



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2006

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Discussion and possible action to acquire 4905 Laurelhurst Drive, Unit 9, 1513 Laurelhurst Drive, Unit 9 and 4907 Westmoreland Drive, Units 49, 50, 51 and 52, and to settle Theodore Morrison, Theresa Egypt and Patricia Hohbein v. City of Las Vegas, et al., Case No. A488217 in the Eighth Judicial District Court of the State of Nevada - Ward 5 (Weekly)

Fiscal Impact

No Impact
 Budget Funds Available

No Impact

Augmentation Required

Dept./Division: Finance and Business Services

Amount: \$1,345,000

Funding Source: Affordable Housing Fund

PURPOSE/BACKGROUND:

The City for the last several years has been acquiring properties at Decatur and Shalimar Gardens, located near Decatur and Vegas Drive. The last six properties are owned by Theodore Morrison, Theresa Egypt and Patricia Hohbein. In 2004 they sued the City and several other defendants, claiming inverse condemnation, violation of civil rights, and various state torts. A City appraiser found that the properties were cumulatively worth \$750,000. Plaintiffs' appraiser found the properties to be more valuable. Plaintiffs cumulatively have offered to settle the lawsuit, and sell their properties to the City, for a total amount of \$1,425,000, with Egypt and Morrison retaining possession until March 18, 2007. Other defendants in the lawsuit have agreed to pay Plaintiffs \$80,000. Thus, the City's participation in acquiring the properties and settling the lawsuit would be \$1,345,000.

RECOMMENDATION:

Settlement of the lawsuit and acquisition of the properties for \$1,345,000

BACKUP DOCUMENTATION:

None

Motion made by LAWRENCE WEEKLY to Hold in Abeyance to 9/6/2006

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

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

Minutes:

CITY ATTORNEY JERBIC recommended this matter be held in abeyance to allow him time to brief the individual Council members. As a matter of record, he stated that his recommendation for abeyance does not mean that the City intends to back out of the settlement.