



Las Vegas

Agenda Item No.: 36.

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF NOVEMBER 19, 2008**

**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 located at 1221 Eastwood Drive in the amount of \$11,928.75 (General Fund) and assess a maximum of \$214,500 in daily civil penalties. **PROPERTY OWNERS:** D.C. Mortgage Capital Inc. c/o Americas Servicing Co - Ward 3 (Reese)

Fiscal Impact

- No Impact Augmentation Required
 Budget Funds Available

Amount: \$11,928.75
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 Disaster Kleen-Up of NV. To date, there have been twelve (12) inspections conducted at this location. The value of the property based on the sale date of January 2008 was \$238,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$7,945 invoice for Disaster Kleen-Up of NV services in addition to other fees assessed for a total of \$11,928.75 and consider assessing a maximum of \$214,500 in daily civil penalties.

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 GARY REESE to Approve with fees of \$11,928.75 and civil penalties of \$50,000

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

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Services, read the Purpose/Background and Recommendation sections.

A videotape was shown, but a copy was not submitted.

The property owner was not present.

JOE MAGLIVIA, 4487 East Lane Mead Boulevard, Space 30, questioned the amount of time it takes before the City acquires property. MAYOR GOODMAN responded that due process of law must take place prior to a lien being placed on the property for monies owed to the City. CITY ATTORNEY BRAD JERBIC pointed out that the lien must be satisfied prior to any sale; however, the amount in civil penalties can be negotiated. DEPUTY CITY MANAGER ORLANDO SANCHEZ added that after three years, the property goes on a tax roll; if not paid, Clark County takes ownership and auctions the property. The property would remain vacant during this time. MAYOR GOODMAN agreed with MR. MAGLIVIA that blight is created and funds should be given directly to property owners to avoid foreclosures.

COUNCILMAN REESE thanked staff for their efforts and imposed an additional civil penalty in the amount of \$50,000.

After the vote, MR. SMITH informed COUNCILMAN WOLESON that staff has received increased calls from investors concerning properties with assessed liens. Staff is requesting proposals be submitted detailing how the City of Las Vegas will benefit; thereafter, staff will present any viable proposals to City Council for consideration.

MAYOR GOODMAN declared the Public Hearing closed.