



Las Vegas

Agenda Item No.: 43.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF SEPTEMBER 2, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing to consider the report, expenses to recover costs for abatement of vacant or abandoned dangerous building located at 4745 West Monroe Avenue in the amount of \$2,416 (General Fund) and assess a maximum of \$58,050 in daily civil penalties. PROPERTY OWNER: MICHAEL BARLOW, 4745 West Monroe Avenue, Ward 3 (Barlow)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$2,416

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 American Demolition to secure all doors and windows to City of Las Vegas specifications, remove all windblown trash and debris. To date, there have been seven (7) inspections conducted at this location. The value of the property based on the sale date of June 2009 was \$37,500.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$800 for work completed by American Demolition in addition to other fees assessed for a total of \$2,416 and consider assessing a maximum of \$58,050 in daily civil penalties.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
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 RICKI Y. BARLOW to Approve an Assessment of \$2,416

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Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, gave a brief report of the history and purpose on this item.

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

MICHAEL EVANS was present and explained that he had taken possession of the property in June 2009. He suggested that it would be unfair to hold him accountable for the property's condition prior to his ownership. He explained that he was working to bring the property into compliance with the Code so it could be leased.

MR. SMITH explained that before the City places a lien on the property, a Notice and Order is recorded against the property to inform the property title companies that the City has issues with this property. The Notice and Order has no monetary value and is intended to cloud the title in an effort to warn potential buyers. He stated that the Notice and Order should be included in any title searches and noted that failure to inform buyers of a property's issues was an ongoing problem.

MR. EVANS stated that he was working with the title company who had assured him that the property had a clean title. He suggested that the City was unfairly punishing private citizens and was not equally punitive to banks. He noted that the lack of monetary value for the Notice and Order might prevent its inclusion on a property's title search.

MR. SMITH stated that his office had drafted a letter to the title companies which informed them that they should be revealing the information regarding the Notices and Orders to property owners. That letter had been submitted to the Mayor's Office for his signature. Additionally, staff was working with ASSISTANT CITY ATTORNEY BRYAN SCOTT on ways to ensure that property owners are made aware of the City's actions to address abandoned and blighted properties.

COUNCILMAN BARLOW explained that the City had incurred abatement costs on this property and stated that repayment of those costs would be required. He asked MR. EVANS to meet with staff who would be able to answer his questions and work with him to address this situation.

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ANTHONY HODGES, Las Vegas resident, suggested that there are gaps in the City's property abatement process which need to be addressed.

MAYOR GOODMAN concurred with MR. HODGES and encouraged MR. EVANS to work with the City Attorneys Office, noting the title company may be liable for failure to provide this information regarding the property. He suggested that the City may be dealing with similar situations for the foreseeable future.

MAYOR GOODMAN declared the Public Hearing closed.

