

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, November 18, 2004 at 7:00 p.m.**

	Current Meeting	Cumulative Attendance		Y-T-D #
		Present	Absent	Scheduled Meetings 3/04 – 2/05
<u>Members</u>				
Douglas Reynolds, Chair	P	8	1	9
Harry MacGrotty, Vice Chair	P	8	1	9
Caldwell Cooper	P	7	2	9
Dil Hatchett	P	8	1	9
Ginnee Hancock	P	8	1	9
David C. Svetlick, Alternate	P	6	3	9
Pat Mayers, Alternate	P	1	0	1

Staff Present

Marcia Gair, Board Clerk
 Scott Walker, City Attorney
 Bruce Jolly, Board Attorney
 Det. Derek Joseph
 Sgt. Reggie Gillis
 Lisa Edmondson, Recording Clerk

The regular meeting of the Nuisance Abatement Board convened at 7:00 p.m. on Thursday, November 18, 2004 at City Hall, 1st Floor Commission Chambers, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

- 1. Call meeting to order; Pledge of Allegiance**
- 2. Roll call; witnesses sign log; swearing in**
- 3. Approval of Minutes for September 9, 2004**

Motion made by Mr. Cooper, seconded by Vice Chair MacGrotty, to approve the minutes of the September 9, 2004 meeting. In a roll call vote, the motion passed unanimously.

Detective Joseph asked that Item #5 be taken out of order on the agenda.

- 5. Case Number 04-09-05, 419 Northwest 13th Avenue**
 - Notice of Status Hearing

Detective Joseph advised the Board that there had been no calls for service and the owner was in full compliance with the Board's order. No further action needed to be taken at this time.

4. Case Number 04-08-06, 1021 Northwest 3 Avenue

- Notice of Status Hearing

Sgt. Gillis provided a status report to the Board indicating that the trespass affidavit had been signed on 11/13, the owner(s) had not yet attended Landlord Tenant Training, the exterior lighting was not yet in compliance, and the investigative costs had not been paid. The wood fence has been removed.

Mr. Miscary Jean Pierre appeared as owner of the property.

Motion made by Mr. Cooper, seconded by Ms. Hancock, as follows:

1. *Remaining investigative costs in the amount of \$1,412.67 are due to be paid within thirty (30) days.*
2. *Total fines to date will be assessed back to the date of the original order, in the amount of \$250.00 per day, not to exceed a maximum of \$15,000.00, for each day of non-compliance regarding installation of outside lighting, the no trespass sign being posted untimely, and failure to complete Landlord Tenant Training, beginning from the first day there were unsatisfied obligations.*

In a roll call vote, the motion passed 3/2 as follows: Ms. Hancock, yes; Mr. Hatchett, no; Mr. Cooper, yes; Vice Chair MacGrotty, yes; Chair Reynolds, no.

Chair Reynolds requested that this case be brought back before the Board for status hearing at the next meeting scheduled in January 2005.

6. Case Number 04-09-07, 1028 Northwest 6th Avenue

- Notice of Evidentiary Hearing

Detective Joseph reported that there have been two possessions and two narcotics buys on the property; there have been five nuisance related calls for service between 3/8/04 and 11/16/04.

Mr. Walker moved the police reports of 3/13/04, 7/1/04, 7/2/04, and 7/16/04 into evidence requesting that the Board accept the evidence and declare the property a nuisance, which motion was made by Mr. Cooper.

Mr. Sean Mullings appeared as owner of the property, agreeing to the property being a nuisance and accepting jurisdiction of the Board.

***Motion** made by Mr. Cooper, seconded by Ms. Hancock, to accept the Stipulation and Police Recommendations as follows:*

- 1. The owners will attend Landlord Tenant Training provided by the Fort Lauderdale Police Department within 90 days.*
- 2. The owners will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post No Trespassing signs on the property within 7 days and thereafter enforce no loitering and trespass laws.*
- 3. The owners will adopt the Lease Addendum and Permitting Eviction for Drug Related Activities for all new tenants and renewals within 30 days and provide proof to the Board liaison.*
- 4. The owners will evict any tenant responsible for any nuisance abatement related crime.*
- 5. Trespass warnings of any and all people arrested on the property for a nuisance abatement related crime will be required of the owner(s). The owner(s) will prohibit anyone who has been arrested from returning to the property. The owner(s) will be provided with a list of names and will be required to contact the Fort Lauderdale Police Department in the event they witness a violation.*
- 6. Within 30 days, the owners will install exterior lighting, (according to all Code requirements) all on four sides of the building and leave said lights on from dusk to dawn, seven days a week.*
- 7. If any of the above-listed items are not complied with within the time frame set forth, a fine in the amount of \$250.00, per day, per item, not to exceed \$250.00 per day, will be imposed for each day of non-compliance.*
- 8. The owner(s) is assessed 25% (\$495.28) of the investigative costs to be paid within 30 days. The Board will waive the balance (\$1485.86) of the investigative costs if the owner(s) complies with the Board's Order within the specified time frame(s). If the owner(s) fails to comply within the specified time frame(s), the remaining 75% of the investigative costs will be assessed. (Total costs \$1981.14)*
- 9. The owner(s) will appear before the Nuisance Abatement Board at the January Nuisance Abatement meeting (or, if no meeting occurs in January, at the succeeding Nuisance Abatement meeting) for a status hearing.*

10. *The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.*

In a roll call vote, the motion passed unanimously.

This matter will return to the Board for status hearing in January 2005.

7. Board Discussion

Capt. Frank Adderley was introduced as the new Captain in the Special Investigations Division.

Ms. Gair clarified that the date the Board's order is signed begins the per diem count for compliance, however, with regard to costs, they are due beginning from the date of the hearing.

There will be no December 2004 meeting.

Thereupon, the meeting adjourned at 7:40 p.m.