

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 16, 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 1707 Santa Paula Drive for fees in the amount of \$3,850 (General Fund) and assess a maximum of \$23,500 in daily civil penalties. PROPERTY OWNER: SANTA PAULA DRIVE TRUST - Ward 2 (Coffin)

Fiscal Impact

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No Impact

☐ Augmentation Required

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Budget Funds Available

Amount: \$3,850

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 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 not available.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$2,200 invoice for Weaver Construction, \$330 administrative fee, and \$1,320 in reinspection fees (including late fees) for a total of \$3,850 to be recorded immediately, and consider assessing a maximum of \$23,500 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 at Meeting - Site Photos by Staff

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Motion made by BOB COFFIN to Approve the assessment of \$3,730 in expense fees which includes a waiver of \$120 in late fees, and imposing the civil penalties if the expense fees are not paid within 30 days

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

While MICHAEL BOUSE, Code Enforcement Manager, reviewed the purpose and background of the item, photos of the property were shown on overhead monitor. The major cross streets near the property are Las Vegas Boulevard and Oakey Boulevard and the approximate property value according to Zillow is \$156,700.

EDDIE HADAD, property owner, stated he secured the property and had been told by TONY GUARINO, Senior Code Enforcement Officer, that there was no accrual of civil penalties. He requested a reduction of expense fees and the removal of civil penalties and confirmed he was aware of the abatement process but the City's abatement in this case was extremely limited.

COUNCILMAN WOLFSON was concerned with the inconsistency between MR. HADAD'S and the City's claims of removing the nuisance.

MR. BOUSE reviewed a breakdown of expenses for COUNCILMAN COFFIN and clarified there are no post-abatement charges. He asked the Councilmembers to consider a condition that would impose the civil penalties in full if the assessed hard costs are not paid within 30 days. MR. HADAD confirmed for the Mayor this timeline would not present a problem for him.

ANTHONY HODGES, Las Vegas resident, voiced his support of the motion.

COUNCILMAN ROSS thanked MR. HADAD for taking the time to appear before Council.

MAYOR GOODMAN declared the Public Hearing closed.