

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

DEPARTMENT: BUILDING AND SAFETY

DIRECTOR: CHRIS KNIGHT

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 104 Joyce Way in the amount of \$3,013 (General Fund) and assess a maximum of \$39,550 in daily civil penalties. PROPERTY OWNER: JOSE & ESMERALDA ZAMORA - Ward 1 (Tarkanian) NOTE: The correct amount of costs is \$2,063]

Fiscal Impact

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No Impact

☐ Augmentation Required

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Budget Funds Available

Amount: \$3,013

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 Lunas Construction to remove all trash, brush, high or dead vegetation, and demolish storage shed. To date, there have been seven (7) inspections conducted at this location. The estimated value of the property based on Zillow.com is \$105,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$880 invoice for Lunas Construction in addition to other fees assessed for a total of \$3,013 and consider assessing a maximum of \$39,550 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. Liens of Assessment
8. Submitted at Meeting Site Photos by Staff

Motion made by LOIS TARKANIAN to Approve an assessment of \$2,063 for expenses and \$12,000 in civil penalties, totaling \$14,063

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Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, CAROLYN G. GOODMAN, STEVEN D. ROSS, STAVROS S. ANTHONY, BOB COFFIN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, asked DEPUTY CITY ATTORNEY DAN STILL to discuss new legislation affecting how the City processes civil penalty liens.

MAYOR GOODMAN received clarification from DEPUTY CITY ATTORNEY STILL that the Council will receive notification regarding the current lien status on properties.

While MR. SMITH reviewed the Purpose/Background of the item, photos of the property were shown on the overhead.

MAYOR GOODMAN asked about liability in the case of a lien. SMITH stated that he assumed the bank or owner would be responsible. He also stated that property liens are added to the tax roll and paid to the City once property taxes have been paid.

TODD FARLOW, Las Vegas resident, stated his disappointment with DEPUTY CITY ATTORNEY STILL's statements. He also requested that the tree be kept alive instead of posting trespassing signs. MR. SMITH responded that the City would not seek to prosecute neighbors for trying to keep landscaping alive.

ANTHONY HODGES, Las Vegas resident, stated that new state laws are only serving to penalize and cripple citizens instead of banks or corporations and the lien business is rude.

MR. SMITH confirmed for COUNCILWOMAN TARKANIAN that the property is in foreclosure proceedings and that the bank will be responsible for all fees, penalties and liens. He also identified the estimated property value of \$105,000, and stated the property still looks good after the abatement.

MAYOR GOODMAN declared the Public Hearing closed.