



Las Vegas

Agenda Item No.: 94.

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 11, 2007**

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

Consent Discussion

SUBJECT: Public Hearing to consider the report, expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 2700 Brienza Way.
PROPERTY OWNER: SCOTT GREENHUS - Ward 2 (Wolfson)

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount: \$8,075

Funding Source: General Fund

Dept./Division: Neighborhood Services/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 James Burke, Inc. to abate the property. To date, there have been eleven (11) inspections conducted at this location. The value of the property based on the sale date of October 2003 was \$268,000.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$8,075 and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer. 2. Consider the assessment of daily civil penalties in the amount of \$7,000 for a total of \$15,075.

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 STEVE WOLFSON to Approve total abatement of \$15,075

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

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

Minutes:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, explained that the property was a public hazard and an attractive nuisance. When no corrective action was taken, the Department of Neighborhood Services hired James Burke, Inc. to abate the property. The value of the property based on the sale date of October 2003 was \$268,000. He recommended approval of the report of expenses in the amount of \$8,075. He also indicated the Council could impose daily civil penalties from May 10, 2007 to May 23, 2007 for a total of 14 days in the amount of \$7,000.

The property owner was not present.

MR. SMITH informed COUNCILMAN WOLFSON that he had contacted the property owner who stated he was too busy to deal with this situation. MR. SMITH added that this is the second abatement on the property and observed that the property owner appears to not take this mitigation seriously. He explained the penalties have increased because the property has continued to deteriorate.

In response to COUNCILMAN WOLFSON's inquiry as to why the City did not abate the property faster, MR. SMITH explained the time lapse was an effort to work with the property owner. DEPUTY CITY ATTORNEY DAN STUELL pointed out the 11-month time frame covered both abatements and noted that MR. SMITH had appeared before the Council in November 2006 on the first abatement.

In response to further questioning by COUNCILMAN WOLFSON, DEVIN SMITH explained that the trigger for civil penalties is the sixth failed inspection and after the property is abated is the cut-off date. He stated that the civil penalties address both abatements and noted that rock was the approved solution to the front yard abatement.

COUNCILMAN WOLFSON stated he is compassionate for people who fall on hard times, but this property owner clearly has not done his due diligence.

MAYOR GOODMAN declared the Public Hearing closed.