



Las Vegas

Agenda Item No.: 81.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT: Public Hearing and possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 225 W. Cleveland Avenue in the amount up to \$106,000. **PROPERTY OWNERS:** OXFORD TECHNOLOGY INC. - Ward 3 (Reese)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Today's hearing is a request from Bruce Stoker, Manager for Frias Real Estate on behalf of Oxford Technology Inc., owner to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on November 19, 2008.. The case was generated on January 18, 2006. There was an abatement conducted on this property on September 17, 2008. The lien was recorded at Clark County recorders office on December 8, 2008. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Applications dated on April 27, 2010 on behalf of the owner, Oxford Technology, Inc. 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. Notice of Public Hearing

Motion made by GARY REESE to Approve civil penalties in the amount of \$10,000.00, payable within 30 days

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

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

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

LISA MORRIS HIBBLER, Deputy Director of Neighborhood Services, paraphrased the Purpose/Background Sections and noted the abatement fees totaled \$5,088.25 and \$100,000.00 in daily civil penalties. To date, the applicant has made a payment to the County Treasurer in the amount of \$5,663.41, which included the amount for the abatement. In addition, the property was demolished and the lot is vacant. Staff recommended assessing 10 percent of the daily civil penalties in the amount of \$10,000.00 payable within 30 days; if not, the original lien will remain in effect.

BRUCE STOKER, 3010 South Bronco Street, appeared on behalf of the property owner and explained how the property was acquired through a Quit Claim Deed. He gave a brief account of how he became aware of the abatement fees, which was on April 23, 2010. MR. STOKER used the overhead to show photos of the subject area and the specific areas owned by the property owner. He spoke briefly on the owners investment in this area and their reputation for buying properties and taking immediate action to rectify their condition and lessen the problems that arise from abandoned properties.

MS. HIBBLER discussed with COUNCILMAN WOLFE the issue concerning when staff is notified of a trustee sale. She explained that the notice does not entail the outstanding amount. The City is not always notified but if so, staff contacts the number on the notice and inform the company of any outstanding fees. The Councilman suggested having the City notified every time there is a trustee sale, so the City can notify potential new buyers and perhaps negotiate prior to any sale. MAYOR GOODMAN doubted that the potential new owner would buy the property if aware of a lien, but MR. STOKER responded that the owner would have purchased the property even knowing there was an outstanding lien.

The Council discussed this ongoing issue and how the City can be more proactive in assisting the potential buyers and avoid having to incur costs. DEPUTY CITY ATTORNEY DAN STILL pointed out that the City has no authority to require notification of trustee sales; however, legislature can be done to impose such notification.

ATTORNEY MICHAEL BROOKS, Board of Directors of the United Trustees, informed the Council of the trustee sale process. The trustee sale includes a date down which includes additional liens recorded on the property. He reiterated MS. HIBBLER'S explanation of City procedure upon such notice, which is a positive mechanism for the City. However, he felt that doing more would be imposing and feared that the City would be overwhelmed with many notices of foreclosures.

MR. STOKER suggested placing a notice on the properties informing the public of outstanding fees. This property owner has purchased 22 properties and would like to acquire more, especially if the subject fines could be reduced.

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COUNCILMAN REESE chose to support staffs recommendation and assess 10 percent of the daily civil penalties.

MAYOR GOODMAN declared the Public Hearing closed.

