

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 19, 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 2100 Cedar Avenue for fees in the amount of \$2,562 (General Fund) and assess a maximum of \$24,500 in daily civil penalties. PROPERTY OWNER: JOSE LUIS & ALMA I MARTINEZ - Ward 3 (Coffin)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount: \$2,562

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 filed, the Department of Building and Safety hired Weaver Construction to board all open doors and windows, remove all non-permitted construction to include accessible stucco detached enclosure in rear yard, remove all trash, debris, dead vegetation, high grass and weeds, 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 \$35,100.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$1,080 invoice for Weaver Construction, \$162 administrative fee, and \$1,320 in reinspection fees (including late fees) for a total of \$2,562 to be recorded immediately, and consider assessing a maximum of \$24,500 in daily civil penalties to be recorded on or after July 9, 2012.

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 Liens
8. Submitted after Final Agenda Site Photos by Staff



Agenda Item No.: 73.

OF: OCTOBER 19, 2011

Motion made by BOB COFFIN to Approve an assessment of \$2,562 in expense fees plus \$74,500 in civil penalties

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

TODD FARLOW, LOIS TARKANTIAN, STEVE WOLFSON, CAROLYN G. GOODMAN, STAVROS, ANTHONY, STEPHEN, BOB COFFIN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

While WICKI OZUNA, Senior Code Enforcement Officer, reviewed the purpose and background of the item, photos of the property were shown. She confirmed for COUNCILMAN COFFIN that the property appears to be in foreclosure with MTS Financial and that numerous attempts to contact both the owner and the financial institution were to no avail.

MAYOR GOODMAN received confirmation from DEPUTY CITY ATTORNEY DAN STILL that the status of the foreclosure does not affect the City's ability to place a lien against the property. He also stated that his understanding is that MTS Financial is just a servicer and not the underlying finance company.

COUNCILMAN COFFIN questioned the validity of this particular foreclosure, but still believes that the property owner has a responsibility to maintain the property. MAYOR GOODMAN wondered how to serve notice to someone that cannot be found, but DEPUTY CITY ATTORNEY STILL pointed out that according to the notes ANNA MARTINEZ, property owner, called and left a phone number in addition to the message that they no longer owned the property.

TODD FARLOW, Las Vegas resident, voiced his agreement and appreciation of COUNCILMAN COFFIN'S comments.

MAYOR GOODMAN received confirmation from MS. OZUNA that the property value according to Zillow is \$35,200

JOE MAVIGLIA, Las Vegas resident, stated how easy it is to blame the homeless for blight when there are numerous underlying causes.

MAYOR GOODMAN declared the Public Hearing closed.