

**CITY OF FORT LAUDERDALE  
 NUISANCE ABATEMENT BOARD MINUTES  
 CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
 100 NORTH ANDREWS AVENUE  
 THURSDAY, JANUARY 8, 2009, 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 3/08 through 2/09</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Douglas Reynolds, Chair	P	10	0
Laurie Watkins, Vice Chair	P	4	6
Linda Dawkins [Alternate]	P	8	1
Ted Fling	P	1	0
Pat Mayers	P	8	2
David C. Svetlick	A	7	3

**Staff Present**

Joyce Hair, Board Clerk  
 Bruce Jolly, Board Attorney  
 Sgt. Hugo Fontalvo  
 Det. Joel Maney, Liaison  
 Scott Walker, Assistant City Attorney  
 B. Chiapetta, Recording Clerk, Prototype, Inc.

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	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
1.	<b>08-02-02</b>	<b>1300 NE 2 Avenue</b>	<b><u>2</u></b>
2.	<b>07-11-10</b>	<b>The Parisian Hotel</b>	<b><u>2</u></b>
3.	<b>08-12-08</b>	<b>2162 NW 6 Street</b>	<b><u>3</u></b>
4.	<b>09-01-01</b>	<b>1300 NW 6 Street</b>	<b><u>4</u></b>
		<b>Board Discussion</b>	<b><u>5</u></b>

**Purpose:** Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending or repeated violation continues to exist.

**1. Call meeting to order; Pledge of Allegiance**

The meeting was called to order at 7:01 p.m. and the Pledge of Allegiance was recited.

**2. Roll call; witnesses sign log; swearing in**

Ms. Chiapetta called roll and determined a quorum was present.

**Witnesses were sworn in.**

**3. Approval of minutes for December 2008**

**Motion** made by Ms. Mayers, seconded by Mr. Fling, to approve the minutes of the Board's December 2008 hearing. In a voice vote, the motion passed unanimously.

**4. Case Number 08-02-02 [Index](#)  
1300 NE 2 Avenue - Residence  
• Notice of Status Hearing**

Det Maney reported the owner was present and had accepted notice of this hearing on January 4, 2009. Det. Maney informed the Board that there had been 2 calls for service to the property in the past six months, neither of which was nuisance abatement related, and there had been no calls for service to the property in the past month. Det. Maney stated the property was in compliance.

**5. Case Number 07-11-10 [Index](#)  
The Parisian Hotel  
519 Northwest 23 Avenue  
Owner: Tania Ouaknine  
• Notice of Status Hearing**

Det Maney reported the owner had accepted notice of this hearing on December 24, 2008. Det Maney informed the Board that there had been 1 call for service to the property in the past six months, and this call had been nuisance abatement related; there had been no calls for service to the property in the past month.

Mr. Jolly reported the hearing for Relief from Stay was now scheduled for January 21, 2009. Mr. Jolly expressed frustration at the fact that the Judge had not issued a ruling and this had been pending for a year. He said between January 21 and now, he would consider a mandamus proceeding.

Mr. Fling asked if the motel was still operating because he had gone by that day and witnessed no activity.

Mr. Louis Ugaz, attorney for the owner, confirmed the motel was still operating.

Mr. Walker requested a status conference at the Board's February 12, 2009 hearing.

**6. Case Number 08-12-08**  
**2162 NW 6 Street**  
**Owner: Green Store**

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- **Notice of Evidentiary Hearing**

Det Maney reported the owner had accepted notice of this hearing on December 24, 2008.

Mr. Walker introduced Mr. Charles Goldman, attorney for the owner. Mr. Goldman did not contest entering the Police reports into evidence by Mr. Walker.

Mr. Goldman stated the owners, David and Esa Natour, were in the process of evicting the tenant, Mr. Nader, for default on the rent. He presented a copy of a proposed Final Judgment of Eviction and a proposed Writ of Possession for the property he would deliver to the Judge the next day. Mr. Goldman explained that the Natours had a contract with the City of Fort Lauderdale to sell the property and the closing should take place within the next two weeks.

Mr. Walker requested the Board accept the evidence, find the property a nuisance and take jurisdiction over it, but to suspend any sentence until the following month, by which time he hoped it would be moot.

Mr. Nader Hamidan, tenant, said he understood he was being evicted and he intended to leave the property in approximately one month. He stated he had not discussed a specific date with the owner.

Mr. Goldman asked Mr. Hamidan if he had been discussing moving with the owner since the summertime and Mr. Hamidan agreed that he had.

Mr. Esa Natour, owner, said he had phoned the Police Department immediately after receiving the notice about the property last year and discussed the situation with Mr. Hamidan, who had promised to take the steps recommended by the Police Department, but had never done so. Mr. Hamidan was also behind on the rent and had given Mr.

Natour a rent check that had bounced. Mr. Natour stated Mr. Hamidan had promised to vacate the property on December 31, 2008.

Mr. Goldman informed the Board that the contract with the City had been finalized 60 to 90 days ago and the target date for the closing was January 15, 2009.

Chair Reynolds asked Mr. Walker how the Board's jurisdiction and the Police Department recommendations would affect the property once the City owned it. Mr. Walker said he wanted to establish the property was a nuisance and they would worry about the sentence next month. Mr. Jolly confirmed this would not prevent the sale or cloud the title.

Mr. Natour stipulated the property was a nuisance, for the purpose of giving the Board jurisdiction over the property for one year. He also understood the Board could impose fines on the property that could affect Mr. Natour adversely.

**Motion** made by Mr. Fling, seconded by Ms. Watkins, to approve the stipulation of jurisdiction over the property as a nuisance. In a roll call vote, Board approved 5 – 0.

**Motion** made by Ms. Watkins, seconded by Ms. Dawkins, to defer this case to the Board's February 2009 meeting. In a roll call vote, Board approved 5 – 0.

**7. Case Number 09-01-01**  
**1300 NW 6 Street**  
**NADA Market**

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- **Notice of Evidentiary Hearing**

Det Maney reported the owner had accepted notice of this hearing on January 2, 2009. On January 6, 2009, Det. Maney reported he had received a fax from the owner's attorney, Bruce Little, requesting a continuance.

The owner, Ali Amadi, confirmed that his attorney, Bruce Little, could not be present this evening. Mr. Walker said he had informed Mr. Little that he would not object to the request for a continuance.

**Motion** made by Ms. Watkins, seconded by Ms. Mayers, to defer this case to the Board's February 2009 meeting. In a roll call vote, Board approved 5 – 0.

## 8. Board Discussion

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Det. Maney announced the Board's jurisdiction would end on January 10, 2009 for 1801 SR 84, Motel 6. Det Maney reported the owner had not been sent notice of this hearing and was not present. Det Maney informed the Board that there had been 62 calls for service to the property in the past six months, 2 of which were nuisance abatement related, and there had been 8 calls for service to the property in the past month, none of which was nuisance abatement related. Det. Maney remarked that the property was in total compliance and he was in continued contact with the manager.

Det. Maney announced the Board's jurisdiction would soon end for 101 SW 31 Avenue, the Rainbow Market. Det Maney informed the Board that there had been 22 calls for service to the property in the past six months, 1 of which was nuisance abatement related. He added that the one drug sale incident had taken place in a shared parking lot that was utilized by on-street drug dealers. Det. Maney said the Street Crimes Unit was working aggressively to address those issues in the shared parking lot. There had been 4 calls for service to the shared parking lot in the past month, none of which was nuisance abatement related. Det. Maney remarked that the property was in total compliance.

The Board's next meeting was scheduled for February 12, 2009.

Thereupon, with no additional business to come before the Board, the meeting adjourned at **7:35** p.m.

[Minutes prepared by J. Opperlee, Prototype, Inc.]