

AGENDA SUMMARY PAGE CITY COUNCIL MEETING OF: JUNE 1, 2011

DEPARTMENT: BUILDING AND SAFETY

DIRECTOR: CHRIS KNIGHT

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 674 East Oakey Boulevard in the amount of \$3,002 (General Fund) and assess a maximum of \$37,550 in daily civil penalties. PROPERTY OWNER: DRU A HICKS - Ward 3 (Reese)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$3,002

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 board all open doors and windows, remove all sheds, trash, debris, high grass and weeds, and dead vegetation. To date, there have been five (5) inspections conducted at this location. This item was held in abeyance at the May 13, 2011 City Council meeting.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$1,760 invoice for Weaver Construction in addition to other fees assessed for a total of \$3,002 and consider assessing a maximum of \$37,550 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. Abeyance Request by Christopher Legal Group
9. Submitted at Meeting Site Photos by Staff
10. Rescheduled Hearing Notification

Motion made by GARY REESE to Approve civil penalties in the amount of \$3,755.00

CITY COUNCIL MEETING OF: JUNE 1, 2011

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 PRO TEM REESE declared the Public Hearing open.

While DEVIN SMITH, Manager of Neighborhood Response, reviewed the background of the case, photos of the property were shown on the overhead. MR. SMITH stated that all expense fees had been paid and recommended assessing 10 percent of the maximum civil penalties.

SHAWN CHRISTOPHER, acting on behalf of the owner, stated that the property was surrendered to the bank during bankruptcy proceedings in 2009, and requested a waiver of all civil penalties levied against DRU HICKS.

MR. SMITH stated that the management company handling the bank's properties is good with paying assessments and maintaining properties.

COUNCILMAN REESE recommended assessing 10 percent of the maximum civil penalties.

MAYOR PRO TEM REESE declared the Public Hearing Closed.

