



Las Vegas

Agenda Item No.: 49.

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 7, 2017**

**DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO**

Consent Discussion

SUBJECT:
BEYAN ITEM - Public Hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling \$23,296.50 in out of pocket costs and \$39,000 in civil penalties, for a total of \$62,696.50 recorded against the property located at 1025 Bedford Road - PROPERTY OWNER: GOLDIE COMODARELLI - Ward 1 (Tarkanian)

Fiscal Impact

- No Impact
- Budget Funds Available
- Augmentation Required

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

Today's hearing is a request from Matt DiNofia of La Jolla Development, owner, to consider a request for a waiver and/or reduction of fees imposed on the parcel at the Code Enforcement Hearings on December 29, 2015 and March 29, 2017. There were two abatement actions conducted on this property November 16, 2015 and February 15, 2017. The liens were recorded at Clark County Records Office on January 26, 2016 for \$9,431 in out-of-pocket-costs, and on July 5, 2016 for \$19,500 in daily civil penalties. The third lien was recorded at Clark County Records Office on April 20, 2017 for \$4,265.50 in out-of-pocket-costs, and approved for \$19,500 in daily civil penalties to be assessed against the property by recording a lien on or after August 14, 2017. Planning received a Request for Waiver and/or Reduction of Civil Penalties Application dated March 23, 2017 from Matt DiNofia of La Jolla Development, owner, requesting the civil penalties be waived.

RECOMMENDATION:

That the City Council deny the request for a waiver and/or reduction of fees.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Case Information
3. Backup Submitted from the May 17, 2017 City Council Meeting

Motion made by LOIS TARKANIAN to Approve the previously assessed out-of-pocket expense costs of \$13, 696.50 and \$3,900 in daily civil penalties for a total of \$17,596.50, to be paid within 30 days

CITY COUNCIL MEETING OF: JUNE 7, 2017

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

VICKI OZUNA, Code Enforcement Supervisor indicated this item was a request from the current property owner for a waiver of fees and civil penalties. There are two abatements with fees and civil penalties that are outstanding on the property. The total out-of-pocket costs are \$13,696.50, and the total outstanding daily civil penalties are \$39,000 for a grand total of \$52,696.50. The new property owner is requesting a waiver of the hard cost and civil penalties and interest that has been assessed against the property. Staff recommended denial of the request.

ATTORNEY BRYAN VIELLION, Kaempfer Crowe, appeared on behalf of the new property owner. The owner purchased the property at a trustee sale on March 21st without knowledge of the liens; and ATTORNEY VIELLION requested a waiver of 90 percent of the fines. He has also agreed to pay the hard costs. The property owner has done extensive work on the property including the installation of a new door and 20 tons of rock, painted the front facade, and has covered the weeds with tarp so they do not grow back. ATTORNEY VIELLION met with COUNCILWOMAN TARKANIAN to discuss plans for putting in new counter tops and windows.

In response to COUNCILWOMAN TARKANIAN'S query, MS. OZUNA stated that with the 90 percent reduction in fees and the added hard costs, the amount the owner would pay is \$17,596.50.

COUNCILWOMAN TARKANIAN asserted she would honor the request as the lien has not been recorded with Clark County. She felt significant progress has been made on the property.

MAYOR GOODMAN declared the Public Hearing closed.