

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, January 12, 2006 at 7:00 p.m.**

	Attendance	2006 Cumulative Attendance 3/05 to 3/06		Total Meetings
		Present	Absent	
<u>Members</u>				
Douglas Reynolds, Chair	P	8	1	9
Harry MacGrotty, Vice Chair	A	7	2	9
Caldwell Cooper	P	9	0	9
Ginnee Hancock	P	7	2	9
David C. Svetlick	P	9	0	9
Pat Mayers, Alternate	A	7	2	9
Laurie Watkins, Alternate	P	4	2	6

Staff Present

Marcia Gair, Board Clerk	P
Richard Giuffreda	P
Scott Walker, City Attorney	P
Sgt. Reggie Gillis, Liaison	P
Leann Swisher, Coordinator	P
Brenda Cooper, Recording Clerk	P

1. Call meeting to order, Pledge of Allegiance

Chair Reynolds called the meeting to order at 7:01 p.m.

2. Roll call, witness sign in, swearing in

3. Approval of minutes for December 8, 2005

Motion made by Mr. Cooper, seconded by Ms. Hancock, to approve the minutes of the December 8, 2005 meeting. In a voice vote, the motion passed unanimously.

4. Case Number 05-10-07, 522 Northwest 13 Avenue

- Notice of Status Hearing

Sergeant Gillis noted that the owner, Odessa Bennett, was present. Sergeant Gillis explained that Ms. Bennett had been required to install lighting on the property, amend her lease agreement for new tenants, and evict tenants from apartment A, all of which she had done. Ms. Bennett had paid the first half of the costs; the remaining amount is due in February. Sergeant Gillis said nothing else was required of Ms. Bennett.

5. Case Number 06-01-01, 740 Northwest 4 Avenue

- Notice of Evidentiary Hearing

Detective Swisher testified that on September 14 and 17, 2005 an undercover detective had completed a drug buy, and between September 25 and 30, 2005 a CI had completed a buy for crack cocaine.

Police recommendations were as follows:

1. The owners will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post No Trespassing signs on the property within fourteen (14) days and thereafter enforce no loitering and trespass laws. (FLPD / Records Division 954-828-5465)
2. The owners will adopt the Lease Addendum and Permitting Eviction for Drug Related Activities for all new tenants and renewals.
3. The owners will remove all trash, debris and general clean-up of property within fourteen (14) days.
4. The owners will remove all wooden fences on the north and south side of the property within thirty (30) days.
5. The owners will install flood lights on all sides of the building (according to all City of Fort Lauderdale Code requirements) within sixty (60) days.
6. The owners will not allow grill equipment outside when not in use.
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 owners are assessed 25% (\$98.49) of the investigative costs to be paid within thirty (30) days. The Board will waive the balance (\$295.46) 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 \$393.95)
9. The owners will appear before the Nuisance Abatement Board at the March Nuisance Abatement meeting (or, if no meeting occurs in March, 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.

Mr. Walker informed the Board that the owner had agreed to the recommendations and to the jurisdiction of the Board. Mr. Powell confirmed this and that he understood the possible consequences of non-compliance.

Motion made by Mr. Cooper, seconded by Ms. Hancock, to approve the Police Department recommendations and the owner's stipulation. In a roll call vote, the Board approved unanimously.

6. Case Number 06-01-02, 734 Northwest 4 Avenue

- Notice of Evidentiary Hearing

Detective Swisher announced that an undercover detective had purchased marijuana at the property and a search warrant was served on the property in September of 2005.

Police recommendations were as follows:

1. The owner(s) will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post No Trespassing signs on the property within fourteen (14) days and thereafter enforce no loitering and trespass laws. (FLPD / Records Division 954-828-5465)
2. The owner(s) will evict any tenant responsible for any nuisance abatement related crime within thirty (30) days (specifically tenants in apartments #1 and #4).
3. The owner(s) will remove all wooden fencing on the property, specifically between 734 and 740 and also the fencing facing the street within thirty (30) days.
4. The owner(s) will maintain existing lighting and install flood lights on all sides of the building (according to all City of Fort Lauderdale Code requirements) within sixty (60) days.
5. The owner(s) will close off any access points into vacant properties within fourteen (14) days.
6. The owner(s) will remove the ficus plants on the south side of the property within thirty (30) days.
7. The owner will adopt the Lease Addendum and Permitting Eviction for Drug Related Activities for all new tenants and renewals
8. 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.
9. The owners are assessed 25% (\$472.28) of the investigative costs to be paid within thirty (30) days. The Board will waive the balance (\$1416.85) 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 \$1889.13)
10. The owners will appear before the Nuisance Abatement Board at the March Nuisance Abatement meeting (or, if no meeting occurs in March, at the succeeding Nuisance Abatement meeting) for a status hearing.
11. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.

Mr. Walker announced that Mr. Angel Cachinero was present and had agreed to all of the requirements. Mr. Angel Cachinero, managing member for Tarpon Investment Group LLC, stipulated to all of the terms and conditions.

Motion made by Mr. Svetlick, seconded by Mr. Cooper, to approve the Police Department recommendations and the owner's stipulation. In a roll call vote, the Board approved unanimously.

Mr. Svetlick asked about the hurricane shutters. Mr. Cachinero explained that he had kept them down while he was repairing the interior of the apartments; there was a constant problem of passersby breaking exposed windows. Mr. Cachinero explained to Ms. Hancock that he visited the property two or three times per week. He continued that any light bulbs he installed were almost immediately either stolen or broken. Ms. Hancock indicated she doubted the validity of Mr. Cachinero's explanation.

Mr. Cachinero said he had similar problems in similar neighborhoods. Trash would appear within 24 hours of cleaning the property as well. Ms. Hancock reminded Mr. Cachinero it was his responsibility to pick up trash every morning, or have his on-site property manager do it. Mr. Cachinero stated he had a tenant picking up the property now.

Mr. Cachinero said he would have new tenants in the first two units February 1st. Mr. Svetlick noted that this would help prevent the broken windows and trash problems. Mr. Cachinero said he was paying for hurricane repairs out of his pocket while waiting for insurance reimbursement.

Sergeant Gillis confirmed that the owner would return at the March hearing.

7. Case Number 06-01-03, 1491 Northwest 22 Street

- Notice of Evidentiary Hearing

Sergeant Gillis explained that several buys had been conducted at the property between June 12 and 18, July 10 and 21, July 29 and August 4, 2005. He had spoken with the owner and confirmed that most of the problems came from one unit.

Police recommendations were as follows:

1. The owner will file a No Trespass Affidavit with the Fort Lauderdale Police Department and post No Trespassing signs on the property within fourteen (14) days and thereafter enforce no loitering and trespass laws. (FLPD / Records Division 954-828-5465)
2. The owner will adopt the Lease Addendum and Permitting Eviction for Drug Related Activities for all new tenants and renewals.
3. The owner will evict any tenant responsible for any nuisance abatement or drug - related crime, specifically in apartment B.
4. 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.
5. The owner is assessed 25% (\$479.78) of the investigative costs to be paid within thirty (30) days. The Board will waive the balance (\$1439.35) of the investigative costs if the owner complies with the Board's Order within the specified time

frame(s). If the owner fails to comply within the specified time frame(s), the remaining 75% of the investigative costs will be assessed. (Total costs \$1919.13)

6. The owner will appear before the Nuisance Abatement Board at the March Nuisance Abatement meeting (or, if no meeting occurs in March, at the succeeding Nuisance Abatement meeting) for a status hearing.
7. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.

Mr. Walker confirmed that the owner, Mr. Charles Brown, stipulated to the recommendations and Mr. Brown concurred. Sergeant Gillis amended recommendation 3 specifically to refer to Apartment B.

Motion made by Mr. Cooper, seconded by Ms. Hancock, to approve the Police Department recommendations and the owner's stipulation. In a roll call vote, the Board approved unanimously.

8. Board Discussion

Sergeant Gillis explained that the 700 block of Northwest 4th Avenue had been an eyesore and drug problem for as long as he could remember. Ms. Hancock felt that the property condition in the area was deplorable and "nobody decent is going to live in these buildings." Mr. Cooper remarked that these were Code Enforcement issues, not nuisance. Sergeant Gillis said it may be possible to bring this property to the attention of the Community Inspections Department.

Regarding the landlord/tenant training, Sergeant Gillis said he had spoken with Ms. Georgiovich and made her aware they would start sending owners to the Broward County meetings. He still needed to determine how to work out the enforcement.

Next meeting: February 9, 2006

Thereupon, the meeting adjourned at 7:42 p.m.