



Las Vegas

Agenda Item No.: 55.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 19, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance regarding dance hall building located at 5112 Overland Avenue in the amount of \$15,841.75 General Funds and assess a maximum of \$72,550 in daily civil penalties. PROPERTY OWNERS: TRUSTEE CLARK COUNTY TREASURER C/O FREMONT SWIM CLUB INC - Ward Tarkanian

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount: \$15,841.75

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 demolish all structures and walls, remove all material, demolish pools and fill in, install temporary fencing and no trespassing signage, and in compliance with Clark County Health regulations (bid must include asbestos removal) hired CamAir for the asbestos survey. To date, there have been six (6) inspections conducted at this location. The estimated value of the property based on Zillow.com is not available.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$12,500 invoice for American Demolition services and \$425 invoice for CamAir in addition to other fees assessed for a total of \$15,841.75 and consider assessing a maximum of \$72,550 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 LOIS TARKANIAN to Approve an assessment of \$15,841.75 and waive the civil penalties

CITY COUNCIL MEETING OF: MAY 19, 2010

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 Mayor confirmed that the applicant or a representative was not present.

MR. SMITH explained that a homeowners association existed at one time but is no longer in force. In essence, the property is vacant and lacks maintenance. DEPUTY CITY ATTORNEY DAN STILL added that the Clark County Treasurer is now involved, being that the taxes have not been paid and the redemption period has expired. It appears that the deed has been filed in the Treasurer's name.

ANTHONY HODGES stated that when properties are in disarray, the title company appears to remove themselves from the situation. He hopes the City will be able to recoup their expenses once the property is sold.

TODD FARLOW thanked the Council and staff for their efforts in resolving these types of situations.

For MAYOR GOODMAN, DEPUTY CITY ATTORNEY STILL explained that a lien will ultimately be recorded against the property, which will secure the City's interest. Through the attorney, COUNCILMAN WOLFSON clarified that upon filing the lien assessment, the City pays four percent of that amount, which is a one-time fee. The Councilman commended DEPUTY CITY ATTORNEY STILL for his efforts in researching this issue, and he believed the City will be prudent when processing these assessments, and subsequent waivers given the portion that would be due up front by the City. MR. SMITH suggested not assessing any civil penalties, which can be advantageous in getting the property sold.

COUNCILWOMAN TARKANIAN recalled some history on this property and preferred assessing only the abatement costs. She did not believe that fault should be placed upon the residents since the homeowners association was dissolved.

MAYOR GOODMAN declared the Public Hearing closed.