

AGENDA SUMMARY PAGE CITY COUNCIL MEETING OF: MAY 4, 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 1311 South 11th Street in the amount of \$5,411 (General Fund) and assess a maximum of \$33,550 in daily civil penalties. PROPERTY OWNER: ELVIA FELIX VARGAS - Ward 3 (Reese)

Fiscal Impact

No Impact

Budget Funds Available

Amount: \$5,411

Funding Source: General Fund

Dept./Division: Building and Safety/Neighborhood Response

Augmentation Required



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 filed, the Department of Building and Safety hired Lunas Construction to board all open doors and windows, remove all non-permitted sheds and exterior accessory structures, remove all trash and debris, cut and remove all high grass and weeds, and secure gate on south side of property. To date, there have been ten (10) inspections conducted at this location. The estimated value of the property based on Zillow.com is \$73,500.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$820 invoice for Lunas Construction in addition to other fees assessed for a total of \$5,411 and consider assessing a maximum of \$33,550 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

Motion made by GARY REESE to Approve an assessment of \$5,411.00 and waive the civil penalties

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Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

DEVIN SMITH, Neighborhood Response Manager, submitted site photos for the record, read the Purpose and Background Sections and recommended assessing \$2,411.00 for the abatement and \$33,550.00 in civil penalties. He added that new owner purchased the property and plans to reside there. An inspection was conducted since the purchase and found that the property was cleaned, painted and secured. The new property owner is asking that the City Council consider waiving the civil penalties.

HARMAND VARGAS FELIX, the homeowner's son, indicated that when the property was in escrow the title was clear of any liens.

MAYOR PRO TEM REESE declared the Public Hearing closed.

