



Las Vegas

Agenda Item No.: 75.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 21, 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 1728 Pyramid Drive in the amount of \$6,200.02 (General Fund) and assess a maximum of \$207,050 in daily civil penalties. PROPERTY OWNER: WILLIE B JAQUESS - Ward 5 (Barlow)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$6,200.02

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 NDX, LLC to remove all trash and debris including combustible waste matter, combustible fibers, combustible liquids from all ingress and egress areas of property and six months later hired Lunas Construction to remove all trash, debris, and stored items from all areas of property. To date, there have been nine (9) inspections conducted at this location. The estimated value of the property based on Zillow.com is \$145,500.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$2,392.02 invoice for NDX, LLC and \$238.50 invoice for Lunas Construction in addition to other fees assessed for a total of \$6,200.02 and consider assessing a maximum of \$207,050 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

Motion made by RICKI Y. BARLOW to Hold in abeyance Items 75 and 76 to 6/2/2010

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 75 and 76.

After DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation Sections for Item 75, DEPUTY CITY ATTORNEY DAN STILL advised the Council that the subject two properties currently have pending cases within the Municipal Court. As a result, he did not believe the Council had any authority to impose fines and suggested striking the items or holding them in abeyance until a final judgment has been made on both cases.

A video was shown for Item 75 but a copy was not submitted.

DEPUTY CITY ATTORNEY STILL believed the hearing date for the items will be in June, so COUNCILMAN BARLOW decided to hold the items in abeyance until the court makes its ruling on both cases.

Regarding Item 75, TODD FARLOW conferred with MR. SMITH that the property has been cleaned up.

Upon COUNCILMAN WOLFSON'S queries concerning the pending cases, DEPUTY CITY ATTORNEY STILL relayed to him that the City of Las Vegas (City) is the plaintiff. The property owner has delayed the proceedings due to some misrepresentations. Under the Nevada Revised Statutes, Chapter 5, the courts have the authority over civil action, and the City had an option to pursue the matters legally by filing the lawsuit and chose to do so.

Referring to the video shown for Item 75 and the property's current condition, MR. SMITH clarified that due to the pending case, the City is prohibited from being within 10 feet of the property. In addition, there were some items that could not be removed due to a court order.

ANTHONY HODGES pointed out that some of the properties are old, and when times get tough, a bad situation gets worse.

MAYOR GOODMAN declared the Public Hearing closed for Items 75 and 76.