



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF SEPTEMBER 16, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT: Hearing and possible action on a 5-day review for the vacant or abandoned buildings located at 4152 Silver Dollar Avenue Units 2, 4, 5, 6, 7, 4168 Silver Dollar Avenue Units 1-4, 6-8, 4186 Silver Dollar Avenue Units 1-7. PROPERTY OWNERS: RFH LA PAZ LLC - Ward 1 (Tarkanian)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The subject properties were determined to be substandard, dangerous and declared a public nuisance as defined in Las Vegas Municipal Code (LVMC), Title 9.04.020 and Section 202 of the Uniform Housing Code. A Nuisance Housing Code Notice and Order to Comply was mailed to the property owners to correct the nuisance per 9.04 Graffiti, Refuse and Waste, Weeds/Turf; LVMC 13.28 Street Naming and Address Assignment; 16.20 Housing Codes; and Title 19. Today's hearing is a review regarding the status of violations and civil penalties from the Public Hearing item on March 4, 2009 and April 15, 2009.

RECOMMENDATION:

Review status of violations listed in Nuisance Housing Code Notice and Order to Comply mailed on September 11, 2008 and the Notice and Order Regarding Vacant or Abandoned Building mailed on August 11, 2008 and recommends a one year review.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Nuisance Housing Code and Vacant or Abandoned Notice and Orders to Comply dated September 11, 2008 and August 11, 2008
4. Reinspection Report for August 31, 2009
5. Review Hearing Notification Letters

Motion made by LOIS TARKANIAN to Approve subject to conditions and adding the following conditions as read for the record:

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A. The property owner shall pay \$500.00 monthly.

B. There shall be a six-month review.

Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation section.

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

REX HENRIOTT, Managing member of RHI La Paro, not a property owner, appeared and explained that the City initiated action against the previous owner. When he purchased the units, he was aware of such action and recognized the fact that the properties were in disrepair. However, he was not aware of the properties being in foreclosure. As the majority owner, he inherited the leadership role, as none of the co-owners participated in paying these bills. He has worked with City staff, along with COUNCILWOMAN TARKANIAN'S office, and all compliance issues have been resolved. The properties are now up to par with 19 residents.

MR. SMITH acknowledged that MR. HENRIOTT made a payment in the amount of \$500.00, but approximately one million dollars was still owed. Staff's recommendation was to create a monthly payment plan and bring the item back for review within one year.

MR. HENRIOTT requested the Council waive the civil penalties, considering the monies he has spent in revitalizing the property. He was open to making monthly payments but was not financially able to make payments exceeding \$500.00. He gave a brief history of what transpired prior to and when he took over as manager of the subject property. He rebutted and informed the Council that the two aforementioned items by MR. SMITH have been corrected.

COUNCILWOMAN TARKANIAN explained for COUNCILMAN BARLOW that the amount owed is over one million dollars; however, she reduced it by 50 percent only due to the extreme difficulty in getting the improvements done. There was also a very ill individual residing in one of the units that needed repairs.

MR. SMITH noted there are two minor items that need to be addressed, dealing with clean up and backflow preventer on the sprinkler system, but are not costly repairs. MAYOR

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GOODMAN noticed the property was nice and MR. HENRIOTT compliance, aside from the two minor repairs.

MR. SMITH informed COUNCILMAN ROSS that the abatement and fees owed to the City is over \$30,000.00. Given the current economy, the Councilman understood MR. HENRIOTT'S situation and could not support assessing the astronomical penalties.

MALCOLM PEREZ stated that while MR. HENRIOTT owned the property from September through November, there were many residents left without gas and water. He was advised in a previous meeting to make a substantial payment, yet he made only one \$500.00 payment the day before this meeting. MR. HENRIOTT has voted himself as President and is listed as all board members. He has yet to produce the financial records as requested and he continues to utilize two laundry rooms on site as storage.

MR. HENRIOTT responded to COUNCILWOMAN TARKANIAN'S queries by stating there are five association members but he was the only member that paid the reinstatement fees, and he has provided the financial documents as requested. MR. SMITH acknowledged that MR. HENRIOTT is currently reforming the association and there is a timeframe for him to get this resolved and conduct meetings. The Councilwoman noticed in the pictures shown that the trees are cut down and there is debris between the buildings that needs to be picked up. CITY ATTORNEY BRAD JERBIC confirmed to the Councilwoman that once the assessment/fines are collected, the monies are placed into the General Fund and cannot be used for repairs, etc. MR. HENRIOTT stated he charged \$450.00 monthly for homeowners association fees. He added that he has made sign improvements, the signs were turned back because they were dead and the property is no longer an eyesore.

COUNCILMAN WOLFSON verified with CITY ATTORNEY JERBIC that the City has no jurisdiction relative to the homeowners association and rules. The attorney recommended leaving the civil penalties intact as leverage.

COUNCILWOMAN TARKANIAN desired to create a \$500.00 monthly payment plan with a six-month review.