

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 1, 2006**

**DEPARTMENT: Neighborhood Services**

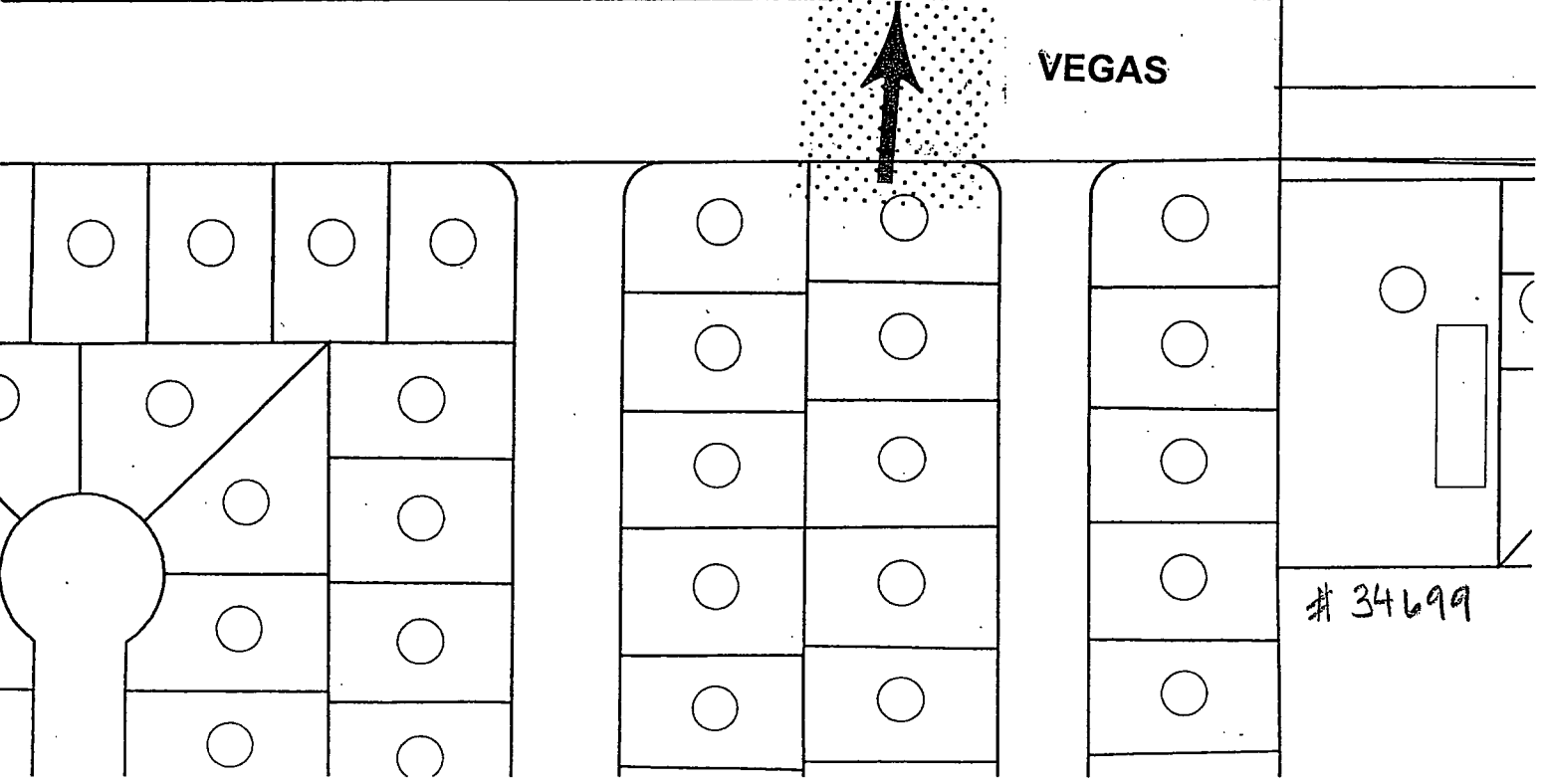
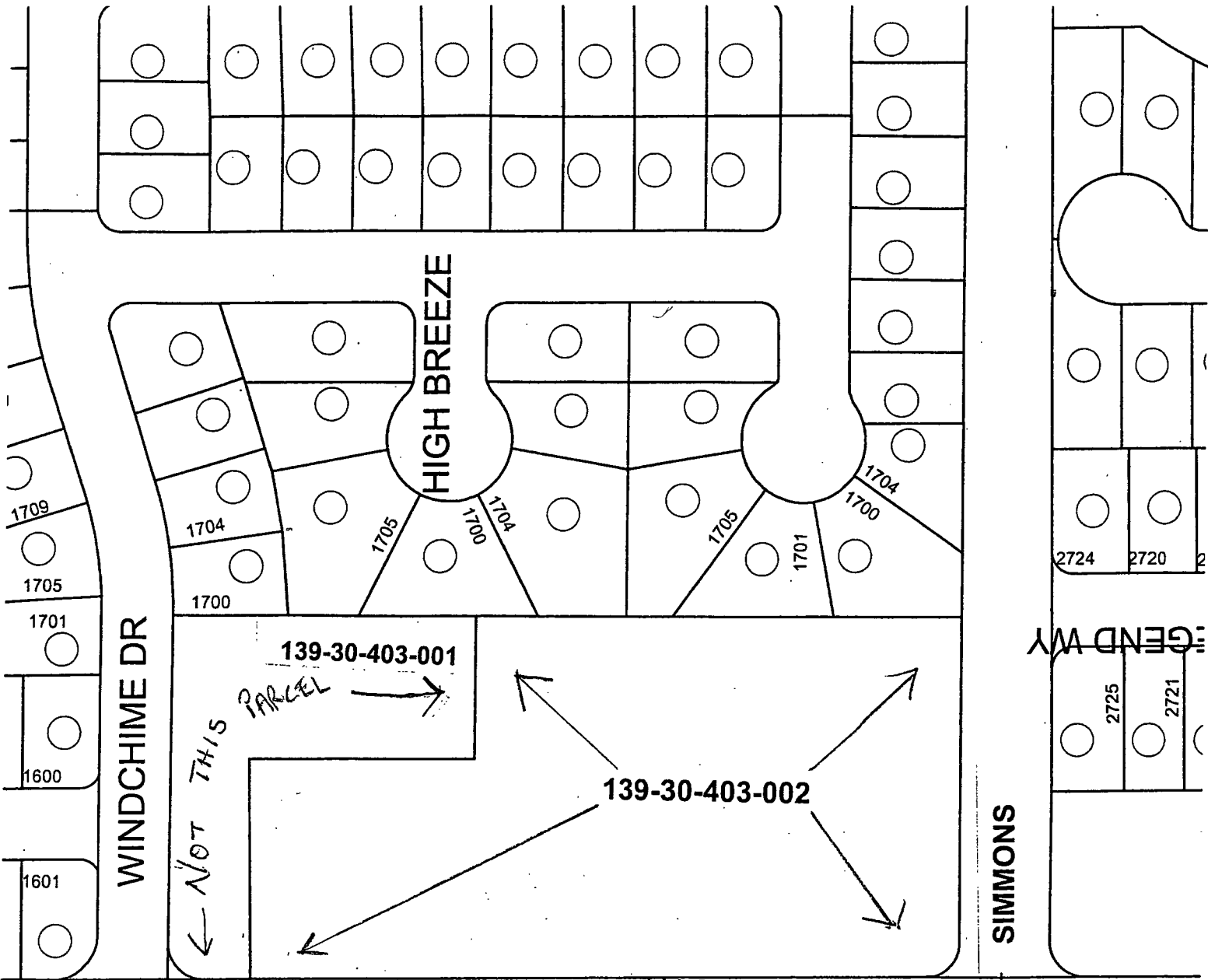
**ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at Vacant lot Northwest corner Simmons Street and Vegas Drive - APN: 139-20-403-002. PROPERTY OWNER: SIETE SUERTE LLC – Ward 5 (Weekly)**

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C.H. Construction, LLC completed work on December 16, 2005 at a cost of \$7,969.00, plus a 15% administrative fee, for a total of \$9,164.35.

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 Vacant lot Northwest corner of Simmons Street and Vegas Drive – APN: 139-20-403-002 - Ward 5 (Weekly)

*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 discarded fencing, scattered litter, trash, debris from vacant lot and along perimeter fence lines, all overgrown, weeds, grass, vegetation exceeding 8 inches in height and any dead vegetation from vacant lot and along perimeter fence lines. Repair or replace deteriorated broken perimeter chain link fence, and post No Trespassing, No Dumping signs on site. C.H. Construction, LLC completed work on December 16, 2005 at a cost of \$7,969.00, which was accepted by the Department of Neighborhood Services.

<b>Contract Amount Breakdown:</b>	
Remove discarded fencing, scattered litter, trash and debris from vacant lot and along perimeter fence lines	\$2,500.00
Remove all overgrown weeds/grass/vegetation exceeding 8 inches in height and remove any dead vegetation from vacant lot and along perimeter fence lines	\$2,869.00
Repair/replace deteriorated/broken perimeter chain link fence	\$2,500.00
Posting Signs	\$100.00
<b>AMOUNT DUE</b>	<b>\$7,969.00</b>
Administrative Processing Fee:	\$1,195.35
<b>TOTAL AMOUNT DUE:</b>	<b>\$9,164.35</b>
<b>OWNER OF RECORD:</b>	SIETE SUERTE LLC
<b>PROPERTY ABATED:</b>	VL NW corner of Simmons Street and Vegas Drive
<b>ASSESSOR PARCEL:</b>	139-20-403-002
<b>LEGAL DESCRIPTION:</b>	PARCEL MAP FILE 57 PAGE 90
	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

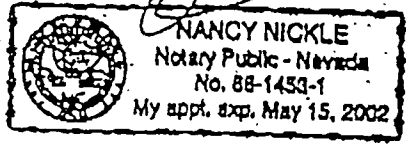
FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOPE	LAS VEGAS, NV 89139	
3. ROSE KOPE		
4.		
5.		
6.		

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 29 Day of October, 1999.  
Nancy Nickle  
Notary Public





## 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:

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

Abatement of the property by removing discarded fencing, scattered litter, trash, debris from vacant lot and along perimeter fence lines, all overgrown weeds, grass, vegetation exceeding 8 inches in height and any dead vegetation from vacant lot and along perimeter fence lines; repair or replace deteriorated broken perimeter chain link fence, and posting "No Trespassing, No Dumping" signs on property located at **VACANT LOT – NORTHWEST CORNER SIMMONS STREET AND VEGAS DRIVE (APN 139-20-403-002)** legally described as **PARCEL MAP FILE 57 PAGE 90, LOT 1** Owner of record at time of abatement: **SIETE SUERTE LLC – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$9,164.35 was expended (\$7,969.00 for cleaning the property by C.H. Construction LLC; and \$1,195.35 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.

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009

BARBARA JO RONEMUS  
CITY CLERK

Parcel: 13920403002



NORTH WEST CORNER OF SIMMONS/VEGAS

V-LOT, FENCE HALF DOWN, T/D ALONG FENCELINE, WEEDS

*Parcel(s)*

*Owner Information:*

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**Inspection Summary**

<i>Inspector:</i>	<i>Status:</i>		<i>Scheduled DT:</i>	<i>Start Dt:</i>	<i>Comp DT:</i>	<i>Min:</i>
860034	Failed		9/20/2005	09/20/2005 11:40	09/20/2005 11:50	10
970581	Passed	Partial	9/26/2005	09/26/2005 15:41	09/26/2005 15:45	4
970581	Failed		10/7/2005	10/07/2005 6:55	10/07/2005 7:04	9
880076	Passed	Partial	10/31/2005	10/19/2005 10:32	10/19/2005 10:38	6
940274	Passed		1/9/2006	01/04/2006 7:00	01/04/2006 7:05	5
<i>Time in Minutes:</i>						<b>34</b>

**Violation Details**

<i>Violation</i>	<i>Violation DT</i>	<i>Resolve DT</i>	<i>Location:</i>
A-REFUSE/WST	9/20/2005	1/4/2006	REMOVE DISCARDED FENCING, SCATTERED LITTER, TRASH AND DEBRIS
A-GEN NUISAN	9/20/2005	1/4/2006	REPAIR/REPLACE DETERIORATED/MISSING CHAIN-LINK FENCE
A-WEEDS	9/20/2005	1/4/2006	CUT/REMOVE HIGH WEEDS

**Log**

<i>Type:</i>	<i>Date:</i>	<i>Employee:</i>	<i>Min:</i>
MEET	1/17/2006 12:51:00 PM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on February 1, 2006.			
LETTER	1/17/2006 12:50:00 PM	JESSICA LARRAMENDY	0
JL) Report of expense ltr and memo mailed to property owner both certified and regular mail. Second address mailed to: Adam Patel, 10001 Peaceway, Unit #2198, Las Vegas, NV 89147			
INSP	1/4/2006 7:00:00 AM	JESSICA LARRAMENDY	5
19) Fence is now installed at property. Case is closed.			
MISC	12/29/2005 9:00:00 AM	VICKI OZUNA	10
19) Same conditions, cb 1/4			
VIDPST	12/20/2005 9:00:00 AM	VICKI OZUNA	1
19) Checked property, no fence, videoed lot clean. Left message for CH Construction advising to contact me when fenced. Emailed Kathy lot not complete do not pay.			
MISC	12/16/2005 11:00:00 AM	KATHY STEWART	0
Received invoice (\$7,969) from C.H. Construction. E-mailed #19 & #24 this information.			
MISC	12/13/2005 2:41:00 PM	KATHY STEWART	0
Received fax from C.H. Construction confirming start date (12/12/05) for abatement.			
VIDPRE	12/12/2005 2:00:00 PM	VICKI OZUNA	1
19) Pre-abatement video completed.			

EMAIL	12/12/2005 8:40:00 AM	KATHY STEWART	0
Per #24, C.H. Construction will start abate on vacant lot today. #19 will pre-video.			
BIDA	12/8/2005 2:39:00 PM	KATHY STEWART	0
Faxed Award letter to contractor, C.H. Construction. Contractor has 5 days to call with start date. Notified #19 & #24.			
DIRECT	12/8/2005 1:22:00 PM	KATHY STEWART	0
Per Devin Smith, Proceed with Abatement, award to lowest bidder, C.H. Construction.			
MISC	11/28/2005 3:23:00 PM	KATHY STEWART	0
Sent e-mailed to Devin Smith asking if he wanted me to Proceed with Abatement - Award.			
INSP	11/3/2005 1:20:00 PM	GERALD GUZMAN	5
27)FENCE REMOVED,POLES REMAIN.WEEDS,TRASH AND DEBRIS ALSO REMAIN.PROCEED W/ABATEMENT,REFER TO24			
MISC	10/26/2005 3:35:00 PM	LAURA DEARMOND	0
REC'D CERT CARD FROM OWNER & SENT CARD TO C/E OFFICE			
NOPOST	10/19/2005 10:32:00 AM	MICHAEL WAKE	6
23) NO COMPLIANCE, POSTED N&O C/B 10/31			
NOTICE	10/17/2005 1:39:00 PM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER			
BIDR	10/17/2005 1:23:00 PM	LAURA DEARMOND	0
REC'D BIDS 1.C.H. CONSTRUCTION \$7969 2.CLV/RRT \$10,775			
BIDS	10/11/2005 11:45:00 AM	LAURA DEARMOND	0
faxed bid to contractors, due back 10-14			
INSP	10/7/2005 6:55:00 AM	ROBERT KAEMPFER	9
26) No improvement in property, took pixs, continue abatement, cb 10-14			
MISC	10/4/2005 8:20:00 AM	LAURA DEARMOND	0
REC'D CERT CARD FROM OWNER & SENT CARD TO C/E OFFICE			
RECORD	9/30/2005 12:50:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated September 23, 2005. Recorded in Book: 20050930 Inst: 06263			
INSP	9/26/2005 3:41:00 PM	ROBERT KAEMPFER	4
26) No improvement in lot, posted N&O on fence, took pixs, cb 10-7			
NOTICE	9/23/2005 11:32:00 AM	LAURA DEARMOND	0
SENT N&O TO OWNER			
INSP	9/20/2005 11:40:00 AM	GERALD GUZMAN	10
27)VERIFIED.TEMP CHAIN-LINK FENCE PARTIALLY DOWN.HIGH WEEDS,TRASH AND DEBRIS ON VACANT LOT.SEND N&O,REFER TO 24,CALL BACK10/3			

*Time in minutes:* 51

APN 139-20-403-002  
Ref # 34699

**NOTICE AND CLAIM OF LIEN OF ASSESSMENT**

**TO: SIETE SUERTE LLC**  
**(Reputed Owner(s)) at time of abatement.**

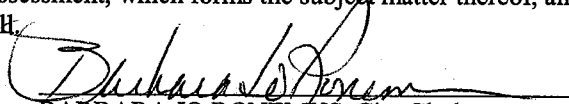
Assessor's Parcel No.: **APN 139-20-403-002**  
Commonly known as: **VACANT LOT - NW CORNER  
OF SIMMONS STREET &  
VEGAS DRIVE**  
Legal Description: **PARCEL MAP FILE 57  
PAGE 90 LOT 1**

On December 16, 2005, 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 \$9,164.35 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 \$9,164.35, 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.

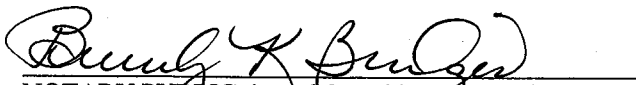
  
BARBARA JO RONEMUS, City Clerk  
400 Stewart Avenue  
Las Vegas, NV 89101 - (702) 229-6311

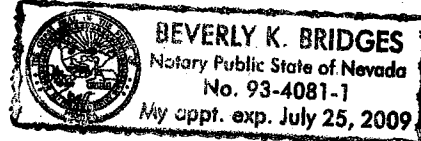
STATE OF NEVADA )  
                                  )  
COUNTY OF CLARK)

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 7<sup>th</sup> 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**