

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 3, 2006

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 5433 Flora Spray Street. PROPERTY OWNER: GREG E. VINCENT – Ward 6 (Ross)

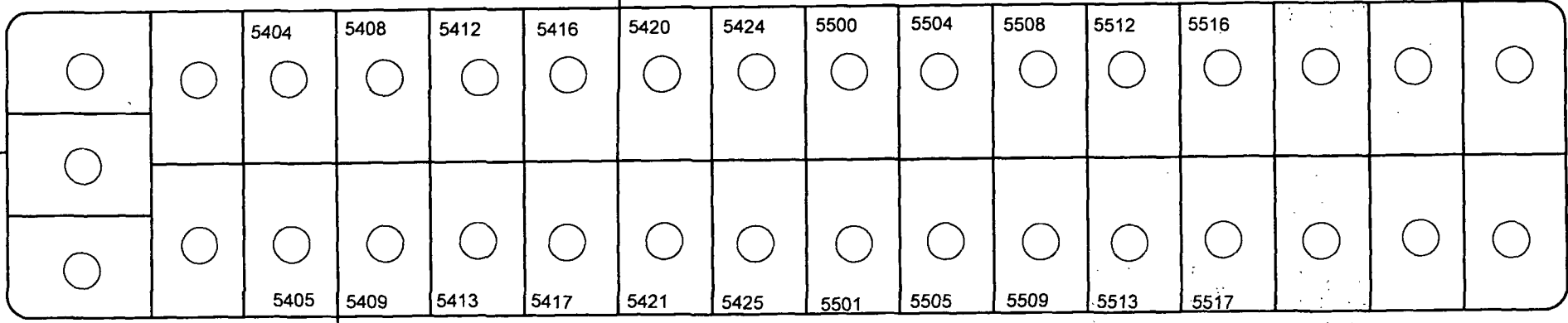
C.H. Construction, LLC completed work on March 3, 2006 at a cost of \$3,799.00; reinspection fees in the amount of \$132.00; plus a 15% administrative fee, for a total of \$4,500.85.

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 Dangerous, Vacant or Abandoned Building, 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.

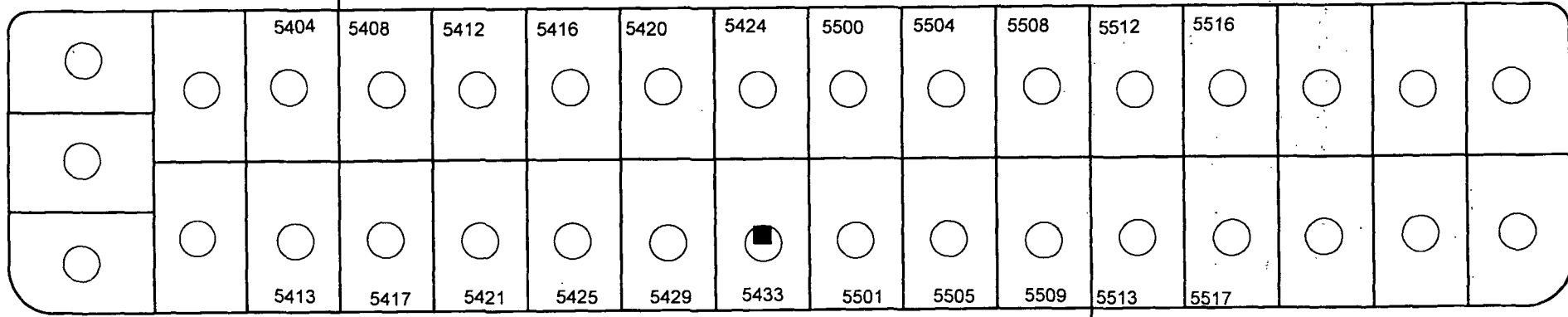
If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of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

E

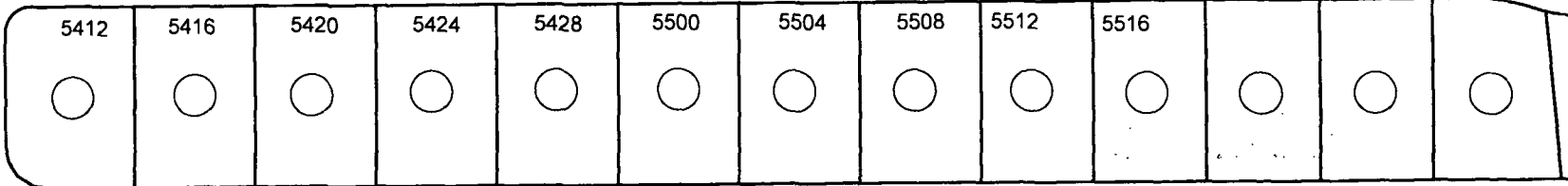
GOLDBRUSH ST



CARNATION MEADOW ST



FLORA SPRAY ST



RAINBOW BLVD

5425

5435

5445

5455

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: April 5, 2006

Re: Report of Expenses for the abatement of Vacant or Abandoned Building at 5433 Flora Spray Street - 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 "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, vegetation (dead/dry/overgrown), drain stagnant water from swimming pool, securing structure (front door and rear slider only) and posting No Trespassing, No Dumping, No Vehicle signs on site. The abatement was completed by C.H. Construction, LLC on March 3, 2006 at a cost of \$3,799.00 which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Secure Structure	\$150.00
Refuse/Waste/Trash/Debris/Litter Removal	\$1,849.00
Removal of dead/dry/overgrown Vegetation	\$1,200.00
Drain stagnant water from pool	\$500.00
Posting Signs	\$100.00
AMOUNT DUE:	\$3,799.00
Reinspection Fees:	\$132.00
Administrative Processing Fee:	\$569.85
TOTAL AMOUNT DUE:	\$4,500.85
OWNER OF RECORD:	GREG E. VINCENT
PROPERTY ABATED:	5433 Flora Spray Street
ASSESSOR PARCEL:	125-34-514-025
LEGAL DESCRIPTION:	TIERRA VISTA EST-UNIT 4
	PLAT BOOK 70 PAGE 40
	LOT 86 BLOCK 6

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

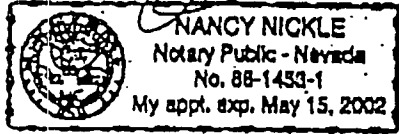
FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOPF	LAS VEGAS, NV 89139	
3. ROSE KOPF		
4.		
5.		
6.		

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 21 Day of October 1999.
Nancy Nickle
Notary Public



**NOTICE OF PUBLIC HEARING
MAY 3, 2006**



Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, May 3, 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 refuse, waste, trash, debris, vegetation (dead/dry/overgrown) drain stagnant water from swimming pool, securing structure (front door and rear slider only) and posting "No Trespassing, No Dumping and No Vehicle" signs on property located at **5433 FLORA SPRAY STREET** legally described as **TIERRA VISTA EST-UNIT 4 PLAT BOOK 70 PAGE 40 LOT 86 BLOCK 6** Owner of record at time of abatement: **GREG E. VINCENT - WARD 6 (ROSS)**

The Director of Neighborhood Services certifies in the report that the sum of \$4,500.85 was expended (\$3,799.00 for cleaning the property by C.H. Construction, L.L.C.; \$132.00 for Re-inspection fees; and \$569.85 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

18112-001-08-05
CLV 7009

Address: 5433 FLORA SPRAY ST

CITZ

ABANDONED HOUSE IN DISREPAIR. LOOKS AWFUL

Parcel(s)

Parcel:	Size:	Subdivision Name:
12534514025	0.14 ACRE	TIERRA VISTA EST-UNIT 4

Owner Information:

10-Aug-02	22-Oct-03	MARTINEZ JOEL D & MICHELLE L 5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840
22-Oct-03	21-Jul-04	FITCH JOHN 8861 WINTER SKY ; LAS VEGAS, NV 89148-1203
21-Jul-04	28-Jul-04	LUNA SCOTT 7632 EMINENCE CT; LAS VEGAS, NV 89131
28-Jul-04	23-Dec-04	LUNA SCOTT 7632 EMINENCE CT; LAS VEGAS, NV 89131-8224
23-Dec-04	29-Dec-04	LUNA SCOTT 5433 FLORA SPRAY ST; LAS VEGAS, NV 89130
29-Dec-04	21-Apr-05	LUNA SCOTT 5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840
21-Apr-05	13-Oct-05	THOMPSON LARRY D 5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840
13-Oct-05		VINCENT GREG E 5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
981876	Failed		1/5/2006	01/06/2006 12:28	01/06/2006 12:34	6
981876	Failed		1/23/2006	01/24/2006 12:27	01/24/2006 12:32	5
981876	Passed	Partial	1/27/2006	02/10/2006 15:57	02/10/2006 16:00	3
981876	Failed		2/21/2006	02/21/2006 14:14	02/21/2006 14:18	4
870076	No Action		2/23/2006			

Time in Minutes: 18

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-MITIGATION	1/5/2006		PROPERTY SUBMIT FOR APPROVAL AND ADHERE TO A MITIGATION PLAN.
A-INTENT LTR	1/5/2006		PROPERTY SUBMIT A LETTER OF INTENT
A-LITTER	1/5/2006		PROPERTY REMOVE ALL LITTER FROM THE PROPERTY
A-POOL	1/5/2006		REAR YARD REMOVE ALL STAGNANT WATER FROM POOL IN R/Y
A-BLD DNGR	1/5/2006	1/24/2006	PROPERTY SECURE PROPERTY TO CLV SPECS

A-BLD VACANT 1/24/2006 PROPERTY

MAINTAIN PROPERTY SECURE AND CLEAN.

Log

Type:	Date:	Employee:	Min:
LETTER	4/5/2006 10:00:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense ltr and memo mailed to property owner both certified and regular mail.			
MEET	4/5/2006 10:00:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on May 3, 2006.			
MISC	3/24/2006 2:39:00 PM	KATHY STEWART	0
Sent Certified letter from owner, Return to Sender, Unclaimed, to Jessica to file.			
MISC	3/22/2006 7:40:00 AM	KATHY STEWART	0
Sent invoice (\$3,799) from C.H. Construction, LLC to Finance for payment; gave file to Jessica Larramendy for Council.			
MISC	3/15/2006 9:02:00 AM	KATHY STEWART	0
Waiting for Devin Smith approve Oracle			
MISC	3/14/2006 4:23:00 PM	KATHY STEWART	0
Received Revised Invoice (\$3,799) from C.H. Construction.			
VIDPST	3/8/2006 12:39:00 PM	KELLY OLIVERIUS	6
30)PER EMAIL NOTIFICATION FILMED POST ABATEMENT VIDEO. POOL IS DRAINED, DOORS SECURED, RW-LITTER REMOVED.			
MISC	3/7/2006 4:09:00 PM	KATHY STEWART	0
Received invoice (\$5,149) from C.H. Construction for abatement of property.			
PHONE	3/2/2006 3:20:00 PM	KELLY OLIVERIUS	3
30)PHONED CHRIS, TOLD HIM READY TO ABTE. TOLD HIM OF CURRENT VIOL.			
VIDPRE	3/2/2006 3:11:00 PM	KELLY OLIVERIUS	9
30)FILMED PRE ABATMENT VIDEOE. REAR DOOR OPEN, LOCK BUSTED. FRONT DOOR OPEN, LOCK BUSTED. WINDOWS INTACT. POOL FULL OF STAGNANT WATER. RW REMAINS.			
FAX	2/28/2006 4:12:00 PM	KATHY STEWART	0
Received fax from C.H. Construction stating start date for abatement of property will be Friday, 3/3/06. E-mailed #30 this information.			
BIDA	2/27/2006 8:23:00 AM	KATHY STEWART	0
Faxed Award letter to C.H. Construction. Contractor to call within 5 days with a start date.			
DIRECT	2/27/2006 8:01:00 AM	KATHY STEWART	0
Per Devin Smith, Award to low bidder, C.H. Construction.			
MISC	2/27/2006 7:58:00 AM	KATHY STEWART	0
Sent e-mail to Devin Smith, okay to proceed with abatement.			
REFER	2/22/2006 2:22:00 PM	KELLY OLIVERIUS	0
30)REFERRED CASE TO 24.			
RESEAR	2/22/2006 2:22:00 PM	KELLY OLIVERIUS	0
30)CHECKED ASSESSOR FOR OWNERSHIP CHANGE, NO CHANGE.			
PHONE	2/22/2006 2:21:00 PM	KELLY OLIVERIUS	0
30)PHONED NUMBER FROM LINDA, NO ANSWER, LEFT A VM FOR HIM TO CALL.			
INSP	2/21/2006 2:14:00 PM	KELLY OLIVERIUS	4
30)POOL STILL FULL OF STAGNANT WATER. ALL VIOL. REMAIN. PIX. PUT IN FOR ABATEMENT.			
MISC	2/15/2006 2:03:00 PM	KATHY STEWART	0
Sent Regular letter, Return to Sender, Unclaimed, to #30 to file.			
NTCABT	2/10/2006 3:57:00 PM	KELLY OLIVERIUS	3
30)POSTED TEN DAY NOTICE TO ABATE. CB 02/21			
NOTICE	2/7/2006 7:53:00 AM	KATHY STEWART	0
Sent Ten (10) Day Notice Before Abatement letter to owner. POST: 2/8. C/B: 2/21. Sent file to #30.			

BIDR	2/6/2006 10:00:00 AM	KATHY STEWART	0
Received bid from contractor (1) C.H. Construction - \$5,149.			
BIDS	1/30/2006 1:43:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB, 2/3/06.			
RESEAR	1/26/2006 7:35:00 AM	KELLY OLIVERIUS	3
30)CHECKED ASSESSOR FOR CHANGE IN OWNERSHIP, NO CHANGE.			
REFER	1/26/2006 7:34:00 AM	KELLY OLIVERIUS	0
30)CB 01/27 TO 24 FOR ABATEMENT.			
PHONE	1/26/2006 7:30:00 AM	KELLY OLIVERIUS	0
30)PHONED NUMBER FROM LINDA,NO ANSWER, LEFT A VM FOR HIM TO CALL.			
EMAIL	1/25/2006 10:16:00 AM	KELLY OLIVERIUS	1
30)CONTACT FROM LINDA, 306-7209.			
EMAIL	1/25/2006 8:33:00 AM	KELLY OLIVERIUS	0
30)EMAILED LINDA FOR CONTACT NUMBER.			
INSP	1/24/2006 12:27:00 PM	KELLY OLIVERIUS	5
30)WATER STILL IN POOL. HOUSE SECURE. LITTER REMAINS. PIX. TRY TO CONTACT OWNER.			
RECORD	1/12/2006 8:48:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated January 10, 2006 at Clark County. Book: 20060112 Inst: 0000573			
NOPOST	1/11/2006 12:38:00 PM	LYNN NIHIPALI	3
16)POSTED ON GARAGE DOOR, CB 1/23 TO 30.			
DBPROJ	1/10/2006 9:33:00 AM	KATHY STEWART	0
MISC	1/9/2006 8:23:00 AM	KELLY OLIVERIUS	5
30)PROCESSED N&O, FORWARDED TO 24 FOR REVIEW.			
RESEAR	1/9/2006 8:17:00 AM	KELLY OLIVERIUS	6
30)ACCESSED ASSESSOR FOR OWNER INFO. CHECK WHITE PAGES, SEWER, AND HANSEN FOR CONTACT INFO. NO NUMBER FOUND.			
INSP	1/6/2006 12:28:00 PM	KELLY OLIVERIUS	6
30)SFD, OPEN/ACCESS (GARAGE DOOR. NO ACCESS TO RY. LITTER IN F/Y (LEAVES, DEBRIS, ECT.). PIX. PROCESS N&O.			

Time in minutes: 54

APN 125-34-514-025
Ref # 37308

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: GREG E. VINCENT
(Reputed Owner(s)) at time of abatement.

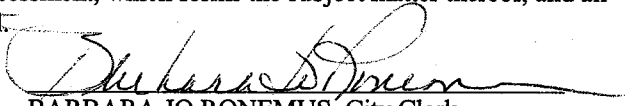
Assessor's Parcel No.: 125-34-514-025
Commonly known as: 5433 Flora Spray Street
Legal Description: TIERRA VISTA EST-UNIT 4
PLAT BOOK 70 PAGE 40
LOT 86 BLOCK 6

On **March 3, 2006**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$4,500.85** 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 **May 3, 2006**, ordered the above charges in the amount of **\$4,500.85**, 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.

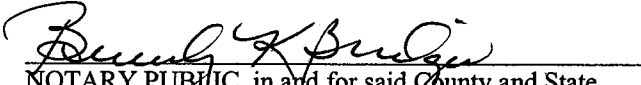

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

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 6th day of June, 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**