


Memorandum

City of Las Vegas
Neighborhood Services

To: Beverly Bridges, City Clerk's Office
From: Jessica Larramendy, Neighborhood Response 
CC:

Date: February 1, 2007

Re: Agenda Discrepancy: 3804 Beacon Point, January 3, 2007 – Item #81

Please consider this memorandum back up documentation for January 3, 2007, Agenda Item #81 discrepancy. It was found that the report of expense memo submitted had a discrepancy in the addition and was different than the posting in the newspaper. After researching both of the documents, it was found that the figures submitted on both items were incorrect. After obtaining a legal opinion from Dan Still, City Attorney, and reviewing what should have been submitted and posted in the paper it was determined that the amount was less than what was originally requested. Dan advised that because the amount was less, we would not have to go before Council to receive approval for the corrected amount.

The breakdown amount that should have been submitted is as follows:

The sum expended was \$1,276.00 for cleaning the property by Disaster Kleen-Up of Nevada; \$191.40 Administrative Processing Fee; \$135.00 for Inspection/Re-inspection fees; \$9.00 in late fees and \$950.00 in civil penalties for a total of \$2,561.40. At the meeting held on January 3, 2007, the City Council approved an additional amount of \$3,500.00 (daily civil penalties) to be added to the expended amount for a total of \$6,061.40.

Attachments:

Excel Spreadsheet
Report of Expense
Summary Page
Posting for Newspaper
Copy of Case Fee breakdown.

2007 FEB -2 A 11: 15

RECEIVED
CITY CLERK

	Submitted to City Clerk	Comments	Diff	Should have been Submitted	Comments
Abatement					
Administrative Fee	\$ 1,276.00		\$	1,276.00	
Sub-Total	\$ 191.40		\$	191.40	
Reinspection Fees (w/late fees)	\$ 1,467.40		\$	1,467.40	
Civil Penalties	\$ 255.00	Should be \$135	\$ 120.00	144.00	w/late fees
GRAND TOTAL	\$ 3,452.90	Should be \$950	\$ 517.40	950.00	
Payment of \$75				2,561.40	
Payment of \$45				3,500.00	Civil Penalties approved by CC
				6,061.40	

	Posted by City Clerk
Abatement	\$ 1,276.00
Administrative Fee	\$ 191.40
Sub-Total	\$ 1,467.40
Reinspection Fees (w/late fees)	\$ 280.50
Civil Penalties	\$ 1,450.00
GRAND TOTAL	\$ 3,197.90

Memorandum

City of Las Vegas
 Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
 From: Devin S. Smith, Manager – Neighborhood Response Division
 CC: File
 Date: December 11, 2006
 Re: Report of Expenses for the mitigation abatement of Vacant or Abandoned Building at 3804 Beacon Point - Ward 4 (Brown)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Vacant or Abandoned Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, vegetation (dead, dry & overgrown) and installing rock landscaping. The mitigation abatement was completed by Disaster Kleen-up of Nevada on September 14, 2006 at a cost of \$1,276.00 which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Rock landscape (front yard only)	\$1,276.00 ✓
AMOUNT DUE:	\$1,276.00 ✓
Administrative Processing Fee:	\$191.40 ✓
Sub-Total:	\$1,467.40
Reinspection Fees (w/late fees):	\$255.00 144.00
Civil Penalties	\$1,467.40 9150.
TOTAL AMOUNT DUE:	(Minimum) \$3,452.90 2561.40
Daily Civil Penalties (\$7,500.00-15 days)	(Maximum) \$10,952.90
OWNER OF RECORD:	KIONNE JOHNSON
PROPERTY ABATED:	3804 Beacon Point Street
ASSESSOR PARCEL:	138-08-512-099
LEGAL DESCRIPTION:	EL CAPITAN RANCH-UNIT #8
	PLAT BOOK 73 PAGE 4
	LOT 215 BLOCK 2

DSS:ed

+ 3500.
 \$ 6061.40

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 3, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN HARSIN

Consent Discussion

SUBJECT:

Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 3804 Beacon Point Street.
PROPERTY OWNER: KIONNE JOHNSON (\$3,452.90 - General Fund) - Ward 4 (Brown)

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount: \$3,452.90

Funding Source: General Fund

Dept./Division: Neighborhood Services/Neighborhood Response

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 Disaster Kleen-Up of Nevada to install rock landscape in front yard. To date, there have been thirteen (13) inspections conducted at this location. The value of the property based on the sale date of June 2004 was \$625,000.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$3,452.90 (inclusive of \$3,452.90 minimum civil penalties) and discuss assessment of maximum civil penalties in the amount of \$10,952.90 (15 days @ \$500/day = \$7,500.00) 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. Spreadsheet of Fees, Penalties and Abatement
4. Report of Expenses
5. Contractor Disclosure
6. Notice of Public Hearing
7. Chronological List of Events
8. Copy of the Notice and Claim of Lien

Motion made by LARRY BROWN to Approve as Recommended and to include \$3,500 civil



**NOTICE OF PUBLIC HEARING
JANUARY 3, 2007**

LAS VEGAS CITY COUNCIL

**OSCAR B. GOODMAN
MAYOR**

**GARY REESE
MAYOR PRO TEM**

**LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS**

**DOUGLAS A. SELBY
CITY MANAGER**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, January 3, 2007 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris, vegetation (dead, dry & overgrown) and installing rock landscaping on property located at **3804 BEACON POINT STREET**, legally described as **EL CAPITAN RANCH-UNIT #8 PLAT BOOK 73 PAGE 4 LOT 215 BLOCK 2**. Owner of record at time of abatement: **KIONNE JOHNSON - WARD 4 (BROWN)**

The Director of Neighborhood Services certifies in the report that the sum of \$3,197.90 was expended (\$1,276.00 for cleaning of the property by Disaster Kleen-Up of Nevada; \$280.50 for Re-inspection fees; \$191.40 Administrative Processing Fee and \$1,450.00 civil penalties).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS
CITY CLERK**

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

**18112-001-06-05
CLV 7009**

Report Date 01/26/2007 09:17 AM

Submitted By

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Case # 39852

Customer Service
 Service # Problem Resolution Code Resolved Date

No Customer Service Log Entries

Fees	Status	Paid Date	Amount
\$150 CIVIL PENALTY	U		150.00
\$300 CIVIL PENALTY	U		300.00
\$500 (A) CIVIL PENALTY 1ST	U		500.00

Bill #	16546	Bill Date	05/15/2006	Due Date	06/15/2006	Delinquency Date	06/15/2006
INSPECTION FEE				P		06/02/2006 09:22	75.00

Bill #	17946	Bill Date	07/14/2006	Due Date	08/15/2006	Delinquency Date	08/15/2006
REINSPECTION FEE				P		08/09/2006 08:39	45.00

Bill #	18158	Bill Date	08/01/2006	Due Date	08/31/2006	Delinquency Date	08/31/2006
REINSPECTION FEE				U			45.00
REINSPECTION LATE FEE				U			4.50

Bill #	18250	Bill Date	08/01/2006	Due Date	08/31/2006	Delinquency Date	08/31/2006
REINSPECTION FEE				U			45.00
REINSPECTION LATE FEE				U			4.50

Bill #	18849	Bill Date	09/01/2006	Due Date	09/30/2006	Delinquency Date	09/30/2006
REINSPECTION FEE				U			45.00

Bill #	19474	Bill Date	10/01/2006	Due Date	10/31/2006	Delinquency Date	10/31/2006
ABATEMENT COST				U			1276.00
ADMIN FEE				U			191.40

Total Unpaid 2561.40 Total Paid 120.00

Inspections

Inspection # 253308 Inspection Type CODE INITI # 1 Assigned To 983955 Call 04/04/2006 16:32
 Inspected By 983955 Order/Group 0 Scheduled 04/05/2006 16:32 Preference
 Started 04/06/2006 08:30 Completed 04/06/2006 08:40 Status Failed Waived
 Comments

Inspection Details

No Inspection Details

Inspection # 254525 Inspection Type CODE INITI # 2 Assigned To 981876 Call
 Inspected By 981876 Order/Group 0 Scheduled 04/11/2006 07:42 Preference
 Started 04/11/2006 10:35 Completed 04/11/2006 10:40 Status Partial Passed Waived
 Comments

Inspection Details

No Inspection Details

Inspection # 257219 Inspection Type CODE INITI # 3 Assigned To 981876 Call
 Inspected By 981876 Order/Group 0 Scheduled 04/26/2006 00:00 Preference
 Started 04/19/2006 09:47 Completed 04/19/2006 09:50 Status Partial Passed Waived
 Comments

Inspection Details

No Inspection Details

*Reinspection / Insp \$135.00
 Late Fees 9.00
 Civil Pen \$450.00
 1094.00*