



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 12, 2006

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN HARSIN

Consent Discussion

SUBJECT: Public hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess the City's liability for the property located at 2413 Elliot Key Drive. PROPERTY OWNER: ALEX COHEN - Ward 4 (Brown)

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available Dept. Division: Neighborhood Services/Response
Amount: \$4,214.35
Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C.H. Construction, LLC to board and secure (doors, windows, all other openings), remove refuse, trash, debris, litter, all overgrown, dead, dry vegetation exceeding 8 inches in height, remove stagnant water from the swimming pool and post No Trespassing, No Dumping signs on site. To date, there have been eleven (11) inspections conducted at this location. The value of the property based on the sale date of May 2004 was \$350,000.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$4,214.35 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by LARRY BROWN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

A video was shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

STEVEN HARSIN, Director of Neighborhood Services, read the purpose/background regarding the condition of the property as a public hazard and attractive nuisance requiring the described abatement. The value of the property on the sale date of May 2004 was \$350,000 and the case has been active since February 1, 2006. Upon 11 inspections of the property, MR. HARSIN recommended the City Council approve the report of expenses in the amount of \$4,214.35; \$2,359 to CH Construction; \$325 for bonding and building certificate fees; \$900 in civil penalty fees; \$226.50 for reinspection fees and \$353.83 in administrative fees. He recommended that the above charges be filed and recorded against the property as a lien assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

In an abundance of caution, COUNCILMAN BROWN disclosed that MR. GERMAIN is the Vice President of the Rotary Club to which he is a member. DEPUTY CITY ATTORNEY BRYAN SCOTT assured COUNCILMAN BROWN there is no conflict as MR. GERMAIN is not the property owner.

COUNCILMAN BROWN pointed out that the homeowners of Desert Shores take pride in their properties as they have been a community for nearly 20 years. He noted a letter from the applicant which indicated his intention to begin rehabilitation and write a mitigation plan since the bankruptcy issue is near close.

MR. HARSIN confirmed that the property owner has since communicated with OFFICER KELLY OLIVARES and verified that his bankruptcy issue will close in August. MR. HARSIN explained that inspection and civil penalties will continue to accrue until the matter is corrected. As part of the recently adopted ordinance, every inspection hereforth will assess a \$500 daily fee upon each failed inspection. MR. HARSIN indicated that the Council has the discretion to assess those additional civil penalties and the City will follow the matter until it is resolved.

MAYOR GOODMAN questioned if they City informed the bankruptcy judge of the property's mal conditions and requested that the City Attorney's office confirm their awareness.

In an attempt to ensure that the City remain abreast of the matter, COUNCILMAN BROWN requested MR. HARSIN meet with him in August to update him on the progress.

MAYOR GOODMAN declared the Public Hearing closed.

City of Las Vegas

Agenda Item No.: 81.

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