



Las Vegas

Agenda Item No.: 65.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 3, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT: Public Hearing to consider the report, expenses to recover costs for abatement of nuisance located at 1128 Lucille Street in the amount of \$3,085.90 (General Fund) and assess a maximum of \$49,050 in daily civil penalties. **PROPERTY OWNER:** CLARA M DOUGLAS - Ward 3 (Reese)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$3,085.90

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 remove all trash and debris, remove any high or dead vegetation on all yards and any area bordering property, paint over graffiti anywhere on property, secure and board any unsecured windows, doors, openings to City of Las Vegas specifications, any boarded doors and windows re-boarded to specifications, repair wrought iron perimeter fence, replace as needed and secure side gates, prune palm fronds and any other vegetation blocking public sidewalk, post No Trespass sign, remove beehive from property, board up extra window. To date, there have been seven (7) inspections conducted at this location. The value of the property based on Zillow.com is \$40,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$1,226 invoice for American Demolition services in addition to other fees assessed for a total of \$3,085.90 and consider assessing a maximum of \$49,050 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

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Motion made by GARY REESE to Approve a lien in the amount of \$3,085.90 and waive the civil penalties; assessed fees to be paid upon close of escrow

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, paraphrased the Purpose/Background and Recommendation Sections. He explained that the property owner is in an assisted living care facility and unable to maintain the property. However, a family member has been in communication with staff and given the situation, the City was given permission to proceed with the abatement.

A videotape was shown but a copy was not submitted and was not read.

JOHN HILL, the property owner, stated he has been guardian for over two years. If approved, he understands that a lien will be placed on the home for the abatement and other related costs. He has a buyer for the subject property and believes close of escrow should take place by April 7, 2010; it is his intention to pay any outstanding debt from the sale.

TODD FARLOW discussed with MAYOR GOODMAN the frustration of no existing statutory limit for how long these homes can be boarded up.

ANTHONY HODGES recognized the efforts of MR. HILL.

MR. SMITH gave COUNCILMAN REESE staff's recommendation of placing the lien on the property for the abatement costs, payable to the City of Las Vegas upon close of escrow, and waive the daily civil penalties, which the Councilman supported. MR. HILL agreed with the resolution.

Regarding foreclosed properties, ASSISTANT CITY ATTORNEY BRYAN SCOTT discussed with MAYOR GOODMAN that the City of Las Vegas would have to purchase the property at fair market value and then demolish the property. The purchase would have to be for a public use and cannot be given to a private entity.

MAYOR GOODMAN declared the Public Hearing closed.