

AGENDA SUMMARY PAGE CITY COUNCIL MEETING OF: APRIL 6, 2011

DEPARTMENT: BUILDING AND SAFETY

DIRECTOR: CHRIS KNIGHT

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 3332 Mariner Bay Street in the amount of \$5,278.75 (General Fund) and assess a maximum of \$48,550 in daily civil penalties. PROPERTY OWNER: BANK HSBC USA NA TRS - Ward 2 (Wolfson)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount: \$5,278.75

Funding Source: General Fund

Dept./Division: Building and Safety/Neighborhood Response

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Building and Safety declared the property in violation and started legal notification. When no corrective action was taken nor an appeal, the Department of Building and Safety hired American Demolition to remove all trash and debris, and cut/remove all high weeds and grass from all areas, and apply herbicide. To date, there have been ten (10) inspections conducted at this location. The estimated value of the property based on Zillow.com is \$186,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$705 invoice for American Demolition in addition to other fees assessed for a total of \$5,278.75 and consider assessing a maximum of \$48,550 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
8. Submitted at Meeting Site Photos by Staff and Article by Todd Farlow

Motion made by STEVE WOLFSON to Approve an assessment of \$5,278.75 and civil penalties of \$20,000

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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, Neighborhood Response Manager, submitted site photos for the record, read the Purpose/Background Sections and Recommendation. He noted that the bank was notified by Certified Mail twice but staff received no response. The prior property owner was also notified four times but did not respond.

TODD FARLOW, Las Vegas resident, submitted an article regarding banks and their handling of foreclosures.

COUNCILMAN WOLFSON was concerned by the process and how long it takes to bring a case to a complete resolution. This particular case began with a citizens complaint on April 7, 2010 and the abatement took place five months after the complaint as well as how long after it has taken to assess monies to recoup costs and potentially impose civil penalties. MR. SMITH explained that once staff is made aware the foreclosure process has begun and a bank is identified, that bank is contacted. As far as assessing monies, there is a backlog of cases and only three or five items are brought forward at a time. It would take an entire afternoon to catch up with all the cases. COUNCILMAN WOLFSON indicated his willingness to hear all the cases in one day in order to catch up. He asked to be briefed on the entire process because the timeframe between the complaint, the abatement and the time assessing monies is too long. COUNCILWOMAN TARKANIAN asked that she be briefed as well.

MR. SMITH indicated that the bank would be responsible for the assessment of \$5,278.75 or the new owner, if there was no title search in conjunction with a sale.

MAYOR GOODMAN declared the Public Hearing closed.