



Las Vegas

Agenda Item No.: 56.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 6, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing to consider the report, expenses to recover costs for nuisance abatement regarding dangerous building located at 224 Theresa Avenue in the amount of \$2,559.25 (General Fund) and assess a maximum of \$32,550 in daily civil penalties. PROPERTY OWNER: JOSEPH ALONSO GARCIA - Ward 3 (Reese)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$2,559.25

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 Weaver Construction to board outer doorway entrance, rear door, water heater door, and hole in residence, secure any open doors, remove all trash, debris, and cut any high vegetation. To date, there have been six (6) inspections conducted at this location. The value of the property based on the sale date of August 2006 was \$235,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$855 invoice for Weaver Construction services in addition to other fees assessed for a total of \$2,559.25 and consider assessing a maximum of \$32,550 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 GARY REESE to Approve an assessment of \$2,559.25 and civil penalties of \$32,550

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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)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

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

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

The property owner was not present.

ANTHONY HODGES, Las Vegas resident, opined the reason the property owner is not present could be that he does not read English.

TODD FARLOW, Las Vegas resident, asked if an ordinance was adopted where structures could remain boarded for only a certain period of time. DEPUTY CITY ATTORNEY DAN STILL replied that the ordinance has been in place since 2005, but he is not aware how it applies to this particular property. MR. FARLOW acknowledged that due to the poor housing market, many people are becoming homeless. People should not have to live near a boarded home. MAYOR GOODMAN stated that on these boarded up homes, after a certain period of time, the City should have the right to sell them, destroy them or give them to someone who is homeless.

COUNCILMAN REESE asked how long a house can remain boarded. DEPUTY CITY ATTORNEY STILL replied that the property owner should provide the City with a long-term plan of his/her intention for the property. A lien imposed by the City is equivalent to a County tax lien, and it must follow the same tax lien rules as it relates to foreclosures. He referred to a meeting scheduled with the County Recorder, the Treasurer and City staff to discuss this process. Additionally, the solution given by the legislature is very difficult to enforce. The City should look into other alternatives for a lien process because the current process is not feasible or practical when it comes to attempting some type of foreclosure action.

MAYOR GOODMAN remarked that everything is different now. He directed the City Attorney's office to draft a bill to resolve this issue. These homes are blighting neighborhoods without collecting any money.

COUNCILMAN REESE verified with DEPUTY CITY ATTORNEY STILL that staff is trying to schedule a meeting with the County within the coming week. The Councilman stated that the City is not closer today than it was 15 years ago, other than being able to assess civil penalties, which have been difficult to recover.

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The Councilman chose to assess the fee as recommended by staff, including the maximum amount of civil penalties. Hopefully, one day the City would be able to forgive a portion of the fees if the property owner agrees to maintain the property.

COUNCILWOMAN TARKANIAN verified with MR. SMITH that inspections on a property are usually done a week apart.

MAYOR GOODMAN declared the Public Hearing closed.

