

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, November 8, 2007 at 7:00 p.m.**

Board Members	Attendance	Cumulative 3/07 to 2/08	
		Present	Absent
Douglas Reynolds, Chair	P	6	1
Harry MacGrotty, Vice Chair	P	6	1
Caldwell Cooper	P	6	1
Patricia Mayers	P	7	0
David C. Svetlick	P	5	2
Laurie Watkins, Alternate	P	6	1

Staff Present

Joyce Hair, Board Clerk
Bruce Jolly, Board Attorney
Lt. Wade Brabble, Liaison
Scott Walker, Assistant City Attorney
Detective Todd Bunin, Ft. Lauderdale Police
Liz Rivera, Recording Clerk, Prototype, Inc.

Guests

Don Karney, Broward Properties
Annette Novela, Attorney for Broward Properties

1. Call meeting to order; Pledge of Allegiance

Chair Reynolds introduced Joyce Hair, the new Board Clerk.

2. Roll call; witnesses sign log; swearing in

The recording clerk called roll and determined a quorum was present.

Mr. Walker, Assistant City Attorney, stated he had heard from one of the owners, who informed him he had received service 72 hours prior and it was impossible for him to attend this hearing. The owner's local counsel had requested a continuance.

Witnesses were sworn in.

3. Approval of minutes for September 13, 2007

Motion made by Mr. Cooper, seconded by Ms. Mayers, to approve the minutes of the September 13, 2007 meeting. In a voice vote, the motion passed unanimously.

4. Case Number 07-10-08, 1028 Northwest 3 Avenue

• Notice of Evidentiary Hearing

Mr. Walker said he had spoken with the owner, who resided in New Jersey, and explained the Nuisance Abatement Board process, and also advised him of his right to counsel, which he had sought.

Ms. Annette Novela, attorney for Broward Properties, the property manager, confirmed that the owner was in New Jersey and could not attend this hearing.

Mr. Walker stated he did not oppose the owner's request for a continuance.

Motion made by Mr. Cooper, seconded by Ms. Mayers, to continue the case to their next meeting.

Mr. Cooper requested Mr. Jolly's opinion. Mr. Jolly stated the respondent had raised due process issues regarding notice, and he believed these to be legitimate.

In a roll call vote, the motion passed unanimously 5 – 0.

Lt. Brabble stated an arrest had been made at the property in October, and he would supplement the record with the October arrest.

Lt. Brabble reported he had visited the property the previous day and discovered additional violations, noting that the property was "simply not being kept up at this time."

Mr. Don Karney, Broward Properties representative, informed the Board that the problems to which Mr. Walker referred had already been repaired.

Lt. Brabble announced that the next meeting was scheduled for December 13, 2007.

6. Board Discussion

Caribbean Food Mart Update

Mr. Walker reported the Caribbean Food Mart's appeal was over; their writ of prohibition had been denied. Mr. Jolly explained that he had prepared a substantive response on behalf of the Board, but there were procedural issues. An effort had been made to correct the procedural issues, but this had been denied. A temporary stay was entered and enforcement action was now appropriate.

Mr. Walker said the respondent wanted to appear before the Board to explain that they could not afford armed, bonded security personnel.

Chair Reynolds remarked on the number of status conferences outstanding, and wondered if these could be scheduled for December.

Lt. Brabble apologized for the delays, and explained that the process was more involved than he had anticipated, and he had experienced several problems getting established. He informed the Board that Ms. Hair had come to their division on November 4, and they now had a dedicated investigator, Detective Todd Bonnet.

Mr. Cooper asked why the owner to whom Mr. Walker had spoken had received service so late. Mr. Jolly stated it had taken a month to replace Ms. Gair.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:17 p.m.