

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS, 1ST FLOOR
 100 NORTH ANDREWS AVENUE
 THURSDAY, JUNE 9, 2011, 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	<u>Cumulative Attendance 3/2011 through 2/2012</u>	
		<u>Present</u>	<u>Absent</u>
D. Ryan Saunders, Chair	A	3	1
Sal Gatanio, Vice Chair	P	3	1
Louise Dowdy	P	4	0
Dale Hoover	P	3	0
Tom Wolf	P	3	1

Alternate

Cindy Smith, Alternate	P	4	0
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Staff Present

Joyce Hair, Board Clerk
 Bruce Jolly, Board Attorney
 Det. Paul Maniates
 Scott Walker, Assistant Attorney
 B. Chiappetta, Recording Clerk, Prototype Inc.

Communication to the City Commission

None

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	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
1.	10-09-05	217 Southwest 19 Avenue – Luby & Bruce Hargrett	2
2.	11-03-03	426 Northwest 14 th Avenue - Lewis Tunnage	2
3.	11-03-02	414 Northwest 15 th Way - Rosa and Ventura Sorto	3
		Board Discussion	4

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 7:00 p.m.

2. Roll call; witnesses sign log; swearing in

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

Witnesses were sworn in.

3. Approval of minutes for May 2011

The Board noted a change to the minutes.

Motion made by Mr. Hoover, seconded by Ms. Smith, to approve the minutes of the Board's May 2011 meeting as amended. In a voice vote, the motion passed unanimously.

Cases:

- 4. Case Number 10-09-05**
217 Southwest 19th Avenue
Residence
Owner: Luby and Bruce Hargrett
• **Notice of Status Hearing**

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Det. Maniates stated the property owners had received notice of the meeting on 5/16/11.

Det. Maniates announced that in the past 30 days there had been no calls for service to the property. Det. Maniates had visited the property several times during the month and found the signs to be in place. The property was in compliance and he recommended a status hearing for July 2011.

- 5. Case Number 11-03-03**
426 Northwest 14th Avenue
Residence
Owner: Lewis Tunnage
• **Notice of Status Hearing**

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Det. Maniates stated the property owner had received notice of the meeting on May 17, 2011.

Det. Maniates announced that in the past 30 days there had been one call for service to the property, which was a medical call. Det. Maniates had visited the property on May 31 and found lights installed on the front and rear, north and south sides of both buildings. Both buildings had also been painted and the parking spots were being repainted. He presented photos to the Board of the work that had been done and noted it was a big improvement. Mr. Walker stated the Order had not included a requirement to clean the property up; the owner had taken it upon himself to do this.

The property was in compliance and Det. Maniates recommended a status hearing for July 2011.

- 6. Case Number 11-03-02**
414 Northwest 15th Way
Owner: Rosa and Ventura Sorto
- **Notice of Status Hearing**

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Det. Maniates stated the property owner had received notice of the meeting on May 18, 2011 and was in attendance.

Det. Maniates announced that in the past 30 days there had been three calls for service to the property, one of which was nuisance related. The nuisance call had been on May 28 when two individuals had been arrested and charged with possession of cocaine with intent to deliver. One of the individuals had been arrested at this location on March 10, 2011 and had reported his home address as 426 Northwest 14 Avenue, apartment 6, a building owned by Lewis Tunnage (see previous case). Det. Maniates said the cases were pending further investigation.

Det. Maniates had contacted Mr. Walker on June 7 to obtain a referral for an eviction attorney for Mr. Ventura Sorto, the owner, and he had forwarded the information to Mr. Sorto.

Det. Maniates had visited the property several times and found the property to be in compliance, and it appeared someone was moving out of the rear apartment.

The property was in compliance and Det. Maniates recommended a status hearing for July 2011.

Mr. Sorto informed Mr. Walker that he was receiving no rent from those occupying the property and Mr. Walker stated they had threatened Mr. Sorto. Mr. Walker noted now

that the property had "No Trespassing" signs, anyone present on the property without a lease could be removed.

Det. Maniates stated in the past six months, there had been 20 calls for service to the property, four of which were nuisance related.

Mr. Sorto said there were two apartments on the property and they were both occupied. There was electricity and water service to the property. Det. Maniates said the water had been put in Mr. Sorto's name but he had not authorized it. Mr. Sorto had tried to get the occupants to pay the bills but they had refused. One water bill totaled almost \$2,000. Mr. Walker felt Mr. Sorto had the right to stop the water service. He said someone must be paying the electricity bill or FPL would shut it off. Mr. Gatania said when a tenant stopped an electricity account, FPL took the bill out of that person's name but left the electricity on.

Ms. Dowdy had visited the property the previous week, and said she saw eight to ten people hanging around. Mr. Gatania thought Mr. Sorto should call the Police when he drove by the property and "saw something going on." When more arrests were made on the property, he said the people would start to leave.

Ms. Smith suggested someone should visit the property and call the Police when he/she saw people present who did not belong there. Mr. Fredy Bonilla said he did not have time to visit the property.

Mr. Gatania said if Mr. Sorto felt threatened, he could call the Police to accompany him when he visited the property.

Ms. Dowdy remarked that there was a school and a church within 1,000 feet of the property.

Det. Maniates recommended a status hearing for July 2011 to see the owner's progress with the evictions.

Board Discussion

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Mr. Jolly reminded Board members that they were required to fill out financial disclosure forms. These were required to avoid conflicts of interest.

Ms. Smith stated she had performed a patrol in the Durrs and Dorsey Riverbend neighborhoods as Ms. Dowdy had asked her to do. Ms. Smith remarked there were a lot of improvements going on in these neighborhoods.

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Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:26 PM.

The Board's next meeting was scheduled for July 14, 2011.

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