



Las Vegas

Agenda Item No.: 34.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF NOVEMBER 4, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT: Public Hearing to consider a request for a waiver and/or reduction of abatement costs, daily civil penalties and accrued interest for the properties located North of Oakey Boulevard on the East side of Buffalo Road (APN 163-03-201-003, APN 163-03-201-004 and APN 163-03-201-005) for a total of \$67,789.01. **PROPERTY OWNER:** J & D FINANCIAL SERVICES INC - Ward 2 (Wolfson)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division: Neighborhood Services/Neighborhood Response Division

PURPOSE/BACKGROUND:

Today's hearing is a request from J & D Financial Services Inc to consider a request for a waiver and/or reduction of civil penalty fees imposed on the parcels at the City Council meeting on November 5, 2008 in the amount of \$76,789.01. The cases were generated on February 12, 2008 and were in violation of Las Vegas Municipal Code (LVMC) 9.04 Nuisance. The properties were abated on July 24, 2008 and liens recorded at Clark County recorders office on November 18, 2008.

RECOMMENDATION:

No recommendation.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Spreadsheet of Charges Accrued
4. Notice of Public Hearing
5. Notification of Hearing Letter
6. Notice and Orders

Motion made by STEVE WOLFSON to Approve an assessment of \$10,295.00 which is due by December 15, 2009 and waive the civil penalties

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

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

NOTE: Subsequent to the meeting fees in the amount of \$10,295 were paid and the case was closed.

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

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

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, appeared on behalf of the property owner and explained that his client is in the process of obtaining the property through foreclosure. Once the deed is obtained and the applicant is legally permitted to be on site, he will ensure the property is maintained. ATTORNEY KAEMPFER requested the civil penalties be reduced and that the amount be due by December 15, 2009. MAYOR GOODMAN verified with MR. SMITH and ATTORNEY KAEMPFER that upon the City receiving the payment, the lien will be released.

TODD FARLOW asked if the property owners made any attempt to modify the loan. MAYOR GOODMAN replied that the property is not a home but vacant land.

ANTHONY HODGES commented that it would be beneficial for the neighborhood to sell the property and derive the tax revenue.

At COUNCILMAN WOLFSONS request, additional photos of the subject site were shown. He asked staff what the nuisance pertain to and the amount of the abatement. MR. SMITH responded that the site had dry vegetation, trash and debris. The abatement cost was \$10,295.00, excluding staff time. The property owner was not responsive to the notices that were sent out. ATTORNEY KAEMPFER informed the Councilman that the current owner has first deed of trust. He will sign the deed over to his client, who will then make the necessary improvements. COUNCILMAN WOLFSON verified with ATTORNEY KAEMPFER his request to waive the \$65,000.00. ATTORNEY KAEMPFER was confident that his client should have legal ownership within the next 60 days. If not, the property will foreclose and his client will acquire the property.

MAYOR GOODMAN declared the Public Hearing closed.