

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 18, 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 Bonanza Road and 13th Street (APN 139-35-111-002) in the amount of \$3,190.50 (General Fund) and assess a maximum of \$29,050 in daily civil penalties. PROPERTY OWNER: 513 N 13TH LLC C/O M DEMICH - Ward 5 (Barlow)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$3,190.50

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 Weaver Construction to remove all trash, public graffiti, dead vegetation, and high weeds and grass from vacant lot. To date, there have been nine (9) inspections conducted at this location.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$710 invoice for Weaver Construction in addition to other fees assessed for a total of \$3,190.50 and consider assessing a maximum of \$29,050 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
8. Submitted at Meeting Site Photos by Staff

Motion made by RICKI Y. BARLOW to Approve an assessment of \$3,190.50 and civil penalties of \$2,905.00

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 69-71.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and recommended assessing fees for APN 139-35-111-022 for a total of \$3,190.50 and civil penalties in the amount of \$29,050.00, APN 139-35-111-003 fees for a total of \$4,154.50 and civil penalties in the amount of \$31,050.00, APN 139-35-111-004 fees for a total of \$4,135.75 and civil penalties in the amount of \$31,050.00.

LIZ THOMPSON, Desert Realty, appeared on behalf of the property owner and indicated that her client alleges he never received the first notice. On behalf of her client, she asked the Council to consider settling in the amount of \$2,972.00 to cover the demolition expenses.

MR. SMITH verified that the property owner signed for the notification letters.

COUNCILMAN BARLOW refused to accept the amount specified by the property owner. ASSISTANT CITY ATTORNEY BRYAN W. COFF indicated that the total amount of fees for the three parcels was \$11,420.75.

TODD FARLOW, Las Vegas resident, stated that whoever was responsible for tearing down the structures once housed on the lots performed a service to the City. MR. SMITH could not verify for COUNCILMAN BARLOW whether the house was demolished by the City.

COUNCILMAN BARLOW appreciated MS. THOMPSON offering the settlement amount but he felt the City could not afford to lose these costs. Therefore, on Items 69-70, he imposed fees as recommended by staff, including ten percent daily civil penalties on each item.

MAYOR GOODMAN declared the Public Hearing closed for Items 69-71.