

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 1, 2006

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 6390 W. Ann Road.

PROPERTY OWNER: COX FAMILY TRUST ETAL - COX ORLO E JR TRS – Ward 6 (Ross)

C.H. Construction, LLC completed work on January 3, 2006 at a cost of \$2,269.00, plus a 15% administrative fee, for a total of \$2,609.35.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Nuisance, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: January 17, 2006
Re: Report of Expenses for the abatement of Nuisance located at 6390 W. Ann Road - Ward 6 (Ross)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, litter (including all landscaping debris, piled bricks, cement, asphalt), vegetation from the vacant lot and right-of-way and posting No Trespassing, No Dumping signs on site. C.H. Construction, LLC completed work on January 3, 2006 at a cost of \$2,269.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Refuse/Waste/Trash/Debris/Litter Removal (including all landscaping debris, piled bricks, cement and asphalt)	\$1,300.00
Vegetation Removal	\$869.00
Posting Signs	\$100.00
AMOUNT DUE	\$2,269.00
Administrative Processing Fee:	\$340.35
TOTAL AMOUNT DUE:	\$2,609.35
OWNER OF RECORD:	COX FAMILY TRUST ETAL ORLO E. COX JR, TRS
PROPERTY ABATED:	6390 W. Ann Road
ASSESSOR PARCEL:	125-35-501-001
LEGAL DESCRIPTION:	PARCEL MAP FILE 18 PAGE 64 LOT 1

DSS:jl

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of K.O. CONSTRUCTION INC and all persons and entities holding more than a 1% interest in [Contracting Entity] or any principal of [Contracting Entity] are the following: K.O. CONST INC K.O. CONSTRUCTION INC

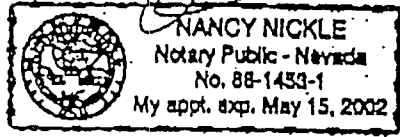
FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOPE	LAS VEGAS, NV 89139	
3. ROSE KOPE		
4.		
5.		
6.		

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

[Contracting Entity] K.O. CONSTRUCTION INC
By: [Signature]

Subscribed and sworn to before me this 27 Day of October 1999.
Nancy Nickle
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING FEBRUARY 1, 2006

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, February 1, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris, litter (including all landscaping debris, piled bricks, cement and asphalt), vegetation from the vacant lot and right of way, and posting "No Trespassing, No Dumping" signs on property located at **6390 WEST ANN ROAD** legally described as **PARCEL MAP FILE 18 PAGE 64, LOT 1** Owner of record at time of abatement: **COX FAMILY TRUST ETAL ORLO E. COX JR. TRS - WARD 6 (ROSS)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,609.35 was expended (\$2,269.00 for cleaning the property by C.H. Construction LLC; and \$340.35 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



Address: 6390 W ANN RD



This empty lot is across the street from the callers home. It used to be kept up and clean, now it is a mess. Weeds are out of control and it needs to be cleaned up. Constituent Mary Carmody 655-4183 would like the empty lot across the street from her home (5513 Mustang, LV, NV) cleaned up. Lots of weeds making the area an eye sore. The lot is at the intersection of Jones/Mustang.

Parcel(s)

Parcel: 12535501001 **Size:** 3.73 ACRE **Subdivision Name:** PARCEL MAP FILE 18 PAGE 64

Owner Information:

10-Aug-02 16-Dec-04 COX FAMILY TRUST ETAL
6280 W DEERSPRINGS; LAS VEGAS, NV 89131

16-Dec-04 COX FAMILY TRUST ETAL
3700 MEADE AVENUE; LAS VEGAS, NV 89102-7894

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
982400	Failed		9/12/2005	09/15/2005 9:50	09/15/2005 9:53	3
982400	Passed	Partial	9/29/2005	09/28/2005 13:35	09/28/2005 13:38	3
982400	Passed	Partial	10/12/2005	10/07/2005 12:42	10/07/2005 12:43	1
982400	Passed	Partial	11/14/2005	11/29/2005 12:09	11/29/2005 12:13	4
982400	Passed	Partial	12/9/2005	12/12/2005 10:22	12/12/2005 10:23	1
940274	Passed		12/13/2005	01/09/2006 10:30	01/09/2006 10:40	10
<i>Time in Minutes:</i>						22

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-REFUSE/WST	11/9/2005	1/9/2006	VACANT LOT
REMOVE ALL REFUSE AND WASTE			
A-WEEDS	11/9/2005	1/9/2006	VACANT LOT
REMOVE ALL HIGH/DRY VEGETATION FROM ALL YARDS			

Log

Type:	Date:	Employee:	Min:
MEET	1/17/2006 11:37:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on February 1, 2006.			
LETTER	1/17/2006 11:37:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense ltr and memo mailed to property owner both certified and regular mail.			
MISC	1/10/2006 2:42:00 PM	KATHY STEWART	0
Sent invoice (\$2,269) from CH Construction to Finance for payment. Sent file to Jessica Larramendy for Council.			
VDPST	1/9/2006 10:30:00 AM	VICKI OZUNA	10
19) Post abatement video completed. Email to KS with okay to pay.			
MISC	1/3/2006 10:12:00 AM	KATHY STEWART	0
Received Invoice (\$2,269) from C.H. Construction, LLC, for completion of abatement to property. E-mail #19 this information.			

VIDPRE	12/27/2005 7:30:00 AM	VICKI OZUNA	15
19) Pre abatement video, completed.			
FAX	12/22/2005 10:23:00 AM	KATHY STEWART	0
Per fax from C.H. Construction, start date for abatement will be 12/26/05. E-mailed this information to #19 & #24			
BIDA	12/21/2005 1:29:00 PM	KATHY STEWART	0
Faxed Award letter for for abatement of property to C.H. Construction. Contractor has has 5 days to call with start date.			
DIRECT	12/20/2005 3:44:00 PM	KATHY STEWART	0
Per Devin Smith, Award abatement to low bidder, C.H. Construction.			
EMAIL	12/14/2005 11:06:00 AM	KATHY STEWART	0
Emailed Devin Smith to proceed with abatement, award. Waiting his reply.			
INSP	12/12/2005 10:22:00 AM	LYNN NIHIPALI	1
16)NOTHING DONE, PROCEED PLEASE, CB 12/13			
MISC	12/8/2005 3:42:00 PM	KATHY STEWART	0
Sent signed Certified Card from owner to #16 to file.			
NTCABT	11/29/2005 12:09:00 PM	LYNN NIHIPALI	4
16)POSTED ON POLE (UNDER ORIGINAL NOTICE AND ORDER)			
INSP	11/29/2005 12:09:00 PM	LYNN NIHIPALI	4
16)NO CHANGES, 12/09			
NOTICE	11/28/2005 9:00:00 AM	KATHY STEWART	10
Sent Ten (10) Day Notice Before Abatement letter to owner. POST: 11/29. C/B: 12/9. Sent file to #16			
BIDR	11/28/2005 8:00:00 AM	KATHY STEWART	0
Bids received from contractors (1) C.H. Construction-\$2,269; (2) Weaver Construction-\$4,525; (3) CLV RRT-\$8,675			
BIDS	11/15/2005 2:09:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB, Friday, November 18, 2005.			
INSP	11/9/2005 2:20:00 PM	LYNN NIHIPALI	5
16) NEW PHOTOS TAKEN, PROCEED WITH ABATEMENT. CB 11/14/05			
PHONE	11/8/2005 7:24:00 AM	LYNN NIHIPALI	1
16)LEFT MESSAGE ON VOICEMAIL OF KEN COX TO CONTACT ME CONCERNING THIS PROPERTY. CB 11/9, IF NO CONTACT, PROCEED WITH ABATEMENT.			
PHONE	11/1/2005 9:25:00 AM	LAURA DEARMOND	0
rec'd another complaint about high vegetation			
PHONE	10/10/2005 9:38:00 AM	LYNN NIHIPALI	2
16) SPOKE WITH BROTHER AT 876-5952, SAID OWNER IS OUT OF COUNTRY, WILL BE BACK 10/25. ASKED THAT HE HAVE HIM CALL BY 10/26 OR I WILL HAVE TO PROCEED WITH ABATEMENT. CB 10/26			
INSP	10/7/2005 12:42:00 PM	LYNN NIHIPALI	1
16)NOTHING HAS BEEN DONE, WILL TRY TO FIND A NUMBER, IF NOT, PROCEED WITH ABATEMENT. CB 10/21			
RECORD	9/30/2005 12:57:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated September 23, 2005. Recorded in Book: 20050930 Inst: 06276			
NOPOST	9/28/2005 1:35:00 PM	LYNN NIHIPALI	3
16)POSTED ON POLE IN VACANT LOT			
INSP	9/28/2005 1:35:00 PM	LYNN NIHIPALI	3
16)NO CHANGE CB 10/12			
NOTICE	9/23/2005 1:50:00 PM	KATHY STEWART	10
Sent Nuisance Notice & Order to Comply letter to owner. POST: 9/26. C/B: 10/7. Sent file to #16. N&O letter attached in OLE			
MISC	9/23/2005 1:34:00 PM	MARIA VIGIL	0
WEB:Large, noxious weeds growing in the vacant lot at the southeast corner of Ann Road/Torrey Pines Drive. These approximately 5ft tall Russian Thistle weeds in the north end of this vacant lot, near the s/walk, are creating a traffic hazard.			
NOREQ	9/21/2005 11:20:00 AM	LYNN NIHIPALI	6
16) NOTICE AND ORDER PREPARED AND FORWARDED TO 24			

CASENO 34416 CODEENF

01719-25

INSP 9/15/2005 9:50:00 AM LYNN NIHIPALI 3

16)TOOK NEW PIX, CB 9/29

INSP 9/12/2005 11:20:00 AM LYNN NIHIPALI 14

16) SOME HIGH WEEDS BLUE P/U SALE. PIX, SPOKE TO COMPLAINANT, GAVE NUMBER TO PARKING ENF FOR WHEN SHE SEES VEHICLES FOR SALE ON LOT. CB 9/26

Time in minutes: 92

APN 125-35-501-001
Ref # 34416

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: COX FAMILY TRUST ETAL
ORLO E. COX JR, TRS
(Reputed Owner(s)) at time of abatement.


Assessor's Parcel No.: **APN 125-35-501-001**
Commonly known as: **6390 WEST ANN ROAD**
Legal Description: **PARCEL MAP FILE 18**
PAGE 64 LOT 1

On **January 3, 2006**, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$2,609.35** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **February 1, 2006**, ordered the above charges in the amount of **\$2,609.35**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

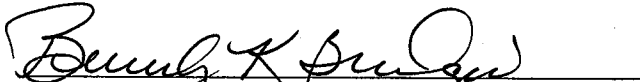

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

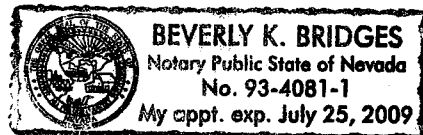
STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 7th day of February, 2006


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101