14 [READING] HOLDOVER AMENDED ZONE CHANGE TO CLASSIFY A TEN ACRE PORTION FROM RU8070 ZONE, FOR PSYCHIATRIC HOSPITAL/PRISON, PREVIOUSLY NOTIFIED AS PSYCHIATRIC HOSPITAL.

FORENSIC MENTAL HEALTH FACILITY AND TWO A PRISON, PREVIOUSLY NOT NOTIFIED. GENERALLY LOCATED ON THE SOUTH SIDE OF ANN ROAD.

SLOAN ROAD, WITHIN THE SUNRISE MANNER PLANNING AREA.

BACK ONTO DESCRIBING THE AGENDA.

STAFF FINDS ZONING CONFORMS WITH THE LAND USE PLAN SINCE THE PROPOSED PSYCHIATRIC HOSPITAL AND PRISON IS A FACILITY AND PLANNED LAND USE IS INDUSTRIAL, THE LOCATION IS APPROPRIATE DUE TO SEPARATION FROM RESIDENTIAL DEVELOPMENT AND IT ACCESSES ARTERIOLE STREET.

FUNCTIONAL SECURE FACILITY ALSO ARCHITECTURE ALLEY APPEALING.

HELP MINIMIZE THE INSTITUTIONAL FEELING OF THE FACILITY, STAFF RECOMMENDS APPROVAL.

CIVIL ENGINEERING QUESTIONING DETACHED SIDEWALK WILL NEED GRANTING OF SIDEWALKS.

TRAFFIC CONTROL.

WE HAVE RECEIVED ONE LETTER AND ONE CARD IN PROTEST.

>> TOM SCHUMAN, ON BEHALF OF THE APPLICANT IN THE STATE OF NEVADA.

I ALSO HAVE WITH ME SEVERAL OTHER REPRESENTATIVES OF THE PROJECT.

WITH ME GUS NUNEZ, HE WOULD LIKE TO ADDRESS THE COMMISSION BRIEFLY AS WELL.

MR. GLASS AND PAM WILCOX FROM THE STATE LANDS DIVISION FOR THE STATE OF NEVADA, THIS PROJECT AS MENTION IS A PSYCHIATRIC HOSPITAL PREVIOUSLY NOTICED AS SUCH.

I SHOULD MENTION THE TIME THERE WERE NO PROTESTS FOR THE PSYCHIATRIC HOSPITAL BEING LOCATED ON THIS SITE.

WHEN THE PUBLIC WAS RENOTICED AS A PSYCHIATRIC HOSPITAL PRISON THE ADJACENT PROPERTY OWNERS BECAME CONCERNED WITH THE APPLICATION.

I WOULD LIKE TO START WITH JUDGE GLASS TO ADDRESS THE NEED FOR THIS TYPE OF FACILITY, IT OPERATES AS A FORENSIC HOSPITAL.

IT'S LICENSED BY THE STATE OF NEVADA UNDER THE MENTAL HEALTH AND HEALTH SERVICES DIVISION.

MAKES IT A HOSPITAL.

IT'S NOT RUN UNDER THE CORRECTIONAL SYSTEMS NOR LICENSED AS A SYSTEM.

IT'S LICENSED AS A FORENSIC HOSPITAL.

I THINK TITLE 30 IS BROAD.

AND WE ARE CAUGHT IN BETWEEN A VERY STRICT INTERPRETATION OF TITLE 30.

WITH THAT I WOULD LIKE TO ASK JUDGE GLASS TO COME FORWARD AND MENTION THE NEED IN SOUTHERN NEVADA.

>> THANK YOU.

>> GOOD MORNING, JACKIE GLASS, 200 LEWIS AVENUE.

LAS VEGAS, NEVADA.

I'M HERE BECAUSE I CURRENTLY DO ALL THE COMPETENCY MATTERS FOR THE JUDICIAL COURT.

WE ARE SENDING THESE FOLKS TO LAKES CROSSING BY WAY OF A CHARTERED AIRPLANE EVERY OTHER WEEK.

WE DESPERATELY, DESPERATELY NEED THIS FACILITY IN CLARK COUNTY FOR MANY REASONS.

NUMBER ONE IS, THE TRANSPORTING OF THESE FOLKS BY WAY OF AN AIRPLANE TO RENO.

IT WOULD BE FAR BETTER TO PUT THEM IN A VAN AND TRANSPORT THEM TO A FACILITY HERE LOCALLY.

IT WOULD ALSO BE BETTER SO THEIR ATTORNEYS COULD BE READILY AVAILABLE TO VISIT WITH THEM, AND IT'S ALSO BETTER IF THEIR FAMILIES ARE ALSO LOCATED IN THE AREA TO BE ABLE TO HAVE CONTACT WITH THESE PEOPLE.

ADDITIONALLY HAVING A RESOURCE OF HAVING FORENSIC MENTAL HOSPITAL IN THE SOUTH MAKES IT EASIER FOR OTHER HEARINGS TO OCCUR, INVOLVING THESE PARTICULAR INDIVIDUALS IN THE SYSTEM.

WE ARE UNDER A COURT ORDER BY THE FEDERAL COURT TO HAVE THESE PEOPLE OUT OF THE CLARK COUNTY DETENTION CENTER AND MOVE TO LAKES CROSSING WITHIN SEVEN DAYS OF THE ORDER THAT I SIGN TO TRANSPORT THEM TO LAKES CROSSING. A LAWSUIT WAS FILED, A COUPLE OF YEARS AGO BECAUSE WE HAD UP TO 40-50 PEOPLE WAITING SEVERAL MONTHS IN OUR JAIL, MANY MONTHS. TOO LONG.

AS A RESULT OF THE LAWSUIT, A TASK FORCE WAS FORMED AND NOW WE HAVE EVERY OTHER WEEK WE HAVE A MEETING IN MY COURT TO DISCUSS THE MOVING OF THESE PEOPLE TO LAKES CROSSING.

SO IT'S VERY IMPORTANT WE MOVE THESE FOLKS IN A TIMELY MANNER OTHERWISE THE COURT HAS THE OPPORTUNITY TO SAY THESE PEOPLE HAVE TO BE PLACED SOMEWHERE AND IF YOU CAN'T PLACE THEM WE WILL ORDER THEM OUT OF THE JAIL AND YOU WILL HAVE TO FIND THEM A PLACE OUT OF THE STATE.

SO FOR ALL SORTS OF REASONS WE DESPERATELY NEED THIS FACILITY.

THE MAJORITY, MOST OF THE PEOPLE AT LAKES CROSSING COME FROM CLARK COUNTY. AND IT'S MUCH BETTER IF WE TRANSPORT THEM LOCALLY.

I PERSONALLY CAN'T GET INVOLVED IN WHERE THIS FACILITY IS, I'M JUST HERE TO TELL YOU HOW DESPERATELY WE NEED THE FACILITY.

I WOULD ASK YOU SUPPORT THE PROJECT.

THANK YOU.

IF YOU HAVE QUESTIONS I WOULD BE HAPPY TO ANSWER THEM.

>> THANK YOU.

>> THANK YOU.

>> I WOULD ALSO LIKE TO ASK GUS FROM HEAD OF PUBLIC WORKS TO INDICATE THE STATE'S NEED FOR THIS FACILITY AND THE PROCESS THEY WENT THROUGH.

>> THANK YOU, TOM.

FOR THE RECORD GUS NUNEZ, 515 EAST MUSSEL STREET, CARSON CITY.

THE PUBLIC WORKS BOARD IS RESPONSIBLE FOR THE IMPLEMENTATION OF THE CAPITAL IMPROVEMENT PROGRAM OF THE STATE AND WE ARE HERE IN SUPPORT OF THAT AND IN SUPPORT OF THIS AGENCY THAT IN THE DEVELOPMENT OF THIS PARTICULAR PROJECT.

WE'VE DONE AN EXTENSIVE LAND SEARCH AS TO PROPER PLACEMENT OF THIS SITE.

I BELIEVE PAMELA WILL BE COVERING THAT.

AND I'LL BE HERE IF YOU HAVE QUESTIONS AS TO THE IMPLEMENTATION OF THIS PROJECT.

WE APPRECIATE YOUR SUPPORT, THANK YOU.

>> NEEDLESS TO SAY ONE OF THE CHALLENGES WITH THIS TYPE OF FACILITY AS A FORENSIC HOSPITAL IS TO FIND AN APPROPRIATE SITE LOCATION.

TOWARDS THAT I WOULD LIKE PAM WILCOX TO TELL US WHY SHE CHOSE THIS SITE.

>> GOOD MORNING, FOR THE RECORD I'M PAM WILCOX.

STATE LANDS, OUR OFFICE IS AT 901 SOUTH STEWARD STREET IN CARSON CITY.

WE KNEW FROM THE BEGINNING THIS WAS GOING TO BE A CHALLENGE.

WE EARLY RECOGNIZED WE COULD NOT PUT THIS KIND OF FACILITY ANYWHERE NEAR RESIDENTIAL AREA AND BEGAN LOOKING AT SITES HERE IN THE NORTH-EASTERN PART OF THE VALLEY AS CLOSE AS TO THE SUMMIT VIEW FACILITY SINCE SUBSTANTIAL FUNDS ARE SAVED BY NOT HAVING TO CONSTRUCT A NEW CULINARY UNIT BUT BEING ABLE TO SHARE THE ONE AT SUMMIT VIEW.

WE DID AN EXTENSIVE SEARCH.

WE CONTACTED EVERYONE WITH LAND TRYING TO FIND SOMEONE WILLING TO SELL TO THE STATE FOR THIS PURPOSE.

UNFORTUNATELY WE FOUND MOST OF THE PROPERTIES WE LOOKED AT WERE ALREADY TIED UP AND FINALLY AFTER MANY MONTHS WE DID FIND THE SITE THAT WE HAVE BROUGHT TO YOU TODAY.

IT WAS VERY IMPORTANT FOR US TO HAVE AT LEAST TEN ACRES IN SIZE FOR IT TO HAVE GOOD ACCESS AND MOST IMPORTANTLY FOR US TO HAVE A WILLING SELLER.

AFTER EXTENSIVE STUDY AND SEARCH WE BELIEVE THIS IS THE BEST SITE FOR THIS FACILITY.

THE LAND USE IN THE AREA IS APPROPRIATE.

NO RESIDENTS OF CLARK COUNTY WILL EVEN REALIZE IT'S THERE.

I HAVE TO SAY AS A RESIDENT OF NORTHERN NEVADA, MOST IN NORTHERN NEVADA DON'T REALIZE LAKES CROSSING IS THERE.

IT LOOKS LIKE A VERY ATTRACTIVE HOSPITAL OR OFFICE BUILDING AND I'M CONFIDENT THE NEIGHBORS WILL NOT EVEN REALIZE THE FACILITY IS THERE.

SO I WOULD BE HAPPY TO ANSWER ANY QUESTIONS BUT WE BELIEVE AFTER A GREAT DEAL OF WORK THIS IS THE BEST SITE.

WE DO HAVE A PURCHASE AGREEMENT WITH THE OWNER AND WE ARE READY TO CLOSE ESCROW HOPEFULLY NEXT MONTH.

I'LL BE HAPPY TO ANSWER ANY QUESTIONS.

>> Rory: THANK YOU.

>> ADDITIONALLY, DOCTOR OPERATES THE FACILITY, SHE WILL BE AVAILABLE TO ANSWER QUESTIONS.

TO RESTATE THE NATURE, IT'S A 50-BED FACILITY, FORENSIC HOSPITAL TAKES PATIENTS REFERRED BY THE COURT FOR ASSESSMENT AND TREATMENT TO SEE IF THEY CAN CONTINUE IN THEIR COURT PROCESS OR WHETHER THEY NEED TO BE SENT ELSEWHERE IN THE FUTURE.

IT'S CHALLENGING TO FIND, I THINK THE QUESTION BECOMES ONE OF APPROPRIATENESS.

IT'S CHALLENGING TO FIND AN APPROPRIATE SITE FOR THIS TYPE OF FACILITY. BUT IN MY MIND AS A PLANNER AND ARCHITECT I BELIEVE THE APPROPRIATE SITE IS ONE THAT'S NOT WITHIN A RESIDENTIAL OR EDUCATIONAL ENVIRONMENT.

SO WHAT WE ARE LOOKING FOR IS TO PUT THIS WITHIN AN INDUSTRIAL ENVIRONMENT TO HAVE THE LEAST AMOUNT OF CONFLICT WITH THE COMMUNITY.

LAKES CROSSING, WHICH IS THE ONLY SISTER OPERATION HAS OPERATED FOR 28 YEARS WITHOUT INCIDENT.

A PATIENT HAS NEVER BEEN OUT IN THE COMMUNITY WHO WAS MEANT TO BE WITHIN THE FACILITY.

I THINK THE STATE BRINGS EXEMPLARY EXPERIENCE IN OPERATING THIS TYPE OF FACILITY.

IT'S MANNED BY MENTAL HEALTH STAFF AND PROFESSIONALS AND LEVEL ONE POLICE LICENSED AS POLICE OFFICERS AS WELL AS CERTIFIED AS MENTAL HEALTH TECHNICIANS SO THEY UNDERSTAND THE POPULATION THEY ARE WORKING WITH.

LOOKING AT THE SITE ITSELF, THE TEN ACRES AT SLOAN AND ANN ROAD.

ESSENTIALLY VACANT SURROUNDING PROPERTY.

ALL AT THE BORDER OF CLARK COUNTY.

OPEN LAND INDUSTRIAL, M2 ZONING BY THE COUNTY.

AND -- LET ME SHOW YOU WHAT IT LOOKS LIKE.

THIS IS THE OVERALL SITE PLAN.

THIS IS ANN ROAD.

THIS SHOWS THE ADMINISTRATIVE ZONE.

EACH WING IS ABOUT 12 PATIENTS.

THE SITE HAS A DOUBLE LEVEL OF SECURITY BUT NOT WIRE CONCEPT OR GUARD TOWER CONCEPT, A DOUBLE WALLED CONCEPT.

SO YOU HAVE ELECTRONICALLY CLOSED DOORS AND I'LL SHOW YOU IN PLANT.

FROM THE INSIDE OF THE FACILITY TO PATIENT ROOM, DORM, THESE ARE ELECTRONICALLY CONTROLLED DOORS BY CENTRAL CONTROL HERE, THIS IS A CENTRAL BAY ROOM AND THEY OPEN UP INTO AN OUTDOOR COURTYARD THAT HOLDS THE PATIENTS IN CASE OF ANY EMERGENCY BUT THEY DON'T GO OUT INTO THE COMMUNITY, SO THAT'S A DOUBLE LAYER OF SECURITY IN THE FACILITY.

THE PROJECT IS DESIGNED TO LOOK NON-PRISON LIKE, TO APPEAR AS AN OFFICE COMPLEX OR BUILDING. MASONRY CONSTRUCTION AND HIGH TECH METAL PANELS, THERE'S NO GUARD TOWERS. NO PERIMETER FENCING ON THE SITE. SO I THINK THERE WILL BE NO SIGNAGE THAT SAYS HEY THIS IS A PRISON OR A FORENSIC HOSPITAL, IT WILL SAY THE NAME OF THE BUILDING AND STATE OF NEVADA LIKE FOR DESERT WILLOWS OVER BY THE COLLEGE CAMPUS. THIS PROJECT WAS ORIGINALLY POSTPONED WHEN IT WAS RENOTICED AS A PSYCHIATRIC/PRISON. WE REQUESTED IT BE HELD FOR TWO WEEKS TO GIVE US AN OPPORTUNITY TO TALK TO THE NEIGHBORS. WE HAD SEVERAL MEETINGS WITH REPRESENTATIVE NEIGHBORS, WE MET WITH THREE, JAY BROWN, TERRY MURPHY AND KEVIN HIGGINS ONCE. WE ALSO MET WITH ORGANIZATION EXECUTIVE COMMITTEE AND OTHER PROPERTY OWNERS AND DISCUSSED THE PROJECT WITH THEM AS WELL AND WE AGREED TO SOME ADDITIONAL CONDITIONS WHICH I WILL GIVE YOU. WHICH IS BASICALLY, WE WILL NEVER ADD GUARD TOWERS, NEVER ADD CONSTANTINE WIRE, SO IT WON'T APPEAR TO BE A PRISON, WHICH IT'S NOT. WITH THAT WE RESPECTFULLY REQUEST YOUR APPROVAL AND WE ARE HERE FOR ADDITIONAL QUESTIONS. THANK YOU.

>> Rory: ARE THERE QUESTIONS FROM THE BOARD AT THIS TIME?  
THIS IS A PUBLIC HEARING.  
COME FORWARD STATE YOUR NAME.

>> JAY BROWN, 524 SOUTH 24th STREET.  
WITH ME,

GARRETT, HE KNOWS THE AREA QUITE WELL.  
WITH GARRETT'S HELP, GIVE YOU A MAP OF THE AREA AND HE CAN POINT OUT, AT LEAST WHO I REPRESENT TODAY.

MY CLIENTS ALONE OWN OVER 500 ACRES.  
ONE IS DIRECTLY NORTH.

THE SECOND PARCEL TOTALS 150 ACRES JUST WEST OF THE PROPOSED SITE.

THE THIRD PARCEL IS JUST EAST ON 38 ACRES.

AND THE FOURTH PARCEL IS 35 ACRES AND IT'S JUST NORTHEAST OF THE PROPOSED SITE.

THE FIFTH PARCEL IS 30 ACRES TO THE NORTH OF THE SITE ON MOUNT HOOD, THE SIXTH PARCEL IS 30 ACRES, -- SIXTH PARCEL IS 175 ACRES NORTHEAST OF THE SITE.

I HAVE A NUMBER OF PEOPLE, POINTLESS TO GIVE YOU A LAUNDRY LIST BUT TRYING TO SHOW A SIGNIFICANT NUMBER.  
AND BECAUSE OF THE NOTICE PROVISIONS A LOT OF PEOPLE IN THE NORTH LAS VEGAS AREA DIDN'T KNOW ABOUT THIS.

THEY JUST DIDN'T HAVE TO NOTICE THOSE PARTICULAR PARCELS AND GARRETT AND MYSELF ARE GETTING CALLS FREQUENTLY.

I THINK IT'S IMPORTANT TO POINT OUT THAT NOT ONLY MY CLIENTS PARCELS BUT NEIGHBORS CONSIST OF WHAT MANY PEOPLE THINK IS THE LAST BIG INDUSTRIAL PROPERTY AT AFFORDABLE PRICES WITH CLOSE PROXIMITY TO LAS VEGAS VALLEY, YOU HAVE TO GO TO APEX TO FIND ANYTHING WITH THESE PRICES AND THAT'S MUCH FURTHER OUT.

THIS PROPERTY CAN ACCOMMODATE INDUSTRIAL GROWTH WHICH IS VITAL TO THE INDUSTRIAL NEEDS OF OUR COMMUNITY.

MY CLIENTS' PROPERTY, THEY ANTICIPATE ON THEIR PROPERTIES ALONE, HUNDREDS OF MILLIONS OF CONSTRUCTION.

THE INFRASTRUCTURE IS IN AND THEY ARE READY TO GO.

IF THIS APPLICATION IS TO BE APPROVED OUR REAL ESTATE EXPERTS TELL US NOT ONLY WILL THE AREA'S PROPERTY VALUES BE SUBSTANTIALLY REDUCED BUT MORE IMPORTANTLY OUR ABILITY TO DEVELOP AND LEASE THIS NEEDED PROPERTY WILL BE REDUCED AS WELL.

THIS PROJECT IS NECESSARY, THERE'S NO DISCUSSION ABOUT THAT. NO DISCUSSION ABOUT NEED.

BUT WE FEEL THIS IS NOT THE RIGHT PLACE.

THIS IS NOT THE NORMAL CASE OF NOT IN MY BACKYARD.

YOU HEAR THAT FREQUENTLY.

THIS IS NOT THAT CASE.

TO THE WEST OF THE PROPOSED SITE IS A HIGH SECURITY JUVENILE FACILITY TODAY.

TO THE SOUTH OF THE SITE IS A COUNTY CORRECTIONAL FACILITY THAT'S BEING BUILT.

IF YOU APPROVE THIS OPERATION THAT WILL MAKE THREE PRISONS, NOT TO MENTION A PSYCHIATRIC HOSPITAL IN THE AREA.

YOU HAVE HEARD THE EXPRESSION TWO IS COMPANY, THREE'S A CROWD, THIS TAKES THAT EXPRESSION TO A NEW LEVEL.

AS ONE OF THE FIVE TOWN BOARD MEMBERS SAID WHEN THIS APPLICATION WAS DENIED FIVE TO ONE BECAUSE OF AN OVER ABUNDANT OF THESE FACILITIES WE MIGHT AS WELL CALL THIS AREA PRISON TOWN, WITH THREE PRISONS AND PSYCHIATRIC HOSPITAL LENDERS WILL BE VERY RELUCTANT TO LOAN MONEY TO THE OWNERS OF THOSE PARCELLS TO BUILD WHAT IS NECESSARY FOR OUR INDUSTRIAL NEEDS AND IT WON'T EXACTLY ENTICE TENANTS TO BE THERE WITH THREE FACILITIES.

ALTHOUGH WE WOULD LIKE TO SEE THIS APPLICATION DENIED, WE KNOW THE NEED. WE THINK A FAIR COMPROMISE WOULD BE TO CONTINUE THIS MATTER, TO GIVE THE REAL ESTATE EXPERTS IN OUR COMMUNITY AND WE HAVE A LOT IN OUR AREA AN OPPORTUNITY TO MEET WITH THE STATE, TO WORK WITH THEM, TO FIND ANOTHER LOCATION THAT WE FEEL IS MORE SUITABLE.

AGAIN WE KNOW THE FACILITY IS NECESSARY, WE HAVE WAITED, ANOTHER 90 DAYS OR WHATEVER YOU FEEL IS FAIR TO WORK WITH THE STATE AND HOPEFULLY COME UP WITH A MUTUALLY SATISFACTORY LOCATION WOULD BE APPRECIATED.

>> RORY: AGAIN THIS IS A PUBLIC HEARING, IS THERE ANYONE HERE TO SPEAK?

>> GARRETT, 11828 LUCERA COURT, LAS VEGAS NEVADA.

I'M A COMMERCIAL REAL ESTATE BROKER HERE IN TOWN AND WANTED TO ELABORATE ON WHY REALLY THIS IS ONE OF THE LAST CONTIGUOUS AREAS FOR BUSINESS PARK AND DEVELOPMENT.

OVER THE LAST FEW YEARS WE HAVE HAD, AS YOU ALL KNOW LAND PRICES ESCALATE DRAMATICALLY.

THAT'S ACROSS-THE-BOARD EVEN FOR INDUSTRIAL, WE HAVE HAD SOME PRETTY SIGNIFICANT ABSORPTION IN A NUMBER OF SUB MARKETS WHERE LAND PRICES AND THE AVAILABILITY OF LAND HAVE REALLY RESTRICTED DEVELOPMENT.

IN THE AIRPORT INDUSTRIAL SUB MARKET FOR EXAMPLE, I WOULD BE HARD-PRESSED TO FIND YOU FIVE ACRES OF LAND TO DEVELOP ON TODAY REGARDLESS OF PRICE.

HENDERSON, VERY SIMILAR SITUATION, THERE IS A LITTLE MORE LAND BUT IT'S PRICED SO THAT INDUSTRIAL DEVELOPMENT ISN'T ECONOMICALLY VIABLE.

YOU CAN POINT TO THE SOUTHWEST BELT WAY AREA AND SPECULATIVE INDUSTRIAL AND DEVELOPMENT WORK WHERE A USER BUYING A PARCEL TO CONSTRUCT A FACILITY AGAIN, ISN'T ECONOMICALLY VIABLE, SO THEN YOU ARE LEFT WITH THE GREATER NORTH LAS VEGAS AREA.

AND YOU HAVE A COUPLE IN-FILL SUB MARKETS BUT THIS REALLY IS THE LAST AREA WITH INFRASTRUCTURE READY TO GO IN CLOSE PROXIMITY TO THE TOWN.

FROM A DEVELOPER'S TENANTS OR USERS STANDPOINT, THEY HAVE TO LOOK AT -- AND WE WOULD HAVE TO DISCLOSE THAT AGAIN THERE'S A PSYCHIATRIC FACILITY HERE.

AND THEY ARE GOING TO TAKE A LOOK AT THAT IN A NEGATIVE LIGHT.  
LENDERS WILL BE RELUCTANT TO LEND ON PROJECTS.  
DEVELOPERS WILL BE HESITANT AND THIS REPRESENTS THE NEAR TO MIDTERM GROWTH  
FOR OUR -- AS FAR AS BUSINESS PARK AND INDUSTRIAL DEVELOPMENT FOR OUR  
ECONOMY AND I DON'T THINK THE DECISION SHOULD BE JUST TAKEN LIGHTLY AND  
MAYBE THERE'S SOME TIME TO EXPLORE ALTERNATIVES BEFORE SUCH A HINDRANCE IS  
POTENTIALLY PUT ON THIS AREA.  
SO I APPRECIATE THE TIME.

>> ANYONE ELSE?

>> GOOD MORNING COMMISSIONERS, TOM THOMAS AT 2300 WEST SAHARA SUITE 5 30,  
THE FIRST DEVELOPERS INTO THE AREA, I GUESS WE CAN DISCUSS THIS FROM A  
NATURAL USE STANDPOINT.

OUR PROJECT IS THE NORTHERN BELTWAY INDUSTRIAL CENTER LOCATED DIRECTLY  
ACROSS THE STREET FROM THE SUMMIT VIEW YOUTH CORRECTIONAL FACILITY AND THE  
EXPERIENCE THAT WE JUST HAD, I THINK MIGHT GIVE YOU A LITTLE PIECE OF WHAT  
WE ARE IN STORE FOR AS DEVELOPERS IN THE AREA, WE RECENTLY COMPLETED A  
90,000 SQUARE FOOT LEASE WITH GENERAL ELECTRIC AND WE ARE NOW IN  
NEGOTIATIONS FOR ADDITIONAL 250,000 SQUARE FEET WITH OTHER COMPANIES, ONE  
LOCAL AND TWO OUT OF STATE.

AS MENTIONED IT'S REQUIRED WE DISCLOSE WHAT THE USES ARE IN THE AREA.  
FOR OUR PROJECT IT'S AN EASY DISCLOSURE BECAUSE SUMMIT VIEW IS DIRECTLY  
ACROSS THE STREET AND VISIBLE.

OF NOTE TO THE GENERAL ELECTRIC EXECUTIVES OVER THEIR REAL ESTATE  
DEPARTMENT THEY TOOK STRONGLY INTO ACCOUNT SUMMIT VIEW IS YOUTH  
CORRECTIONAL FACILITY, THEY ARE THERE FOR AVERAGE OF 18 MONTHS AND THERE  
ARE NO FELONS, THEY ARE ALL MISDEMEANOR INDIVIDUALS.

OUR CONCERN IS AS HAS BEEN MENTIONED AS WE DISCLOSE THE ADDITIONAL  
CORRECTIONAL FACILITY ON LAS VEGAS BOULEVARD, THAT STARTS TO CREATE A  
PATTERN, AND WITH A THIRD, THE PATTERN IS REALLY CEMENTED NORTH LAS VEGAS  
AND CLARK COUNTY HAVE DECIDED THIS AREA IS GOING TO ACCOMMODATE THEIR  
CORRECTIONAL FACILITIES.

WE KNOW THIS IS NOT UNDER THE CORRECTIONAL DEPARTMENT OF THE STATE.  
IT'S A BEAUTIFUL FACILITY, IT DOESN'T LOOK LIKE A PRISON AND IN TYPICAL  
FASHION OF THE ARCHITECTS, IT WILL BE ONE OF THE NICEST LOOKING FACILITIES  
THAT WILL GRACE ANY INDUSTRIAL AREA, BUT IT STILL COMES DOWN TO THE USE  
WHICH WE WILL HAVE TO DISCLOSE AND WHAT APPEARS TO BE A PATTERN BY THE  
DIFFERENT ORGANIZATIONS OVERSEEING LAND USE IN THIS AREA, WE ARE CONCERNED  
FOR THAT REASON.

WE HAVE ALREADY SEEN RESISTANCE FROM POTENTIAL TENANTS TO THESE TYPES OF  
USES AND WE HAVE HAD TO WORK OUR WAY THROUGH IT WITH A LOT OF EXPLANATION,  
ASSURANCES AND SECURITY AND OTHER THINGS WE FRANKLY FEEL SHOULDN'T BE OUR  
OBLIGATION TO ABSORB SOLELY WITHIN THE LAS VEGAS VALLEY.

THANK YOU.

>> Rory: THANK YOU.

ANYBODY ELSE?

>> GOOD MORNING, WAYNE PETERS, DESERT ROCK ENTERPRISES.  
HOWARD HUGHES PARKWAY.

WE ROUGHLY OWN 38 ACRES ADJACENT TO THE PROPOSED HOSPITAL/PRISON.  
OUR COMPANY HAS SPENT MILLIONS OF DOLLARS IN SOUTHERN NEVADA INVESTING IN  
ITS FUTURE, AND WE BELIEVE THIS INDUSTRIAL PARK AS HAS BEEN MENTIONED THE  
LAST PLACE FOR ANY INDUSTRIAL GROWTH IN LAS VEGAS AND NORTH LAS VEGAS.  
WE FEEL AT THIS POINT, THE STATE IS NOT EXHAUSTED ALL THE POSSIBILITIES TO  
RELOCATE THIS PROPERTY.

I WOULD JUST BASICALLY LIKE TO SAY WE WOULD LIKE TO GET WITH THE STATE AND POSSIBLY RELOCATE OR LOOK AT ANOTHER OPPORTUNITY BECAUSE OF THE FACT IT'S BEEN MENTIONED NUMEROUS TIMES HERE ABOUT LENDING, DEVELOPMENT AND THE JOBS THAT ARE GOING TO BE LOST IF WE DON'T DEVELOP THIS INDUSTRIAL PARKWAY THE CORRECT WAY.

THANK YOU.

>> THANK YOU, ANYBODY ELSE?

>> GOOD MORNING, BILL BULLARD, WEST CHARLESTON.

I'M HERE OP BEHALF OF PETTITTE ENTERPRISES, WE OWN THE 80 ACRES IMMEDIATELY TO THE NORTH.

AGAIN, WE DON'T HAVE ANY PROBLEM WITH THE NEED, WE AREN'T HERE TO DEBATE THE NEED, BUT I GUESS WHEN I LOOK BACK AT THIS, IT WOULD BE HELPFUL TO KNOW WHAT WILL BE AROUND YOU WHEN YOU MAKE THE INVESTMENT DECISION.

NOT TO ECHO SOME OF THE OTHER CONSTITUENTS IN THE AREA, I WOULD LIKE TO ASK THE COMMISSION TO EXPLORE OTHER ALTERNATIVE SITES FOR THIS.

WE WOULD LIKE ADDITIONAL TIME TO LOOK AT ALTERNATIVE SITES.

THANK YOU.

>> Rory: AGAIN, THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK?

>> YES, MY NAME IS DAVID WAYMAN, I REPRESENT DML INVESTMENTS.

WE HAVE A PIECE OF PROPERTY 38 ACRES TO THE EAST OF THE PROPOSED DEVELOPMENT.

WHAT I WOULD LIKE TO DO IS BASICALLY ECHO WHAT JAY HAS SAID AND WHAT OTHERS HAVE SAID REGARDING THIS PROPERTY.

WE ARE RIGHT NEXT DOOR TO THIS PROPOSED FACILITY.

WE FEEL THAT THERE MUST BE A BETTER PLACE FOR SUCH A FACILITY.

WE CAN'T ARGUE THE NEED FOR IT.

OBVIOUSLY IT'S NEEDED.

IT'S A BEAUTIFUL FACILITY.

J.M.A. HAS DONE AN EXCELLENT JOB.

WE LIKE THE NAME FORENSIC FACILITY VERSUS PRISON.

THAT SOUNDS A LITTLE BETTER.

HOWEVER, AS HAS BEEN STATED WE WOULD LIKE TO ADVOCATE MORE TIME TO LOOK AT THIS FACILITY, TO SEE IF THERE ISN'T A MORE APPROPRIATE LOCATION.

WE FEEL LIKE PUTTING THAT FACILITY RIGHT IN THAT AREA OF REALLY THE LAST MAJOR AREA OF INDUSTRIAL DEVELOPMENT IN LAS VEGAS VALLEY, IT KIND OF POISONS THAT AREA AND MAKES IT DIFFICULT TO ATTRACT THE KINDS OF TENANTS THAT WE WOULD LIKE TO SEE.

SO THAT'S ALL I HAVE, THANK YOU.

>> Rory: THANK YOU.

ANYONE ELSE?

WE WILL GIVE THE APPLICANT AN OPPORTUNITY TO RESPOND.

>> THANK YOU.

FOR THE VERY SAME REASONS THAT THE PROPERTY OWNERS VIEW THIS SITE AS ONE OF THE LAST AREAS OF INDUSTRIAL DEVELOPMENT IS WHAT MAKES IT APPROPRIATE FOR THIS FACILITY.

THIS FACILITY NEEDS TO BE IN AN AREA OF INDUSTRIAL USE, AWAY FROM RESIDENTIAL AREAS, THESE ARE PATIENTS WHO ARE BEHAVIOURALLY CHALLENGED.

AS SUCH BEING A LOW POPULATED AREA OF THE COMMUNITY.

I THINK MAYBE WE NEED TO UNDERSTAND WHAT HEAVY INDUSTRIAL IS.

APPROPRIATENESS TO UNDERSTAND THE GENERAL PLAN AND WHAT THE EXPECTATIONS OF THE GENERAL PLAN ARE.

I THINK FROM MY PERSPECTIVE, I HAVE SOME PHOTOS.

THIS AREA IS CURRENTLY ESSENTIALLY UNDEVELOPED.

IT'S PRIMARILY RECYCLING CENTERS, UNDEVELOPED PROPERTY AND LAND THAT PEOPLE HAVE DUMPED BOATS ON AND OTHER REFUSE ON THE SITE.

I THINK THESE SHOTS INDICATE WHAT'S CURRENTLY THERE.

THIS IS THE RECYCLING CENTER THAT'S THERE.

THIS IS THE NELLIS OIL REFINERY AREA ON SLOAN.

THIS IS THE THOMAS AND MacDEVELOPMENT.

YOU CAN SEE THAT'S ADJACENT TO THE RECYCLING YARD AND THIS IS THE SITE ITSELF AND WHAT WE SEE FROM OUR -- BASICALLY CONCRETE BATCH PLANT IS BEHIND US TO THE SOUTH.

THIS IS THE 40 ACRES THAT'S BEING PROTECTED WITH ABANDONED BOATS AND STUFF ON IT.

SO WE SEE BASICALLY AT THIS TIME, UNDEVELOPED PROPERTY VACANT INDUSTRIAL AREA, I THINK THE STATE'S PROJECT WILL BRING ATTRACTIVE FACILITY.

ALSO CONTRIBUTE OUR SHARE OF INFRASTRUCTURE IMPROVEMENTS TO THE AREA.

AS MENTIONED BEFORE, THIS PROJECT IS NEEDED.

THE STATE IS NOW IN THEIR 16th MONTH OF STARTING THE PROCESS TO FIND A LOCATION.

THIS IS NOT AN EASY FACILITY TO LOCATE.

I FEEL THE STATE HAS DONE EXTENSIVE DUE DILIGENCE, THEY HAVE TALKED TO EVERY PROPERTY OWNER THAT CAME BEFORE YOU HERE AT ONE POINT OR ANOTHER.

THIS WAS THE SOLE PROPERTY OWNER WHO WAS WILLING TO SELL AND SHOWED

APPROPRIATENESS TO THE PROJECT AND WE RESPECTFULLY REQUEST YOUR APPROVAL.

THANK YOU.

>> MR. CHAIRMAN, MEMBERS OF THE COMMISSION, MY NAME IS PAM WILCOX.

ADMINISTRATOR OF THE DIVISION OF STATE LANDS.

I WOULD LIKE TO ADD AS WE DID OUR SEARCH WE TALKED TO ALL OF THESE PEOPLE OR THEIR REPRESENTATIVES AND WE ROUTINELY IF THEY SAID THEY DIDN'T HAVE ANYTHING AVAILABLE ASKED FOR REFERRALS TO OTHER PEOPLE, ANYWHERE WHO WOULD HAVE SOMETHING WE SHOULD LOOK AT AND WE FOLLOWED UP.

SO WE HAVE ALREADY BEEN THROUGH THE PROCESS OF LOOKING FOR OTHER ALTERNATIVES.

WE WOULD ALSO LIKE TO ADD THERE SEEM TO BE CONCERN THIS WILL BE TURNED INTO PRISON TOWN OR WHATEVER.

THE STATE HAS NO PLANS TO PUT CORRECTIONAL FACILITIES IN THIS AREA, THE STATE'S CORRECTIONAL FACILITIES FOR THE FUTURE, THE GROWTH AREA WILL BE INDIAN SPRINGS FAR TO THE NORTH OF TOWN AND RECENTLY -- WE DO NOT VIEW THIS AREA AS AN AREA THAT SHOULD BE CONCENTRATED IN CORRECTIONS FACILITIES.

IT IS AN INDUSTRIAL AREA APPROPRIATE FOR THIS USE AND AFTER EXTENSIVE SEARCH WE ARE CONFIDENT WE HAVE FOUND THE BEST SITE FOR THE PUBLIC.

>> COMMISSIONER COLLINS, THIS IS YOUR DISTRICT, COMMISSIONER GIUNCHIGLIANI HAS A QUESTION.

>> LAKES CROSSING IS ON THE BORDER OF THE NEVADA MENTAL HEALTH INSTITUTE.

THE PROPERTY HAS BEEN THERE FOR MANY YEARS, IT'S SURROUNDED, ON THE DIVIDING LINE BETWEEN RENO AND SPARKS.

IT'S A GOOD NEIGHBOR TO EVERYONE.

PEOPLE COME AND GO AND WANDER FREELY AROUND THE CAMPUS.

AND AS I SAY, IF I TELL SOMEONE I'M COMING DOWN TO TALK TO YOU ABOUT THIS ISSUE TODAY AND THEY LOOK AT ME AND I SAY WELL IT'S KIND OF LIKE LAKES CROSSING ONLY ONE FOR CLARK COUNTY, THEY DON'T EVEN KNOW WHAT LAKES CROSSING IS.

IT'S NOT BEEN A PROBLEM IN ANY WAY TO THE COMMUNITIES OF RENO AND SPARKS.

>> THANK YOU, I THINK IT'S IMPORTANT TO NOTE THAT AND MORE RESIDENTIAL, NOT INDUSTRIALIZED.

BECAUSE OF NOTICING, IF I CAN CLARIFY WITH JASON, THIS IS A FORENSIC HOSPITAL, BUT BECAUSE TITLE CODE WAS CHANGED, IT THEN PICKED UP THE TERM PRISON, IS THAT WHAT HAPPENED?

>> RIGHT, WE HAVE A VERY BROAD DEFINITION OF PRISON, INCLUDING HOUSING OF ANYONE CONVICTED OR EVEN JUST CHARGED WITH A CRIME.

>> A LOT OF TIMES IT'S JUST CHARGING, NOT SENTENCING. EVEN THOUGH THEY MAY BE CHARGED WITH A FELONY THEY HAVEN'T BEEN CONVICTED. THAT'S A KEY PIECE TO NOTE.

I THINK MR. THOMAS MADE A VALID POINT REGARDING THAT.

>> COMMISSIONER COLLINS, IF I CAN ASK YOU A COUPLE QUESTIONS, THESE MAY BE FOR JUDGE GLASS.

GIVE US A SENSE, BECAUSE I'M NOT FAMILIAR WITH LAKES CROSSING EITHER. GIVE US A SENSE HOW MANY PEOPLE WE ARE TALKING ABOUT IN A YEAR GO THROUGH THIS FACILITY.

>> WELL, -- JACKIE GLASS, CLARK COUNTY, ONCE AGAIN.

WE LAST YEAR SENT ABOUT 100 PEOPLE TO LAKES CROSSING DURING THE YEAR. WHAT WE DO, COMMISSIONERS, WE SEND THEM UP, ONCE THEY ARE FOUND TO BE INCOMPETENT, THEY SPEND ANYWHERE FROM THREE WEEKS TO THREE MONTHS, NINE MONTHS TO A YEAR, TO HOWEVER LONG IT TAKES TO RESTORE THEM TO COMPETENCY, THERE'S NO SPECIFIC TIME FRAME THEY SPEND THERE.

THEY GO UP, RESTORED TO COME -- COMPETENCY.

PREDOMINANTLY PEOPLE WHO ARE PRE-CONVICTION.

AND THEY ARE MOSTLY FOLKS WHO HAVE COME THROUGH EITHER AT THE PRELIMINARY HEARING OR ARRAIGNMENT STAGE AND THEIR ATTORNEYS FEEL THEY HAVE SOME IMPAIRMENT IN THEIR UNDERSTANDING OF THE CHARGES OR ABILITY TO ASSIST COUNSEL.

AND WE HAVE THEM EVALUATED BY DOCTORS.

IF IN FACT WE DETERMINE THEM TO BE INCOMPETENT THEY ARE SENT TO LAKES CROSSING TO RESTORE THEM TO COMPETENCY, THE MAJORITY OF PEOPLE WE SEND ARE THOSE ON THE FRONT END THAT HAVEN'T BEEN CONVICTED AT THAT TIME.

>> ARE THEY THERE, ARE THEY COMMITTED THERE FOR AN INDETERMINATE TIME.

>> YES UNTIL RESTORE TODAY COMPETENCY AND THEY SEND LETTERS INDICATING TO US THEY HAVE BEEN FOUND TO BE COMPETENT, THEY ARE BROUGHT BACK, WE HAVE ANOTHER HEARING, I LOOK AT THEM AND SEE THEY ARE COMPETENT AND HELD IN THE JAIL.

>> WHAT WOULD YOU EXPECT THE POPULATION TO BE ON A DAY-TO-DAY BASIS?

>> I BELIEVE A 50-BED FACILITY, IT WON'T ONLY SERVE CLARK COUNTY BUT THE SOUTHERN PART OF THE STATE.

RIGHT NOW EVERYONE IN THE STATE GOES TO LAKES CROSSING BECAUSE THERE'S NO OTHER PLACE TO SEND THEM.

NOT ONLY WILL WE HAVE FOLKS FROM CLARK COUNTY BUT LINCOLN COUNTY AND ANYWHERE IN THE CLOSE PROXIMITY.

I CAN'T SAY AT THAT POINT THERE WILL BE 50 RIGHT OFF.

THE POPULATION WILL EBB AND FLOW AS THE FOLKS COME THROUGH THE SYSTEM THAT HAVE THESE ISSUES.

>> Rory: AND THEY HAVE BEEN CHARGED WITH A VARIETY OF CRIMES?

>> THEY ARE CHARGED WITH ANY AND ALL THE CRIMES THAT COME BEFORE THE COURTS.

>> Rory: ARE THEY A DANGER TO THEMSELVES OR FELLOW INMATES?

>> YES, THERE WILL BE SOME WHO WILL BE DANGEROUS TO THEMSELVES OR OTHERS.

>> Rory: OK.

COMMISSIONER COLLINS?

>> Tom: THANK YOU, MR. CHAIRMAN.

PAM, I WANT TO ASK YOU MAYBE FOR CLARIFICATION, YOU MENTION YOU HAVE SPOKEN TO THESE OTHER FOLKS WITH CONCERNS, DID ANY OF THEM, DID YOU GET -- WERE ANY OF THEM WILLING TO OFFER PROPERTY TO THE STATE OR DID THEY SAY THEY DIDN'T WANT IT OR WAS THE STATE LOOKING AT A PRICE RANGE WHEN YOU FOUND THIS PARTICULAR SPOT?

>> MEMBERS OF MY STAFF SPOKE TO THESE PEOPLE.

I DIDN'T PERSONALLY.

THEY WERE ALL ASKED IF THEY HAD PROPERTY FOR SALE.

I'M SURE THEY WERE TOLD WHAT WE WERE TRYING TO BUY IT FOR.

WE WERE ASKED FOR REFERRALS AND REFERRALS WERE ALMOST ALL RIGHT IN THIS AREA.

SO WE EXPLORED EVERY OPTION THAT WAS, THAT WAS PRESENTED, THAT PRESENTED ITSELF TO US.

FOR THE MOST PART THE LAND THAT WE INQUIRED ABOUT, THE OWNERS TOLD US THEY ALREADY HAD OTHER PLANS FOR THAT LAND OR POTENTIAL BUYERS OR POTENTIAL SOURCE FOR THAT LAND.

SO IT WAS SOMETIMES A MATTER OF PRICE.

SO ALL OF THOSE THINGS WHEN YOU ARE NEGOTIATING FOR LAND DO WORK INTO IT. DOES THAT ANSWER --

>> LET ME ASK JAY BROWN ON THE OTHER SIDE.

>> THANK YOU, PAM.

ANY OF YOUR CLIENTS WILLING TO SELL OR NEGOTIATE WITH THE STATE THEIR PROPERTY FOR THIS USE, THAT YOU KNOW OF?

>> NO, I KNOW OF NONE.

>> I HEARD DIFFERENT NAMES BUT WANTED TO HEAR ON THE RECORD.

>> COMMISSIONER COLLINS ARE YOU TALKING ABOUT IN THIS PARTICULAR AREA OR THE COMMUNITY?

>> IN THIS AREA, PEOPLE HERE WITH CONCERNS, PROPERTY OWNERS, THE GUY ACROSS THE STREET OR A BLOCK AWAY OR WHATEVER.

I BROUGHT THIS UP BEFORE WITH STAFF.

THIS BROAD USE OF THE WORD PRISON WHEN THESE OTHER THINGS ARE GOING ON.

I'VE BEEN OUT IN THIS AREA FOR A LONG TIME, I'VE SHOT GUNS, BUILT BRIDGES.

THERE'S A TANK FARM.

OF EXPLOSIVE FUEL.

DANGEROUS FUEL.

THERE'S AN APPRENTICESHIP TRAINING PROGRAM FOR HEAVY EQUIPMENT AND PLANES, AIRFORCE BASE WITH BOMBS AND EXPLOSIVE PIECES FALLING OFF THE PLANES AND PLANES CRASHING AND A SPEEDWAY WHERE PEOPLE GO RACING AND LOTS OF TRAFFIC.

AND I BELIEVE A FEDERAL FACILITY CLOSED, A YOUTH CENTER, CLARK COUNTY IS BUILDING THROUGH SOME KIND OF LEASE A BED FACILITY FOR NON-CONVICTED OFFENDERS UP TO 1500 BEDS, I BELIEVE.

1,000 OR

1,200.

YOU HAVE THESE NEIGHBORS, HERE IS HORSE PROPERTY AND RACETRACK AND APARTMENTS OR WHAT HAVE YOU.

SOMEONE WANTS TO REZONE IT TO A SHOPPING CENTER.

NO ONE WANTS LIGHTS 24 HOURS A DAY FROM A 7/11, NO ONE WANTS THIS TRAFFIC.

NO ONE WANTS XYZ.

THE COMMUNITY NEEDS A SHOPPING CENTER IN THAT NEIGHBORHOOD, I HEAR THAT ALL THE TIME.

THAT'S THE COMPARISON.

NOT IN MY BACKYARD, PEOPLE SAY THIS ISN'T NIMBY THING, I THINK HELL IF IT AIN'T.

I DON'T WANT TO HELP THE STATE OF NEVADA HAVE A FACILITY IN AN AREA WHERE IT'S APPROPRIATE.

AS A LEGISLATOR AND COMMISSIONER.

WHAT IS IT?

WE HAVE A RECYCLING OUTFIT, A COUPLE JUNKYARDS OVER THERE, A BATCH PLANT AND A BUNCH OF VACANT LAND.

IT'S KIND OF LIKE THE BIRD IN THE BUSH OR WHATEVER.

THERE'S A LOT OF VACANT LAND WITH PROMISES TO BUILD.

YOU HAVE INFRASTRUCTURE NEEDS, NORTH LAS VEGAS AND CLARK COUNTY BOTH JURISDICTIONS DEALING WITH THINGS.

YOU'VE GOT DIFFERENT CODES AND NOISE ATTENUATIONS, YOU HAVE ALL THESE THINGS.

LAND PRICES.

AGAIN TANK FARM AND BOMBS.

O'CALLAHAN HOSPITAL DOWN THE ROAD.

I DON'T SEE IN ANY WAY THIS IS NOT AN APPROPRIATE LOCATION.

AND KNOWING HOW DELIBERATE THE STATE OF NEVADA IS TO TAKE THEIR TIME GETTING SOMETHING DONE, EITHER BY LACK OF STAFF TO DO THE PROCESS AND/OR THE FUNDING TO DO THIS, I DON'T SEE THAT IF Y'ALL KNEW ABOUT THIS THING THAT 90 MORE DAYS IS GOING TO MAKE A DIFFERENCE UNLESS YOU ARE GOING TO GIVE THEM THE LAND AS A DONATION TO THE STATE.

THAT'S MY OPINION ABOUT THAT.

I WANT TO MAKE SURE SO I'VE COVERED IT ALL.

ONE PROPERTY OWNER, JOHN HE AND I BOTH WORKED FOR ACME ELECTRIC IN 1976.

I DON'T THINK THAT'S A CONFLICT.

>> THAT'S NOT A CONFLICT.

>> THANK YOU.

I KNOW MOST OF THESE GUYS ON BOTH SIDES OF THE DEAL.

HE USED TO RUN A BACKHOE AND I RAN A SHOVEL.

ANYWAY.

I WOULD LIKE TO MAKE A MOTION, MR. CHAIRMAN TO APPROVE THIS ITEM WITH ADDITIONAL CONDITIONS ABOUT THE GUARD SHACK APPEARANCE OR RAZOR WIRE.

THE STATE OF NEVADA NEEDS THIS.

THE COMMITMENT TO THE FOLKS OF THE STATE OF NEVADA FOR SAFETY IS TO NOT PROLONG THIS ANYMORE, I THINK WE HAVE BEEN TRYING TO FUND IT FOR 10-12 YEARS FROM A STATE LEVEL.

THAT'S MY MOTION.

>> COMMISSIONER HAD A QUESTION.

>> THANK YOU, I APPRECIATE WHAT THE PROPERTY OWNERS ARE LOOKING AT.

THIS IS, UNFORTUNATELY CRIME HAS BECOME AN INDUSTRY, SO IT'S A BETTER PLACE FOR IT IN THE LONG RUN BUT I HAVE TO SAY THE DESIGN WILL REALLY ENHANCE THE AREA RATHER THAN TAKE AWAY.

IT ALMOST LOOKS LIKE A SCHOOL TO ME TO SOME EXTENT.

YOU HAVE DONE A VERY IF JOB TO MAKE SURE IT BLENDS IN.

WHAT I WOULD ASK OF STAFF OR THE MAKER OF THE MOTION.

THERE WAS NO OPPOSITION WHEN IT WAS THOUGHT TO BE A FORENSIC FACILITY.

AND WHEN IT WAS RENOTIFIED AS PRISON/FORENSIC HOSPITAL IT BECAME AN ISSUE.

IF THAT'S THE CASE, I DON'T REMEMBER THESE FOLKS REJECTING THE PRISON

THAT'S A COUNTY DETENTION FACILITY OR SUMMIT YOUTH FACILITY.

COULD WE, IN EITHER THE MOTION OR AFTER THAT TAKE A LOOK AT PROPERLY DEFINING IN CODE WHAT A PRISON IS VERSUS FORENSIC HOSPITAL.

I FEEL FOR THEM HAVING TO DISCLOSE SOMETHING THAT'S REALLY A MIXED BAG TO SOME EXTENT AND IF THAT'S ACCEPTABLE I THINK THAT'S PROPER TO TAKE INTO CONSIDERATION.

>> YEAH, WE WILL LOOK INTO THAT.

>> THANK YOU.

>> COMMISSIONER MAXFIELD?

>> THANK YOU, MR. CHAIRMAN.

I HAVE A COUPLE ADDITIONAL QUESTIONS IF I MIGHT.

THEY PROBABLY AREN'T RELATIVE TO THE SITE.

BUT IN MY MIND I JUST WANT TO BE ABLE TO ASK AND PERHAPS MS. WILCOX OR NUNEZ.

I'M SURE -- I'M SURE THERE'S GOOD REASONS WHY THIS SITE.

BUT COULD YOU COME UP HERE AND JUST EXPLAIN TO ME BRIEFLY IN YOUR SEARCH FOR FINDING A PROPERTY WAS THERE DISCUSSION OF THE SITE WHERE THERE'S A PRISON WHERE IT DOESN'T SEEM TO BE USED FOR REFURBISHING TO CONVERT THAT TO WHAT YOU NEED HERE AND IF SO WHY DIDN'T THAT WORK OR WHY ISN'T THERE DISCUSSION FOR THAT?

>> COMMISSIONER MAXFIELD, THE JEAN FACILITY IS USED BY THE DEPARTMENT OF CORRECTIONS AND THERE IS NO SPACE ON THAT PROPERTY FOR A FACILITY LIKE THIS, NOR WOULD IT BE A SUITABLE COMPANION TO A PRISON.

>> SO THERE'S INMATES IN THE PRISON FACILITY TODAY?

BECAUSE I'VE HAD YOUTH GROUPS IN THE LAST FEW YEARS GO OUT THERE AND HAVE KIND OF A HARD CORE NIGHT TO SEE WHAT THE OTHER SIDE IS LIKE TO KEEP THEM ON THE STRAIGHT AND NARROW PATH, SO TO SPEAK.

I ALWAYS HEAR THESE THINGS, IS THAT A FUNCTIONING FACILITY NOW?

>> THE JEAN PRISON SOUTHERN NEVADA CORRECTIONAL CENTER, THAT, AND THERE'S ALSO A WORK CAMP THERE.

THE PRISON IS GOING TO BE THE FOLKS THAT ARE THERE NOW WILL BE RELOCATED INTO OTHER FACILITIES.

WE WERE JUST RECENTLY COMPLETING BUILDING 916 NEW BEDS FOR CORRECTIONS THAT WERE COMPLETED IN MARCH.

THEY WILL BE SENT TO THOSE LOCATIONS ON A TEMPORARY BASIS.

TO MEET SOME OF THE NEEDED BUDGET CUTS THAT THE STATE IS HAVING TO GO THROUGH.

THOSE BEDS WILL BE NEEDED IN THE FUTURE AND THE PERSON, THE PRISON THERE WILL BE REOPEN AGAIN.

THE WORK CAMP WILL BE THERE, AS A MATTER OF FACT, THAT'S A WORK CAMP FOR WOMEN.

WE ARE AROUND THE DESIGN FOR A MEN'S CAMP AT THAT FACILITY.

IT'S FUNDED FOR DESIGN, A POLICY OF THE STATE LEGISLATURE IS TO ANY PROJECTS OVER \$10 MILLION IS TO BREAK THEM INTO TWO SESSIONS.

ONE WHERE WE DO THE DESIGN AND THE FOLLOWING SESSION WHERE THEY FUND THE CONSTRUCTION, SO THAT'S PRETTY TYPICAL.

>> SO THE FUNDING FOR CONSTRUCTION WOULDN'T OCCUR UNTIL THIS NEXT LEGISLATURE.

>> THAT'S CORRECT, IT WOULD COME OUT OF THE '09 SESSION.

>> IN LIGHT OF THE CURRENT BUDGET WOES AND CONCERNS ARE THERE TALKS ABOUT POSTPONING THESE PROJECTS?

>> NO.

RIGHT NOW THE REVENUES THAT SUPPORT THE CAPITAL IMPROVEMENT PROGRAM OF THE STATE COME FROM A PORTION OF THE PROPERTY TAX.

AND THE PROPERTY TAX AT THIS POINT WE ARE BEING TOLD IS NOT BEING AFFECTED AND WE EXPECT THE TREASURIES OFFICE INFORMED US JUST A COUPLE WEEKS AGO THAT WE WILL BE LOOKING AT SOMEWHERE BETWEEN 550 AND \$650 MILLION FOR THE NEXT CAPITAL IMPROVEMENT PROGRAM FOR THE STATE.

>> OK.

>> THE CONSTRUCTION OF THIS PROJECT WILL BE APPROXIMATELY \$32 MILLION.

TOTAL PROJECT COSTS WILL RUN OVER \$40 MILLION.

>> THANK YOU.

I DON'T KNOW WHO IS BEST SUITED.

DESCRIBE TO ME BECAUSE I DON'T KNOW WHAT A PSYCHIATRIC HOSPITAL IS COMPARED TO PRISON.

I THINK I KNOW WHAT A PRISON IS BUT CAN YOU TELL ME THE DIFFERENCE WHY WE ARE CALLING IT BOTH.

OR WHAT THE DIFFERENCE WOULD BE IF IT WAS A PRISON VERSUS PSYCHIATRIC HOSPITAL.

>> THANK YOU, JACKIE GLASS, ONCE AGAIN.

COMMISSIONER MAXFIELD, AT THIS FACILITY IT'S A FORENSIC HOSPITAL, THE PEOPLE WHO GO TO THIS HOSPITAL ARE PEOPLE WHO ARE MENTALLY ILL WITH DIAGNOSIS FROM A DOCTOR THAT THEY AREN'T COMPETENT TO PROCEED.

THAT MEANS THEY DON'T UNDERSTAND THE NATURE OF THE CHARGES.

THEY CAN'T ASSIST THEIR COUNSEL.

PREDOMINANTLY IT'S A MIXTURE OF PEOPLE SCHIZOPHRENIA, BIPOLAR, HAVE OTHER THINGS, OTHERS HAVE OTHER DISORDERS.

THEY GO TO THE HOSPITAL AND THEY ARE TREATED WITH MEDICATION, THEY RECEIVE CLASSES ON LEGAL PROCESS SO THEY CAN BECOME MORE FAMILIAR WITH HOW THE WHOLE LEGAL PROCESS WORKS, WHAT DOES A JUDGE DO, WHAT DOES A PUBLIC DEFENDER DO, WHAT DOES A PROSECUTOR DO SO THEY UNDERSTAND THE SYSTEM.

THERE'S CLASSES, THERE'S RECREATION, THERE'S A WHOLE SYSTEM FOR BECOMING SOMEONE WHO IS A LEADER OF THE GROUP.

THEY DO ARTS AND CRAFTS.

IT'S THAT TYPE OF FACILITY.

THEY ARE PREDOMINANTLY THEY GO UP THERE, A LOT OF PEOPLE COME THROUGH THE JAIL, AREN'T ON MEDICATION, THEY NEED TO GO THERE AND BE PUT ON THE APPROPRIATE MEDICATION, THEY ARE IN A FACILITY WHERE THEY ARE WATCHED 24 HOURS A DAY.

THEY MAKE REPORTS, STAFF IS THERE WORKING WITH THEM, THEY ARE TREATED AND ONCE RE-EXAMINED BY THE DOCTORS WHO INITIALLY SAW THEM AND ARE DETERMINED TO BE COMPETENT UNDER THE LEGAL COMPETENCY STANDARD THEN THEY ARE SENT BACK AND WE SEND THEM BACK THROUGH THE LEGAL SYSTEM.

SO IT'S NOT A MEDICAL HOSPITAL.

IT'S A PSYCHIATRIC HOSPITAL.

>> IS IT ANY DIFFERENT AS A PSYCHIATRIC HOSPITAL, THERE'S A MENTAL OR PSYCHIATRIC HOSPITAL ON JONES AND OAKY.

THAT'S NOT FOR PEOPLE WHO I GUESS ARE CHARGED FOR CRIMES BUT IS IT THE SAME TYPE OF FACILITY?

>> IT'S SIMILAR, SOME END UP AT SOUTHERN NEVADA AT THAT HOSPITAL WHO DO COME THROUGH THE CRIMINAL JUSTICE CENTER WHEN WE CAN'T ACCOMMODATE THEM IN OUR JAIL, THE PEOPLE PREDOMINANTLY OVER THERE AREN'T PEOPLE CHARGED WITH A CRIME.

AND I WOULD SAY AND I COULD ASK DR. NEIGHBORS BUT I THINK THE SECURITY, AT WHAT I WOULD CALL THE LAKES CROSSING SOUTH WOULD BE MORE SIGNIFICANT THAN WHAT YOU HAVE.

>> THESE PEOPLE AREN'T FREE TO GO AT WILL.

IT'S A COURT ORDERED.

>> IT'S A LOCKED FACILITY.

>> GOT YOU.

THANK YOU.

MR. BROWN YOU ARE REPRESENTING OTHERS.

ONE PERSON WHO IS OPPOSED.

PERHAPS YOU AREN'T REPRESENTING EVERYBODY.

THERE ARE GOOD POINTS ON BOTH SIDES HERE.

A LOT OF TIMES WHEN THERE'S CONFLICTS WE TRY TO RESOLVE THEM BUT IF THERE'S DISCUSSION POINTS THAT NEED TO GO ON BECAUSE THERE MIGHT BE ALTERNATIVES, WHATEVER THEY MIGHT BE, IF WE FEEL THEM APPROPRIATE THEN WE WILL ASK TO HAVE THE TWO PARTIES MEET.

I HAVE TO SAY THERE'S A LOT OF PEOPLE OUT HERE WHO DO A LOT OF INDUSTRIAL TYPE WORK CONSTRUCTION DEVELOPMENT.

WHATEVER AND THERE ARE FAR MORE EXPERTS THAN I AM.

SO I CAN UNDERSTAND THE CONCERN AND NEED.

I DON'T KNOW WHAT YOU WOULD HOPE TO GAIN.

I CAN UNDERSTAND THE NEED TO HAVE A DISCUSSION.

MANY TIMES YOU WON'T HAVE DISCUSSION UNTIL THERE'S AN ACTION, THAT'S WHEN PEOPLE ARE PAYING MORE ATTENTION.

THE BOTTOM LINE, COMMISSIONER, I DON'T SEE WHY THIS IS A HORRIBLE LOCATION.

I DON'T KNOW THAT IT'S -- I DON'T KNOW THAT IT'S THE BEST LOCATION.

BUT BEFORE I WANT TO GIVE IT MY FULL COMMITMENT I WOULD JUST AS SOON LET THESE FOLKS NOW THAT THEY ARE VERY ENGAGED AND CERTAINLY CONCERNED HAVE AN OPPORTUNITY TO DISCUSS OTHER OPTIONS IF NEED BY.

I DON'T KNOW P IT WILL AFFECT YOU.

YOU CAN'T CONSTRUCT IT UNTIL AFTER THE LEGISLATURE APPOINTS IT, IT DOESN'T STOP YOU FROM CONTINUING ON OR SLOWLY GOING FORWARD.

I THINK OUT OF RESPECT FOR BOTH SIDES WE DO ASK PEOPLE TO MEET WHETHER THEY TRY TO MEET BEFORE AND DIDN'T HAVE ANY INTEREST.

LET'S LISTEN TO WHAT THEY HAVE TO SAY AND IF YOU CAN'T COME UP WITH SOMETHING OR IF IT DOESN'T WORK THEN AT LEAST WE PUT FORWARD THE EFFORT.

I GUESS THAT'S THE LONG WAY OF SAYING, I CAN UNDERSTAND YOUR EMOTION BUT I WOULD PREFER, I WOULD BE MORE COMFORTABLE IF YOU FELT INCLINED.

I WOULD LIKE TO SEE THIS THING CONTINUED FOR A TIME, MAYBE 90 DAYS OR 60 DAYS TO GIVE THEM A CHANCE.

BEFORE I MOVE FORWARD I WOULD WANT TO SEE THAT LAST OPPORTUNITY.

>> WE WOULD APPRECIATE THAT.

>> ANY OTHER DISCUSSION?

>> TWO QUESTIONS.

I'M NOT CERTAIN THERE IS A BEST LOCATION, I KNOW WE CAN'T EVEN GET SCHOOLS BECAUSE PEOPLE NEVER WANT THEM NEAR THEM AND THAT'S SOMETHING WE ALL NEED.

IN REGARDS TO THE FUNDING OF OFFICERS FOR THIS FACILITY AND THE TRANSPORT, WHERE ARE THOSE FUNDS THROUGH.

DO WE KNOW THAT.

I'M NOT SURE WHO I CAN ASK THAT OF.

>> CURRENTLY THIS IS JACKIE GLASS AGAIN.

CURRENTLY THE COUNTY PROVIDES THE TRANSPORTATION NOW FOR THESE PEOPLE TO BE TRANSPORTED UP TO RENO BY PRIVATE PLANE.

WAS THAT YOUR QUESTION?

>> YES.

THE FOLLOW-UP ON THAT QUESTION IS, WHEN YOU WERE SAYING YOU WERE AN OFFICER AT THE FACILITY, WOULD THAT OFFICER'S RESPONSIBILITY ALSO BE TO BRING THE CLIENT, I WILL CALL THEM FROM THE COURTHOUSE TO THE FACILITY?

YES.

IF COMING FROM THE CLARK COUNTY DETENTION CENTER I WOULD ASSUME THEY WOULD PROVIDE THE TRANSPORT.

THAT THEY WOULD PUT THEM IN THE TRANSPORT VAN AND TRANSPORT THEM TO THE FACILITY.

>> OK, THE SECOND QUESTION IN REGARDS TO THE STRUCTURE.

WE SAW THAT WITHOUT ANY GATES OR ANYTHING, IS THAT THE TOTAL FACILITY, MEANING DO YOU GO TO IT TO GET THIS FACILITY BY ENTERING A GATE, SO THERE'S A SECURED AREA AS THEY ARE EXITING THE VAN TO NOT BE ABLE TO ESCAPE AND RUN AMOK THROUGH THE AREA?

>> YES.

THERE SAY DOUBLE SALLY PORT, YOU GO THROUGH ONE GATE AND SECOND GATE.

>> DO YOU HAVE A VIEW OF THAT?

>> I DON'T HAVE A SKETCH, I HAVE THE PSYCH PLAN WHICH MAY HELP TO CLARIFY. THIS IS ANN ROAD ACCESSING, THIS IS THE ADMINISTRATIVE ENTRY.

>> TO THE LEFT AND RIGHT OF THAT.

I DON'T KNOW IF THAT'S EAST AND WEST.

>> THIS IS AN UNDER DEVELOPED PARCEL.

>> I GUESS WHAT I'M ASKING FOR, SO THEY COME THROUGH A GATE?

>> NO.

IT'S JUST A DRIVEWAY.

>> THEY COME THROUGH A DRIVEWAY, THEY ENTER A GATE ONCE HERE.

>> IT'S A SECURITY AREA.

>> DOUBLE SECURE ID, IT GOES THROUGH ONE GATE AND A SECOND GATE BEFORE IT GOES THROUGH THE BUILDING.

>> UNDERSTAND.

THAT'S WHAT I WAS LOOKING FOR.

OK, THANKS.

>> COMMISSIONER MAXFIELD.

COMMISSIONER COLLINS.

ARE YOU INCLINE TODAY WITHDRAW YOUR MOTION.

>> TO THE MAP.

DESIGN PICTURE OFF THERE AND LOOK AT THE MAP.

DOWN THE ROAD IS O' CALLAHAN.

SOLID BLOCK WALL, YOU GO AROUND THE CORNER, YOU HAVE THE FACILITIES, THE WIRE, THE DON'T CLIMB WIRE BECAUSE IT WILL CUT YOU UP PRETTY GOOD.

I THINK WHAT YOU NEED TO RECOGNIZE IS THIS IS RUN BY THE STATE MENTAL HEALTH DEPARTMENT.

THIS IS NOT NEVADA DEPARTMENT OF CORRECTIONS OR D.M.V. OR WHATEVER YOU WANT TO CALL THE PRISON SYSTEM IN THE STATE OF NEVADA.

THE ALARM OF PRISONS IS CLARK COUNTY STUPID CODE OR ORDINANCE THAT SAYS EVERY DANG THING YOU LOCK PEOPLE IN IS A PRISON.

FOR GOSH SAKES.

IT'S PRETTY SIMPLE.

IF WE MOVE THIS TO RACETRACK, WE WILL HAVE 48 GUYS WITH RACE CARS COMPLAINING, IF WE MOVE TO NELLIS WE WILL HAVE NELLIS PEOPLE, IF WE MOVE THIS DOWN WHERE WE HAVE DAILY BUDGET, THEY WILL COMPLAIN.

IF WE ARE LOOKING AT THIS CORRIDOR FROM APEX TO CRAIG ROAD FROM NELLIS AIRFORCE BASE TO I-15 YOU CAN PUT IT BY A CAR RENTAL FACILITY AND OFF RANGE ROAD OR SOME OTHER ACCESS YOU ARE STILL IN THE AREA.

SO WHAT IS IT?

DO YOU NEED 14 MORE TREES PLANTED IN FRONT OF IT?

IT'S STILL IN THE AREA.

IF YOU MOVE IT OVER BY THE WRECKING YARD BETWEEN THE WRECKING YARD AND INDUSTRIAL PLANT BEING BUILT BY WHERE JOSE IS BUILDING, ARE THEY GOING TO COMPLAIN?

IT'S A NIMBY THING.

IN MY BELIEF THIS IS PURELY A NIMBY THING.

WHETHER IT'S ON HOLLYWOOD OR SLOAN OR ANN OR CENTENNIAL OR ANY OF THESE OTHER STREETS, WHERE EVER IT GETS MOVED IN THAT GENERAL LOCATION, IT IS.

IF YOU WANT TO GO TO GENE OR INDIAN SPRINGS OR COLD CREEK.  
OBSVIOUSLY, WHEN WE ARE TALKING ABOUT THESE LAND EXPERTS, PRIVATE SECTOR  
LAND EXPERTS THAT HAVE MADE MILLIONS AND MILLIONS.  
ON THE OTHER SIDE WILCOX HAS BEEN DOING IT, HAS TO DO IT E EFFICIENTLY.  
BECAUSE STATE OF NEVADA HASN'T WANTED TO FUND.  
IT WILL TAKE THE STATE 3-4 YEAR TO GET IT BUILT BECAUSE OF BUDGET.  
I DON'T WANT TO HOLD IT UP 90 DAYS OR NEXT WEEK.  
PAM WILCOX DOES HER DILIGENCE, I HAVE WORKED WITH HER FOR YEARS AS A  
LEGISLATOR AND I THINK HER DEPARTMENT HAS DONE AN OUTSTANDING JOB, IF THIS  
WOULDN'T HAVE BEEN CALLED A PRISON I DON'T THINK FOLKS HERE WOULD HAVE BEEN  
UPSET.  
THAT'S ON THE LAPS OF THE COUNTY.  
I'M STICKING WITH MY MOTION.  
>> COMMISSIONER COLLINS, YOU WERE VERY PASSIONATE YESTERDAY AND YOU ARE  
PASSIONATE TODAY.  
AND IT'S A GOOD SIGHT TO SEE.  
I CAN TELL YOU, WE HAVE SPENT A LOT OF TIME ON THIS, AND YOU PROBABLY SPENT  
A LOT MORE TIME GETTING TO THIS POINT, INTUITIVELY I DON'T KNOW IF ANYONE  
CAN COME UP WITH A BETTER LOCATION.  
BUT I'VE LISTENED TO OTHER FOLKS AND THE YOU CALL IT NIMBY OR WHATEVER  
ELSE.  
I'VE TRIED LISTENING WHETHER THEY HAPPEN TO BE REAL ESTATE MOGULS AS YOU  
SAY OR THE INDIVIDUAL WHO IS LOOKING OUT THE KITCHEN WINDOW AND DOESN'T SEE  
A QUAIL ANYMORE.  
I THINK -- I DON'T KNOW IF THEY CAN COME UP WITH A BETTER IDEA BUT I'M  
WILLING TO GIVE THEM AN OPPORTUNITY TO HAVE THAT DISCUSSION TO SEE.  
BECAUSE SOMETIMES THAT'S WHAT WE DO AND NEIGHBORS, THESE ARE JUST  
NEIGHBORS, WE WANT SOMETHING DIFFERENT.  
THEY SHOULD COME UP WITH THAT DETERMINATION THEMSELVES.  
I'VE BEEN ON THAT SITE IN HEATED DISCUSSION IN SCHOOLS, THAT SITE TOO,  
ACTUALLY THE NEIGHBORHOOD WOKE UP AND FOUND A MORE SUITABLE LOCATION IN THE  
NEIGHBORHOOD.  
IT DOES HAPPEN ON OCCASION, MAYBE NOT ALL THE TIME.  
WITH DUE RESPECT TO YOU, I'M GOING TO --  
>> BEFORE YOU DO THAT, BEFORE YOU GO ANY FURTHER, IF WE PASS, IF WE APPROVE  
THIS, WHICH I HOPE WE DO, THAT JUST LET'S THESE GUYS DO AN ESCROW AND THE  
PLANNING STARTS GETTING PLANNED.  
THESE FOLKS HAVE ALL THE TIME IN THE WORLD TO BUY UP THAT SITE AND PLOP  
DOWN A NEW ONE, THEY HAVE UNTIL PAST THE NEXT LEGISLATIVE SESSION, I WOULD  
SAY TO FIND A WAY TO MOVE IT FRMT AND THAT'S WHAT THINKING OUTSIDE --  
THAT'S WHAT ENTREPRENEURIAL STUFF IS.  
I DON'T THINK WE SHOULD HELD UP SOMETHING THAT'S ALREADY BEEN HELD UP SO  
MANY YEARS WHEN IN THE NEXT YEAR OR SO THERE'S PLENTY OF TIME TO GO DO  
THAT.  
ONCE WE TAKE ACTION, THINGS START TO HAPPEN.  
SINCERE ERNEST EFFORT TO MAKE IT CHANGE IF THEY BELIEVE IT NEEDS TO BE  
CHANGED AND IF THEY DON'T IT WILL HAPPEN WHERE PROPOSED.  
I BELIEVE BY TAKING THAT ACTION TODAY WE WILL GET -- WE WILL PUSH THE  
BUTTONS TO MAKE THE ACTION HAPPEN.  
THAT'S MY OPINION, BUT IF YOU WANT TO VOTE AGAINST IT, I'M FINE WITH THAT.  
I STILL LOVE YOU.  
>> MR. CHAIRMAN, IT MAY NOT WORK BUT I WILL PUT A MOTION OUT TO HOLD.  
I WANT EVERYBODY HERE TO UNDERSTAND THIS IS A COURTESY WE GIVE, I GIVE AND  
TRY TO EXTEND TO PEOPLE WHO ARE HAVING DIFFERENCES OF OPINION.

I DON'T KNOW WHAT YOU HOPE TO GAIN QUITE FRANKLY OUT OF IT.  
IT'S A FACILITY, NICE TO SEE ON ONE HAND JUDGE GLASS, EITHER YOU OR WHOEVER  
TALK TO LEGISLATURE AND THE STATE TO ACTUALLY DOING SOMETHING DOWN IN  
SOUTHERN NEVADA TO ACCOMMODATE SOME OF OUR MENTAL HEALTH ISSUES AND OTHER  
THINGS.

BUT YOU KNOW, THERE'S SOME PRETTY MOTIVATED SOPHISTICATED INDIVIDUALS ON  
THAT SIDE TOO PERHAPS THEY ARE MOTIVATED TODAY.

MAYBE IT WILL COME BACK TO THE SAME PIECE OF PROPERTY, MAYBE IT WILL BE ONE  
IN ANOTHER PART OF TOWN THAT WORKS EQUALLY WELL.

I DON'T KNOW.

BUT I'M WILLING TO GIVE THEM A CHANCE, I DON'T KNOW IF IT AFFECTS YOU  
HORRIBLY IF WE WENT 90 DAYS.

WHAT'S THE CRITICAL NATURE OF A HOLD?

>> COMMISSIONER MAXWELL, IF I MAY, AS I ALREADY SAID WE ARE IN ESCROW, WE  
HAVE BEEN ESCROW SINCE NOVEMBER, WE HAVE ALREADY EXTENDED THE CLOSE OF  
ESCROW ONCE IN ORDER TO ACCOMMODATE THIS MIX UP ABOUT WHETHER IT'S A PRISON  
OR NOT.

WE ARE DUE TO CLOSE IN JULY.

A 90 DAY EXTENSION MAY KILL THE WHOLE DEAL.

>> JULY WHAT?

>> I DON'T KNOW.

>> IS THE PROPERTY OWNER HERE?

I HATE TO USE ARGUMENTS FOR OR AGAINST.

>> IF IT'S JULY AND WE HAVE TWO WEEKS I WOULD THINK THE PEOPLE ON THIS LEFT  
SIDE OF THE ROOM MIGHT HAVE THE AVAILABILITY TO SEE IF THERE'S SOMETHING  
DIFFERENT BEFORE THE CLOSE OF ESCROW.

>> THEY KNOW THIS COMMUNITY EXTREMELY WELL.

>> ARE YOU THE PROPERTY OWNER?

>> YES, I'M JOHN HOULIHAN.

>> YOU ARE THE PROPERTY OWNER.

WHAT IS THE CLOSE OF ESCROW?

>> IT WAS SUPPOSED TO BE THE END OF THIS MONTH, I DON'T KNOW WHAT THE DATE  
IS IN JULY.

>> SO IS THERE ANY PREJUDICE TO HOLDING IT -- THIS IS OUR SECOND MEETING IN  
JUNE.

TO OUR SECOND MEETING IN JULY.

WHAT DAY IS THAT?

>> JULY 16th.

>> IS THERE ANY PREJUDICE HOLDING IT UNTIL JULY 16th.

>> WE WOULD LIKE TO CLOSE IT AS SOON AS POSSIBLE.

>> THAT WASN'T THE QUESTION.

>> I UNDERSTAND.

>> IF I MIGHT INTERJECT.

THEY HAVE HAD NOTICE SINCE MAY 21st, HAS ANYONE BOTHERED TO FIND ANOTHER  
PLACE SINCE THEN?

>> TWO MORE WEEKS, 90 DAYS, I DON'T THINK THAT WILL GET IT, THIS IS MORE  
DELAY TACTIC.

>> STATE YOUR MOTION.

>> TO HOLD THE ITEM UNTIL OUR SECOND MEETING IN JULY.

JASON, WHAT DAY?

>> JULY 16th.

>> JULY 16th.

>> OTHER DISCUSSION FROM THE BOARD?

>> YES, I ALREADY HAD A MOTION ON THE FLOOR.

>> IT SUPERSEDES.  
>> JUST WANTED TO MAKE SURE YOU STATED THAT FOR THE RECORD.  
>> I DON'T KNOW WHERE THIS IS GOING, LET ME SAY SOMETHING.  
I DON'T THINK THERE'S ANY DISPUTING THAT THIS IS A NEEDED FACILITY.  
THE FACT THAT JUDGE GLASS IS HERE MAKES THAT ARGUMENT FOR ME AND I KNOW THE  
STATE HAS WORKED ON THIS FOR MANY WEEKS.  
I ALSO KNOW COMMISSIONER COLLINS KNOWS HIS DISTRICT BETTER THAN I DO, BUT  
OUR POLICY IS TO PROVIDE PEOPLE AN OPPORTUNITY TO TALK UNLESS THERE'S SOME  
PREJUDICE THAT MAKES THAT APPEAR UNREASONABLE.  
AND WHAT WE HAVE HERE IS A FACILITY THAT'S NEEDED BUT ISN'T FUNDED.  
THE CLOSING SEEMS TO ME CAN BE DELAYED A LITTLE BIT.  
IF THE OPPONENTS HAVEN'T BEEN INCENTIVIZED UP UNTIL TODAY TO FIND AN  
ALTERNATIVE I THINK THEY ARE NOW.  
THIS IS A CONFORMING ZONE CHANGE, IN AN INDUSTRIAL AREA AND GIVEN WHAT I'VE  
HEARD ABOUT THE FACILITY I THINK IT'S HARD TO MAKE AN ARGUMENT THIS IS  
UNSUITABLE FOR THE AREA.  
WHICH ISN'T TO SAY THERE ISN'T A BETTER PLACE FOR IT.  
I THINK IT'S FAIR TO GIVE FOLKS 30 DAYS TO IDENTIFY THAT AND IF YOU CAN'T  
THEN WE WILL COME BACK HERE, WE WILL HAVE A MUCH SHORTER HEARING AND I  
THINK IT'S PRETTY OBVIOUS PROBABLY WHAT WE WILL DO.  
BUT I DON'T THINK IT'S UNREASONABLE TO GIVE FOLKS 30 DAYS TO FIND AN  
ALTERNATIVE, I'LL SUPPORT THE MOTION TO HOLD.  
IF THERE'S NO OTHER DISCUSSION.  
CAST YOUR VOTE.  
MOTION CARRIES -- NO IT DOESN'T, THE MOTION FAILS.  
SO WE NEED ANOTHER MOTION.  
>> WE HAVE THE MOTION TO APPROVE IT AS IS AND THEY CAN FIGURE IT OUT.  
THE MOTION WOULD BE TO APPROVE THE ZONE CHANGE INCLUDING THE RAZOR WIRE AND  
THE GUARD TOWER.  
UNDERSTANDING THAT THE FUNDING FOR THE DESIGN IS ALREADY IN PLACE.  
THEY GOT TO CLOSE ESCROW.  
THEY HAVE TIME BEFORE ANY SERIOUS DOLLARS GET SPENT TO COME UP WITH A  
BETTER PLAN.  
>> LEAVE IT TO THE PRIVATE FOLKS INSTEAD OF US HOLDING IT UP.  
>> YOU SAID IT BETTER BEFORE.  
>> JUST VOTE YES.  
PLEASE.  
>> THERE'S A MOTION TO APPROVE.  
CAST YOUR VOTE.  
THE MOTION CARRIES.  
>> THANKS, YOUR HONOR.  
>> NEXT ITEM NUMBER 15 [READING].  
HOLDOVER ZONE CHANGE TO CLASSIFY 2.2 ACRES FOR SINGLE FAMILY SUBDIVISION.  
GENERALLY LOCATED 435 FEET EAST OF MILLS, 750 FEET SOUTH OF MILLS AVENUE,  
IT'S DESCRIBED IN YOUR AGENDA.  
CONFORM TO CLARK COUNTY LAND USE PLAN.  
THERE ARE EXISTING UTILITIES AND EASEMENT.  
STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS LISTED IN THE AGENDA.  
WE RECEIVED ONE CARD IN SUPPORT AND ONE CARD IN PROTEST.  
>> AMY MILLS.  
761 LOU STREET.  
I'M ASKING FOR IT TO BE HELD OVER, THERE'S BEEN SOME KIND OF CONFUSION WITH  
WHAT COMMISSIONER COLLINS HAD REQUESTED TO GET THE ZONE CHANGE.  
SO I JUST ASK FOR IT TO BE HELD OVER FOR ANOTHER TWO WEEKS.

>> SO YOU ARE ASKING IT TO BE HELD TO OUR FIRST MEETING IN JULY.  
>> YES PLEASE.  
>> WHAT'S THAT DATE?  
>> JULY 2nd.  
>> DOES THAT GIVE YOU TIME TO FIGURE OUT.  
>> IT'S UP TO THE PROPERTY OWNER TO DEDICATE THE LAND, IF SHE CAN'T GET THEM TO THE DEDICATE THE LAND.  
>> IT DENIES THE ZONE CHANGE.  
>> YOU WILL DENY IT.  
NOT EVERYBODY ELSE.  
>> DO YOU WANT 30 DAYS?  
>> I WOULD REALLY LIKE TO GET THIS TAKEN CARE OF.  
FROM OUR DISCUSSIONS WE HAVE MADE SPECIFIC -- YOU MADE SPECIFIC MARKS ON THE MAP WHAT I NEEDED TO DO, I WENT AND DID THAT AND ACCORDING TO JEANNIE WE NEED MORE, NOT MORE THAN THREE AND A HALF FEET, YOU SAID ONLY NEED TO SPEAK WITH MR. BARLOW ABOUT HIS PORTION OF THE EASEMENT.  
SO THAT'S WHAT I DID, I GOT THEM TO AGREE TO DEDICATE THEIR PORTION OF THE EASEMENT BUT YOU ARE SAYING I NEED TO SPEAK WITH THE OTHER PORTION BECAUSE THE CODE SAYS A DEDICATED ROAD HAS TO BE 47 FEET.  
AND I DON'T -- THAT WASN'T IN OUR DISCUSSION BEFORE.  
LIKE I SAID -- BUT I WOULD LIKE TO HOLD IT OVER.  
SEE WHAT I NEED TO SPECIFICALLY GET NOW AND GO FROM THERE.  
>> THE SIMPLE PHILOSOPHY OR TRAIL TO A WINDY OLD ROAD.  
>> IT'S NOT, IT'S A TYPE TWO ROAD TO A DRIVEWAY.  
>> MOTION TO REQUEST --  
TWO WEEKS.  
AND YOU TWO CAN TALK LATER, HOW ABOUT THAT?  
CAST YOUR VOTE.  
>> THE MOTION CARRIES, TO BE CONTINUED.  
>> THANK YOU.  
>> NEXT ITEM, NUMBER 20 COMPANION WITH 21, 22, 23  
[READING]  
SIMILAR REQUESTS HAVE BEEN APPROVED IN CLARK COUNTY.  
STAFF RECOMMENDS APPROVAL WITH A CHANGE TO THE FIRST CONDITION TO READ RESOLUTION OF INTENT TO EXPIRE ON THE 16th.  
WE HAVE RECEIVED ONE CARD IN PROTEST ON ITEM 20.  
ITEM 21, UC0282-08.  
PERMITS FOR THE FOLLOWING.  
ONE INCREASE BUILDING HEIGHT, TWO RECREATION CENTER, OUTSIDE DINING.  
WAIVE REQUIREMENT ACCESS BE THROUGH THE INTERIOR OF THE RESTAURANT.  
REDUCE PARKING SPACES, TWO PROVIDE ALTERNATIVE PARKING LOT LANDSCAPING.  
PERMIT THREE FLAGS.  
COMMERCIAL DEVELOPMENT CONSISTING OF FIVE DEVELOPMENTS.  
[READING]  
STAFF CANNOT SUPPORT FOR THE WATER FEATURE BECAUSE CLARK COUNTY IS IN DROUGHT ALERT.  
STAFF DOES NOT TYPICALLY SUPPORT DECORATIVE WATER FUTURES.  
THEY SHOULD BE PROHIBITED EXCEPT SWIMMING POOLS, SPAS AND WATER PARKS.  
IT'S NOT A RESORT.  
[READING]  
ITEM 21 WE HAVE RECEIVED ONE CARD IN SUPPORT.  
NUMBER 22, WS-0414-08 WAIVERS.  
[READING]

STAFF HAS BEEN WORKING WITH THE DEVELOPER TOO MAKE SURE IT'S DEVELOPED IN AN ORDERLY FASHION AS DEVELOPMENT OCCURS.

STAFF RECOMMENDS APPROVAL WITH CONDITIONS LISTED IN YOUR AGENDA AND ITEM 24, [READING]

STAFF RECOMMENDS APPROVAL WITH CONDITIONS LISTED IN YOUR AGENDA.

>> GOOD MORNING.

>> GOOD MORNING, JENNIFER HERE TODAY ON BEHALF OF THE APPLICANT.

WE DO AGREE WITH STAFF'S RECOMMENDATION FOR THE CONDITION CHANGE ON ITEM NUMBER 20.

UNDER MAJOR PROJECTS FOR THE PLANNING WE ACCEPT THAT REVISED CONDITION. AND WITH THE EXCEPTION OF ONE OF THE RECOMMENDATIONS FROM STAFF ON THE WATER FEATURE WE AGREE WITH THE OTHER CONDITIONS AND RECOMMENDATIONS AND I WILL TURN IT OVER TO GREG.

>> MR. CHAIRMAN, COMMISSIONERS, GREG BOREDEL.

FIRST WE WANT TO POINT OUT WE ARE FULLY IN CONFORMANCE WITH YOUR CODE AS TO THE MINIMUM AMOUNT OF SURFACE WATER INVOLVED HERE, THAT'S WHY IT'S A DESIGN REVIEW AND NOT WAIVER.

VERY MINIMAL AMOUNT OF SURFACE AREA.

MUCH MORE SIGNIFICANTLY WE THINK THIS FACILITY IS INTENDED TO BE PART OF A RECYCLING SYSTEM FOR COYOTE SPRINGS.

THERE'S ALREADY APPROVED, THE RESERVOIR, CALL IT THE FRONT END OF THE SYSTEM HERE IN THE OVERALL PROJECT.

THE RECYCLING PLANT IS ALREADY APPROVED HERE.

A PIPE SYSTEM WILL CONNECT THE TWO, WHAT THIS APPLICATION WILL ALLOW US TO DO IS ESTABLISH AND CONSTRUCT NOW A VERY SMALL, IN COMPARISON TO THE OVERALL PROJECT AREA WHERE THERE WOULD BE SOME SURFACE WATER FUTURE WHICH WHEN THE AFFLUENT IS FLOWING A PRICE WHERE IT COULD BE DAYLIGHTED AND MADE USE OF BEFORE PROCEEDING DOWN TO THE RECYCLING PLANT.

THE PROPOSED WATER FEATURE IS IN CONJUNCTION WITH A PART OF THE PROJECT CALLED TOWN SQUARE.

AS YOU RECALL WE HAD A SIMILAR DISCUSSION HERE IN THE MAIN PART OF THE COMMUNITY AT SUNSET AND LAS VEGAS A BOULEVARD AND YOU APPROVED THAT FACILITY, THIS SITUATION WE THINK IS EVEN MORE APPROPRIATE IN THAT IT'S PART OF A SIGNIFICANT PUBLIC PURPOSE OF ESTABLISHING AN AFFLUENT RECYCLING SYSTEM FOR THE PROJECT OF COYOTE SPRINGS.

SO WE DO NEED TO CONSTRUCT IT NOW AS PART OF THE SYSTEM.

THE AFFLUENT WILL BE AVAILABLE AS SOON AS WE CAN GET HOUSES BUILT.

WE HAVE HOUSES BUILDING THERE NOW IF NOT THE HOUSING PROBLEM BUT WE DON'T AND THEREFORE WE ARE ASKING FOR APPROVAL TO CONSTRUCT IT NOW AND INTEGRATE IT WHEN WE HAVE AFFLUENT TO DO THAT.

>> IS IT POTABLE?

WE HAD AN OPPORTUNITY TO GO OUT TO COUNTY SPRINGS TO VIEW THE PROPERTY AND I REMEMBER THIS WAS A CONVERSATION EARLY ON.

IN TRYING TO EXPLAIN IT TO SOME OF MY CONSTITUENTS.

LY HAVE THEM SAY THIS ON THE RECORD, SINCE YOU HAVE THE RESEARCH.

>> THANKS, I HAVE BEEN WORKING, I'M WORKING ON IT BECAUSE WE LOST OUR RECLAIMED WATER, BUT RECLAIMED WATER IS WHAT YOU ARE TALKING ABOUT, WHICH IS ALLOWED CURRENTLY IN CODE FOR LARGER SUBDIVISIONS AND BUSINESS TYPE THINGS LIKE THE TOWN CENTER AND THAT IS, THEY HAVE A CERTAIN REQUIREMENT, THEIR FIXTURES AND SO FORTH, THEY HAVE TO TREAT ACTUALLY TO SOME EXTENT BUT THE LINES CAN'T BE IN THE SAME POTABLE WATER LINE, SO THEY ACTUALLY HAVE TO SEPARATE.

POTABLE MEANS YOUR ACTUAL DRINKABLE WATER VERSUS RECLAIMED WATER WHICH COULD BE REUSED FROM SHOWERS AND SO FORTH, AND GRAY WATER IS ONLY YOUR SHOWER, SINK AND LAUNDRY ROOM.

IT DOESN'T ALLOW FOR CERTAIN THINGS BECAUSE THAT'S RESIDENTIAL AND YOU DON'T HAVE TO TREAT IT, YOU CAN USE THAT FOR IRRIGATION PURPOSES, THOSE ARE THE TWO SEPARATE THINGS.

DID I STATE THAT --

>> YOU DID SPLENDIDLY, I WAS GOING TO SHOW OFF AND ADD, THERE'S ALSO NON-POTABLE WATER, WATER THAT HASN'T BEEN RECLAIMED BUT ALSO HAS NOT BEEN TREATED TO BE DRINKABLE AND WE ARE USING NON-POTABLE WATER WHEN WE CAN AS WELL AS COYOTE SPRINGS.

ALL OF WHICH IS BACKGROUND TO THE QUESTION WE WOULD LIKE PERMISSION.

>> COMMISSIONER COLLINS, YOUR DISTRICT.

>> THANK YOU.

HAVE YOU GOT A PICTURE OF 21 NUMBER FOUR.

DO YOU HAVE A LAYOUT.

THAT SHOWS WHY YOU WENT FROM 150 FOOT TO 13 FOOT ON THAT ENTRANCE.

EXPLAIN THAT TO ME.

>> I'M SURE WE DO, WE WENT OVER IT WITH STAFF AND THEY SEEMED PLEASED

>> THEY ARE EASY TO PLEASE THOUGH.

>> THAT HASN'T BEEN OUR EXPERIENCE, BUT PERHAPS WITH YOU.

>> THIS IS FROM THE OVERALL COMMERCIAL, REDUCED DEPTH IS IN THIS AREA WHICH SERVES A MINIMAL ACCESS POINT AND AS YOU CAN SEE THERE ARE MULTIPLE ACCESS POINTS ALONG THIS ROUNDABOUT.

BUT THAT'S WHY WE THINK STAFF FOUND IT ACCEPTABLE.

>> THAT'S WHY I WANT TO GET THE PICTURE ON THE RECORD THERE.

>> AND THEN ON TIME TO GET ONTO THE REFUGE WATER.

I THINK FOUR YEARS IS LONG ENOUGH TO BRING THAT BACK FOR REVIEW AND SEE IF YOU HAVE NOT ENOUGH HOMES TO PROVIDE THAT TYPE OF WATER.

YOU CAN'T HAVE TOO MUCH RUNNING OFF THE PLACE, THE MORE YOU CAN USE THE BETTER FOR THE WHOLE PROJECT.

I THINK FOUR YEARS WILL BE TIME TO BRING THAT BACK FOR REVIEW.

YOU WILL HAVE A YEAR, IF YOU HAVEN'T ALREADY, RATHER THAN JUST SAYING A FIVE-YEAR REVIEW, IN FIVE YEARS YOU WILL HAVE IT DONE, THAT'S MY MOTION. FOR ALL THE ITEMS.

>> ARE THERE QUESTIONS ON THE MOTION?

DO YOU NEED CLARIFICATION?

COMMENTS?

I'M GOING TO ABSTAIN ON THIS ITEM BECAUSE MY LAW FIRM DOES WORK, NOT ON THIS APPLICATION BUT ON SOMETHING ELSE FOR THE APPLICANT, SO CAST YOUR VOTE.

>> ACTUALLY COMMISSIONER, I SUPPOSE, NOT THAT IT MATTERS SINCE YOU ARE ABSTAINING BUT THIS IS A -- MATTER.

>> THERE YOU GO, SO DOUBLE ABSTAIN THEN.

CAST YOUR VOTE.

THE MOTION CARRIES.

>> THANK YOU.

>> ITEMS 24-27 HAVE BEEN HELD.

NEXT ITEM IS 28.

[READING]

DESIGN REVIEW.

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF CHEYENNE.

WAIVERS AND BACKGROUND IN YOUR AGENDA.

IT'S APPROPRIATE AS FAR AS USE WITHIN THE RANGE OF INTENSITIES DESIGNATED BY THE LAND USE PLAN, STAFF HAS NO OBJECTION TO MATCH THE BUFFERS APPROVED FOR THE SOUTH.

STAFF HAS NO OBJECTION TO MAKING THE LANDSCAPE REQUIREMENT WITHIN THE MD PORTION OF THE STAFF SINCE TREES CAN POSE A HAZARD TO VEHICLE CIRCULATION. THE PLAN HAS PICKED THREE TRASH ENCLOSURES, IT DOESN'T MEET THE REQUIRED 50-FOOT SETBACK, MAY NOT BE NEEDED, OR COULD BE LOCATED TO ANOTHER AREA, PLANS FOR THE DEVELOPMENT TO THE SOUTH TO PICK MINIMUM LANDSCAPE BUFFER, ALONG THE EAST PROPERTY LINE ADJACENT TO THE RESIDENTIAL DEVELOPMENT. STAFF FINDS IN ORDER TO PROVIDE CONTINUITY WITHIN THIS SITE AND TO THE SOUTH.

STAFF RECOMMENDS APPROVAL OF THE ZONE CHANGE AND WAIVERS AND DEVELOPMENT STANDARDS AND DENIAL 1A, 1B, 2A AND DESIGN REVIEW, IF APPROVED CONDITIONS LISTED IN THE AGENDA, TOWN BOARD RECOMMENDED APPROVAL AND DENIAL OF ALL THE OTHER ITEMS.

>> OK.

>> GOOD MORNING.

>> GOOD MORNING.

RICHARD, 6512 WEST DIABLO.

THE PROJECT YOU SEE IN FRONT OF YOU HERE, WHAT WE ARE LOOKING TO DO IS TO TAKE ONE PORTION ALREADY APPROVED AS C2 AND LET THAT BE A RETAIL BUILDING YOU SEE HERE IN BROWN.

AND THEN TO THE SOUTH WHAT WE WANTED TO DO FROM THIS AREA BACK REZONE IT AS MD.

FOR OFFICE WAREHOUSE.

MY CLIENT ALSO OWNS THIS PROPERTY ALSO BEING CONSTRUCTED.

WE ARE IN AGREEMENT WITH STAFF, EXCEPT WE DO HAVE SOME CONCERNS ABOUT TWO OF THE WAIVERS, THE FIRST WAIVER IS PRETTY SIMPLE.

THAT WAS A REQUEST FOR A TRAFFIC ENCLOSURE, THIS ONE HERE TO BE WITHIN 50 FEET OF THE PROPERTY LINE.

THIS DRAWING ALSO REPRESENTS THE TWO TRASH ENCLOSURES, THE EXISTING TRASH ENCLOSURES FOR THE APARTMENT COMPLEX.

WE DIDN'T SEE THAT AS BEING MUCH OF AN ISSUE.

HOWEVER IN ORDER TO GAIN APPROVAL, WE ARE WILLING TO MOVE THE TRASH ENCLOSURE, WE JUST SAW THAT AS A MINOR ISSUE.

THE BIG ISSUE FOR US IS THE 20-FOOT SETBACK OFF THE PROPERTY LINE RIGHT HERE.

WE HAVE ONE WAIVER REQUESTED WHERE WE WOULD ENCROACH ON THAT 20 FOOT AND PUT THE BACK WALL OF THE WAREHOUSE BUILDING ON THE PROPERTY LINE.

OF COURSE OUR GOAL IS TO MAXIMIZE OUR LAND USE AND TO HAVE AS MUCH ROOM TO MANOEUVRE AROUND THE TWO BUILDINGS WE ARE PROPOSING.

THIS LOT IS A LITTLE MORE UNUSUAL, IT'S APPROXIMATELY 45-FOOT DEEPER.

THE WAY THAT DESIGN WAS DONE.

IN EXPLORING STAFF'S RECOMMENDATION IN THIS DRAWING, BASICALLY WHAT THEY ARE SAYING IS THAT IT WOULD TAKE THIS REAR BUILDING HERE AND PULL IT 20 FEET OFF THE REAR PROPERTY LINE.

IN DOING THAT, THE BUILDING WOULD BE REPRESENTED HERE BY THIS PURPLE RECOMMEND TANGLE.

RECTANGLE.

WE HAVE AN ISSUE WE HAVE TO MAINTAIN FIRE TRUCK ACCESS WITH THE OTHER PARCEL AND ISSUE WHERE ALL THE WATER HAS TO MOVE IN THIS DIRECTION AND MOVE TO THIS PROPERTY AND ON DOWN, OUR CIVIL ENGINEERS ALREADY WARNED US ABOUT THAT, WE DIDN'T WANT TO CREATE TOO MUCH OF A CHOKE POINT.

WE THOUGHT WE WERE KIND OF DOING THE COMMUNITY A FAVOR.

IF THE BUILDING IS HELD 20 FEET OFF THE BACK PROPERTY LINE, WE HAVE AN EXISTING WALL HERE YOU CAN SEE SOME APARTMENT BUILDINGS ON THIS DIAGRAM. WE ARE VERY CONCERNED WE WILL ATTRACT AN ATTRACTIVE NUISANCE. WE WOULD HAVE THE SIX FOOT HIGH WALL, LANDSCAPING AND OUR WALL. THE CONCERN IS THERE IS NO NECESSITY FOR US TO GO BACK THERE. PEOPLE FROM THE APARTMENT COMPLEX COULD ACCESS THIS AREA AND TRASH COULD COLLECT IN THIS AREA.

IF WE DO HAVE THIS AREA, WE WILL GO AHEAD, WE PUT MAN DOORS ON THE BACK OF OUR BUILDING, WE CAN'T SAY OUR TENANTS WON'T USE IT AS OUTSIDE STORAGE, IT WILL BE A BIG CHORE.

SO WE THOUGHT TO AVOID THAT PROBLEM COMPLETELY EVERYONE WOULD BENEFIT BY TAKING THE BUILDING BACK TO THE PROPERTY LINE AND NOT CREATING ANY KIND OF NUISANCE WHATSOEVER, THAT'S THE REASON FOR THE REQUEST.

>> THIS IS A PUBLIC HEARING, ANYONE HERE TO SPEAK ON THIS APPLICATION? SEEING NO ONE, I WILL CLOSE THE PUBLIC HEARING, COMMISSIONER WEEKLY?

>> THANK YOU, MR. CHAIR, I HAD AN OPPORTUNITY TO MEET WITH THE APPLICANTS SOME TIME AGO.

WE HAVE HAD MAJOR CONVERSATIONS ABOUT THE ITEMS, OR THE CONDITIONS THAT STAFF HAS RECOMMENDED DENIAL, 1A, 1B AND 2A.

RICHARD HAS MENTIONED VERY VALID POINTS ON THAT.

I WAS GOING TO SAY I TOO SHARE SOME OF THOSE CONCERNS BUT I WAS JUST BACK OUT THERE RIGHT ACROSS THE STREET THERE AND I WILL TELL YOU THAT SEVERAL OF THE RESIDENTS I'VE HAD THE OPPORTUNITY TO MEET WITH IN THE NEIGHBORHOOD WELCOME THE DEVELOPMENT.

THE NEIGHBORHOOD IS CHANGING AND DEVELOPING AND THEY ARE VERY EXCITED TO HAVE SOME NEW DEVELOPMENT COME INTO THE NEIGHBORHOOD, I GUESS WHAT I WILL ASK FROM MY COLLEAGUES, IT GIVES JUSTICE AS TO THE PROBLEMS WE HAVE THERE, I WENT TO THE REAR OF YOUR PROPOSED SITE HERE AND YOU ARE ABSOLUTELY RIGHT. IT WILL CREATE THAT TRASH COLLECTOR THAT WE TALKED ABOUT AS WELL AS AN ATTRACTIVE NUISANCE, SO IN ORDER TO ALLEVIATE THAT, WE DID TALK ABOUT MOVING THAT BUILDING.

JASON, I KNOW WE TALKED ABOUT IT IN MY BRIEFING YOU WANTED TO MOVE THAT UP AN ADDITIONAL, I GUESS 20 FEET.

BUT I'M GUESSING GOING BACK OUT THERE JUST THE OTHER DAY AND LOOKING AT THIS AGAIN, IT WILL POSE A PROBLEM WITH THOSE RESIDENTS HAVING ACCESS TO THE REAR OF THE BUILDING AND CAUSING SOME SERIOUS PROBLEMS.

I'M OK LEAVING IT AS IT IS, UNLESS YOU HAVE COMMENTS TO ADD TO THAT.

>> THANK YOU.

I'VE SEEN PLACES WHERE YOU HAVE THE DOUBLE LOCK AND TRASH AND EVERYTHING ELSE.

YOU HAVE A SIX-FOOT BLOCK WALL CURRENTLY, IS THAT CORRECT?

>> WE ARE TALKING ABOUT CONSTRUCTING.

>> I GUESS WE WOULD HAVE TO CONSTRUCT A SIX-FOOT HIGH WALL AND LANDSCAPE BUFFER BETWEEN M.D. AND RESIDENTIAL.

KIND OF UNUSUAL ZONE.

>> REGARDLESS WHETHER WE DID THE 20 FOOT OR 24, COULD THAT WALL HAVE SOME OF THE WROUGHT IRON AT THE TOP TO KEEP THE JUMPING OVER, NUMBER ONE.

AND SECONDLY, I WILL ASK STAFF TO MAYBE START THINKING DOWN THE ROAD WHEN WE DO THAT MASSIVE WALL, IF YOU DO PYROCANTHA, IT IS A BUSH AND KEEPS GRAFFITI AWAY AND OPPORTUNITY FOR PEOPLE TO CLIMB OVER IT, SOMETIMES TREES ALLOW FOR FOLKS TO HIDE BUT IF YOU DID OTHER LANDSCAPING THAT PROTECTED THE WALL, THAT MAY BE SOMETHING TO TAKE A LOOK AT.

THE ISSUE IS PEOPLE HOPPING IT.

SIX FOOT ISN'T GOING TO STOP THEM.

>> I GUESS MY ONLY CONCERN, I CAN APPRECIATE THAT.  
THE ONLY PROBLEM YOU WOULD HAVE TO BE THERE, IN THE REAR OF THE BUILDING TO  
SEE IT STILL WOULD CREATE A HUGE TRASH COLLECTION.  
>> YOU DON'T WANT SEGREGATION FROM WHAT'S THERE NOW.  
>> EXACTLY.  
THAT'S KIND OF WHY THEY DECIDED TO GO BACK.  
I HAD THE CONVERSATION WITH THE APPLICANT, IT KIND OF MAKES YOU UNEASY WHEN  
YOU SAY WE WANT TO MAXIMIZE OUR LAND USE, WE WANT THE BEST POSSIBLE USE  
ALSO.  
I'M NOT INTO WAIVING ANY KIND OF LANDSCAPE BUFFERS.  
AREAS LIKE THIS DEFINITELY NEED TO BE BEAUTIFIED.  
THAT WOULD BE TOUGH FOR FIRE ACCESS.  
MEETING WITH STAFF, STAFF HAD SOME VERY VALID POINTS NOT WANTING TO APPROVE  
THOSE THREE REQUESTED WAIVERS, BUT I GUESS I WENT OUT THERE AND SAW IT  
AGAIN.  
AND THOUGHT WE WILL HAVE SOME PROBLEMS SO I WILL GO AHEAD AND MOVE FOR  
APPROVAL AND SUPPORT.  
>> WHAT ABOUT THE TRASH QUESTION.  
>> WITH THE TRASH AND ALSO, I APPRECIATE YOU SAYING YOU DON'T HAVE A  
PROBLEM WITH MOVING THAT.  
YOU ARE RIGHT, THOSE TWO TRASH ENCLOSURES WITH THE APARTMENT, YOU ARE IN  
CLOSE PROXIMITY TO THAT.  
WE NEED TO MAKE SOME TYPE OF -- FIND A HAPPY MEDIUM, IF YOU WILL.  
WHEN YOU TALK ABOUT, I GUESS 50 FEET IS REQUIRED.  
THIS PROPOSED BUILDING WHERE WE TALK ABOUT THE RETAIL PORTION.  
>> 50 FEET FROM THE PROPERTY LINE.  
I COULD COMPLY WITH THE REQUIREMENT AND PUT THE TRASH ENCLOSURE AGAINST THE  
BUILDING.  
WHAT WOULD I DO NOW IS BASICALLY GIVE THE NEIGHBORS A VIEW OF OUR GATE AND  
OPEN TRASH ENCLOSURE AND THE DUMPSTERS.  
IN THIS SCENARIO, BASICALLY I HAVE MY LITTLE LANDSCAPE BUFFER, AND I HAVE  
THE BACK WALL OF THE ENCLOSURE SO THEY WOULDN'T SEE THE TRASH.  
I DIDN'T THINK THE 50-FOOT ISSUE REALLY WAS GERMANE IN THIS ONE, FROM A  
VISUAL STANDPOINT, IF IT'S AN ODOR STANDPOINT THEY HAVE THEIR OWN  
DUMPSTERS, RESIDENTIAL USE OR COMMERCIAL USE.  
>> RIGHT.  
JASON WHAT IS YOUR THOUGHT ON THAT?  
>> WE GENERALLY DON'T SUPPORT.  
THE ARGUMENT IS THERE THAT THEY HAVE THEIR OWN TRASH ENCLOSURES, KEEPING IN  
MIND WE DON'T KNOW WHAT TYPES OF USES WILL GO INTO THE PORTION AND THEY  
COULD CAUSE TRASH THAT WOULD BE MORE ODOR CAUSING THAN WHAT THE RESIDENTIAL  
HAS.  
>> ACTUALLY, WHAT TYPE OF USE ARE YOU -- WHAT TYPE OF TENANTS ARE YOU  
LOOKING TO GO INTO THAT.  
>> THE M.D. PORTION YOU PROBABLY HAVE CONTRACTORS PEOPLE THAT COULD USE  
WAREHOUSES, YOU WOULD HAVE OFFICE, SO YOU WOULD HAVE PAPER AND OTHER  
SUPPLIES, IN THE FRONT BUILDING, RETAIL USES, WE DON'T HAVE ANY PLANS FOR  
ANY KIND OF RESTAURANT USE AT ALL.  
TO ME ODOR IS PROBABLY GENERATED BY DECAYING FOOD PRODUCT.  
THAT'S WHY I SAID FROM AN APARTMENT COMPLEX STANDPOINT THEY HAVE MORE FOOD  
THAN WE'VE GOT.  
>> I WOULD RATHER HAVE ENCLOSED WITH LANDSCAPE BUFFER TO KEEP IT FROM BEING  
VISUAL TO THE RESIDENTS.  
>> IS THAT INCLUDED IN YOUR MOTION?

>> YES.  
>> ANY QUESTIONS ON THE MOTION?  
>> DOWN THE ROAD AFTER THIS IF I COULD ASK JASON A QUESTION, NOT ON THIS  
THOUGH.  
>> OK.  
>> THAT WOULD BE MY MOTION, COMMISSIONERS WITH ALL THOSE CONDITIONS,  
PLEASE.  
>> CAST YOUR VOTE ON THE MOTION.  
>> THE MOTION CARRIES.  
>> HAVE WE DONE A POLICY REGARDING TRASH ENCLOSURES AND RECYCLING  
OPPORTUNITIES SO THAT WE ARE LOOKING AT BOTH COMMERCIAL AND MULTI-FAMILY  
HAVING THAT?  
I KNOW I HAVE ASKED FOR IT ON SOME OF MY PLANS.  
WE DID ADD IT TO PARKING REQUIREMENTS.  
BASED ON THAT, WE ARE LOOKING AT IT AT OPPORTUNITIES TO INCLUDE IT IN  
FUTURE UPDATES IN THE CODE.  
>> THAT MAY HAVE BEEN A GOOD ONE, IF YOU HAVE PAPER PRODUCTS THAT WOULD BE  
A PERFECT PLACE TO HAVE PAPER RECYCLING SO YOU FEEL COMFORTABLE THAT WE  
HAVE LOOKED AT THAT AND GOT IT IN PLACE AND STAFF IS MAKING SURE RECYCLING  
IS IN PLACE FOR OPPORTUNITIES.  
OK, THANK YOU.  
>> THANK YOU, MR. VICE CHAIR.  
>> NEXT ITEM IS NUMBER 31, NUMBER 30 HAS BEEN HELD.  
[READING]  
>> WITH THE ORIGINAL ZONE CHANGE MET THE DESIGN OF THE OVERLAY DISTRICT.  
STAFF FINDS THE PLANS MEET THE MINIMUM STANDARDS, THE HIGHER STANDARD OF  
THE CMA OVERLAY DISTRICT IS NOT MET.  
IT'S NOT IN HARMONY WITH THE SURROUNDING AND PROPOSED EXISTING PROJECTS.  
THEY CAN SUPPORT THE USE PERMIT BUT NOT THE DESIGN REVIEW.  
THIS PARCEL IS BEING DEVELOPED SEPARATELY ON THE SOUTHWEST CORNER OF W.A.  
IS NO LONGER APPLICABLE.  
STAFF CANNOT SAY THE SAME ABOUT THE CORNER OF BUILDING D, AND WHICH MAY  
STILL BE CONSTRUCTED BASED ON THE ZONE CHANGE PLANS.  
STAFF'S RECOMMENDATION FOR APPROVAL OF THE USE PERMIT AND WAIVER OF  
BUILDING A AND DENIAL OF THE DESIGN REVIEW AND WAIVER OF CONDITIONS FOR  
BUILDING D.  
IF APPROVED CONDITIONS LISTED IN YOUR AGENDA, THE CIVIL ENGINEERING  
REQUESTS TO ADD AN ADDITIONAL CONDITION THAT READS REMOVE OR RELOCATE THE  
EASTERLY DRIVEWAY TO CONFORM AND AN ADDITIONAL STUDY TO UPDATE THE TRAFFIC  
STUDY TO ADDRESS THE NEW DESIGN AND USE.  
THE SPRING TOWN VALLEY BOARD RECOMMENDS APPROVAL.  
WE'VE RECEIVED THREE CARDS IN SUPPORT AND TWO CARDS IN PROTEST.  
>> GOOD MORNING.  
MY NAME IS TONY.  
ADDRESS IS 3800 HOWARD HUGHES PARKWAY.  
I'M HERE ON BEHALF OF THE APPLICANT.  
IF I CAN DIRECT YOUR APPLICANT TO THE OVERHEAD.  
AS YOU CAN SEE, I HAVE A SMALL AERIAL THERE.  
OUR PROPERTY'S HIGHLIGHTED IN RED.  
IT'S LOCATED JUST NORTH OF POST ROAD IN BETWEEN CIMARRON AND BUFFALO THERE.  
WHAT IS PROPOSED BEFORE YOU TODAY IS A DESIGN REVIEW AND USE PERMIT FOR A  
TRUCK STORAGE FACILITY.  
THE DESIGN OF THE SITE THAT THE LOADING BAY -- THERE'S GOING TO BE SEVERAL  
BAYS LOCATED WITHIN HERE AS WELL AS STAFF NOTED IN THEIR REPORT, A FUEL

STATION AND WASH BAY BEHIND THE BUILDING OUT OF THE VIEW OF THE RIGHT-OF-WAY.  
WE MEET ALL LANDSCAPING AND PARKING REQUIREMENTS.  
YOU CAN SEE THEIR SOME OVERSIZED PARKING AREAS FOR -- THIS IS GOING TO BE A RYDER.  
THE TENANT IS PROPOSED TO BE RYDER.  
THERE'S GOING TO BE THOSE MOVING VANS.  
THAT'S THE REASON FOR THE OVERSIZED PARKING.  
AS YOU KNOW, WE LIKE -- WE WORK WITH STAFF AS MUCH AS WE CAN AS FAR AS THE DESIGN OF THE BUILDING.  
RYDER HAS BASICALLY -- THEY'RE A NATIONAL DESIGNED PRODUCT WHICH IS USUALLY A METAL SIDING THAT RUNS VERTICAL.  
THERE WAS DISCUSSION WITH STAFF DURING THE DESIGN OF THE BUILDINGS WHETHER THE METAL SIDING SHOULD BE VERTICAL, HORIZONTAL.  
AT ANY RATE, IT WAS DETERMINED WE SHOULD GO TO A MASONRY LOOK.  
WE UNDERSTAND WE'RE IN THE C.M.A. OVERLAY AND HELD TO THOSE DESIGN CONSIDERATIONS.  
WHEN WE WENT TO THE TOWN BOARD, WE SHOWED THEM THIS ELEVATION SHOWING ALL OF THE MASONRY REMOVING AND ALL OF THE SIDING WITH THE EXCEPTION OF THIS HERE.  
STAFF WAS NOT COMFORTABLE WITH THE DESIGN, SO WE IN THE LAST 24 TO 48 HOURS HAVE MET WITH STAFF WITH THIS.  
WE HAVE NOW COME TO THIS DESIGN WHICH IS BASICALLY STILL THE SAME BUT WHAT WE'VE ADDED IS MORE ARCHITECTURAL ENHANCEMENTS SPECIFICALLY ALONG THE BUILDING FACADES.  
WE HAVE BROKEN UP THE EXPANSES EVERY 100 FEET BRINGING DOWN PILASTERS AND ADDING SOME ARTICULATION TO THE ROOF LINE.  
I WANT TO THANK STAFF FOR WORKING WITH US IN THE LAST 24 HOURS.  
I HAVE SOME REVISED PLANS HERE DATED TODAY'S DATE THAT MR. BLUNT AND OUR PLANNER HAVE SIGNED OFF SAYING THAT HE DOES BELIEVE THESE DO MEET THE INTENT OF THE C.M.A. OVERLAY.  
SO WITH THAT BEING SAID, WE RESPECTFULLY REQUEST YOU APPROVE THIS APPLICATION PER OUR REVISED PLANS SUBMITTED TODAY.  
WE'RE AGREEABLE TO ALL OF THE STAFF'S CONDITIONS INCLUDING CIVIL ENGINEER'S RECENT CONDITIONS.  
IF YOU HAVE ANY QUESTIONS I'D BE HAPPY TO ANSWER THEM.  
>> Chairman: THIS IS IN COMMISSIONER WOODBURY'S DISTRICT.  
HE'S NOT HERE.  
THERE'S A MOTION FOR APPROVAL.  
COMMISSIONER GIUNCHIGLIANI.  
>> THANK YOU.  
I WANT TO MAKE SURE THAT STAFF DID NOT RECOMMEND THE WAIVER OF CONDITIONS FOR THE DESIGN.  
SO IS THAT --  
>> WITH THE CHANGES THAT TONY JUST GAVE US, THAT SATISFIES OUR CONCERNS.  
>> OKAY.  
THANK YOU.  
>> Chairman: CAST YOUR VOTE ON THE MOTION.  
MOTION CARRIES.  
>> THANK YOU.  
>> 32 HAS BEEN WITHDRAWN.  
NEXT ITEM IS ITEM 33.

WS-0344-08, HOLDOVER WAIVER OF DEVELOPMENT STANDARDS TO REDUCE SIDE YARD SETBACKS IN CONJUNCTION WITH PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENTS.

WAIVER OF CONDITIONS OF A ZONE CHANGE REQUIRING THAT THERE SHALL BE A MINIMUM 18-FOOT SETBACK BETWEEN THE PERIMETER AND THE BUILDING FOOTPRINT ON LOTS 1, 14, 15, 26, 27, AND 40, SIDE YARDS, ON 4.

8 ACRES IN AN R-2 ZONE GENERALLY LOCATED ON THE NORTH SIDE OF EDNA AVENUE, 291 FEET WEST OF CIMARRON ROAD WITHIN SPRING VALLEY.

WAIVERS AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA.

THE ONE FOOT WAIVER FOR SIDE YARD SETBACKS WILL STILL ALLOW PEDESTRIAN CIRCULATION.

THEY HAVE NOT PROVIDED ADEQUATE JUSTIFICATION TO REDUCE ALL SETBACKS ON ALL HOMES.

THE BOUNDARY TO BE INCREASED FROM 15 FEET TO 18 FEET WAS IMPOSED BY THE BOARD OF COUNTY COMMISSIONERS.

THEY IMPOSED THE CONDITION REDUCING THE HEIGHT FROM 3-STORY HOMES TO 2-STORY HOMES.

THE APPLICANT'S CURRENT PROJECT IS A 2-STORY HOME THAT IS THE SAME HEIGHT AS WHAT THE BOARD LIMITED ORIGINALLY.

THE APPLICANT FAILED TO PROVIDE JUSTIFICATION FOR ANY CHANGES TO WARRANT THE WAIVER OF CONDITIONS.

THE SPRING VALLEY TOWN BOARD HAS NO RECOMMENDATION DUE TO A TIE VOTE.

WE HAVE RECEIVED THREE CARDS IN SUPPORT, SIX CARDS IN PROTEST AND THERE WERE TEN NEIGHBORS AT THE TOWN BOARD MEETING IN PROTEST.

>> Chairman: GOOD MORNING.

>> GOOD MORNING.

CHRIS KEMPER HERE ON BEHALF OF THE APPLICANT POULTY HOMES.

I'LL BE VERY BRIEF.

AS YOU CAN SEE -- I HOPE, WE HAVE NO NEIGHBORS HERE TO SPEAK ON THIS, BECAUSE WE HAVE MET WITH THE NEIGHBORS ON A COUPLE OF OCCASIONS.

THE ISSUE IS BASICALLY THIS.

IF YOU LOOK AT THE OVERHEAD, THERE ARE SIX HOMES THAT ARE LOCATED IMMEDIATELY ADJACENT TO THE TOWNHOME DEVELOPMENT TO THE WEST.

THE ORIGINAL APPLICATION WAS FOR A 3-STORY PRODUCT THAT POULTY WAS PROPOSING ON THIS SITE.

IT'S A MASTER PLAN EXACTLY THE SAME AS THE PROPERTY HERE AND HERE.

THEY WANTED TO DO THE 3-STORY PROJECT.

WHAT WE DID IN CONSIDERATION OF THE 3-STORY PROJECT ANYWHERE ELSE WAS TO AGREE TO 2-STORY HOMES ALONG THIS LINE HERE AND AN 18-FOOT SETBACK.

WELL, THEY'VE MADE THE DETERMINATION NOT TO DO THE 3-STORY PRODUCT BUT RATHER DO A 2-STORY PRODUCT.

THE FOOTPRINT OF THE 2-STORY PRODUCT IS JUST SLIGHTLY BROADER AND SO AS A CONSEQUENCE, INSTEAD OF BEING ABLE TO FIT THE 3-STORY HOMES ON HERE WITH AN 18-FOOT SETBACK, WE'RE GOING TO PUT 2-STORY HOMES OR ASKING TO PUT 2-STORY HOMES ON THE ENTIRE PROJECT AND THEREBY REDUCING THE AGREED UPON 18-FOOT SETBACK TO 15 FEET.

IT'S IMPORTANT TO NOTE A COUPLE OF THINGS.

THE NORMAL SIDE SETBACK IN AN R-2 AREA IS 5 FEET.

THIS AT 15 FEET IS STILL THREE TIMES WHAT IS THE NORMAL SETBACK FOR A SIDE SETBACK.

AND SECONDLY, AND THIS IS WHY YOU WON'T SEE NEIGHBORS HERE AND WHY WE REACHED AN AGREEMENT IS BECAUSE THE ALTERNATIVE TO APPROVING THE WAIVER OF CONDITION IS TO REDESIGN THIS SITE.

IF YOU REDESIGN THE SITE, WHICH YOU CAN DO, BY REDESIGNING AND NOT WAIVING THIS CONDITION, YOU PUT HOMES UP AGAINST HERE AS MANY AS 15 HOMES BACKING UP AGAINST THESE NEIGHBORS.

SO IT WAS A QUESTION OF WHETHER THEY WANTED 15 HOMES BACKING UP WITH 15-FOOT SETBACKS OR SIX HOMES SIDING WITH A 15-FOOT SETBACK.

NEEDLESS TO SAY, THE NEIGHBORS AGREED TO THE 15-FOOT SETBACK AND THE SIDING ON THOSE HOMES.

NOW, I'VE ALREADY SUBMITTED TO STAFF THE CONDITIONS OF ZONING APPROVAL THAT WE AGREED UPON WITH THE NEIGHBORS.

I'D LIKE TO QUICKLY GO OVER THOSE IF WE CAN.

I KNOW THERE'S NO ONE HERE.

BUT THERE MAY BE SOMEBODY LISTENING.

I'D LIKE THEM TO KNOW I DID EXACTLY WHAT I SAID I WAS GOING TO DO WHICH IS READ THEM INTO THE RECORD.

THEY HAVE ASKED THERE BE ITALIAN CYPRESS PLANTED ALONG THE WEST BOUNDARY OF THE POULTY PROPERTY.

THERE WILL BE 5 24-INCH BOXED ITALIAN CYPRESS TREES PLANTED IN EACH OF THE SIX LOTS.

THE ITALIAN CYPRESS WAS THE TREE CHOSEN BY THE NEIGHBORS, NOT THE TREE CHOSEN BY POULTY HOMES.

NUMBER TWO, THERE WILL BE ONLY SIX HOMES PLACED ON THE WESTERN BOUNDARY ALL OF WHICH HOMES WILL SIDE RATHER THAN BACK UP TO THE WALL ALONG POULTY'S WESTERN BOUNDARY.

THE SETBACK FOR THESE SIX HOMES ALONG THE BOUNDARY WILL BE NO LESS THAN 15 FEET.

FOR THE CC AND Rs ONE OF THE CONCERN WAS WHO IS GOING TO MAINTAIN THE TREES.

THEY'RE MAINTAINED BY THE INDIVIDUAL PROPERTY OWNERS.

HOWEVER, WE REPRESENTED TO THE NEIGHBORS OUR STANDARD CC AND Rs THAT TREE AND SHRUBS THAT DIE WILL PROMPTLY BE REPLACED WITH LIVING FOLIAGE OF LIKE KIND UNLESS DIFFERENT FOLIAGE IS APPROVED BY THE ARCHITECTURAL COMMITTEE.

FIFTH CONDITION, THE LOTS HERE ARE APPRECIABLY LOWER THAN THE LOTS TO THE WEST FELT A CONCERN WAS RAISED THAT THERE MIGHT BE SOME WATER STAINING AND WE SAID THAT'S NOT ACTUALLY GOING TO HAPPEN BECAUSE WE'RE TWO FEET LOWER THAN YOUR WALL.

IF THERE'S GOING TO BE ANY STAINING, IT'S GOING TO BE ON THE POULTY SIDE.

WE AGREED IF WE PLACE ANY DIRT AGAINST THE TWISTING WALL, 12 INCHES OR MORE HIGH THEY'LL PLACE A WATER SEAL ON THE BOTTOM OF THE WALL AND WHERE THE DIRT LAYS AGAINST THE WALL.

THERE SHALL BE NO BALCONIES.

THERE IS THE SIXTH CONDITION.

THERE SHALL BE NO BALCONIES ON THE SIX LOTS THAT ARE ADJACENT TO THE PROPERTY AND SEVEN THERE WILL BE NO SECOND-STORY PRIMARY WINDOWS ON THE WEST SIDE OF THE PROPERTY BOUNDARY.

A PRIMARY WINDOW IS DEFINED AS A LIVING ROOM WINDOW, A DINING ROOM WINDOW, A FAMILY ROOM WINDOW OR A KITCHEN WINDOW.

SO ON THE SECOND FLOOR, THERE WILL NOT BE ANY OF THOSE PRIMARY WINDOWS WHICH I JUST LISTED.

AND THE 3-STORY PRODUCT ON THE POULTY SITE WILL BE ELIMINATED IN ITS ENTIRETY AND REPLACED BY 2-STORY HOMES.

WITH THOSE CONDITIONS IN PLACE, WE'D RESPECTFULLY REQUEST YOUR APPROVAL, AND I'M HERE TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

>> Chairman: THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK

SEEING NO ONE, I'LL CLOSE THE PUBLIC HEARING.  
COMMISSIONER MAXFIELD, THIS IS YOUR DISTRICT.  
>> I HAD A QUESTION IF THAT'S OKAY.  
ON THE 5-FOOT SETBACKS, HOW LONG HAVE WE HAD THAT  
I SEE THESE HOUSES THAT ARE IT STICKS OUTSIDE IN YOUR NEIGHBOR'S YARD.  
GRANTED PEOPLE MAKE THE CHOICE TO BUY IT.  
I WAS CURIOUS HOW LONG IT USED TO BE AROUND  
>> IT USED TO BE LOWER.  
WE HAD THREE IN SOME INSTANCES.  
THEN THE REQUIREMENTS CHANGED THAT REQUIRE 5-FOOT SETBACKS.  
>> FOR THE 28 YEARS I KNOW OF.  
>> I JUST THINK -- I'M SAYING 15 FEET MAKES BETTER SENSE.  
THAT PRODUCT IS JUST SO INTRUSIVE.  
OKAY.  
>> MOVE FOR APPROVAL.  
>> Chairman: THERE'S A MOTION FOR APPROVAL.  
ANY DISCUSSION ON THE MOTION  
CAST YOUR VOTE.  
MOTION CARRIES.  
>> THANK YOU VERY MUCH.  
>> ITEM 34 HAS BEEN HELD.  
NEXT ITEM IS 35.  
VS-0295-08.  
WAIVERS OF DEVELOPMENT STANDARDS FOR THE FOLLOWING.  
ONE, REDUCE SEPARATION BETWEEN FREESTANDING SIGNS AND FREESTANDING SIGNAGE  
ALONG THE FRONTAGE.  
IN A C-2 ZONE.  
DESIGN REVIEW FOR FREESTANDING SIGNAGE ON 1.  
2 ACRES IN A C-2 ZONE IN THE ASIAN DESIGN OVERLAY DISTRICT.  
GENERALLY LOCATED ON THE NORTH SIDE OF SPRING MOUNTAIN ROAD, 425 FEET WEST  
OF ARVILLE STREET WITHIN PARADISE.  
WAIVERS AND BACKGROUND DESCRIBED IN YOUR AGENDA.  
STAFF UNDERSTANDS THE APPLICANT SITUATION REGARDING THE EXISTING SIGN ON  
THE PROPERTY.  
STAFF FINDS THE APPLICANT COULD ALLEVIATE BOTH BY PROPOSING A MONUMENT SIGN  
RATHER THAN A FREESTANDING SIGN.  
IT WOULD PROVIDE SUFFICIENT VISIBILITY FOR TENANTS IN THE SHOPPING CENTER.  
FURTHERMORE, THE HEIGHT IS TALLER THAN THE EXISTING BUILDING AND THEREFORE  
IT DOES NOT MEET THE PURPOSE AND INTENT OF THE ASIAN DESIGN OVERLAY  
DISTRICT THAT SAYS ALL SIGNS SHALL COMPLEMENT THE SURROUNDINGS RATHER THAN  
BEING A DOMINANT FEATURE.  
IF IT WAS REDUCED TO MATCH THE BUILDING HEIGHT, STAFF STILL HAS CONCERNS  
ABOUT THE BULK AND CONCERN OF THE SIGN.  
STAFF CANNOT SUPPORT THE VISUAL CLUTTER THAT WILL RESULT FROM HAVING TWO  
FREESTANDING SIGNS NEAR EACH OTHER.  
THE PARADISE BOARD APPROVED APPROVAL WITH A MAXIMUM HEIGHT OF 26 FEET.  
>> Chairman: GOOD MORNING.  
>> 6170 WEST DESERT INN.  
I APPRECIATE YOU TAKING THE TIME TO HEARING OUR CASE.  
WE PRESENTED THIS CASE -- WHEN WE STARTED DESIGNING THIS SIGN, OUR  
DESIGNERS, THE COMPANY THAT STARTED DOING THE SIGN WENT AND TOOK -- THEIR  
CONCERN AT THAT TIME WAS IT'S HIGHER THAN THE BUILDING.  
WE DESIGNED IT LOWER THAN THE BUILDING.

WE WENT TO PARADISE TOWN MEETING, AND ONE OF THE GENTLEMEN THERE RECOMMENDED THAT HE UNDERSTOOD OUR POINT AND OUR PRESENTED IN A MINUTE. HE FELT IF WE LOWERED IT FOUR FEET, IT WILL BE MORE ADEQUATE. WE COOPERATED RIGHT AWAY AND WE REDID THE DESIGN. IT WAS 24 FEET INSTEAD OF 28. NOW, THE ISSUE FOR THIS SIGN -- THIS IS A BIG PROPERTY, 15,000 SQUARE FEET IN A SHOPPING CENTER IS AROUND 10 ACRES IN THAT AREA. AND THERE IS ONLY ONE SIGN -- THIS AREA HAS A BIG PROPERTY. NOW WE DIDN'T WANT TO PUT A SIGN. WE WENT TO MACY'S. THEY DENIED FOR US TO SHARE THE SIGN WITH THEM. WE THOUGHT ABOUT IT. THIS BUILDING, WE HAVE DOCTORS OFFICE. I THINK IT'S NOT VISIBLE AT ALL FROM THE STREET. AND I THOUGHT, AND WE THOUGHT AS PROPERTY OWNERS AND, YOU KNOW, THE TENANT THERE, IT WOULD CREATE A SAFETY ISSUE, BECAUSE AS YOU KNOW, ON SPRING MOUNTAIN, IT'S VERY HEAVY TRAFFICS AND A LOT OF PEOPLE PASS BY, AND THEY CAN'T SEE THE BUILDING. THEY HAVE TO MAKE A U-TURN AND TURN BACK. NOW, I WENT MYSELF AND WENT UP AND DOWN SPRING MOUNTAIN. I SEE THE POINT THAT THERE'S A LOT OF SIGNAGE THERE. BUT IN OUR AREA, I SEE PROBABLY 10 FEET AND THEY HAVE A SIGN, BIG SIGN. IN OUR AREA, THERE IS NOT TOO MANY SIGNS. AND AS FAR AS THE ASIAN CORRIDOR, I THINK THE SIGN WE DESIGNED LOOKED VERY GOOD. IT LOOKS PROPER. WE COMPLIED WITH EVERYBODY'S REQUESTS. WE LOWERED THE BUILDING. WE WENT TO THE TOWN MEETING. THEY REQUIRED US TO GO DOWN FOUR FEET. WE DID. WE ARE IN THE PROCESS NOW TO REMODEL THIS BUILDING. THE ISSUE IS I TOOK SOME PICTURES WHEN YOU GO IN THE STREET AND SPRING MOUNTAIN. THIS IS A PICTURE, IF YOU GOING WEST. THIS IS MACY'S -- THIS IS OUR BUILDING. YOU CLEARLY CANNOT SEE THE BUILDING OR ANYTHING. I TOOK ANOTHER PICTURE FROM A DIFFERENT ANGLE. I WENT BACK -- THIS IS MACY'S AROUND HERE, AND HERE IS US. AGAIN YOU CAN'T SEE IT. I WANT TO SHOW THE MACY'S SIGN THAT'S BEEN ASSIGNED, ANYBODY WHO HAS BEEN IN VEGAS FOR A LONG TIME WILL SEE IT. THIS SIGN IS -- AND THEY WOULDN'T LET US DO ANYTHING TO SHARE IT WITH THEM. AND NOW, IF YOU COMING FROM EAST TO WEST, HERE'S OUR BUILDING. AND LIKE I SAY, REMODELLING, WE'RE GOING TO MOVE THOSE TREES. STILL YOU CANNOT VISUALIZE OR ACKNOWLEDGE THE BUSINESS AMOUNT. I DON'T WANT PEOPLE TO GET LOST. BUT WHAT WE REALLY WANT -- HERE IS THE DESIGN AFTER THE VERIFICATION WE DID OR THE ADJUSTMENT WE DID. HERE IS THE DESIGN, AND WE DROPPED IT FROM 28 TO 24 FEET. AND WE HAVE HERE THE NAME -- THIS IS GONNA BE -- THERE IS NO LIGHT BUT IN HERE, THERE'S GOING TO BE THE BUSINESSES ADDRESSES AND NAME. I WOULD RESPECTFULLY REQUEST YOU APPROVE THIS FOR THREE REASONS, NUMBER ONE, IT WILL AFFECT OUR BUSINESS, NUMBER TWO, IT'S A SAFETY FOR OUR

CUSTOMERS, NUMBER THREE, A 15,000 SQUARE FOOT BUILDING ON A 10-ACRE LOT WITH ONE SIGN, I THINK IT WILL BE FAIR THAT WE GET AN APPROVAL FROM YOU. THANK YOU.

>> Chairman: THANK YOU.  
THIS IS A PUBLIC HEARING.  
ANYONE HERE TO SPEAK ON THIS COMMISSIONER BRAGER.

>> I THINK IT'S REALLY NECESSARY IF ANYONE'S BEEN UP DOWN SPRING MOUNTAIN, IT'S TOO EASY TO BE DRIVE BY SOMETHING.  
WOULD MAKE A MOTION FOR APPROVAL FOR THE 24-FOOT.  
AND THAT'S WHEY WOULD DO.

>> Chairman: THERE'S A MOTION FOR APPROVAL.  
ANY DISCUSSION

>> THEY WHAT

>> Chairman: COMMISSIONER COLLINS.

>> TRAFFIC SHOULDN'T GO THAT FAST WHEN BUSINESSES ARE OPEN.

>> IT IS ACTUALLY TOO BAD THAT MACY'S DIDN'T WANT TO SHARE A SIGN.  
IT WOULDN'T HAVE TAKEN ANYTHING AWAY FROM THEM.  
IT'S A COMPLETELY DIFFERENT BUSINESS.

BUT I THINK IT'S WARRANTED TO NEED THE SIGNAGE.

>> I THINK THE BEST OF HIS PRESENTATION WAS THE PICTURE OF THE POWER LINE I HELPED BUILD ABOUT 14 YEARS AGO.

>> THANK YOU.

>> Chairman: CAST YOUR VOTE.  
MOTION CARRIES.

THIS MEETING'S IN RECESS UNTIL 1:00 P.M.

>> THANK YOU VERY MUCH.

>> REID: CALL THE MEETING BACK TO ORDER.

>> REID: CALL THE MEETING BACK TO ORDER.

DELETIONS OF ANY ITEMS WE REQUEST.

[READING ORDINANCE NUMBERS INTO THE RECORD]

RC 109-2098.

HOLD TO THE BOARD OF COUNTY COMMISSIONERS MEETING.

ITEM 38,

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD TO THE JULY 16 PER COMMISSIONER BRAGER.

ITEM 40,

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD TO THE JULY 16, 2008 BCC MEETING PER THE APPLICANT.

ITEM, 1,

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD TO THE JULY 16, PER THE APPLICANT.

ITEM 44,

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD TO THE JULY 2, 2008, BCC MEETING PER THE APPLICANT.

THESE PUBLIC HEARINGS ITEMS WILL BE OPENED AS A PUBLIC HEARING AND IMMEDIATELY RECESSED UNTIL THE DATES PREVIOUSLY STATED WITH THE FIVE DELETIONS, 37, 38, 40, 41, AND 44, AND NO OBJECTION FROM THE AUDIENCE.

THE AFTERNOON AGENDA STANDS READY FOR YOUR APPROVAL.

>> REID: ANY DISCUSSION ON THE AGENDA?

ANY DISCUSSION FROM THE AUDIENCE, FROM THE BOARD?

YES SIR.

>> ACTUALLY THERE IS AN ISSUE I NEED TO BRING TO THE COMMISSION'S ATTENTION.

I HAD SPOKEN BEFORE YOU AND COMMISSIONER GIUNCHIGLIANI LOOKED INTO UNPERMITTED CELL TOWERS ON THE PROPERTY I LIVED ON I WAS ELECTROCUTED THREE TIMES.

>> REID: WHAT ITEM ARE YOU HERE ON?

>> THERE'S A SERIOUS LIFE-THREATENING ISSUE GOING ON AND NEEDS TO BE DEALT WITH, BECAUSE THEY HAVE REPOWERED.

>> REID: WE HAVE AN AGENDA.

AT THE END OF THE AGENDA, WE HAVE A PUBLIC COMMENT SECTION.

>> REID: YOU'RE WELCOME TO SPEAK THEN.

THANK YOU.

ANY DISCUSSION, OTHER DISCUSSION ON THE AGENDA?  
FROM THE BOARD?

>> MOVE FOR APPROVAL.

>> REID: THERE'S A MOTION TO PROVE THE AGENDA.  
CAST YOUR VOTE.

>> REID: MOTION CARRIES.

>> ITEM 37, AND 38 HAVE BEEN HELD.

NEXT ITEM IS 39,

[READING ORDINANCE NUMBERS INTO THE RECORD]

WAIVER OF CONDITIONS OF A ZONE CHANGE REQUIRING RIGHT OF WAY DEDICATION TO INCLUDE 30 FEET FOR WAGON TRAIL AVENUE IN A MDA IN THE MUD THREE AND CMA OVERLINE DESIGN DISTRICTS ON THE WEST SIDE OF TORREY PINES.

BETWEEN WAGON TRAIL ALIGNMENT AND THE 215 BELTWAY WITH THE ENTERPRISE. BECOME AS DESCRIBED IN YOUR AGENDA.

DEVELOPMENT WITHIN THIS AREA HAS PRECLUDED WAGGOON TRAIL AS A THROUGH STREET FOR ACCESS.

STAFF RECOMMENDS APPROVAL.

THE ENTERPRISE TOWN BOARD ALSO RECOMMENDS APPROVAL.

>> REID: GOOD AFTERNOON.

>> GOOD AFTERNOON.

>> I'M JARRETT GLOWER.

1086 ON BEHALF OF THE CLIENT.

WE AGREE WITH THE STAFF'S RECOMMENDATIONS AND PROVINCIAL.

>> REID: THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK ON THIS?

THIS IS IN MY DISTRICT.

I'M MAKE A MOTION FOR PROVINCIAL, PER THE STAFF RECOMMENDATION.

CAST YOUR VOTE.

MOTION CARRIES.

>> ITEM 41, HAS BEEN HELD, NEXT ITEM IS 42,

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD OVERAPPEAL USE PERMIT FOR A MASSAGE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING SHOPPING CENTER ON 3.3 ACRES IN THE CU 865 ZONE IN THE MUD TWO OVERLAY DISTRICT.

ON THE SOUTHEAST CORNER OF SWENSON WITHIN PARADISE.

THE BACKGROUND AS DESCRIBED IN YOUR AGENDA THE MASSAGE ESTABLISHMENT HAD BEEN APPROVED THROUGHOUT THE COUNTY AND SIMILAR SHOPPING CENTERS.

STAPH CANNOT SUPPORT APPLICANT REQUEST TO OPERATE 24 HOURS A DAY.

SINCE THE APPEAL THE REPORT HAS BEEN PROVIDE FROM THE SPECIAL INVESTIGATION OF METROPOLITAN POLICE DEPARTMENT.

IN THE PROPERTY THE APPLICANTS WERE CITED FOR ALLOWING UNLAWFUL ACTS OF PROSTITUTION WITHIN THE TWO EXISTING MASSAGE ESTABLISHMENTS THEY OWN AND OPERATE IN THE LAS VEGAS VALLEY.

STAFF CAN NO LONGER SUPPORT THIS APPLICATION AS IT WILL BE A DETRIMENT TO SURROUNDING BUSINESSES IN THE BUILDING.

THE RECOMMENDATION IS FOR DENIAL.

TOWN BOARD RECOMMENDED PROVINCIAL WITH STAFF'S CONDITIONS.

WE RECEIVED ONE CARD IN SUPPORT.

AND SIX CARDS AND ONE LETTER FROM THE METROPOLITAN POLICE DEPARTMENT IN PROTEST.

THE PLANNING COMMISSION APPROVED THIS ITEM 4-3 IT SHOULD BE NOTED THAT THE FRONT SHEET INCORRECTLY STATES THAT THE PLANNING COMMISSION DENIED THIS ITEM, THEY DID ACTUALLY PROVE IT.

SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.

THIS ITEM HAS BEEN APPEALED BY THE APPLICANT BUT THEY REQUESTED TO OPERATE 24 HOURS A DAY.

>> REID: GOOD AFTERNOON.

>> GOOD AFTERNOON COUNTY COMMISSIONERS VICKY GRECO ON BEHALF OF THE MASSAGE WITH MISS CHANG AND MR. LEE THE OWNERS.

>> REID: GO AHEAD AND MAKE WHATEVER PRESENTATION YOU WANT.

>> MY PRESENTATION IS GOING TO BE LENGTHY.

I'LL BEGIN WITH A PROCEDURAL HISTORY.

WE ARE HERE SIMPLY FROM AN APPLICATION BASICALLY FOR LAND USE, WHICH HAS ALREADY BEEN APPROVED BY STAFF, THE PLANNING COMMISSION, SEE EXHIBIT PAGE C PAGE THREE.

THE ORIGINAL STAFF RECOMMENDATION WAS FOR AN APPROVAL.

>> IT WAS BASED ON THE FACT THAT THEY ARE CURB CURRENTLY SIMILAR TYPES OF THESE BUSINESSES LOCATED IN SHOPPING CENTERS ALL OVER THE CITY.

MY CLIENT APPEALED THE LIMITED HOURS ON SEPTEMBER 19, 2007, WHICH IS ALSO PART OF EXHIBIT C.

TRYING TO GET A 24 HOUR LICENSE, LIKE THE OTHER TWO LOCATIONS THEY CURRENTLY HAD DOING BUSINESS.

THIS APPEAL, APPARENTLY SET IN MOTION, SOME TYPE OF A REVIEW OF THE RECORD AND A BOGUS REPORT DONE BY METRO POLICE DEPARTMENT SEE EXHIBIT A, WHICH I HAVE ATTACHED.

THIS SUBSEQUENTLY IS THE REPORT THAT AGAIN RATED THE CURRENT NEW STAFF RECOMMENDATION FOR DENIAL.

TO WHICH, IN THE DENIAL IT SAYS, IN THE REPORT THE APPLICANTS WERE SIGHTED FOR ALLOWING AND PROMOTING UNLAWFUL ACTS OF PROSTITUTION WITHIN THE TWO EXISTING MASSAGE ESTABLISHMENTS THAT THEY OWN AND OPERATE IN THE LAS VEGAS VALLEY.

WE ARE HERE TODAY TO LET EVERYONE PRESENT UNDERSTAND THAT REPORT IS COMPLETELY UNSUBSTANTIATED.

WHEN THIS WAS GENERATED ON 11TH OF JUNE, THAT'S WHEN I WAS RETAINED AND PUT WORKING DILIGENTLY TO PUT THIS TOGETHER.

MY CLIENTS, THE LAND USE PLANNING STAFF, IN EFFECT SUGGEST YOU NOW NEED TO DENY THIS, BASED ON ITS ENTIRETY.

WE NEED TO BE CLEAR, THIS NOT A LICENSING ISSUE.

THIS IS A LAND USE ISSUE.

NOT TO THE VORACITY OF THE REPORT IN QUESTION.

IT IS IMPORTANT TO REMEMBER, BY THE FIRST APPROVAL AND DENIAL, THE LAND USE PLANNING COMMITTEE TRIES TO ENTER INTO THE REALM OF BUSINESS LICENSING.

THEY DO THIS BY BASING A DECISION TO DENY LAND USE, BY READING AN ALMOST LIBELLOUS REPORT TO METRO SHOWN TO BE COMPLETELY IRRELEVANT AND UNTRUE. THIS REPORT IS CLEARLY GENERATED WITHOUT A FULL INVESTIGATION INTO THE BACKGROUND OF EACH ESTABLISHMENT.

TO EFFECTIVELY DENY LAND USE, WITHOUT A COMPLETE INVESTIGATION BY THE BUSINESS LICENSING DEPARTMENT, WHO ARE THE ONES, ACTUALLY RESPONSIBLE FOR SUPERVISING AND CONTROLLING BUSINESS PRACTICES IS UNJUST.

WE MUST REMEMBER THE ORIGINAL DECISION TO ALLOW THE BUSINESS INTO THIS PARTICULAR AREA WAS SOUND AND CONSISTENT WITH THE LAND USE DEPARTMENT POLICIES.

TO DENY IT NOW, BASED UPON UNFOUNDED CHARACTER ISSUES, UNDER THE GUYS OF THE PROTECTION OF THE HEALTH AND WELFARE OF THE GENERAL PUBLIC IS NOT FAIR.

ESPECIALLY, THERE IS NO ESTABLISHED HEARING WHETHER MY CLIENTS DID OR DID NOT SUPERVISE OR PROMOTE PROSTITUTION.

ONCE AGAIN THE METRO REPORT IS ALMOST LIBELLOUS.

WE WOULD LIKE TO KNOW WHY THIS REPORT WAS GIVEN TO COMPREHENSIVE PLANNING.

IT WAS GENERATED FOR LICENSING ISSUES, WHICH MOST IMPORTANTLY LEAVES OUT THE FACT THAT THE LICENSING DEPARTMENT HAS ALREADY HEARD THESE ALLEGATIONS ON JULY 19, 2006.

AND HERE'S WHERE I ASK YOU TO LOOK AT THE EXHIBIT B.

EXHIBIT B STATES, AND IT IS JACQUELINE HOLLOWAY THE DIRECTOR OF THE DEPARTMENT OF BUSINESS.

IT IS DATED JULY 19, 2006.

IT IS RELATING TO TEENS AND SPAS AND MEETING WITH THE OWNERS.

THE PURPOSE OF THIS REPORT IS TO PRESENT THE RESULTS OF A DETAILED MASSAGE PRO CONFERENCE WITH THE OWNERS OF THE ABOVE ESTABLISHMENTS.

THE CONFERENCE WAS HELD, AS THE RESULT OF THE METROPOLITAN POLICE DEPARTMENT REPORT SUBMITTED THAT REQUEST, WE REVOKE ALL OF THEIR LICENSES.

THAT THE OWNERS BE CHARGED WITH OPERATING TWO HOUSES OF PROSTITUTION.

ON JUNE 21ST, OFFICER HIGGINS CONDUCTED AN INTERVIEW WITH MY CLIENTS.

THE LIST OF ALL.

DATES OF ALL OF THE CITATIONS THAT THEY WERE COMPLAINING ABOUT IN THIS REPORT, WHICH SUBSEQUENTLY HAS RENDERED A DENIAL RECOMMENDATION FROM THE COMMITTEE.

I STRONGLY SUGGEST, THAT NOT ONE OF THOSE DATES ARE AFTER THIS REPORT. THAT BEING SAID, I ALSO CAN REBUT EVERY SINGLE ONE OF THOSE DATES AND THOSE ISSUES IN THAT REPORT, BUT THIS INVESTIGATION WAS CONDUCTED ON BASED ON THOSE ALLEGATIONS ON THOSE DAYS.

ON JUNE 21 -- MET WITH THE OWNERS IN THE DETAILED MESSAGE PRO CONFERENCE. THEY DISCUSSED THE ALLEGATIONS MADE AGAINST THEM.

NOT ANY KIND OF FACTUAL CHARGES.

THEY NOTICED THAT MY CLIENTS TOOK IMMEDIATE CORRECTIVE ACTION AND FIRED EVERYONE WHO WORKED THERE, WHERE EVER THERE WAS A ISSUE AT ONE OF THOSE LOCATIONS.

THE OWNERS SEE THE RULES AND REGULATIONS.

THEY ARE ALSO ATTACHED TO EXHIBIT J.

THE OWNER STATED THAT THEY REPLACED THE BUSINESS FOR SALE.

IT IS IMPORTANT TO NOTE, AT THIS TIME IN 2005, 2006 THE OWNERS HERE LOOKING FOR A LAND USE PERMIT HAD TWO LOCATIONS.

ONE ON SAHARA, AND ONE ON SPRING MOUNTAIN.

THE ONE ON WEST SAHARA HAD SEVERAL PROBLEMS WITH THE INDEPENDENT CONTRACTORS THAT WERE WORKING WHEN I SAY SEVERAL, I MEAN TWO OR THREE. TWO OR THREE OF THE GIRLS WERE ARRESTED FOR PROSTITUTION, HOWEVER, AND INSIDE MY PAQUETTE WILL SHOW THOSE CHARGES WERE DISMISSED AND WERE NEVER, THOSE GIRLS WERE NEVER ACTUALLY FOUND GUILTY OF THOSE ALLEGATIONS.

HOWEVER, MY CLIENTS DID TAKE IMMEDIATE ACTION AND DID TERMINATE THE INDEPENDENT CONTRACTORS WITH THOSE GIRLS.

SINCE THEN, BASED ON THIS JULY 19, 2006 MEETING, THEY DID PUT THAT BUSINESS UP FOR SALE, BECAUSE MY CLIENTS ARE HARD WORKERS.

THE MAIN OWNER HAS BEEN IN THE CASINO INDUSTRY FOR OVER 20 YEARS WORKING AT HARROD'S AS THE BLACKJACK DEALER AND BELLAGIO.

THERE'S A PAY STUB FROM THE PALACIO.

THE OWNERS MEETING WITH THE AGENTS EXPRESSED CONCERNS READING DIRECTLY OUT OF THE REPORT BY THEIR TREATMENT BY THE METROPOLITAN POLICE DEPARTMENT. THE INTERACTING WITH THE MATTER AS WELL AS COMPLIANCE CHECKED WITH THE LOCATIONS.

STILL EVERY DAY AFTER THE INCIDENTS THAT WERE REPORTED IN THIS METROPOLITAN POLICE DEPARTMENT BRINGING ABOUT THE SUBSEQUENT RECOMMENDATION FOR DENIAL ON JUNE 19, 2006.

JUNE 21, 2006 WE'RE ON PAGE TWO OF EXHIBIT B.

JULY 18, OF 2006.

AND JEWEL 19 OF 2006, COMPLIANCE CHECKS WERE CONDUCTED BY JOHN PHILLIP AND DANNY HIGGINS.

EVERY TIME THE LOCATION WAS FOUND TO BE IN COMPLETE AND FULL COMPLIANCE. NOTHING SUSPECT OR SUSPICIOUS WAS FOUND IN THE GASH CANS, CABINETS, SUPPLY ROOMS, BATH ROOMS, ET CETERA.

THEN WE GO DOWN TO READ THE FINDINGS ON THIS REPORT.

THIS IS IMPORTANT I'M GOING TO READ IT.

IT IS THE LAST EXHIBIT B PAGE 2.

"THE REQUEST BY METROPOLITAN POLICE DEPARTMENT APPEARS TO BE EXCESSIVE. AND SEEMS TO DEFINE THE UNDERLYING PROBLEMATIC NATURE OF THE MASSAGE INDUSTRY.

IF BUSINESS AGREES WITH METROPOLITAN POLICE DEPARTMENT RECOMMENDATION AND REQUEST TO REVOKE MASSAGE BUSINESS LICENSES IN ALL SITUATIONS, SUCH AS IN THE INSTANT CASE.

IT WOULD NOT TAKE LONG TO PLACE MOST OF THE ASIAN MASSAGE BUSINESS OUT OF BUSINESS ALONG WITH MANY OR MOST OF THE NON-ASIAN MASSAGE BUSINESSES SUCH A COURSE OF ACTION HAS FAR REACHING IMPLICATIONS THAT WILL BENEFIT A SUBSTANTIAL AMOUNT OF OUTSIDE INTEREST INTO THE MIX WITH THE FOCUS ON THE BUSINESS LICENSE" THAT BEING SAID AND UNDERSTANDING THAT EVERY, SINGLE ISSUE TALKED ABOUT IN THE APRIL 30, 2008 LETTER FROM LIEUTENANT WILLS TO THE CLARK COUNTY COMPREHENSIVE PLANNING, IN EFFECT WHERE IT BREAKS DOWN ON PAGE ONE, EXHIBIT A, TALKING ABOUT HOW THEY WOULD ISSUE A LICENSE FOR THE SAHARA LOCATION ON NOVEMBER 7, 2003.

GOING INTO THE FIRST ITEM MAY 2005.

VICE RECEIVED A COMPLAINT FROM A CITIZEN STATING.

>> WELL, THERE'S NO SUBSTANTIATION TO THAT AT ALL.

THERE'S BEEN NO ACTION.

IT IS UNFOUNDED.

A COMPLAINT FROM A CITIZEN COULD BE ANYONE MAKING THAT COMPLAINT. THAT SHOULD BE STRICKEN FROM THIS REPORT.

ON JUNE 9, 2005.

DOWN TO THE INDIVIDUAL PERSON ARREST FOR SOLICITING PROSTITUTION.

THIS INDIVIDUAL HAS SINCE HAD HER RECORD SEALED.

THIS OCCURRED ON 2005.

I ASK YOU TO LOOK TO EXHIBIT E.

THE TOP OF EXHIBIT E SHOWS THAT THE ARREST DATE FROM THE JUSTICE COURT TOWNSHIP WAS ON JUNE 9.

THIS IS THE SAME INCIDENT ALLEGED GOOD THAT REPORT.

YOU GO DOWN COURT ORDER FROM COMPLAINT DISMISSED.

THOSE CHARGES WERE UNFOUNDED.

NOT THAT I DON'T EVEN THINK IT IS RELEVANT, WHETHER OR NOT THOSE CHARGES WERE FOUNDED OR NOT, BECAUSE THEY WERE INDEPENDENT CONTRACTORS SUBSEQUENTLY TERMINATED.

THE SAME THING ON AUGUST 5.

YOU CAN LOOK AT EXHIBIT F AND SEE THE SAME THING.

AND I WOULD LIKE TO ALSO NOTE THAT THE ONLY WAY, I AM A CRIMINAL DEFENCE ATTORNEY IN THIS JURISDICTION TO, HAVE RECORDS SEALED IS IF THE CHARGES WERE DISMISSED.

WHICH I ASK YOU TO LOOK TO EXHIBIT I.

-- I BELIEVE IT IS EXHIBIT G, WHERE IT SAYS "N.R.S.

175.229 SEALING RECORDS AFTER DISMISSAL OR ACQUITTAL.

THAT'S THE ONLY WAY THOSE RECORDS CAN BE SEALED.

IF THIS REPORT BY METRO THAT, WAS GENERATED WAS REALLY BEING ISSUED TO HELP THE PLANNING COMMISSION MAKE A FULL HONORABLE DECISION, ASK YOURSELF WHY THEY DIDN'T TELL YOU THAT?

OKAY.

I CAN KEEP GOING.

DOWN TO THE MARCH 22ND NOTATION IN THIS METRO REPORT, IF YOU GO TO PAGE THREE, MRS.

HI THEY WERE CHARGED WITH NOT PROPERLY DISPLAYING A LICENSE.

BOTH CHARGES WERE DISMISSED.

HOWEVER, THAT WAS ALSO MRS.

HI'S FIRST DAY ON THE JOB SO, THERE WAS NO ISSUE, WITH REGARDS TO THAT.

NOW, IF YOU'RE REALLY WORRIED AND WE'RE GOING TO TURN THIS INTO A LICENSING ISSUE, INSTEAD OF A ZONING, WHICH METRO TRIES TO DO.

IF YOU LOOK AT THIS IN THE THIRD PARAGRAPH.

DETECTIVE MADE CONTACT WITH THE OWNER VIA THE TELEPHONE.

AT WHICH TIME HE REQUESTED SHE RESPOND.

APPROXIMATELY 15 MINUTES LATER, SHE SHOWED UP.

THE OWNER WAS WITHIN A 15-MINUTE PHONE CALL, WHICH IS WHY THE NO MANAGER IN CHARGE, AND NO EMPLOYEE LIST, WHICH THEY WERE CITED WITH ON THAT INCIDENT WERE DISMISSED.

YOU HAVE TO UNDERSTAND METRO CAN SITE PEOPLE, AND ARREST PEOPLE, BUT IN THE CRIMINAL SYSTEM, THERE HAS TON PROBABLY CAUSE.

IF THERE'S NOT PROBABLY CAUSE, THE CITATION OR AN ARREST, CAN BE DISMISSED OR DROPPED.

AND THAT'S WHAT'S HAPPENING IN EVERY INSTANCE.

OKAY.

NOW WE GO TO PAGE 4, OCTOBER 7.

NOW WE'RE TALK -- AND IT MUST BE SAID AND NOTE THAT HAD WE WERE JUST TALKING ABOUT THE LOCATION ON SAHARA.

EVERY INCIDENT THERE WAS ON SAHARA.

IF YOU GO BACK TO EXHIBIT B AND REMEMBER MY CLIENTS SOLD, BASED ON THE ISSUES THAT THEY WERE HAVING.

THESE PEOPLE ARE NOT PROMOTING PROSTITUTION.

THEY'RE SIMPLY TRYING TO RUN A BUSINESS, WHICH IS THEIR RIGHT AND THEY HAVE CURRENTLY A VALID LICENSE.

THEY SOLD THAT LOCATION, EVEN THOUGH THEY HAD A LICENSE, WHICH -- WHICH THE LICENSING DEPARTMENT DID NOT WANT TO REVOKE.

NOW, IF YOU GOOD TO PAGE FOUR, IT STARTS TALKING ABOUT THE SPRING MOUNTAIN LOCATION, WHICH THEY CURRENTLY RUN, WITH THE NEW LOCATION THEY'RE TRYING TO GET THE SPECIAL PERMIT IS MUCH CLOSER IN PROXIMITY.

IT IS ALSO VERY CLOSE TO THE CONVENTION CENTER, WHICH IS WHY THEY PICK THAT HAD LOCATION, BECAUSE A LOT OF PEOPLE AT THE CONVENTION CENTER WANT MASSAGES, ESPECIALLY 24 HOURS.

IT IS ALSO VERY CLOSE TO MY CLIENTS PLACE OF BUSINESS IT IS PLACED, WHERE SHE HAS MANY CLIENTS THAT COME TO THE MASSAGE PARLOR FROM THERE.

THAT'S WHY THAT LOCATION WAS PICKED.

NOW WE CAN TALK ABOUT OCTOBER 28, 2005 INCIDENT AGAIN, BUT IF YOU GO TO THE THIRD PHOTOGRAPH, SOLICITING PROSTITUTION, THIS INDIVIDUAL HAS HAD HER RECORDS SEALED.

WE ALREADY KNOW WHAT THAT MEANS IT.

WAS FROM 2005 IT.

WAS WITHIN SEVEN YEARS, THE CASE WAS DISMISSED.

THEN ON JANUARY 10TH, THE OWNERS WERE CITED ONCE AGAIN.

NO MANAGER IN CHARGE, BUT THEY ARRIVED 30 MINUTES AFTER A CALL, AND THOSE CHARGES WERE DISMISSED BASED ON THE STATE'S MOTION.

THIS TIME.

NOW WE GET TO ONE MINOR ISSUE, WHERE THERE MIGHT BE SOME LIGHT ON MARCH 10, 2006 STILL AFTER BUSINESS LICENSING HAS ADDRESSED THESE ISSUES ON EXHIBIT B FROM JULY 19, 2006.

THEY DIDN'T SEEM TO THINK IT WAS A PROBLEM.

THE OWNERS WERE CHARGED WITH NO MANAGER IN CHARGE AND REGISTERED EMPLOYEES.

HERE'S WHAT I HAVE A PROBLEM WITH.

ON MARCH 12 READING RIGHT OUT OF METRO'S REPORT 2008, MR. LEE WAS FOUND GUILTY ON BOTH CHARGES AND RECEIVED A \$500 FINE.

IF THIS WAS AN IN-DEPTH INVESTIGATIVE REPORT, I ASK YOU TO LOOK AT EXHIBITED.

AND AFTER THE FIRST PAGE IT IS A JUSTICE COURT PRELIMINARY REPORT.

LOOK AT THE APPEAL THAT WAS FOLLOWED ON MARCH 17, 2008.

IF METRO WAS ACCURATELY REPORTING WITHOUT ANY BIASES AGAINST MY CLIENTS, WHERE IS THIS IN THE REPORT, ASK YOURSELF THAT?

OR MAYBE WE CAN ASK HIM THAT.

THE DECISION TO MAINTAIN AN OUT CALL AND FAILED TO HAVE A LICENSED MASSAGE THERAPIST AS A MANAGER.

IT IS ALSO LICENSING ISSUES AND I WANT TO SAY MARCH 2006 CAME WAY BEFORE THE LICENSING DEPARTMENT WAS ALREADY ASKED BY METRO ON THE SAME CIRCUMSTANCES TO REVOKE THEM FOR RUNNING A HOUSE OF PROSTITUTION.

AND HERE'S WHERE I WOULD LIKE TO GET INTO THIS.

METRO IS GOING TO SAY THAT THIS IS NOT THEM TELLING ANYONE WHAT TO DO.

THIS IS JUST SIMPLY -- A REPORT THAT THEY GENERATED ASKED TO GENERATE AND THEY'RE NOT MAKING ANY CONCLUSIONS.

I WANT YOU TO REMEMBER THESE WORDS, WHEN THEY SAY THAT.

THERE IS AN IRREPARABLE PATTERN OF LICENSING VIOLATIONS PROSTITUTION AND DISREGARD FOR THE HEALTH, SAFETY, AND PUBLIC WHO FREQUENT THE ESTABLISHMENTS.

THIS IS ON PAGE 5 OF THEIR REPORT EXHIBIT A HAS ANY OF THOSE THINGS I WENT THROUGH POINT BY POINT, LINE TO LINE COME TO THAT?

I SERIOUSLY DOUBT THAT?

THIS CONDUCT APPEARS TO BE SANCTIONED, FINANCE PROMOTED BY THE OWNERS.

THREE OR FOUR VIOLATIONS IN OVER -- SIX YEARS?

WHERE THE PEOPLE WERE FIRED OR -- LET GO AS INDEPENDENT CONTRACTORS AND SUBSEQUENTLY THE CHARGES WERE DISMISSED?

I'M NOT SURE ABOUT THAT.

AND THEN, IT HAS BEEN DISCOVERED TO BE OCCURRING IN BO BOTH OF THEIR ESTABLISHMENTS.

WELL, I HAVE TO SAY THEY HAVE RESPONDED ON NUMEROUS OCCASIONS TO BE OBSERVE OR BE OFFERED SEXUAL ACTS.

I DO NOT SEE THAT.

THIS IS NOT A COURT OF LAW.

ONCE AGAIN, THIS IS AN ISSUE FOR LAND USE.

THAT WAS ALREADY APPROVED.

MR. CHANGE AND MR. LEE SUITIBILITY TO RETAIN THEIR LICENSE ONCE AGAIN THEY'RE TRYING TO TAKE THEIR LICENSE OR SPECIAL USE PERMITS IS BEST ADDRESSED BY THE REVIEW OF THEIR OWN BEHAVIOR.

THEY ACTUALLY SAY THEY ARE LICENSED AS HOUSES OF PROSTITUTION.

THIS IS LIBELLOUS.

THIS IS LIBELLOUS.

I'M NOT EXACTLY SURE WHERE THEY GET THIS THAT'S TERM FROM OR WHERE THEY GET CALLING THAT TO MY CLIENTS, BUT APPARENTLY THEY THINK IT IS TRUE.

AND THEN IT SAYS MRS.

CHANGE AND MR. LEE HAVE AND CONTINUE TO EMPLOY PERSON WAS PROSTITUTION RELATED CRIMINAL HISTORY AS MASSAGE THERAPIST.

>> NOW, THAT'S LIKE THE LAST THING THEY HAVE TO SAY ALMOST.

YET, NOWHERE IN THE REPORT DO THEY SUPPLY US WITH THE CONCLUSIVE LIST 6 THEIR EMPLOYEES THEY HAVE NONE, THEY ARE ALL INDEPENDENT CONTRACTORS, BY THE WAY AND ALSO SHOWING WHAT CRIMINAL HISTORY THEY HAVE.

SO WHERE IS THIS COMING FROM?

UNFOUNDED ONCE AGAIN.

THIS ISN'T A CONCLUSION.

OKAY.

THEY HAVE LEFT UNQUALIFIED PERSONS TO RUN THE BUSINESS IN THEIR OPTION?

>> WHO ACCORDING TO THEM NOW METRO IS LICENSING AND GUARDING THIS?

THESE ACTIONS COUPLED WITH THEIR DEMONSTRATED NONCOMPLIANCE OF THE REGULATORY CODES SPEAK DIRECTLY TO THE CHARACTER?

CHARACTER.

MY CLIENT, 20 YEARS WORKING AT HARROD'S.

PAYS HER TAXES THERE'S NOT ONE ISSUE WITH THE VORACITY WITH HER APPLICATION, SHE CURRENTLY HAS TWO LICENSES ALREADY TO OPERATE MASSAGE PARLORS WITH 24-HOUR ACCESS.

ALL SHE'S ASKING FOR IS A NEW LOCATION.

LICENSING HASN'T TAKEN AWAY OTHER LICENSES YET?

SHE'S A TAXPAYER AND SHE'S TRUTHFUL.

I'M NOT SURE WHICH CHARACTER THEY'RE TALKING ABOUT.

>> BASICALLY THE PLANNING DEPARTMENT HAS APPROVED THE LAND USE AND LICENSING DEPARTMENT GRANTED HER BUSINESS LICENSE AND METRO CONTINUES TO HARRAMS THEY'RE EVEN HERE TODAY.

I'M NOT EVEN QUITE SURE WHY.

THEIR REPORT WASN'T AN ISSUE IT.

WAS A RECOMMENDATION FROM THE SPECIAL USE DEPARTMENT AND I BROUGHT THEIR -  
- REPORT IN FRONT OF YOU.

I'M NOT SURE WHY THEY'RE HERE TODAY.

I DO APOLOGIZE FOR THE VAST DOCUMENTS IN FRONT OF YOU, JUST AS TIME PERMITTED HOWEVER, WE WEREN'T RETAINED UNTIL A FEW DAYS AGO.

I ALSO WANT TO TALK ABOUT THE LEASE THAT'S ATTACHED IN HERE, WHICH IS VERY, VERY IMPORTANT.

IF YOU LOOK AT EXHIBIT O, THIS IS THE STANDARD COMMERCIAL LEASE THAT WAS ENTERED INTO BY MY CLIENTS FOR THE LOCATION.

THERE'S A SPECIAL WINDOW PERIOD THAT WAS IN THE LEASE WHICH EXPIRED OCTOBER 1.

IF YOU LOOK -- 31 -- IF YOU LOOK TO PAGE IT IS OFF THE BACK END.

IT IS LIKE FOUR PAGES IN OFF THE BACK END "THE TENANTS HAS REQUESTED THE WINDOW PERIOD BE CHANGED TO EXPIRE ON SEPTEMBER 13ST.

THE WINDOW PERIOD WOULD EFFECTIVELY LET THEM OUT OF THEIR LEASE.

HAD THIS PERMIT NOT BEEN APPROVED WHEN THEY GOT THE TENTATIVE APPROVAL AND SET THE HEARING IN MOTION ON THEIR APPEAL FOR 24 HOURS, THEY THEN WAIVED IT, IN DECEMBER, IF YOU LOOK TO THE SECOND TO THE LAST PAGE, ITEM F.

EFFECTIVELY ON MARCH 1ST THEY HAVE BEEN PAYING RENT OF \$3,000 A MONTH AT THIS LOCATION, AND HAVE NOT BEEN ABLE TO START WORKING IN IT.

IF YOU ALSO LOOK AT EXHIBIT N, THIS IS AN INVOICE OF THE AMOUNT OF MONEY THEY HAVE ALREADY PAID DOING THE TENANT IMPROVEMENTS BASED ON THE ORIGINAL APPROVAL.

THEY NEVER CONTEMPLATED THEIR APPEAL WOULD GENERATE A POTENTIAL FULL DENIAL.

ALL THEY WERE APPEALING THE LIMITED TIME USED TO 24 HOURS.

IT IS MY UNDERSTANDING I HAVEN'T HAD TIME TO RESEARCH THIS THAT THIS COMMITTEE, ITSELF HAS MADE A DECISION THAT EFFECTED APRIL 1, 2008.

ANYTHING STARTED IN THE PROCESS PRIOR TO THAT WOULD BE GRANDFATHERED IN ON THE 24 HOURS.

SO IT IS MY UNDERSTANDING THAT TODAY WE STAND BEFORE TO ASK THAT YOU NOT FOLLOW STAFF RECOMMENDATIONS AND IF YOU'RE INCLINED TO FOLLOW STAFF RECOMMENDATIONS GIVE US A CHANCE TO HAVE A FULL HEARING AND ASK METRO TO PROVE THEIR ALLEGATIONS AND SUBSTANTIATE THEIR BASIC LIBELLOUS FACTS.

BUT SHE HAS ALSO SPENT OVER \$29,000 ON THAT INVOICE.

WITH THAT, I'M GOING TO RESERVE MY CLOSING AFTER I HEAR WHAT METRO HAS TO SAY.

>> REID: THIS IS A PUBLIC HEARING.

>> GOOD AFTERNOON COMMISSIONERS, DETECTIVE STACIE ROD, SPECIAL INVESTIGATIONS SECTION OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT. HERE WITH ME IS DETECTIVE CINDY MAY.

BOTH OF US HAVE BEEN FAMILIARIZED WITH THE CONDUCT AT ANY NUMBER OF THESE THREE BUSINESSES THAT WE'RE GOING TO MAKE REFERENCE TO.

I SAY THAT, SO THAT WE CAN TRY TO KEEP TRACK.

I WILL TRY TO IDENTIFY THE BUSINESSES BY NAMES BUT.

>> A REPORT BEFORE YOU.

IT BASICALLY BREAKS IT DOWN INTO THE CONDUCT THAT WE'VE OBSERVED AND THAT HAS BEEN BROUGHT TO OUR ATTENTION AND GONE OUT, AND RESPONDED ON, ISSUED CITATIONS CONDUCTED COMPLIANCE CHECKS AT.

CALLED OUT SEROLOGY UNIT AND ANALYSTS TO VERIFY WITH PHYSICAL EVIDENCE,  
DNA DO A SEROLOGY TEST AT THESE PLACE WHAT'S IS HAPPENING HERE.  
IT IS NOT JUST MY ASSERTIONS.  
WE'RE TALKING SEVERAL DETECTIVES SEVERAL TIMES.  
SEVERAL LOCATIONS, AND CRIME SCENE ANALYSTS PROCESSING THE SCENE TO,  
ESTABLISH WHAT IS GOING ON, THAT SUPPORTED BY DNA.  
I WAS MAKING NOTES AS MUCH AS I APPRECIATE A SPIRITED PRESENTATION.  
I WANT TO ADDRESS SOME OF THE THINGS REPRESENTED.  
IN FACT, ALTHOUGH RESPECTFULLY I DISAGREE.  
SOME ARE ABSOLUTELY NOT BASED IN FACTS.  
I WILL MAKE QUICK COMMENTS.  
IF IT IS YOUR DESIRE WE CAN GET IN THE MEAT OF THE REPORT.  
>> FIRST OF ALL LVPD IS TASKED WITH DOING COMPLIANCE CHECK, AND  
ENFORCEMENT ACTIVITIES.  
WE ARE ONE OF THE FARMS THIS COUNTY THAT DO ENFORCEMENT ACTS ON LICENSES I  
DON'T HAVE TO TELL YOU THAT YOU KNOW IT WELL AND KNOW OUR ROLE IN  
CAPACITY.  
WE MAKE NO APOLOGY FOR DOING ENFORCEMENT ACTIVITIES WHEN WE FIND  
VIOLATIONS SUCH AS DOOMED IN THE REPORT.  
IT IS OUR RESPONSIBILITY IN PART.  
WE MAKE NO APOLOGIES FOR THAT.  
WE DON'T DEFER NECESSARILY TO ANY OTHER JURISDICTION DOING THAT AS WELL.  
THAT BEING SAID.  
WHAT I'M SAYING IS, WE MAY DO THIS INDEPENDENT OF CLARK COUNTY BUSINESS  
LICENSE ENFORCEMENT ACTIVITY.  
SHE MENTIONED THE AGENT, THEY ARE CAPABLE AND THEY DO ENFORCEMENT  
ACTIVITIES, JUST LIKE WE DO.  
WE OPERATE TOGETHER.  
SOMETIMES WE OPERATE INDEPENDENTLY, BUT WE MAKE NO APOLOGIES FOR TAKING  
OUR RESPONSIBILITIES SERIOUSLY, WHEN IT COMES TO THE VIOLATIONS WE'RE  
FINDING IN THIS CASE AT MASSAGE ESTABLISHMENTS.  
THERE'S NO PROHIBITION.  
CERTAINLY THERE'S A COOPERATIVE AGREEMENT BETWEEN US.  
WE GO OUT INDEPENDENTLY.  
AND THEY GO OUT INDEPENDENTLY.  
WE NEED TO MAKE APOLOGIES NEAR FEEL WE NEED TO EXPLAIN WHY WE DO  
ENFORCEMENT ACTIVITIES.  
THAT'S OUR RESPONSIBILITY AS A LAW ENFORCEMENT AGENCY.  
ANOTHER POINT I WOULD LIKE TO ADD IS THAT WE ARE THE INVESTIGATORS OF  
LICENSES.  
I KEEP HEARING THAT THIS IS A BUSINESS LICENSE ISSUE, WELL IN PART THAT'S  
TRUE, BUT THAT'S NOT WHERE IT BEGINS AND ENDS ONLY THERE.  
ARE SEVERAL ASPECTS TO THE APPROVAL OF LICENSES I DON'T WANT TO PREACH TO  
THE CHOIR.  
COMMISSIONERS KNOW THIS BETTER THAN I DO.  
THERE ARE SEVERAL ASPECTS TO THE PROVINCIAL OF A LICENSE.

PART OF IT'S APPROVAL OF THE LICENSE PART IS THE SPECIFIC USE AT A SPECIFIC LOCATION AND CONDUCT COMING INTO QUESTION, WHETHER IT IS AN APPROVED USE FOR WHAT IT IS BEING USED FOR.

WE ARE PART THAT PROVINCE PRO ACCESS AS WELL.

WE DO INVESTIGATION AND GENERATE REPORTS THAT COMMISSIONERS SEE AND PLANNING OR ZONING OR SEVERAL OTHER ENTITIES WITHIN THE COUNTY MAY SEE. THAT'S OUR RESPONSIBILITY.

WHEN WE FIND THIS CONDUCT, AGAIN, WHICH IS SUPPORTED BY WHAT WE HAVE DONE. IT IS OUR RESPONSIBILITY TO PROVIDE INFORMATION TO THE REGULATORY AUTHORITY TO, MAKE SURE THEY UNDERSTAND WHAT OUR FINDINGS HAVE REVEALED. WE'RE ALSO REQUIRED TO GENERATE AND PREPARE, AND SUBMIT REPORTS IN REFERENCE TO BUSINESS LICENSE END OF IT.

WHEN WE GO OUT AND DO ENFORCEMENT ACTIVITIES AT THESE BUSINESSES AND REFLECT SOMEONE APPLYING FOR A LICENSE.

AGAIN WE MAKE NO APOLOGY.

THAT'S OUR ROLE.

WE ACCEPT IT.

WE TRY TO DOT BEST WE CAN AND PROVIDE YOU WITH THE INFORMATION WE HAVE FOUND IN.

THIS CASE, I THINK THE INFORMATION SPEAKS FOR ITSELF.

THERE'S NO -- YOU'VE HEARD THE APPLICANT, THE ATTORNEY, REFERENCE THAT, OKAY WE SOLD THE BUSINESS BECAUSE OF SOME OF THE PROBLEMS WE'RE HAVING OUT THERE.

THAT IS INDICATIVE OF WHAT'S GOING ON.

I'M PARAPHRASING THAT'S ALMOST A DIRECT QUOTE AND MAKE REFERENCES TO INDEPENDENT CONTRACTORS, THAT WEREN'T REALLY EMPLOYEES THERE, BUT WHEN THESE THINGS WERE FOUND OUT, THEN WE NO LONGER HAVE THAT BUSINESS. INDEPENDENT CONTRACTOR, EMPLOYEE, THOSE THINGS NOT WITHSTANDING, THE LICENSEE, AS YOU KNOW IS ULTIMATELY RESPONSIBLE FOR ALL CONDUCT AT THEIR BUSINESS.

SO, WHETHER IT IS INDEPENDENT CONTRACTORS OR EMPLOYEES, REALLY IS IRRELEVANT.

IT IS THE CONDUCT THAT GETS CALLED INTO QUESTION.

IT IS THE CONDUCT THAT WE REFERENCE IN THE REPORT.

THE REPEATED CONDUCT, I SHOULD SAY.

FINALLY -- ONE SECOND, PLEASE.

>> THERE'S A DEMONSTRATED HISTORY.

LE TALK ABOUT THREE BUSINESSES.

THERE'S A DEMONSTRATED HISTORY AND A COMMONALITY OF CONDUCT ALL THREE OF THE BUSINESS WAS WILL REFERENCE, THAT IS IRREFUTABLE.

THE FACT THAT ONE IS SOLD FOR REASONS DISCLOSED BECAUSE OF THE PROBLEMS. THOSE PROBLEMS ARE PROSTITUTION.

IT IS IRRELEVANT, BUT IT IS INDICATIVE OF THE WHOLE THE BUSINESSES THAT DO REMAIN IN THE CARE, CAN CONTROL, OF THE APPLICANT, WE SEE THE CONDUCT OCCURRING AND DOCUMENTED IN YOUR REPORT.

NUMEROUS OCCASIONS, WHERE POLICE OFFICERS, VICE, DETECTIVES, FROM SPECIAL INVESTIGATION GO INTO THIS BUSINESS.

YOU SEE THE RESULTS OF THE CONDUCT.  
WE MAKE NO APOLOGIES.  
WE CERTAINLY WOULD LIKE TO SEE A DIFFERENT OUT COME WHEN THESE THINGS GO TO COURT.  
THE POLICE DEPARTMENT, AS WELL AS WE PUT OUR REPORTS TOGETHER AND SUBMIT THEM.  
WE HAVE NO CONTROL, WHETHER OR NOT RESULT IN A CONVICTION.  
WE HAVE VERY LITTLE CONTROL OVER THAT.  
AS MUCH AS WE WOULD LIKE TO SEE A DIFFERENT OUT COME IN THE DISTRICT ATTORNEY, WHEN THINGS ARE NEGOTIATED AWAY, DISMISSED OR RECORDS SEALED, WHICH COMES AFTER THE FACTS THAT'S THE NATURE OF WHAT HAPPENS.  
-- IT HAS NO BEARING ON WHAT THE FACTS, THAT AN ARREST OCCURRED BASED ON PROBABLY CAUSE AND THE ELEMENTS OF THE CRIME EXISTED AND IT WAS SUBMITTED FOR THE DISTRICT ATTORNEY OFFICE FOR PROSECUTION.  
WE'RE NOT THROWING MUD ON ANYONE.  
WE SAY WE DO OUR PART.  
WE SUBMIT IT AND HOPE OTHERS DO THEIR PART.  
WHEN THE -- WHEN THE CONVICTIONS COME DOWN, CERTAINLY THAT'S A LITTLE BIT MORE SUBSTANTIVE, WHEN IT COMES TO A HEARING LIKE THIS, BUT IT DOES NOT MEAN THE CONDUCT DID NOT OCCUR OR THE ELEMENTS OF THE CRIME WEREN'T THERE. AND DOESN'T MEAN WE DIDN'T GO OUT AND COLLECT DNA TO SUPPORT THE ARREST OF THE CITATIONS IT MEANS THEY WERE NOT PRO PROSECUTED AND GET INFORMATION, THEY HAVE LIMITED PROSECUTION RESOURCES THESE ARE MISDEMEANOR.  
WE HAVE ENOUGH FELONIES AND GROSS MISDEMEANOR THAT THESE, UNFORTUNATELY ARE LOW ON THE PRIORITY SCALE.  
WE HAVE HAD DISCUSSIONS WITH THE DISTRICT ATTORNEY ABOUT THAT.  
IT DOES NOT MEAN THEY DID NOT OCCUR OR NEGOTIATIONS TO GET IT OFF THE PLATE OF THE PROSECUTING ATTORNEYS, BECAUSE THEY HAVE HIGHER PRIORITIES, FOR LACK OF A BETTER TERM.  
I WOULDN'T BE SIDETRACKED.  
I'M SURE YOU HAVE A GOOD GRASP.  
I WOULDN'T BE SIDETRACKED THAT CONVICTIONS DIDN'T RESULT.  
THIS WAS DISMISSED.  
THAT WAS SEALED.  
THOSE ARE ALL THINGS OUT OF OUR CONTROL, BUT IT DOES NOT ADDRESS THE CONDUCT.  
IF I COULD, UNLESS THERE'S ANY QUESTIONS AT THIS POINT.  
I WOULD GO INTO THE MEAT OF OUR REPORT.  
>> IT IS NOT AN INVESTIGATIVE REPORT.  
IT IS A SUMMARY AND AN COMPILATION OF THE TIMES, THE LOCATIONS, THE EVENT NUMBERS, THE CHARGES, THE INDIVIDUALS INVOLVED THAT WE HAVE GONE OUT TO THE THREE BUSINESSES THAT AT ONE TIME, I GUESS TWO ARE STILL IN HER CARE, CUSTODY AND CONTROL, AND LICENSURE.  
THE BUSINESSES, KINGDOM MASSAGE AND KINGDOM MASSAGE IN THE REPORT WE HAVE IT BROKEN DOWN BY THE INDIVIDUALS AT THE INDIVIDUAL PLACES ON PAGE ONE, WE BEGIN WITH THE DATE OF LICENSURE OR THE REQUEST FOR LICENSURE AND THEN THE -- AND THE ACTUALLY INDIVIDUAL INSTANCES, WHERE WE HAVE GONE OUT TO

KINGDOM SPA AND KINGDOM MASSAGE AND DOCUMENTED THE PROSTITUTION-RELATED ACTIVITIES OCCURRING FOR THE BENEFIT OF THE AUDIENCE THAT WILL REVIEW THIS OR HEAR IT, I'M NOT GOING TO BE AS GRAPHIC AS THE REPORT IS, BUT IT DEFINITELY DETAILS, FROM INCIDENT TO INCIDENT, THE DIFFERENT TYPES OF MASSAGE RELATED VIOLATION.

THE OFFERS AND AGREEMENT TO PERFORM PROSTITUTION SERVICES FOR A SPECIFIC PRICE.

YOU HEARD ME TALK ABOUT THE ELEMENTS OF THE CRIME.

THAT'S WHAT WE NEED WHEN WE GO OUT.

THAT'S WHAT THE ARRESTS ARE BASED ON.

THE FACT THAT A SPECIFIC, UNLAWFUL SEX ACT IS OFFERED FOR A SPECIFIC PRICE.

THOSE ARE DETAILED IN THESE INCIDENTS BEFORE YOU IN THE REPORT.

I'M LOOKING AT -- PAGE 3 RIGHT NOW.

WHEN THE ARRESTS AND THE ELEMENTS ARE CALLED INTO QUESTION, WE GO THE EXTRA MILE TO VERIFY, BEYOND A REASONABLE DOUBT AND EVEN BEYOND THAT THAT THESE ARE ACTUALLY TAKING PLACE.

I'M TALKING ABOUT -- BODY FLUIDS, I'M TALKING ABOUT ILLEGAL SEX ACTS THAT RESULT IN THE RELEASE OF BODY FLUIDS.

WHEN YOU LOOK TWO PARAGRAPHS UP FROM THE CRIME SCENE ANALYST RESPONDS AND USED AN ALTERNATIVE LIGHT SOURCE TO EXAMINE AND LOCATE BIOLOGICAL FLUID STAINS ON THE MASSAGE, IN THE MASSAGE ROOMS C, D, A, AND B.

I'LL IDENTIFY WHICH PARTICULAR ESTABLISHMENT WE'RE TALKING ABOUT.

KINGDOM SPASM THIS IS KINGDOM SPA.

FLUIDS STAINS WERE LOCATED ON A WHITE, FITTED SHEET AND A WHITE TOWEL, BOTH LOCATED ON THE TOP OF THE MASSAGE TABLE IN ROOM C.

AND ACID PHOSPHATE TEST FOR MALE SECRETION, I WILL SAY, WAS CONDUCTED ON THE SHEET, AND THE TOWEL WITH POSITIVE RESULTS.

BOTH ITEMS WERE RECOVERED AND IMPOUNDED INTO EVIDENCE.

THIS SAME EVIDENCE WAS FOUND ON THE WALLS.

IT DESCRIBES WHICH WALLS AND WHICH MASSAGE ROOMS THIS SAME BODILY FLUID, THAT SHOULD NOT BE FOUND IN A MASSAGE ESTABLISHMENT, THAT IS OPERATING LEGITIMATELY WAS FOUND.

THIS CONE SIDES WITH ON LOCATION CHECKS, SITE CHECKS AND ENFORCEMENT ACTIVITY, WITH WHERE WE HAVE GONE ANY WRITTEN CITATION OR VICE DETECTIVES HAVE WRITTEN CITATIONS FOR UNLAWFUL TOUCHING AND SOLICITING PROSTITUTION I WILL SPARE THE AUDIENCE GRAPHIC DETAILS BUT IT IS HERE IN BLACK AND WHITE. THE ONGOING COLLECTIVE HISTORY OF THE CONDUCT AT THESE THREE MASSAGE ESTABLISHMENTS OWN, OPERATED UNDER THE CARE, CUSTODY AND CONTROL OF THE LICENSE SEE.

I THINK THAT HISTORY GOES A LONG WAY TO DEMONSTRATING THE CONDUCT AND WHAT CAN BE EXPECTED, IF THIS APPLICANT IS CONTINUED TO GO FORTH AND OPEN OR BE APPROVED FOR MASSAGE ESTABLISHMENTS.

I'VE HEARD AND ALWAYS OPERATED FROM THE PRINCIPLE, YOU KNOW THE BEST JUDGE OF SOMEONE'S CHARACTER AND FUTURE PERFORMANCE IS BASED ON THEIR PAST HISTORY.

YOUR CONDUCT IS TYPICALLY VIEWED AS -- WHAT CAN BE EXPECTED OF YOU IN THE FUTURE.

I KNOW THERE'S A LOT MORE TO IT, IN THIS PARTICULAR CASE, WHEN WE LOOK AT THREE BUSINESSES OPERATED IN THE SAME FASHION, THE SAME UNLAWFUL, UNREASONABLE, UNACCEPTABLE FASHION, SINCE THE INITIAL LICENSING, I WOULD SAY THAT -- YOU KNOW WE, AND ANYONE INVOLVED WOULD HAVE A RESPONSIBILITY, CERTAINLY AN OBLIGATION TO CONSIDER THAT, AND TO TAKE A LOOK AT ITS FULL SCALE, AND CERTAINLY THAT IS THE FACTOR THAT WOULD BE WEIGHED. ULTIMATELY THE LICENSEE IS RESPONSIBLE FOR ALL CONDUCT AT THEIR BUSINESS. I KNOW I SAID THAT BEFORE.

I'M GOING TO JUST LEAVE THAT AS IT IS.

CERTAINLY THAT'S THE THRESHOLD, THE STANDARD THAT YOU HOLD EVERY LICENSEE TOO.

THAT, IF YOU ARE GIVEN A LICENSE IN GOOD FAITH.

IF YOU ARE ALLOWED AN OPPORTUNITY TO GO FORTH AND OPERATE WITHIN THE PROGRAM METERS OF THE REGULATORY CODES THAT, GOVERN YOUR BUSINESS, THEN THAT'S WHAT IS EXPECTED OF YOU.

WHEN THESE TYPES OF INCIDENTS.

THESE UNLAWFUL, UNACCEPTABLE TYPE OF INCIDENTS OCCUR, TO THE POINT WHERE THE GENERAL PUBLIC.

THERE IS ONE INCIDENT WHERE THE GENERAL PUBLIC GOES IN LOOKING FOR A LEGITIMATE MASSAGE, WHICH IS WHAT THE GENERAL PUBLIC TYPICALLY DOES AND MONEY IS DEMAND OR ALMOST EXTORTED BECAUSE A SERVICE HE DID NOT ASK FOR WAS PROVIDED TO HIM AND MONEY IS DEMAND FOR THAT SERVICE.

THIS IS THE NATURE OF THE COMPLAINT THAT CAME FROM THE PUBLIC MEMBER.

SOMEONE FROM THE GENERAL PUBLIC WHO CALLED OUR OFFICE AND COMPLAINED I WENT IN FOR A MASSAGE AND THIS WAS BESTOWED UPON ME.

SO -- AGAIN, WE MAKE NO APOLOGIES, AND I KNOW THE COMMISSION APPRECIATES OUR ENFORCEMENT ACTIVITIES.

WE GO OUT WITH THE BEST OF INTERESTS OF THE CITIZENS AND THE COUNTY, AND THE POLICE DEPARTMENT TO MAKE SURE THAT EVERYONE IS OPERATING WITHIN COMPLIANCE.

WHEN WE FIND THIS, WE ARE DUTY BOUND TO BRING IT BEFORE YOU AND DISCUSS IT AT LENGTH AND PROVIDE YOU WITH THE INFORMATION, WHEN IT IS TIME TO MAKE A DECISION LIKE THIS TODAY, THAT YOU HAVE ALL OF THE PERTINENT AND RELEVANT INFORMATION ABOUT THE CONDUCT AND OPERATION OF THESE BUSINESSES IN CONSECUTIVE ORDER.

WE CERTAINLY WOULD ANSWER ANY QUESTIONS YOU HAVE AND AVAIL OURSELVES FOR ANY CONCERNS YOU HAVE WITH THE REPORT AND ANY FOLLOW-UP.

>> REID: THIS IS A PUBLIC HEARING.

IS THERE ANYONE US HERE TO SPEAK.

>> I WILL GIVE YOU AN OPPORTUNITY RESPOND BRIEFLY.

EXCUSE ME THERE'S A GENTLEMAN THAT I DIDN'T MOUNT SEYMOUR THAT'S COMING DOWN.

IF YOU ONE OF WOULD MAKE WAY TO HAVE A MICROPHONE, I WOULD APPRECIATE IT. YES SIR.

>> HI.

MY NAME IS ALBERT BODEMAN I LIVE AT 262067 SIEVERS DRIVE HERE IN LAS VEGAS.

I HAD A PROBLEM WITH MY NECK AND WENT TO A CHIROPRACTOR, WHO ALSO RECOMMENDED A MASSAGE PARLOR.

I DON'T KNOW THIS LADY, BUT I KNOW THAT GENTLEMAN, WHOM I MET, WHEN I WENT TO THEIR ESTABLISHMENT.

ALL I CAN TELL YOU IS THAT I SURF THE NET, LOOK AT COUNTY AND CITY BUSINESS, SAW THIS ITEM ON THE AGENDA.

I JUST FEEL THAT WHEN I WENT THERE, I WAS TREATED WITH A GREAT DEAL OF PROFESSIONALISM, WHAT THEY DID THE FIRST TIME I HAD ONE, I HAD ONE SUBSEQUENT TO THAT.

IT HELPED.

I -- I DON'T KNOW ANYTHING ABOUT ONE SIDE OR THE OTHER, EXCEPT FOR THE FACT THAT I FELT I WAS FAIRLY TREATED AND PRICED AND WHAT THEY DID FOR ME WAS WELL ACCEPTED.

THANK YOU.

>> REID: THANK YOU.

ANYONE ELSE?

THIS IS YOUR OPPORTUNITY TO RESPOND.

>> I'M WILLING TO TRY TO MAKE THIS QUITE BRIEF.

I WOULD JUST LIKE TO SAY WHAT METRO TRIES TO SAY AS -- VERIFIED ACTS ARE NOTHING BUT HEARSAY.

I KNOW THIS IS NOT A PLACE WHERE THE RULES OF EVIDENCE APPLY, BUT IT MUST BE UNDERSTOOD THAT WHAT THEY HAVE IN THIS REPORT ARE SIMPLY UNSUBSTANTIATED ARRESTS, OKAY.

NO ONE WAS CHARGED.

WHETHER OR NOT IT IS BECAUSE THE DISTRICT ATTORNEY OFFICE IS OVERWORKED OR BECAUSE THERE'S NOT ENOUGH PROBABLY CAUSE TO SUBSTANTIATE THE ARRESTS IS NOT FOR THIS FORUM.

ALL YOU HAVE TO KNOW IS THEY'RE UNSUBSTANTIATED NO PROBABLY CAUSE FOUND. OKAY.

THAT BEING SAID, THE FINDINGS IN THIS REPORT ARE COMPLETELY MERITLESS.

AND I KEPT HEARING HIM SPEAKING ABOUT THREE LOCATIONS.

THERE WAS NEVER AN INVESTIGATION INTO THE NEW LOCATION.

I'M NOT QUITE SURE HE'S EVEN THE AUTHOR OF THIS REPORT THAT HE'S SPEAKING TO TODAY.

I'M NOT SURE IF HE IS OR NOT.

ARE YOU DETECTIVE WILLS.

>> REID: YOU NEED TO TALK TO US?

>> OKAY.

BASICALLY HE WAS TALKING ABOUT AN INVESTIGATION INTO A THIRD LOCATION THAT HAS EVEN OCCUR.

YOU ALSO NEED TO UNDERSTAND.

WITH REGARD TO THE SECRETION AND BODILY FLUIDS STATEMENTS HE MADE I TRIED TO LEAVE IT OUT BECAUSE I FELT IT IS COMPLETELY MERITLESS BECAUSE NO CHARGES WERE BROUGHT ON THAT AND THERE'S NO WAY TO SUBSTANTIATE AND I WILL BE VULGAR HOW BODILY FLUIDS WHEN THE MASSAGE THERAPIST HAVE TO LEAVE THE

ROOM TO LET THE PEOPLE GET SPECIAL DRESSED AND DRESSED GET ON THOSE TOWELS.

THAT BEING SAID, THAT WAS FROM AN INCIDENT DATED MARCH 26, 222006. ALL SUBSEQUENT TO OR PRIOR TO THE REPORT, ONCE AGAIN THAT I BRING YOU BACK TO IN EXHIBIT B, JULY 19, 2006.

IF WE HAD A CONCLUSIVE METROPOLITAN POLICE DEPARTMENT REPORT INTO THE VORACITY AND FINDINGS OF MY CLIENTS ALLEGED FOSTERING OF PROSTITUTION, SHOULDN'T THIS REPORT HAVE BEEN PART OF HIS REPORT THERE?

IF THEY ARE REALLY UNBIASED IN WHAT THEY ARE DOING AND NOT TRYING TO SINGLE OUT HARD WORKING AMERICANS TRYING TO MAKE A LIVE SOMETHING. WHY WAS NOT THE FACT THAT THEY ALREADY TRIED TO HAVE THEIR LICENSES REVOKED BY THE LICENSE COMMITTEE IN THAT REPORT.

WHY WEREN'T THE FINDINGS THAT THEY WERE MERITLESS ALSO INCLUDED?

I CAN'T KEEP POINTING TO THAT, BAH BUT THAT'S A VERY, VERY KEY POINT THAT YOU NEED TO KEEP IN MIND DECIDING WHAT YOU ARE GOING TO DO TODAY.

BECAUSE THERE'S A LOT OF RAMIFICATIONS, IF YOU DECIDE TO DENY IN THEIR ENTIRETY.

THEY WILL BE OUT OVER \$35,000 AND OPERATING WITH A LICENSE AND A PERMIT TO DO BUSINESS FROM THIS COMMISSION ALREADY, SOMEWHERE ELSE AND JUST REALLY, ONLY NOT BE ABLE TO HAVE A SECOND LOCATION NOT A THIRD.

IT IS OUR UNDERSTANDING TODAY, WHAT WE SHOULD BE HERE ARGUING WHETHER OR NOT THEIR APPEAL FOR 24-HOUR RIGHT TO WORK IS GOING TO BE GRANDFATHERED IN BASED ON THE APPLICATION COMING IN PRIOR TO APRIL 1.

NOT WHETHER THEY SHOULD AN LOUD TO DO BUSINESS AT THIS LOCATION AT ALL. MY UNDERSTAND FINGER WE WOULD HAVE REVOKED THE APPEAL, THAT WE DIDN'T WANT TO HAVE IT HEARD, THE PRIOR FINDING WOULD HAVE ALREADY BEEN IMPLEMENTED AND THEY WOULD HAVE A LICENSE.

RESPECTFULLY REQUEST WE BE APPROVE FOR THE 24 HOURS GRANDFATHERED IN.

THIS IS A 4-HOUR TOWN.

THERE'S NO OTHER -- THIS IS A 24 HOUR TOWN.

THERE'S NO OTHER PLACE WHERE THEY COULD EFFECTIVELY COME AFTER THE CONVENTION TO GET THEIR MESSAGES.

MY CLIENTS ARE CLEARLY NOT IN THE PROSTITUTION BUSINESS.

SHE WORKS AS THE PALACIO AND HAS BEEN AND I THINK EVERYONE KNOWS TO BE A DEALER IN A CASINO YOU GO THROUGH AN EXTENSIVE BECOME CHECK.

IF ANY TYPE OF VALIDATION WAS GIVEN, FIRST HER LICENSES WOULD HAVE BEEN PULLED IN 2006.

WHEN METRO ASKED TO HAVE THEM PULLED AND LICENSING DENY IT HAD AND THEN I ASK WHERE ARE ANY OF THE VIOLATIONS FROM 2006, 2007 OR 2008?

EVEN IF YOU WANT TO BELIEVE WHAT METRO SAYS AND PUT 100% MERIT ON THEM AND NO CREDIBILITY TO ME, WHATSOEVER, AFTER LICENSING SPOKE TO THEM, AND GAVE THEM THE RULES AND PROCEDURES THEY NEEDED TO FOLLOW.

THERE'S NO NEW UNSUBSTANTIATED ARRESTS, EVEN AT THAT.

NOT EVEN UNSUBSTANTIATED ONE.

AND THE WAY METRO GOES AFTER THESE PEOPLE, YOU CAN ONLY ASSUME THEY HAVE SENT NUMEROUS UNDERCOVER INVESTIGATORS IN, WHO HAD TO LEAVE, BECAUSE THEY WEREN'T OFFERED ANYTHING, BUT THAT'S JUST MY OPINION.

BASED ON THE SITUATION.  
BUT YOU MIGHT WANT TO ASK THEM, HAVE THEY SENT IN UNDERCOVER IN THE PAST TWO AND A HALF YEARS.  
THAT WOULD BE SOMETHING I WOULD WANT TO KNOW.  
I WOULD ALSO A COMPLAIN FROM A CITIZEN.  
WE'RE ALL ADULTS HERE.  
WE'RE ALL EDUCATED HERE.  
ANYONE COULD BE DOING THAT.  
IT COULD BE HIS BROTHER, MY SISTER, IT COULD BE ANYBODY THAT GOT A MESSAGE THEY DIDN'T LIKE IT.  
COULD BE ANYBODY.  
THAT CANNOT HAVE ANY CREDIBILITY IN THIS FORUM TODAY.  
THE BUSINESS LICENSE DEPARTMENT HERE HAS JUST JURISDICTION TO MAINTAIN THEY ARE FIT OR UNFIT TO RUN THIS TYPE OF BUSINESS.  
HERE'S SOME PAUSE WITH THAT.  
MAYBE THE METROPOLITAN POLICE DEPARTMENT IS SINGLING OUT MINORITY BUSINESSES IN THE ATTEMPT TO EFFECTIVELY SHUTDOWN MY CLIENTS BUSINESS HERE TODAY.  
IF THEY WERE NOT LAW ABIDING CITIZENS, WHY WOULD THEY BE JUMPING THROUGH ALL OF THESE HOOPS.  
IF THEY WANTED TO RUN A HOUSE OF PROSTITUTION, THERE'S ENOUGH PLACES IN TOWN, THEY CAN DO THAT.  
WHY ARE THESE THEY GOING THROUGH ALL OF THE HOOPS AND BUSINESSES WHERE THEY HAVE PROBLEMS AND FIRING GIRLS THAT ARE ARRESTED, BUT NOT FOUND GUILTY.  
WHY ARE THEY DOING ALL OF THESE THINGS, ASK YOURSELF THAT?  
WITH THAT BEING SAID, THE PURPOSE OF WHY WE'RE HERE TODAY, AND NRF 30.16.010 TO CONTRIBUTE TO THE GENERAL PROSPERITY WELFARE OF THE COMMUNITY AVOID MINIMIZING IMPACTS ON ADJACENT PROPERTY AND I'M SURE YOUR AWARE OF THE PURPOSE OF THE NINE POINTS.  
BASED ON THE PURPOSE, I CAN'T SEE ANY REASON WHY THEY SHOULDN'T BE GRANTED THEIR 24-HOUR PERMIT.  
IF, HOWEVER, YOU FEEL YOU ARE INCLINED TO DENY THIS APPLICATION IN THIS ENTIRETY TODAY.  
I ASKED IT BE PUT HELD, BRING BACK METRO TO SUBSTANTIATE THESE UNVALIDATED ARRESTS TO, BRING IN ALL OF THE EVIDENCE THAT THEY SAY THEY HAVE, SHOWING THAT MY CLIENTS ARE FOSTERING HOUSES OF PROSTITUTION, AND MAYBE WE SHOULD BRING IN A COUPLE OF JUDGES AS WELL.  
THANK YOU.  
>> REID: COMMISSIONER GIUNCHIGLIANI.  
THIS IS YOUR DISTRICT.  
>> GIUNCHIGLIANI: EE HA.  
OKAY.  
A COUPLE OF QUESTIONS.  
WHAT'S YOUR LAST NAME?  
>> CHANG?  
>> THERE IS A LANGUAGE BARRIER.

WE TRIED TO HAVE AN INTERPRETER HERE AND THEY COULDN'T BE HERE.  
>> GIUNCHIGLIANI: I'M LOOKING AT YOUR EXHIBIT.  
-- EXHIBIT H.  
THERE ARE TWO SIGNATURES IN THERE FROM INDEPENDENT CONTRACTORS FROM  
KINGDOM MASSAGE FROM 2006, WHICH YOU'RE SAYING IS AFTER THE TIME THAT THE  
-- THAT MASSAGE PARLOR HAD BEEN CITED BY METRO AND THE INDIVIDUALS HAD  
BEEN TAKEN IN, CORRECT?  
>> THIS IS THE CURRENT STAFF AT THE SPRING MOUNTAIN LOCATION.  
THOSE ARE THE CURRENT STAFF.  
>> GIUNCHIGLIANI: SHE HAD TWO INDEPENDENT CONTRACTORS OR THREE?  
THERE'S ONE TWO DATED 2006, AND ONE DATED 2008?  
>> THE ONE IN 2006 IS NO LONGER THERE.  
>> GIUNCHIGLIANI: HOW MANY PEOPLE ACTUALLY CONTRACT THEN?  
>> TWO.  
>> GIUNCHIGLIANI: YOU SOLD THE OTHER BUSINESS?  
>> CORRECT.  
>> GIUNCHIGLIANI: DOWN TO THE ONE.  
NOW, YOU'RE NOT THE ONLY ONE BUT EVERYONE PLAYS THIS GAME INDEPENDENT  
CONTRACTORS DO YOU TELL THE LADIES WHAT TIME THEY HAVE TO SHOW UP FOR WORK  
OR JUST KEEP IT OPEN?  
>> GIUNCHIGLIANI: I'M ASKING, NUMBER TWO, THEY ARE REPORT TO WORK ON TIME,  
YOU MUST GIVE 24 HOURS NOTICE, IF YOU WILL NOT REPORT TO WORK, HOW DO YOU  
DETERMINE WHAT YOUR STAFFING IS.  
I THINK PEOPLE CALL PEOPLE INDEPENDENT CONTRACTOR AND THEY'RE NOT  
EMPLOYEES AND.  
>> THERE'S A DAYTIME AND NIGHT-TIME SCHEDULE.  
THE GIRLS ALTERNATE.  
>> THIS SITE IS A 24 HOUR SITE?  
>> CORRECT.  
>> GIUNCHIGLIANI: HAVE THERE BEEN TO METRO ANY CITATIONS AT THAT CURRENT  
SITE, SINCE YOUR -- SINCE THE 2006, AFTER THEY HAD THE MEETING WITH  
BUSINESS LICENSE?  
>> COMMISSIONER, ARE WE REFERRING TO KINGDOM MASSAGE?  
>> YES, AS A MATTER OF FACT I'M GOING TO JUST ADD THIS, BECAUSE IT WAS  
ASKED WHERE ARE THE CITATIONS FROM 2006, 2007, 2008.  
ON JANUARY 11, 2006 WE ISSUED CITATION FOR THIS NO MANAGER IN CHARGE.  
ON MARCH 10, 2006, NO MANAGER IN CHARGE.  
AND REGISTERED OF EMPLOYEES MEANING EMPLOYEE LIST.  
ON MARCH 24, 2008.  
WE RECEIVED ANOTHER COMPLAINT AND THE RESULT OF THAT ONE IS -- WE'RE  
FINALIZING CRIMINAL PROCEEDINGS ON THAT ONE, AS WE SPEAK.  
THOSE ARE THE THREE INCIDENTS FROM 2006 AND 2008.  
>> GIUNCHIGLIANI: LOOKING FROM MARCH 10, 2006 SAYING THERE WERE FOUR  
FEMALE MASSAGE THERAPISTS?  
>> CORRECT.  
>> GIUNCHIGLIANI: BUT NOW YOU'RE DOWN TO TWO?  
>> CORRECT.

IF YOU LOOK AT THE DATE OF MARCH 10, THAT PREDATES THE JULY 2006 MEETING THAT THEY HAD WITH LICENSING.

ALL OF THIS STILL DOES.

AND, AT THAT TIME, THEY DID FIRE THOSE GIRLS.

AND THEY ARE NO LONGER THERE.

THEY HAVEN'T HAD ANY OTHER COMPLAINTS, EVEN THOUGH HE, MOTETRO WAS NOT CLEAR, SINCE, JULY OF 2006, WHICH IS WHAT YOUR QUESTION WAS.

THE ONLY THING YOU SEE AFTER JULY 2006 UNTIL NOW IS MARCH 24, 2008, WHICH IS THE LAST ENTRY ON THE BOTTOM OF PAGE FOUR, WHICH IS THEY RECEIVED A COMPLAINT FROM AN INDIVIDUAL.

AND THEY'RE IN THE PROCESS OF FILING CHARGES.

WELL, IN THE PROCESS OF FILING CHARGES AND THIS IS FROM MY OPINION, FROM THE CRIMINAL JUSTICE SYSTEM, ITSELF, BUT YOU CAN ASK METRO.

IF THE COMPLAINT COMES IN, THEY DO SOME DUE DILIGENCE, SEE IF THEY HAVE PROBABLY CAUSE AND THEN THEY FILE -- IN THIS., WHEN IT IS A CITIZEN'S COMPLAINTS HAS TO GO TO THE DISTRICT ATTORNEY TO BE FILED.

NO CHARGES ARE FILED.

NOTHING IS PENDING.

I COULDN'T FIND ANYTHING PENDING OTHER THAN THEIR REPRESENTATION.

I'M ASSUMING IT CANNOT POSSIBLY SUBSTANTIATED BECAUSE IT IS A PERSON AFFECT THE FACT MAKING A COMPLAIN.

ASK THEM IF THEY HAVE GONE IN 2006 IN UNCOVER OPERATIONS AND WHY THOSE AREN'T REPORTED.

>> GIUNCHIGLIANI: THE INITIAL QUESTION.

>> IF I COULD JUST RESPONSIBLE TO THAT.

WE DON'T USUALLY TIP OUR HAND.

THERE WILL BE AN ARREST FORTHCOMING ONCE WE GO OUT AND SERVE THAT.

WE DON'T TYPICALLY TIP OUR HAND.

IF OUR INTEGRITY, IF OUR PROCESS, IF OUR PROCEDURES ARE BEING CALLED INTO QUESTION IN THIS CASE, WE'LL ACQUIESCE.

WE HAVE A WARRANT BEEN TO BE ISSUED AND WILL MAKE AN ARREST BASED ON THE LAST CHARGE.

>> GIUNCHIGLIANI: PART OF THE ISSUE WE HAVE TO CONSIDER WHETHER THERE IS A PATTERN OF BEHAVIOR.

I THINK YOU SHOULD NOT BE CHALLENGED AS FAR AS YOUR CHARACTER, BUT AS A BUSINESS PRACTICE WHOM YOU ARE CHOOSING TO HIRE MIGHT BE CALLED IS SOMEWHAT INTO QUESTION.

BOY OH, BOY.

I THINK AT THIS POINT I WOULD MOVE TO DENY THE REQUEST AND.

I WOULD DO WITHOUT PREJUDICE, BECAUSE I THINK YOU HAVE AN OPPORTUNITY COME BACK AND WE'LL SEE WHAT HAPPENS WITH THE OUT COME OF THE METRO ISSUE.

BUT I DON'T WANT -- THIS IS A UNIQUE LITTLE AREA OVER HERE.

I HAVE ENOUGH PROBLEMS GOING ON THAT, I WOULD LIKE TO SEE, BEFORE I ADD TO IT WHETHER OR NOT THIS IS APPROPRIATE.

I DON'T KNOW -- I DON'T KNOW IF THAT IS CORRECT IS THAT AN OPPORTUNITY MOTION OR NOT?

>> JUST CLARIFYING YOU'RE DENYING THE ENTIRE APPLICATION, NOT JUST THE REQUEST FOR THE 24 HOURS IS THAT CORRECT?

>> GIUNCHIGLIANI: THAT'S MY MOTION.

>> REID: CAN I ASK A QUESTION ON THE MOTION TO OUR COUNCIL. THIS IS A USE PERMIT.

I WANT TO UNDERSTAND WHAT DISCRETION WE HAVE TO LIMIT IT IN TERMS OF HOURS OF OPERATION OR DENY IT.

IS IT WHOLLY WITHIN OUR DISCRETION TO DO EAGER.

>> YES IT IS.

>> REID: ON WHATEVER FACTORS YOU DEEM APPROPRIATE.

>> BASED ON THE EVIDENCE YOU FEEL, IF YOU FEEL IT IS EITHER PROT TO IMPOSE HOURS OF OPERATION OR DENY COMPLETELY, YOU HAVE THAT DISCRETION.

>> REID: CERTAINLY THE CONCERNS RAISED BY METRO, THAT'S A BASIS FOR DENIAL IF, WE DETERMINE IT RISES TO THAT LEVEL, CORRECT?

>> YES, THAT'S CORRECT.

>> REID: ARE THERE OTHER QUESTIONS.

>> YES SIR.

>> REID: COMMISSIONER COLLINS.

>> COLLINS: AS A CRIMINAL DEFENCE ATTORNEY.

>> YES.

>> COLLINS: IS IT YOUR EXPERIENCE OR OVER YOUR YEARS IN CLARK COUNTY THAT MUNICIPAL JUDGE OR A J.P. WILL ROUTINELY DISMISS A CHARGE, WHEN A LARGE BAIL \$400, \$700 FORFEITED AND OR -- SOME KIND OF SCHOOL OR REMEDIATION HAS BEEN ATTENDED A LENGTH OF TIME, WHERE THEY HAVE GONE TO COUNSELLING FOR WHATEVER THE CASE, DUI, DRUG ABUSE, SEXUAL, WHATEVER IT IS.

IS IT COMMON, OFTEN IN YOUR EXPERIENCE?

>> IT IS NOT COMMON.

IT IS NOT UNCOMMON.

WHAT YOU'LL SEE.

>> COLLINS: IT HAPPENS.

>> WHAT YOU'LL SEE WITH ACTUALLY PROSTITUTION, WHERE THEY HAVE SIX OR SEVEN TRESPASSES YOU WILL SEE THEM TAKE A BUNDLE AND THEY WILL DISMISS SIX AND PLEAD TO ONE.

IF THAT'S THE CASE, THEY CAN'T SEAL THE RECORD, BECAUSE THE RECORD WOULD STILL SHOW THAT ONE MISDEMEANOR WITHIN SEVEN YEARS.

>> COLLINS: CORRECT.

>> THAT BEING SAID WITH MY EXPERIENCE, BECAUSE I DO REPRESENT A LOT OF THE GIRLS THAT ARE BEING CHARGED WITH THE SOLICITATION, IT IS MY EXPERIENCE, MY PERSONAL EXPERIENCE THAT HALF THE TIME THEY COME BACK SO UNSUBSTANTIATED I WOULD PRESS IT TO TRIAL AND GET MY DISMISSAL.

SOMETIMES BECAUSE THERE'S NOT ENOUGH PROBABLY CAUSE DID SHE WANT TO GO UP AGAINST THE COP WHO WILL BELIEVE WHO OVER WHAT, BASED ON THE INDUSTRY OR ARE THEY GOING TO BELIEVE HER?

ESPECIALLY WITH THE LANGUAGE BARRIER.

IT IS UNBELIEVABLE TO ME WHAT'S GOING TON WITH THIS.

BEEES THESE METRO COPS ARE GOING INTO ESTABLISHMENTS WHERE WOMEN ARE WORKING AND CAN'T EVEN SPEAK ENGLISH.

GIVING MASSAGES AND THEN THE REPORT THEY SAY THEY HAVE FULL FLEDGE AMERICAN CONSERVATIVES WITH THEM.

>> COLLINS: ON THE OTHER SIDE OF THAT.

HOW DO THEY GET A LICENSE TO SIGN THIS THAT IS IN ENGLISH AND THEY CAN'T SPEAK ENGLISH SAYING THEY WON'T DO THOSE THINGS.

YOU'RE SHOOTING YOURSELF IN THE FOOT.

>> I'M NOT SAYING THESE.

>> COLLINS: IN GENERAL.

BUT IN PLEA BARGAINING, YOU KNOW YOU -- YOU CAN HAVE SOMETHING DISMISSED, BASED JUST AS YOU SAID.

MULTIPLE CHARGES ARE FILED.

AND I HAD THAT ARGUMENT WITH THE DISTRICT ATTORNEY SIDE ON THE PROSECUTION'S SIDE THEY.

WILL DO MULTIPLE CHARGES TO GET A PLEA, RATHER THAN HAVING.

>> ABSOLUTELY THAT'S WHY I SAID IF YOU LOOK AT THE REPORTS AND FOUND THAT THE GIRLS MAY HAVE BEEN GUILTY, IT CANNOT BE ON HOUR SHOULDERS SHE, IN FOUR YEARS FOUR COUNTS, CHARGES DROPPED.

>> COLLINS: IF YOU READ THE RESPONSIBILITY OF THE USE PERMIT.

IT IS ON THE APPLICANT, IT IS NOT ON THE APPLICANT'S EMPLOYEES AND THE DOCUMENT -- AND THE DOCUMENT THAT YOU'RE STATED OR DISPLAYED HERE IN THIS PRESENTATION TODAY.

IT ADDRESSED JUST THAT.

THAT THE APPLICANT IS THE ONE RESPONSIBLE, AS THE ATTORNEYS REPRESENTING US HERE, ON THE BOARD HAS SAID.

WE HAVE THE DISCRETION, BASED ON WHETHER IT IS NUISANCE, REPEATED CALLS, COMPLAINTS OR WHATEVER, IN THIS TYPE OF BUSINESS.

>> BUT THE LICENSING DEPARTMENT WHEN THEY ACTUALLY GET THESE LICENSES HAS ALREADY HEARD ALL OF THESE ALLEGATIONS AND DID THEIR OWN INVESTIGATION ON JUNE 21, 2006.

>> COLLINS: ANSWER MY QUESTION.

>> REID: THANK YOU.

>> REID: THERE'S A MOTION ON THE FLOOR.

ARE THERE ANY OTHER COMMENTS FROM THE BOARD?

THE MOTION IS JUST REPEATING IT.

THE MOTION IS TO DENY THE USE PERMIT.

CAST YOUR VOTE.

MOTION CARRIES.

>> THANK YOU COMMISSIONERS.

>> JUST TO CLARIFY, THAT WAS WITHOUT PREJUDICE?

>> NEXT ITEM IS 43.

[READING ORDINANCE NUMBERS INTO THE RECORD]

APPEAL USE PERMITS FOR THE FOLLOWING ALLOWING ACCESSORY STRUCTURE NOT ARCHITECTURALLY COMPATIBLE WITH THE INITIAL STRUCTURE.

AND WAIVE ALL DESIGNS FOR STRUCTURE.

TO REDUCE REAR SETBACK.

DESIGN FOR ACCESSORY STRUCTURE IN CONJUNCTION WITH A SINGLE FAMILY RESIDENTS IN 2.1 ACRES IN RU ZONE ON KYLE CANYON ROAD ON BUENA VISTA ON CAROL CANYON.

WAIVERS AS DESCRIBE IN THE AGENDA.

STAFF REQUESTS APPLICANT REQUEST TO ADJUST REAR YARD SET BACK REASONABLE FOR THE PRINCIPLE DWELLING AT THE TIME OF THE ORIGINAL CONSTRUCTION IN 2003.

THE CODE REQUIRED FRONT AND REAR SET BACK WERE SATISFIED DUE TO THE JOY RIDE AVENUE AND THE RESIDENTS WILL BE OFF BUENA VISTA THE SET BACK IS REQUIRED THE REDUCED SETBACKS DO NOT HAVE DETRIMENTAL IMPACT ON ADJACENT PROPERTY.

STAFF RECOMMENDS APPROVAL.

THE TOWN BOARD RECOMMENDS APPROVAL.

THERE WAS ONE CARD IN SUPPORT.

AND ONE SPEAKER IT AT THE PLANNING COMMISSION IN SUPPORT OF THE ITEM.

TWO CARDS IN PROTEST AND ONE SPEAKER AT THE PLANNING COMMISSION IN PROTEST.

THE PLANNING COMMISSION UNANIMOUSLY APPROVED THIS ITEM, SUBJECT TO THE CONDITIONS LISTED IN YOUR AGENDA.

THIS HAS BEEN APPEALED BY A NEIGHBOR OPPOSED TO THE REDUCTION IN THE SETBACK FOR THE EXISTING DWELLING.

>> REID: GOOD AFTERNOON.

>> GOOD AFTERNOON COMMISSIONERS.

INES JORDAN AT 2941 AUGUSTA.

I OWN THIS PARTICULAR PROPERTY WITH MY DAUGHTER WHO IS HERE ALSO, KIMBERLY.

CERTAINLY WE CONCUR WITH THE PLANNING COMMISSION'S FINDINGS.

I THINK THE PROBLEM WITH THE NEIGHBOR IS THAT THEY'RE TRYING TO SAY THAT THERE WAS A PROBLEM WITH THE WAY THE ORIGINAL SETBACK WERE WITH THE HOME, NOT WITH THE BUILDING THAT WE'RE PUTTING NOT THERE NOW.

I REALLY DON'T SEE ANY ISSUES WITH WHAT WE'RE DOING, WITH THE PROPOSED PERMIT.

>> THIS IS A PUBLIC HEARING.

ANYONE ELSE HERE TO SPEAK?

>> REID: SEEING NO ONE CLOSE THE PUBLIC HEARING.

COMMISSIONER MAXFIELD.

>> MAXFIELD: MOVED FOR APPROVAL PLANNING COMMISSION RECOMMENDATION.

>> REID: MOTION FOR APPROVAL ARE THERE QUESTIONS?

CAST YOUR VOTE.

>> THANK YOU VERY MUCH.

>> REID: MOTION CARRIES.

>> ITEM 44 HAS BEEN HELD.

NEXT ITEM IS 45.

[READING ORDINANCE NUMBERS INTO THE RECORD]

APPEAL VACATE ABANDON PORTION OF RIGHT OF WAY RAVEN AVENUE BETWEEN DECATUR AND HAWK STREET IN THE CP ZONE WITH THE ENTERPRISE.

BECOME DESCRIBED IN THE AGENDA.

AND STAFF CAN SUPPORT THE REQUEST, WHICH WILL FACILITATE THE CONSTRUCTION OF THE DETACHED SIDEWALK ALONG RAVEN AVENUE.

STAFF RECOMMEND APPROVAL.

THE TOWN BOARD RECOMMENDS APPROVAL.

STAFF HAS RECEIVE NOD CARDS IN SUPPORT AND THREE CARDS IN PROTEST.

THE PLANNING COMMISSION UNANIMOUSLY APPROVED SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA AND THE ITEM HAS BEEN APPEALED BY THE APPLICANT STATING THEY WERE NEVER NOTIFIED.

>> REID: GOOD AFTERNOON.

>> GLEN AFFLECK 4987 IDAHO AVENUE.

I'M HERE REPRESENTING THE OWNER OF THE PROPOSED -- I THINK WE JUST GOT CAUGHT IN THE GLITCH HERE WITH THE SYSTEM.

I RECEIVED INFORMATION ABOUT THE APPEAL TO THE APPROVAL OF THIS EVACUATION.

THE -- VACATION.

THE NEXT DAY, IT WAS 40 MINUTES AFTER THE APPEAL WAS MADE.

AND SO I TOOK THE OPPORTUNITY TO CONTACT THAT PERSON.

AFTER THEY UNDERSTOOD WHAT WAS GOING ON.

THEY SAID THEY DIDN'T NEED TO APPEAL.

I CONTACTED CURRENT PLANNING.

THEY SAID WELL, WE HAVE TO HEAR IT ANYWAY.

SO, THERE'S NO WITHDRAWING OF THE APPEAL.

HERE I AM TO ANSWER ANY QUESTIONS.

>> LET'S SEE IF THAT'S CHANGED.

>> REID: THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK ON THIS?

SEEING NO ONE, I WILL MAKE A MOTION FOR APPROVAL?

ANY COMMENTS, QUESTIONS?

CAST YOUR VOTE.

>> REID: MOTION CARRIES.

>> I WISH THAT YOU WOULD FIX THIS SYSTEM SO, A PERSON COULD WITHDRAW THEIR APPEAL 40 MINUTES AFTER THEY MADE THE APPEAL, .

>> MAXFIELD: CAN'T THEY WON'T LET US.

>> SHE WON'T.

IT'S HER FAULT.

>> REID: IT IS A LEGAL ISSUE.

>> ALL RIGHT.

THANKS.

>> ITEM 46 IS A

[READING ORDINANCE NUMBERS INTO THE RECORD]

RECOMMENDATION THAT THE BOARD OF COUNTY COMMISSIONERS DIRECT STAFF TO BEGIN THE PROCESS OF UPDATING THE ENTERPRISE LAND USE PLAN AND DEVELOPMENT GUIDE.

>> REID: IS THIS THE FIVE-YEAR UPDATE?

>> OKAY.

CONSIDER YOURSELF DIRECTED.

>> ITEM 47

[READING ORDINANCE NUMBERS INTO THE RECORD]

RECOMMENDATION THAT THE BOARD OF COUNTY COMMISSIONERS DIRECT STAFF TO BEGIN THE PROCESS OF UPDATING THE SPRING VALLEY LAND USE AND DEVELOPMENT GUIDE.

>> REID: SAME THING.

>> ITEM 48, CP0702-08 THE RECOMMENDATION THAT THE BOARD OF COUNTY COMMISSIONERS INITIATE THE ADOPTION PROCESS OF THE UPDATE TO THE SOUTHLAND USE PLAN AND TAKE APPROPRIATE ACTION.

>> REID: YOU JUST NEED DIRECTION TO TAKE TO THE PLANNING COMMISSION? OKAY.

>> ITEM 49, CP 070-08.

THE BOARD OF COUNTY COMMISSION TO THE AMENDMENT OF THE TRANSPORTATION MAP 16 SOUTH COUNTY REFER THE AMENDMENT TO THE CLARK COUNTY PLANNING COMMISSION FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION AS AN AMENDMENT TO THE CLARK COUNTY COMPREHENSIVE PLAN AND INDICATE THE BOARDS INTENT TO RECEIVE THE PLANNING COMMISSION RECOMMENDATION WITHIN 90 DAYS IN REFERENCE TO CLARK COUNTY 30.012.035.

>> REID: WE LOOK FORWARD TO IT.

>> AND ITEM 50 ORDINANCE 0870-08 THE RECOMMENDATION THAT THE BOARD OF COUNTY COMMISSIONERS INTRODUCE AN ORDINANCE AND SCHEDULE A PUBLIC HEARING FOR JULY 2, 2008 AT 1:00 P.M.

TO CONSIDER ADOPTION OF A STANDARD DEVELOPMENT AGREEMENT WITH WARM SPRINGS AND DURANGO PARTNER LLC FOR A COMMERCIAL DEVELOPMENT WARM SPRINGS AND DURANGO COMMERCIAL DEVELOPMENT.

>> REID: INTRODUCE THE ORDINANCE AND ET IS THE PUBLIC HEARING FOR THAT DATE AND TIME.

>> ITEM 51 PUBLIC COMMENTS.

>> REID: THIS IS THE TIME SET ASIDE FOR PUBLIC COMMENT.

ANYONE WISHING TO ADDRESS THE BOARD STEP FORWARD.

>> I'M RICHARD BROKER A UNION CARPENTER 344 EAST DESERT IN ROAD I CAME AND SPOKE WITH THE COMMISSIONER AND COMMISSIONER GIUNCHIGLIANI ABOUT SOME PROBLEMS WHERE I LIVED.

THEY DID REPOWER UP THE CELL TOWER THAT IS LEFT THERE.

THANK YOU FOR HAVING THEM REMOVE THE ONE THERE.

IT IS NOT JUST A PROBLEM THAT AFFECTED ME, HAVING BEEN ELECTROCUTED THREE TIMES ON THE PROPERTY.

THEY ARE DOING CONTINUED UNPERMITTED WORK WHICH IS A MISDEMEANOR.

THE FACT THAT I WAS INJURED MAY MAKE IT A FELONY.

IF THEY CONTINUE TO DO THIS, I HAVE MADE INQUIRIES, AS TO -- OTHER WORK THEY'VE DONE.

>>> HAVE A LIST OF REPORTS MADE TO THE CODE ENFORCEMENT OFFICER.

THEY HAVE ALREADY PREVIOUSLY BEEN CITED FOR PLACING UNPERMITTED SIGNS UP. THEY'VE DONE IT AGAIN.

THEY HAVE AN UNPERMITTED RESTAURANT ON PROPERTY.

THEY'RE DOING UNPERMITTED REMODELLING WORK.

>> SINCE I CAME AND REPORTED THIS TO THE COMMISSION -- REMODELLING WORK.

THEY TOLD ME I NEED TO LEAVE BECAUSE I AM CAUSING TROUBLE BY SPEAKING TO YOU.

THAT I HAD ME HARASSED AND ATTACKED.

I NOW HAVE THREE FRACTURED RIBS.

AND I NEED SOME HELP FROM THE COMMISSION HERE.

THEY'VE HAD THEIR EMPLOYEES GO INTO THE ROOM, THE APARTMENT NEXT TO MINE WITH THEIR PASSKEY AND BANG ON THE WALL, TRYING TO DISTURB MY SLEEP.

IT IS JUST BEEN -- I'VE HAD TO MOVE NOW.

IT HAS BEEN A LIVING NIGHTMARE.

>> GIUNCHIGLIANI: RICHARD DID BRING TO US THERE WERE TWO UNPERMITTED CELL TOWERS.

WE WENT OUT AND FOUND HE'S ABSOLUTELY CORRECT.

SOMEONE HAD A PORTABLE ONE.

AND CODE ENFORCEMENT AND NOTICED A VIOLATION, I THINK IT WAS THE AT&T ONE.

>> WHICH THEY HAVE MISLABELLED.

>> AND THEY ARE NOW, TRYING TO OBTAIN A PERMIT.

WE'VE MADE SURE THEY GO THROUGH THE PROCESS.

I HAVE A PROBLEM WITH SOMEONE JUST GOING IN AND SETTING UP A CELL TOWER IN THE MIDDLE OF THE RESIDENTIAL AREA.

UNFORTUNATELY RICHARD I BELIEVE CONVICTED BY THE PROPERTY OWNER WHO ALSO HAD THE CELL TOWERS?

>> YEAH.

THEY WERE PART OF THE PROCESS.

>> GIUNCHIGLIANI: I'LL BE HAPPY TO TALK WITH RICHARD FURTHER AFTER THE MEETING OVER THAT COMPONENT.

I DON'T KNOW IF WE HAVE JURISDICTION.

>> REID: I ENCOURAGE YOU TO WORK WITH COMMISSIONER GIUNCHIGLIANI OFFICE.

>> I WILL.

I WOULD LIKE ALL OF THE COMMISSION TO BE AWARE THOUGH, THIS HAS BEEN A CONTINUING PROBLEM.

I HAVE LOOKED ON THE COUNTY WEBSITE.

THESE ARE ACTUALLY EVEN INFRACTION IS A MISDEMEANOR, WHICH CARRIES SIX MONTHS IN THE COUNTY JAIL.

AND THESE PEOPLE SHOULD NOT BE EXEMPT FROM HAVING TO OBEY THE LAW, JUST LIKE EVERYONE ELSE AND SHOULD BE PROSECUTED LIKE EVERYONE ELSE.

>> REID: THANK YOU.

>> OKAY.

THESE PEOPLE, THE PEOPLE HAVE BEEN HERE ALL DAY AND HAD TO MEET THE REQUIREMENTS OF COMING IN FRONT OF THE COMMISSION.

THESE PEOPLE DIDN'T.

THEY DISRESPECTED EVERYONE HERE AND THE PEOPLE WHO HAD TO GO THROUGH THE PROCESS IT IS RIDICULOUS THAT THEY SHOULD GET A CHANCE TO GET AWAY WITH IT.

THEY CAME TO MY DOOR AND STATED IT IS BECAUSE I CAME TO YOU.

THE CITIZENS IN THIS AREA CAN'T COME TO YOU, WHY OPEN THE DOORS?

>> REID: THANK YOU VERY MUCH.

AGAIN, THIS IS TIME SET ASIDE FOR PUBLIC COMMENT.

ANYONE HERE TO SPEAKING TO US.

>> REID: COMMISSIONER COLLINS.

>> COLLINS: IS THIS A CONTINUATION FROM YESTERDAY'S MEET SOMETHING.

>> REID: YES.

>> COLLINS: I WANTED TO MAKE SURE?

>> YES.

>> REID: HAPPILY THIS MEETING IS ADJOURNED?

THANK YOU ALL.