



*Las Vegas*

Agenda Item No.: **62.**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF FEBRUARY 17, 2010**

**DEPARTMENT:** NEIGHBORHOOD SERVICES  
**DIRECTOR:** STEPHEN KUHARSIN

☐ Consent ☒ Discussion

**SUBJECT:** Public Hearing to consider a request for a waiver and/or reduction of fees for the property located at 2020 Brienza Way in the amount of \$8,405.00. PROPERTY OWNER: YBERTCO LLC - Ward (Wolfson)

**Fiscal Impact**

☐ No Impact ☐ Augmentation Required  
☐ Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:** Neighborhood Services/Response

**PURPOSE/BACKGROUND:**

Today's hearing is a request from R. F. Levine, Agent/Purchaser, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting(s) on November 15, 2006 and July 11, 2007 total of \$16,926.85. The case was generated on June 22, 2006. There were two abatements conducted on this property one on May 23, 2007 and the second on August 25, 2006. The lien(s) were recorded at Clark County recorders office on January 25, 2007 and September 13, 2007. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Application dated May 28, 2009 on behalf of agent/purchaser, R. F. Levine requesting the civil penalties be waived.

**RECOMMENDATION:**

No recommendation.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Request for Waiver and Reduction Application
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Hearing Notification Letter

Motion made by STEVE WOLFSON to Approve an assessment of \$1,405.00 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)

## CITY COUNCIL MEETING OF: February 17, 2010

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, briefly summarized the Purpose/Background Section. Since assessing the fines, staff has had very little cooperation from the property owner. The property owner is requesting a waiver in the amount of \$16,926.85, and staff has received payments totaling \$8,521.85. The balance owed is \$8,405.00, of which \$7,000.00 is the daily civil penalties.

COUNCILMAN WOLFSON confirmed with MR. SMITH that when the fines were assessed in 2006 and 2007, the civil penalties were inclusive of that amount. There is an outstanding balance on the abatement fees, which is \$1,405.00. The Councilman also discussed with MR. SMITH the delay in staffs response to the request for the waiver, which was dated in May 2009. MR. SMITH explained that there was not a policy in place regarding waiving civil penalties, and staff was somewhat behind on some of their work flows with City Council meetings. Staff is now up to date, and a procedure is in place, so that these requests can be presented to the Council in a timely manner, approximately within 60-90 days.

ROBERT F. LEVINE, Officer of the Team Realty Company LLC stated the property was purchased in 2009. The property is still in rental, but the rental amount only covers the mortgage, taxes and maintenance. Over \$2000.00 has been spent to clean up and upgrade the home, and initially, they were not aware of the lien. Upon notification of such lien, a prompt payment of approximately \$8,500.00 was made. COUNCILMAN WOLFSON confirmed that the renter has been diligent in maintaining the property, and MR. LEVINE assured the Council he will do his best to maintain a renter and keep the property in good condition. Given the number of foreclosures the city is experiencing and having to address new issues, MR. LEVINE understood staffs delay in responding to his request.

COUNCILMAN WOLFSON decided upon waiving the civil penalties but believed it was fair to recoup the balance on the Citys abatement costs of \$1,405.00. MR. LEVINE agreed and it was decided that he could pay this amount in one full payment, within 30 days, as he requested. ASSISTANT CITY ATTORNEY BRYAN SCOTT confirmed with COUNCILMAN WOLFSON that if payment is not made within 30 days, further proceedings could occur, as understood by MR. LEVINE.

MAYOR GOODMAN declared the Public Hearing closed.