

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 629 W. McWilliams Avenue. PROPERTY OWNER: KEN TOUY – Ward 5 (Weekly)

C.H. Construction, LLC completed work on February 21, 2006 at a cost of \$1,949.00; \$350.00 boarded building certificate fee; \$120.00 in reinspection fees; plus a 15% administrative fee, for a total of \$2,711.35.

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 Dangerous Building, Vacant or Abandoned Buildings, 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.

.OT

808

622

616

602

800
801

520

514

510

506

502

EST

GST

633

631

629

719

717

711

FST

525

628

618

616

WILSON AVE

INTERSTATE ROUTE

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 629 W. McWilliams Avenue - 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 "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding, securing (front entry doors), removing refuse, waste, trash, debris (including piece of fallen chain link fencing, barbecue, refrigerator, clothes, carpet, vagrant debris), dead/dry overgrown vegetation, and posting No Trespassing, No Dumping, No Vehicles signs on site. The abatement was completed by C.H. Construction LLC on February 21, 2006 at a cost of \$1,949.00 which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Board/Secure (front entry doors)	\$200.00
Refuse/Waste/Trash/Debris/Litter Removal	\$849.00
Vegetation Removal (Dead/dry/overgrown)	\$800.00
Posting Signs	\$100.00
AMOUNT DUE:	\$1,949.00
Administrative Processing Fee:	\$292.35
Boarded Building Certificate:	\$350.00
Reinspection Fees:	\$120.00
TOTAL AMOUNT DUE:	\$2,711.35
OWNER OF RECORD:	KEN TOUY
PROPERTY ABATED:	629 W. McWILLIAMS AVENUE
ASSESSOR PARCEL:	139-27-310-051
LEGAL DESCRIPTION:	LAS VEGAS ORIG TOWNSITE 2 ND AMD
	PLAT BOOK 1 PAGE 46
	PT LOT 13 BLOCK 9
	& PT LOTS 14-18

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 [Contractor Entity] or any principal of [Contractor Entity] are the following: K.O. CONST INC K.O. CONSTRUCTION INC

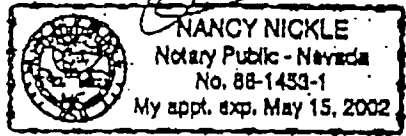
FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOFF	LAS VEGAS, NV 89139	
3. ROSE KOFF		
4.		
5.		
6.		

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
APRIL 19, 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 boarding and securing (front entry doors) removing refuse, waste, trash, debris, (including piece of fallen chain link fencing, barbeque, refrigerator, clothes, carpet, vagrant debris); dead/dry/overgrown vegetation, and posting "No Trespassing, No Dumping and No Vehicles" signs on property located at **629 WEST McWILLIAMS AVENUE** legally described as **LAS VEGAS ORIG TOWNSITE 2ND AMD PLAT BOOK 1 PAGE 46 PT LOT 13 BLOCK 9 & PT LOTS 14-18** Owner of record at time of abatement: **KEN TOUY – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,711.35 was expended (\$1,949.00 for cleaning the property by C.H. Construction, LLC.; \$120.00 for Re-inspection fees; \$350.00 for Boarded Building Certificate; and \$292.35 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

BARBARA JO RONEMUS
CITY CLERK

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



Address: 629 W MCWILLIAMS AVE

MTRO

Vacant house, possible vagrants living in house; have dug hole going from one unit to another (Contact Metro Officer Shearer @ 229-8341-office; or 289-5650-cell, for more information)

Parcel(s)

Parcel: 13927310051 **Size:** 0.15 ACRE **Subdivision Name:** LAS VEGAS ORIG TOWNSITE 2ND AMD

Owner Information:

10-Aug-02	31-Mar-05	BARRUS LISA RITTER DEREK 629 W MCWILLIAMS AVE; LAS VEGAS, NV 89106-3469
31-Mar-05	09-Apr-05	BARRUS LISA P O BOX 185; HYDE PARK, UT 84318
09-Apr-05	01-Dec-05	BARRUS LISA P O BOX 185; HYDE PARK, UT 84318-0185
01-Dec-05		KEN TOUY 427 4TH ST #100; OAKLAND, CA 94607-3817

Inspection Summary

<i>Inspector:</i>	<i>Status:</i>		<i>Scheduled DT:</i>	<i>Start Dt:</i>	<i>Comp DT:</i>	<i>Min:</i>
981876	Failed		12/16/2005	12/16/2005 14:12	12/16/2005 14:18	6
981876	Passed	Partial	12/27/2005	12/21/2005 12:35	12/21/2005 12:38	3
981876	Passed	Partial	1/3/2006	01/03/2006 10:28	01/03/2006 10:32	4
981876	Failed		1/10/2006	01/10/2006 12:19	01/10/2006 12:23	4
981876	Passed	Partial	1/19/2006	01/19/2006 15:27	01/19/2006 15:30	3
981876	Failed		1/30/2006	01/30/2006 14:00	01/30/2006 14:03	3
981876	No Action		3/13/2006			
<i>Time in Minutes:</i>						23

Violation Details

<i>Violation</i>	<i>Violation DT</i>	<i>Resolve DT</i>	<i>Location:</i>
A-REFUSE/WST REMOVE ALL REFUSE AND WASTE.	12/16/2005		PROPERTY
A-PERMIT REQ OBTAIN A PERMIT FOR LAWFUL OCCUPANCY	12/16/2005		PROPERTY
A-MITIGATION SUBMIT FOR APPROVAL AND ADHERE TO A MITIATION PLAN.	12/16/2005		PROEPRTY
A-INTENT LTR SUBMIT A LETTER OF INTENT	12/16/2005		PROPERTY
A-BRDG CERT OBTAIN A BOARDING CERT	12/16/2005		PROPERTY
A-PAINTING REMOVE OR REPAIR BROKEN FENCE AND SECURITY BARS.	12/16/2005		WEST SIDE YARD
A-BLD DNGR SECURE ALL STRUCTURES TO CLV SPECS	12/16/2005		PROPERTY

A-LITTER 12/16/2005 PROPERTY

REMOVE ALL LITTER

Log

Type:	Date:	Employee:	Min:
MEET	4/5/2006 9:04:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on May 3, 2006.			
LETTER	4/5/2006 9:03:00 AM	JESSICA LARRAMENDY	0
JL) Mailed report of expense ltr and memo to property owner both certified and regular mail.			
MISC	4/4/2006 2:37:00 PM	JESSICA LARRAMENDY	0
JL) Residential duplex - \$325 + \$25.00 = \$350.00 boarded building certificate.			
MISC	3/29/2006 8:16:00 AM	KATHY STEWART	0
Sent invoice (\$1,949) from C.H. Construction to Finance for payment; gave file to Jessica Larramendy for Council.			
MISC	3/27/2006 3:05:00 PM	KATHY STEWART	0
Gave invoice to DS for signature.			
MISC	3/27/2006 8:10:00 AM	KATHY STEWART	0
Emailed Devin Smith to approve Oracle payment for C.H. Construction for completion of abatement.			
EMAIL	3/24/2006 11:05:00 AM	KELLY OLIVERIUS	0
30)EMAILED KATHY TO ADVISE PAYMENT FOR ABATEMENT CAN BE MADE.			
VIDPST	3/24/2006 10:43:00 AM	KELLY OLIVERIUS	6
30)BOARDS NOW PAINTED. FILMED POST ABATMENT VIDEO.			
PHONE	3/24/2006 9:00:00 AM	KELLY OLIVERIUS	1
30)CALL FROM CH STATING ABTMENT IS DONE. WILL VIDEO.			
INSP	3/13/2006 10:20:00 AM	KELLY OLIVERIUS	4
30)BOARDS ON DOORS AND TWO REAR WINDOWS PAINTED WHITE, BLDG IS TAN. 4 BOARDS NOT PAINTED. PER 24, BOARDS TO BE PAINTED COLOR OF BLDG. CONTACTED CH, ADVISED THEM NOT ABATED.			
MISC	2/22/2006 3:30:00 PM	KATHY STEWART	0
Received invoice (\$1,949) from C.H. Construction for completion of abatement. E-mailed #30 this information.			
PHONE	2/21/2006 10:45:00 AM	KELLY OLIVERIUS	2
30)PHONED CHRIS, HE SAID HE WOULD HAVE SOMEONE COUME OUT TODAY TO BAORD WINDOW AND REMOVED FENCE SECTION. CB 02/23			
INSP	2/21/2006 10:35:00 AM	KELLY OLIVERIUS	9
30)DUE TO NO CONTACT FROM CHRIS, INSPECTED PROEPRTY. APPEARS ABATED EXCEPT DETERIORATED FENCE LINE ON W. SIDE NOT REOVED. ONE WINDOW ON W. SIDE OPEN, NOT BOARDED.			
PHONE	2/8/2006 12:17:00 PM	KELLY OLIVERIUS	1
30)PHONED CHRIS, INFORMED HIM PROPERTY IS READY TO ABATE. HE SAID THEY WOULD BE STARTING TODAY OR TOMORROW.			
VIDPRE	2/8/2006 12:06:00 PM	KELLY OLIVERIUS	11
30)PER REQUEST FROM CHRIS WITH CH CONST, FILMED PRE ABATMENT VIDEO.			
MISC	2/7/2006 10:50:00 AM	KATHY STEWART	0
Received fax from C.H. Construction for start date of abatement, Wednesday, 2/8/06. E-mailed #30 this information.			
BIDA	2/3/2006 3:41:00 PM	KATHY STEWART	0
Faxed Award letter to C.H. Construction. Contractor has 5 days to call/fax a start date.			
DIRECT	2/3/2006 3:21:00 PM	KATHY STEWART	0
Per Devin Smith, Award to low bidder, C. H. Construction.			
MISC	2/1/2006 11:41:00 AM	KATHY STEWART	0
Sent Certified & Regular letters from owner, Return to Sender,Unable to Forward, to #30 to file.			
RESEAR	1/31/2006 6:35:00 AM	KELLY OLIVERIUS	1
30)CHECKED ASSESSOR FOR OWNERSHIP CHANGE, NO CHANGE.			

PHONE	1/31/2006 6:34:00 AM	KELLY OLIVERIUS	0
30)PHONED OWNER, NO ANSWER, LEFT A VM FOR HIM TO CALL.			
INSP	1/30/2006 2:00:00 PM	KELLY OLIVERIUS	3
30)VIOLATIONS REMAIN, UNCHANGED. R/W ALL YARDS. DOORS NEED TO BE BOARDED. PIX. PUT IN FOR CONT. ABATEMENT. CB 02/01 TO 24.			
NTCABT	1/19/2006 3:27:00 PM	KELLY OLIVERIUS	3
30)POSTED TEN DAY NOTICE TO ABATE. CB 01/30.			
NOTICE	1/18/2006 2:35:00 PM	KATHY STEWART	0
Sent Ten (10) Day Notice Before Abatement letter to owner. POST: 1/19. C/B: 1/30. Sent file to #30.			
BIDR	1/18/2006 8:00:00 AM	KATHY STEWART	0
Received bids from (1) C.H. Construction-\$1,949			
BIDS	1/12/2006 2:39:00 PM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bid due by COB, Tuesday, 1/17/06.			
REFER	1/11/2006 6:58:00 AM	KELLY OLIVERIUS	0
30)REFERRED CASE TO 24 FOR ABATEMENT			
PHONE	1/11/2006 6:56:00 AM	KELLY OLIVERIUS	0
30)PHONED KEN TOUY, NO ANSWER, LEFT A VM FOR HIM TO CALL.			
RESEAR	1/11/2006 6:55:00 AM	KELLY OLIVERIUS	2
30)CHECKED ASSESSOR FOR OWNERSHIP CHANGE, NO CHANGE.			
INSP	1/10/2006 12:19:00 PM	KELLY OLIVERIUS	4
30)R/W REMAINS. BLDG SECURE, BUT INTERIOR DOOR STILL OPEN. SECURITY DOOR NOT VERY STURDY. FENCE STILL BROKEN. PIX. WILL ATTEMPT TO CONTACT OWNER AGAIN. PUT IN FOR ABATMENT. ASSESS FEE.			
MISC	1/4/2006 11:52:00 AM	KATHY STEWART	0
Sent Certified letter from owner, Return to Sender, Unable to Forward, to #30 to file.			
PHONE	1/4/2006 7:27:00 AM	KELLY OLIVERIUS	0
30)PHONED KEN TOUY, NO ANSWER, LEFT A VM FOR HIM TO CALL.			
INSP	1/3/2006 10:28:00 AM	KELLY OLIVERIUS	4
30)R/W REMAINS. LITTER. BLDG'S SECURE, BUT ENTRY DOORS NEED TO BE NAILED (CURRENTLY LIGHT WEIGHT SECURITY DOORS LOCKED). PIX. WILL CONTACT OWNER. CB 01/10.			
PHONE	12/23/2005 10:31:00 AM	KELLY OLIVERIUS	0
30)returned a call to ken touy, 925-922-1992, no answer, left a vm for him to call.			
RECORD	12/22/2005 7:32:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated December 20, 2005 at Clark County. Book: 20051222 Inst: 01714			
NOPOST	12/21/2005 12:35:00 PM	KELLY OLIVERIUS	3
30)POSTED N&O. CB 01/03			
DBPROJ	12/20/2005 11:32:00 AM	KATHY STEWART	0
PHONE	12/19/2005 8:26:00 AM	KELLY OLIVERIUS	0
30)PHONED OFFICER SHEARER, NO ANSWER, LEFT A VM TO CALL IF THEY WANTED MORE INFO.			
MISC	12/19/2005 8:22:00 AM	KELLY OLIVERIUS	6
30)PROCESSED N&O, FORWARDED TO 24 FOR REVIEW.			
RESEAR	12/19/2005 8:16:00 AM	KELLY OLIVERIUS	5
30)ACCESSED ASSESSOR FOR OWNER INFO. CHECKED WHITE PAGES, SEWER, AND HANSEN FOR CONTACT INFO. NO CONTACT NUMBER FOUND.			
INSP	12/16/2005 2:12:00 PM	KELLY OLIVERIUS	6
30)COMMERCIAL, MULTI FAMILY BLDG, VACANT. LITTER. R/W ALL YARDS (BBQ, REFRIGERATOR-DOORS OFF, CLOTHES, CARPET, VAGRANT DEBRIS, ECT.). BROKEN FENCE W S/Y. BROKEN SECURITY BARS W S/Y. PERMIT REQ (VAGRANTS, METER SHUT OFF), OPEN/ACCESS. VAGRANTS. PIX. N&O			
CONTC	12/15/2005 10:16:00 AM	KATHY STEWART	0
Contact Metro Officer Shearer @ 229-8341-office; or 289-5650-cell, for more information. (Officer Shearer has spoken to owner, Derrick Ritter @ (435) 881-8717 or 881-9171, regarding this property.) Address screen shows a new owner, Ken Touy.			

CASENO 36988

CODEENF

02325-61

Time in minutes:

71

APN 139-27-310-051
Ref # 36988

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **KEN TOUY**
(Reputed Owner(s)) at time of abatement.

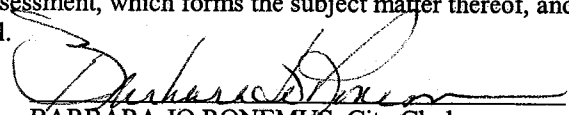
Assessor's Parcel No.: 139-27-310-051
Commonly known as: 629 W. McWilliams Avenue
Legal Description: LAS VEGAS ORIG TOWNSITE 2ND AMD
PLAT BOOK 1 PAGE 46
PT LOT 13 BLOCK 9
& PT LOTS 14-18

On February 21, 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 \$2,711.35 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

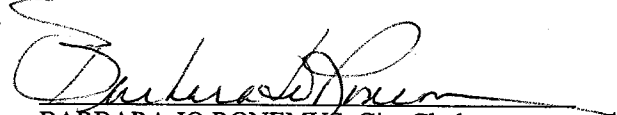
The Las Vegas City Council, at a duly noticed public hearing held on May 3, 2006, ordered the above charges in the amount of \$2,711.35, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for 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.

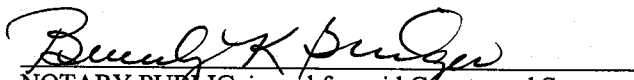

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

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 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