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CITY OF FORT LAUDERDALE
UNSAFE STRUCTURES BOARD
THURSDAY, AUGUST 16, 2012 AT 3:00 P.M.
CITY COMMISSION MEETING ROOM
CITY HALL

Cumulative Attendance 10/11 through 9/12

<u>Board Members</u>	Attendance	Present	Absent
Michael Weymouth, Chair	P	8	0
Joe Holland, Vice Chair	P	5	3
John Barranco	A	6	2
Joe Crognale	P	8	0
Pat Hale	P	7	1
Thornie Jarrett	A	7	1
Don Larson	P	6	2
John Phillips	A	5	3
B. George Walker [arrived 3:04]	P	6	2

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City Staff

Lori Grossfeld, Board Secretary
Ginger Wald, Assistant Attorney
George Oliva, City Building Inspector
Gerry Smilen, City Building Inspector
Jorg Hruschka, Building Inspector
Jeri Pryor, Administrative Assistant II
Chris Augustin, Chief Building Official
Dee Paris, Administrative Aide
Brian McKelligett, Administrative Assistant II
Jamie Opperee, ProtoType Inc. Recording Clerk

Communication to the City Commission

None

Witnesses and Respondents

CE11071480: Mark Hickman, owner
CE09010411: Tanya Downs, bank representative

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<u>Index</u>		
<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
1. CE09010411	SMIGIEL, JOHN & SMIGIEL, VALERIA NATALI	<u>3</u>
Address:	1616 SW 18 AVE	
Disposition:	Owner is ordered to demolish the property within 30 days or the City shall demolish. Board approved 6-0.	
2. CE11071480	HICKMAN, MARK S	<u>15</u>
Address:	1444 NW 1 AV	
Disposition:	35-day extension to September 20,2012. The Board recommends that within the 35 days drawings be made or the respondent will bring his architect to the next meeting. Board approved 6-0.	
	Board Discussion	<u>29</u>
	Communication to the City Commission	<u>29</u>
	For the Good of the City	<u>30</u>

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

All individuals giving testimony before the Board were sworn in.

Approval of meeting minutes

Motion made by Mr. Holland, seconded by Ms. Hale, to approve the minutes of the Board's July 2012 meeting. In a voice vote, motion passed 5-0.

1 Cases

2 1. Case: CE09010411

[INDEX](#)

3 SMIGIEL, JOHN &

4 SMIGIEL, VALERIA NATALI

5 1616 SW 18 AVENUE

6 MS. PARIS: We'll go to page one; we'll start with
7 the case at the bottom. This is a new business case. Case
8 CE09010411, the Inspector is Gerry Smilen, the address, 1616
9 Southwest 18 Avenue, the owner is John Smigiel and Valeria
10 Natali Smigiel.

11 We have service by posting on the property 7/25/12,
12 we've advertised in the Daily Business Review 7/27/12 and
13 8/3/12. Certified mail as noted in the agenda.

14 CHAIR WEYMOUTH: Good afternoon.

15 INSPECTOR SMILEN: I don't have the exhibit.

16 [inaudible] Gerry Smilen, Building Inspector, City of Fort
17 Lauderdale. The name could be pronounced Smigel [phonetic],
18 instead of Smeegle [phonetic] could be Smigel.

19 CHAIR WEYMOUTH: Could be Schmeziel [phonetic] too.

20 INSPECTOR SMILEN: It could be but I wouldn't say
21 that.

22 CHAIR WEYMOUTH: Thank you.

23 INSPECTOR SMILEN: Gerry Smilen, Building Inspector
24 City of Fort Lauderdale, presenting case CE09010411. I had
25 first inspected this property on January 19 of '09. This case

1 was transferred to me from Building Inspector Jorg Hruschka.
2 The original case was originally opened in 2006 and, do we
3 have, do we have any juice here, what's going on?

4 CHAIR WEYMOUTH: Real quick, if the record will
5 reflect that George Walker joined the Board. [at 3:04]

6 MR. WALKER: Thank you.

7 CHAIR WEYMOUTH: Yes sir.

8 MS. HALE: It's on our --

9 CHAIR WEYMOUTH: We've got it up on our screen.

10 MS. HALE: Yes.

11 INSPECTOR SMILEN: Okay, well, it would be a help
12 if I knew what you were looking at.

13 CHAIR WEYMOUTH: The dock.

14 MS. HALE: Do you want to come and share?

15 INSPECTOR SMILEN: Sure, I'll come up there and
16 share.

17 MS. WALD: All you've got to do is look here or
18 here.

19 INSPECTOR SMILEN: Well this [inaudible]

20 MS. HALE: Oh dear.

21 INSPECTOR SMILEN: Okay. Anyway, what had happened
22 was, this dock was installed without a permit and we, it was
23 a result this work happened after hurricane Wilma so sometime
24 in 2005, complaint was made and you're looking at pictures of
25 the dock as it is.

1 [Inspector Smilen showed photos of the property
2 from the water]

3 I was able to have the Marine Patrol take me for a
4 little ride around the back there because I didn't have
5 access to the property from the front.

6 As you can see, this property is on a point on the
7 canal and the dock wraps around the whole property just
8 about. That's showing it coming right around there and there
9 are a lot of boats that are docked on the property which is
10 another violation which doesn't really concern us at this
11 point.

12 If you can see, the dock is there, there's electric
13 on the dock, all done without permits. Okay.

14 MS. WALD: There you go.

15 INSPECTOR SMILEN: Okay, there's more. Because
16 we're going to show you a little before -- this is an after,
17 obviously, the dock's been installed. If you can see,
18 there's electric, there's all kinds of good stuff there,
19 okay?

20 Now we're going to rewind and go back in time and
21 we're going to show you how this whole thing happened. Okay.

22 MS. HALE: That's interesting.

23 INSPECTOR SMILEN: Yes. It's blue.

24 MR. LARSON: Gerry, those are interesting pictures,
25 where'd you take those at?

1 INSPECTOR SMILEN: Can we get that little -- okay
2 that's good. Okay, we can move it on a little bit here.
3 These pictures were taken by the complainant. Okay. As you
4 can see, there wasn't any dock there and these gentlemen are
5 constructing it right now. There have not been, there are no
6 records on this property of any dock to be constructed
7 whatsoever.

8 CHAIR WEYMOUTH: So, you're saying this is not a
9 replacement.

10 INSPECTOR SMILEN: No, no replacement whatsoever.
11 There's nothing there. Okay. So you can see the culprits in
12 action. You saw the aftermath. And the City is asking the
13 Board to find for the City and grant an order to demolish the
14 property in the absence of a demo permit or building permit
15 for, or repair by the owner in the next thirty days.

16 CHAIR WEYMOUTH: There any questions of the
17 Inspector? Okay. And, is anybody here to speak on behalf of
18 the homeowner? Or the bank.

19 MS. HALE: No, that's the bank.

20 MS. PARIS: No, but this is a representative from
21 the bank.

22 CHAIR WEYMOUTH: I'm sorry?

23 MS. PARIS: The bank.

24 CHAIR WEYMOUTH: Okay.

25 MS. PARIS: We have a bank representative.

1 CHAIR WEYMOUTH: I didn't know whether she wanted
2 to make a statement or -- Good afternoon.

3 MS. DOWNS: Good afternoon.

4 CHAIR WEYMOUTH: Could you introduce yourself
5 please.

6 MS. DOWNS: Tanya Downs from the law office of
7 Marshall C. Watson. We represent the interest of the bank.
8 This house has been in the foreclosure process for some time,
9 since 2008. We're currently getting ready for a trial. We
10 just ask that you put off putting a lien on the property
11 until we gain certificate of title.

12 CHAIR WEYMOUTH: We don't lien the properties; our
13 role is to either have it removed, but you say that it's been
14 in foreclosure since '08.

15 MS. DOWNS: Um-hm [affirmative]

16 CHAIR WEYMOUTH: Do the people still reside there?

17 MS. DOWNS: As far as I know, yes. So it's not
18 like we could go in there anyway.

19 CHAIR WEYMOUTH: So they improved this property
20 after they quit making their mortgage payments.

21 MS. DOWNS: Yes, and apparently the Inspector said
22 they're making rent off the boats that are docking there
23 [inaudible].

24 CHAIR WEYMOUTH: You're preparing for litigation.
25 Do you anticipate that being in the foreseeable future?

1 MS. DOWNS: Yes. Yes, we're preparing for a trial.

2 CHAIR WEYMOUTH: Can you share with us what that
3 might be?

4 MS. DOWNS: I would hope --

5 CHAIR WEYMOUTH: This year?

6 MS. DOWNS: By the end, yes.

7 CHAIR WEYMOUTH: Okay.

8 MS. DOWNS: I would hope.

9 CHAIR WEYMOUTH: Alright, anybody have any
10 questions for her?

11 MR. CROGNALE: Is your position by any chance the
12 bank to want to protect that property, that dock, in any way?

13 MS. DOWNS: We want to protect our interest in the
14 property. The dock itself, obviously, if it's in unsafe
15 condition we would prefer it to be moved, removed.

16 MR. CROGNALE: Okay.

17 MS. DOWNS: But as we don't have title and there's
18 someone residing in the property, we can't do anything about
19 it until we gain title.

20 MR. CROGNALE: Alright, you answered my question
21 then.

22 CHAIR WEYMOUTH: Okay. Don?

23 MR. LARSON: I got two questions, one for Gerry,
24 first I want, I got one for you. On this dock, does it look
25 like it's been built to pass inspection or do you think it

1 would have to be torn down to meet the current code?

2 MS. DOWNS: That would be you.

3 INSPECTOR SMILEN: Gerry Smilen, Building Inspector
4 for the City of Fort Lauderdale. I'd like to make a
5 statement which will take care of your question.

6 MR. LARSON: Okay.

7 INSPECTOR SMILEN: The statement that I need to
8 make here is the fact that because, as you saw, the
9 construction, there was, the fact that this dock did not go
10 through the permit process and was approved, and it didn't go
11 through the inspection process as it was being built, it is
12 deemed unsafe. That's the first thing.

13 And the other thing that I want to add on is also
14 the fact that due to the valuation criteria of the unsafe, of
15 an unsafe structure, the fact that this is a hundred percent
16 replacement, it meets the valuation criteria to be unsafe as
17 well.

18 CHAIR WEYMOUTH: Okay?

19 MR. LARSON: Thanks Gerry, you answered my
20 question.

21 MR. WALKER: I have a question for Mr. Smilen.

22 MR. LARSON: I'm not finished with my --

23 MR. WALKER: Oh, I'm sorry. Go ahead.

24 MR. LARSON: That's all right, you didn't know,
25 that's all right. Yes, you.

1 MS. DOWNS: Yes.

2 INSPECTOR SMILEN: Your turn.

3 MS. DOWNS: Okay.

4 MR. LARSON: Correct me on the dates. You said
5 that you were, this had been in foreclosure since 2008?

6 MS. DOWNS: Yes.

7 MR. LARSON: Why do you think of the fact is that
8 you haven't moved forward before now?

9 MS. DOWNS: We've gone through litigation in the
10 file. They've filed, they're represented, and they have
11 filed several motions, motion to dismiss, requests for
12 admission, requests for production, interrogatories, all of
13 their avenues. So it has taken a while to get that process
14 moving. And -- I don't know your name, I'm sorry.

15 MS. WALD: Ginger.

16 MS. DOWNS: Ginger wanted me to clarify, it's not
17 set for trial; we would like to go to trial by the end of the
18 year but it's not set for trial.

19 MR. LARSON: So you don't have a trial date set.
20 It could be six months, it could be a year away.

21 MS. DOWNS: No, we don't have it set, I have no
22 idea when it would be.

23 MR. LARSON: Okay, okay. That answers my question.

24 MS. DOWNS: Okay. Okay, thank you.

25 CHAIR WEYMOUTH: Any other questions [inaudible]?

1 MR. WALKER: I have one question for Mr. Smilen.
2 So there's boats that are docked there right now. When you
3 tear it down, what happens to the boats if there's no one
4 there? How do they get notice that this needs to be, they
5 need to move their boats?

6 INSPECTOR SMILEN: Well, what we'll do in this,
7 this, this, Mr. Walker, it's a good question. In this
8 particular case, because of the nature of it being in the
9 jurisdiction of the Marine Patrol, we would work with the
10 Marine Patrol. There would be notification from them to get
11 the boats moved.

12 MR. WALKER: Okay.

13 MS. HALE: But I thought we were only dealing with
14 one wood dock.

15 CHAIR WEYMOUTH: One continuous wood dock.

16 MS. HALE: A wood dock.

17 MR. LARSON: One continuous.

18 CHAIR WEYMOUTH: Correct.

19 MS. HALE: How long is it?

20 INSPECTOR SMILEN: It goes around the whole point
21 of the property.

22 MS. HALE: Oh, the whole point?

23 INSPECTOR SMILEN: Yes.

24 CHAIR WEYMOUTH: It can be a couple hundred feet
25 long. I think I saw three or four different boats there.

1 INSPECTOR SMILEN: The --

2 CHAIR WEYMOUTH: So, it's a very long dock.

3 MS. HALE: Yes, I did too. But I didn't realize it
4 was still a continual dock.

5 INSPECTOR SMILEN: You can see the -- if you follow
6 my pen you can see.

7 MS. HALE: Oh, okay, [inaudible] I gotcha.

8 MR. LARSON: Thanks Gerry. Make the motion.

9 MS. HALE: It just didn't look like -- sorry.

10 CHAIR WEYMOUTH: Anybody else have any more
11 questions? Anybody like to put forth a motion?

12 MR. LARSON: Go for it Pat; I'll second.

13 MS. HALE: I've got to find papers.

14 MR. LARSON: Here.

15 MS. HALE: I move that we --

16 CHAIR WEYMOUTH: Wait, I'm sorry Pat.

17 MR. HOLLAND: Oh. Sorry, sorry for the late
18 question. Question to staff. Just, do you, does anybody
19 have, able to describe the pile bearing capacity criterion
20 for docks, what's normally done during the inspection process
21 to assure that they meet appropriate bearing capacity?

22 CHAIR WEYMOUTH: I don't know if it's bearing as
23 much as I -- doesn't that fall under the Army Corps?

24 MS. HALE: Yes.

25 CHAIR WEYMOUTH: Wouldn't this whole thing, before

1 it gets to you guys, wouldn't the Army Corps of Engineers?

2 INSPECTOR SMILEN: Well, there has to be approval
3 for it before it gets to us.

4 CHAIR WEYMOUTH: Right.

5 INSPECTOR SMILEN: I'm not too sure what their
6 process is.

7 MR. HOLLAND: Yes, yes. The question had to do
8 with the ability to salvage the structure if they were able,
9 if the bank was able to put it through the process and after-
10 the-fact permit it.

11 INSPECTOR SMILEN: Well, if there was an engineer
12 that would certify the dock as being done accordingly with
13 the requirements of the water management, whichever
14 jurisdiction that would be, and with our jurisdiction, with
15 the Florida Building Code, then that would work out.

16 MR. HOLLAND: Right, because I don't know to what
17 degree of a hazard it does offer compared to some of the
18 structures we've seen through hurricane season, other
19 matters. But there's no doubt it doesn't meet the current
20 code.

21 CHAIR WEYMOUTH: And -- I'm sorry Pat, before you
22 make a motion -- I would have wished that we could have
23 gotten some sort of a date when you think that this thing
24 could go to trial because I think that we, or I will say I
25 feel for the fact that you're trying to protect something

1 that you've got a mortgage on, but, you know, without an end
2 date in sight, it makes it kind of tough. So, anyway, I just
3 wanted to get that off my chest. Pat, do you want to make a
4 motion?

5 MR. LARSON: Go for it.

6 CHAIR WEYMOUTH: Quickly.

7 MS. HALE: I do it very quickly.

8 CHAIR WEYMOUTH: Before somebody else interrupts.

9 MS. HALE: I move that we find that the violations
10 exist as alleged and that we order the property owner to
11 demolish the structure within thirty days and that we order
12 the City to demolish the structure should the property owner
13 fail to timely demolish. Such demolition is to be
14 accomplished by a licensed demolition contractor pursuant to
15 a City issued demolition permit.

16 MR. LARSON: Second.

17 CHAIR WEYMOUTH: Any additional --

18 MS. HALE: Fast enough?

19 CHAIR WEYMOUTH: That was perfect.

20 MS. HALE: Good.

21 CHAIR WEYMOUTH: Any additional conversation?

22 Before we put it to a vote, again, I'm struggling with this
23 but if there were an extension of time for you, a reasonable
24 extension, is that even something that's available to
25 consider? I mean we had said that we thought that maybe we

1 could address this in 2012, but then, if it hasn't been set
2 for trial, we know how slow things happen over on 6 Street.

3 MS. DOWNS: Unfortunately I, I don't want to give
4 you a time because I'd be lying.

5 CHAIR WEYMOUTH: Okay, alright, fair enough.

6 MS. DOWNS: So I couldn't tell you.

7 CHAIR WEYMOUTH: Understood. Understood. All
8 right. We have a motion, we have a second. Any additional
9 discussion? All those in favor say aye.

10 BOARD MEMBERS: Aye.

11 MR. WEYMOUTH: Any opposed? Hearing none, motion
12 passes unanimously.

13

14 **2. Case: CE11071480**

[INDEX](#)

15 **HICKMAN, MARK S**

16 **1444 NW 1 AV**

17 MS. PARIS: Thank you Board. Our next case will be
18 at the top of page one. This is an old business case.

19 CHAIR WEYMOUTH: If I could also, sorry, I see that
20 Mr. Hickman's here --

21 MS. PARIS: Yes.

22 CHAIR WEYMOUTH: And I, if you don't mind, I would
23 like to try to address the homework that we were assigned
24 last month.

25 MS. PARIS: Okay, sure.

1 CHAIR WEYMOUTH: Before we hear his case because it
2 may be applicable. It may not be, but we were tasked with
3 reading Section 116.2.2 Valuation Criteria of Broward County
4 Board of Rules and Appeals.

5 I don't know if anybody else has comments to it. I
6 struggle with the valuation process. But if we're going down
7 this lines, the note that I put here is that we should
8 probably follow 116.2.2.2, since it only deals with
9 structural, whereas the other one, which is 116.2.2.1 deals
10 with things such as cabinetry and fixtures, when you start
11 determining values.

12 So, if we are going down this road, that is the
13 only thing that I would suggest is that we follow 116.2.2.2,
14 since we are a structural board.

15 MS. WALD: Ginger Wald, Assistant City Attorney. I
16 think you can follow either, and I'm going to say the reason
17 why. It is, both are available and either one can be
18 presented and both are included in the entire chapter which
19 makes it available to you as part of the Unsafe Structure
20 Board.

21 Even though structure is in your definition, there
22 are violations that can be brought forward, which is the
23 subsection before that as to be physical criteria that has to
24 be met first of this two-part step.

25 So it really would depend on the type of violation

1 that is brought forward to you as to which valuation needs to
2 be considered. And along with that, as what is presented to
3 you is also important.

4 So, when we have a violation -- and we'll just use
5 a plain old example violation -- and we have a structural
6 issue, and we have a structural issue in the sense of work
7 was done without permits, or a fire had occurred. And again,
8 just speaking generally, and those are the violations that
9 are brought forward in front of you and that is the basis of
10 the physical criteria that makes the building or the
11 structure unsafe. Then I believe you would use the valuation
12 criteria of the thirty-three percent.

13 If it's something else beyond that, or even a
14 combination, then I think you have to look at each one of the
15 violations as they're brought, to make the determination as
16 to valuation. That's my interpretation of it.

17 CHAIR WEYMOUTH: Anybody else want to have any
18 comment to this? I'm just afraid that when we start --

19 MS. WALD: You guys disagree?

20 CHAIR WEYMOUTH: -- I'm afraid when we start
21 valuing cabinetry and plumbing fixtures we're going to do so
22 based on the location of the property, and that may not be
23 fair because the person in an influential neighborhood has
24 the same access to affordable cabinets through a superstore,
25 Home Depot, Lowe's, or what have you, and plumbing fixtures

1 as a house not there. So that's just my comment, but --

2 MS. HALE: I agree with you.

3 CHAIR WEYMOUTH: So. If there's no other
4 conversation on this, I think we understand now and we'll go
5 ahead and hear Mr. Hickman's case.

6 MS. WALD: Sounds good. Anything else? No.

7 CHAIR WEYMOUTH: Good afternoon Inspector Oliva.

8 MS. PARIS: Excuse me, let me call the case.

9 CHAIR WEYMOUTH: Oh.

10 MS. PARIS: That's okay. I didn't know if you had
11 any more questions for staff. Okay we're going to move to
12 the top of page one. This is an old business case, case
13 CE11071480, the Inspector George Oliva. The address 1444
14 Northwest 1 Avenue. The owner is Mark S. Hickman. This case
15 was first heard at the 7/19/12 USB hearing. The Board
16 ordered a twenty-day, twenty-eight-day extension to the
17 8/16/12 USB hearing.

18 We have service by posting on the property 7/25/12,
19 advertised in the Daily Business Review 7/27/12 and 8/3/12.
20 Certified mail and violations as noted in the agenda.

21 CHAIR WEYMOUTH: Thank you.

22 MR. HICKMAN: Yes sir.

23 CHAIR WEYMOUTH: Good afternoon Mr. Hickman.

24 MR. HICKMAN: It's an afternoon. Admittedly, this
25 has been a trying process.

1 [Mr. Hickman displayed a document]

2 CHAIR WEYMOUTH: Can we try to blow that up and
3 zoom it, clear it? Some of it's just --

4 MS. PARIS: I think we should pass this.

5 CHAIR WEYMOUTH: That'd be great.

6 MS. HALE: Maybe somebody could read it.

7 CHAIR WEYMOUTH: I'm assuming that what's being
8 passed is something that's material.

9 MR. HICKMAN: It's the contract --

10 [People speaking over each other]

11 MS. PARIS: That's correct, yes.

12 CHAIR WEYMOUTH: -- to introduce.

13 MR. LARSON: He got an engineer, basically.

14 MS. PARIS: Unless you want me to read it out loud
15 into the record.

16 MR. LARSON: That'd be easier.

17 MS. HALE: Why don't you do that, because --

18 MR. LARSON: That would be part of the record then.

19 MS. HALE: -- we'll be forever. It's very small.

20 [Inaudible] too.

21 MR. LARSON: I'll loan you my arm.

22 MS. PARIS: My mother used to call it short arm
23 disease. Okay, this is a letter dated August 16 to Mr.
24 Hickman. We are pleased to submit the following proposal for
25 consulting structural engineering service for the subject

1 project. Our proposal is based on information supplied by
2 the project owner. This project consists of structural
3 design and analysis for a [inaudible] frame sunroom that is
4 attached to an existing one-story residence.

5 Our services during the construction document phase
6 will include the following, one: consultation to determine
7 structural requirements; two: determination of the most
8 suitable structural system; three: preparation of structural
9 drawings, which will be signed and sealed for a building
10 permit application.

11 Our services during construction administration
12 phase will include the following, one: responding to the
13 Building Department review, comments or questions. Our fee
14 for these services will be broken down as follows, hourly: a
15 hundred and twenty-five dollars an hour. If construction
16 administration, shop drawing review, or field visits are
17 required, they will be billed on an hourly basis plus
18 expenses, but only if requested by the client.

19 This proposal is valid for six months from the date
20 issued. If work is stopped for more than three months,
21 additional fees will be required to restart the project.
22 Additional services beyond the scope of this proposal may be
23 provided on a flat fee basis or an hourly basis. Our hourly
24 rates are, and then it's got the hourly rates.

25 CHAIR WEYMOUTH: Thank you.

1 MS. PARIS: You're welcome.

2 CHAIR WEYMOUTH: Okay Mr. Hickman.

3 MS. HALE: Who signed that though? What company
4 was that? That sent that letter dated today?

5 MS. PARIS: The name of the company is TMB
6 Engineering Consulting Structural Engineers. And they're
7 located in Boynton Beach.

8 MR. MCKELLIGETT: Is there a name?

9 MS. PARIS: This not signed, it's just --

10 MR. HICKMAN: I was having a problem with my
11 printer. The two pages that have the, like the, there's more
12 just like --

13 MS. PARIS: State your name, Mr. Hickman.

14 MR. HICKMAN: I'm Mark Hickman. I was having a
15 problem with my printer. There are two more pages but it's
16 more just like his little --

17 MS. HALE: Did you sign it?

18 MR. HICKMAN: Yes.

19 MS. HALE: Did he sign it?

20 MR. HICKMAN: Yes, that's the third page that I
21 couldn't get to print. I can --

22 MS. HALE: Yes, but did he sign it?

23 MR. HICKMAN: Yes, I actually met with him today.

24 MS. HALE: And did you sign it?

25 MR. HICKMAN: Yes.

1 MS. HALE: Okay.

2 MR. HICKMAN: And it has been an ordeal. Just this
3 week I was able to get hold of somebody physical to come to
4 my property. And I've been on the phone and had promises and
5 promises and promises, and this is, I don't know if it's the
6 industry or what, but this has just been a ordeal. I've been
7 to three people this week, and this guy, again, was involved
8 about a week ago. But again, it was just hard to get people
9 involved in this.

10 CHAIR WEYMOUTH: So, it's not a lump sum contract;
11 it's an hourly.

12 MR. HICKMAN: He said there's no way that he could
13 do that.

14 CHAIR WEYMOUTH: Okay. And did you give him any,
15 is it a executed document on both sides? Did you sign it and
16 did he sign it?

17 MR. HICKMAN: Yes.

18 CHAIR WEYMOUTH: Did you give him any kind of a
19 retainer?

20 MR. HICKMAN: No, he wanted to come up with what
21 we're going to -- he gave me three choices of things we can
22 do with what's there. And he just wants to go further with
23 that before we actually get that part. I've just committed
24 him to do the project.

25 CHAIR WEYMOUTH: And he's physically seen the

1 structure.

2 MR. HICKMAN: Oh, yes.

3 CHAIR WEYMOUTH: Before he prepared that.

4 MR. HICKMAN: I have his phone number if you'd
5 like.

6 MS. HALE: Could the staff keep it down please so
7 we can hear what he's saying?

8 CHAIR WEYMOUTH: Any additional questions?

9 MR. LARSON: I have a couple.

10 CHAIR WEYMOUTH: Go ahead.

11 MR. LARSON: In regards, on the contract that you
12 have there, basically you don't have anything because even
13 though it's signed it's just a document and you have not
14 changed hands or given a deposit so you basically don't have
15 a contract until you transfer some funds. But my question to
16 you, is he doing it on a time and material basis?

17 MR. HICKMAN: Right, that's it. That's why he said
18 just be an hourly thing and materials.

19 MR. LARSON: Could you, when you get back to
20 wherever your computer is and get that in, could you see that
21 the office here has the other two pages?

22 MR. HICKMAN: Sure, I could even forward the e-mail
23 straight to you if you'd like.

24 MR. LARSON: That'd be fine. Just give it to them.

25 MR. HICKMAN: Sure.

1 MR. LARSON: I'd appreciate that.

2 MR. HICKMAN: No problem.

3 MS. HALE: When you met him and you signed this
4 paper he must have given you some idea of how long it would
5 take to do a project like this.

6 MR. HICKMAN: The length, he really didn't get into
7 that but from what I gathered from him it's really not a
8 lengthy thing. He, in the, one of the options was to, like
9 we discussed before, just getting rid of everything that's
10 there and starting over, but he's still talking just a couple
11 weeks of actual work time. It's just a ten-by-ten room, or a
12 twelve-by-twelve room. [Inaudible] room.

13 CHAIR WEYMOUTH: Inspector Oliva, do would you want
14 to add anything to the conversation?

15 INSPECTOR OLIVA: That's my email.

16 MR. HICKMAN: Okay.

17 INSPECTOR OLIVA: George Oliva, Building Inspector
18 for the City. At this moment, the City doesn't have any
19 comment. I'm going to leave it up to the Board if you want
20 to grant an extension of time to the owner.

21 CHAIR WEYMOUTH: Is it the City's opinion that he's
22 been working with the City to further the cause of getting
23 this addressed?

24 INSPECTOR OLIVA: So far, this is the first time
25 that I get to see the paper or the document. And I'm willing

1 to give him thirty days to come up with a contract and a set
2 of drawings, try to get the permit.

3 CHAIR WEYMOUTH: Okay.

4 INSPECTOR OLIVA: But he --

5 MR. HICKMAN: I've been working since we were in
6 here and it literally is this week is the first time I've
7 been able to get someone to commit to come. I don't know what
8 it is, but [inaudible] spinning my wheels.

9 INSPECTOR OLIVA: If he keeps, if he keeps in touch
10 with me and let me know how he's coming along with the
11 project, I'm willing to support an extension.

12 CHAIR WEYMOUTH: Okay. Joe, do you have a
13 question?

14 MR. HOLLAND: No, just a comment. I've found from
15 my own experience trying to get structural professionals on a
16 timely fashion is difficult on small jobs.

17 MR. HICKMAN: That's the thing. They just don't,
18 nobody wants to be bothered.

19 CHAIR WEYMOUTH: Okay. Any other questions,
20 comments? Does somebody want to make a motion?

21 MS. HALE: Okay, I move we find the violations
22 exists as alleged and that we grant the respondent until --

23 MR. LARSON: Thirty-five day.

24 CHAIR WEYMOUTH: Thirty-five days, September 20.

25 MS. HALE: Thirty-five days, until September 20 to

1 bring the property into compliance.

2 MR. LARSON: I'll second.

3 CHAIR WEYMOUTH: Any further conversation before we
4 put it to a vote? Before we put it to a vote I think we
5 should probably try to make it as clear as possible to Mr.
6 Hickman what we'd liked to see in the next thirty-five days.
7 And I heard somebody mention possibly a set of drawings that
8 are ready to go to the Building Department.

9 MS. HALE: Yes.

10 CHAIR WEYMOUTH: Being that you've got a design
11 professional in hand I don't think that that's a difficult
12 task. If it appears to be, then perhaps you show up with
13 your architect or designer at the next meeting on September
14 20.

15 MR. HICKMAN: Yes, I tried to get him here today
16 but he, he was --

17 CHAIR WEYMOUTH: Oh, I understand. But we look for
18 progress. When we feel that, you know, we've hit some
19 quicksand then we're done.

20 MR. HICKMAN: Of course. Now if I understand --

21 CHAIR WEYMOUTH: But you know, you're showing
22 progress either in a set of plans that's hopefully already
23 been submitted to the City, don't feel that they need to be
24 brought before this Board before they're submitted by, to the
25 City. If the plans are ready next week, submit them to the

1 City. That only inure to your benefit. But in the event
2 that --

3 MR. HICKMAN: Now, is that part of the permit
4 process like --

5 CHAIR WEYMOUTH: That's permitting the plans.

6 MR. HICKMAN: Okay, okay.

7 CHAIR WEYMOUTH: Yes. And I'm sure Inspector Oliva
8 will get you, or point you in the right direction to get all
9 the forms and Notice of Commencements and all the other good
10 stuff. But I think that this Board is probably looking for
11 some substantial progress in thirty-five days which is a set
12 of drawings or have your architect in here to explain why.

13 MR. HICKMAN: I was just going to ask that, because
14 the way the wording was, is the project have to be completed
15 in thirty-five days?

16 CHAIR WEYMOUTH: No.

17 MS. HALE: No.

18 CHAIR WEYMOUTH: No.

19 MR. HICKMAN: Or just --

20 MS. HALE: No.

21 CHAIR WEYMOUTH: We're looking for progress.

22 MR. HICKMAN: Okay.

23 CHAIR WEYMOUTH: We're looking for progress, so --

24 MR. HICKMAN: Just starting --

25 MS. HALE: But I think that having the plans

1 finished --

2 MR. HICKMAN: I understand, I understand.

3 MS. HALE: -- would be.

4 MR. HICKMAN: From what he was saying, I don't
5 think that's a problem.

6 MS. HALE: No. Okay.

7 MR. LARSON: If he can't get the plans finished, I
8 would advise you to bring him in here.

9 CHAIR WEYMOUTH: Right, exactly.

10 MR. HICKMAN: Right. Well that's why I was trying
11 to get him here today but he did have a job.

12 MR. LARSON: Yes. We understand that for today but
13 the next time around, he's got enough time, if he can't make
14 plans than he needs to come in here.

15 MR. HICKMAN: I don't think the plans are a
16 problem. He was going right back to work.

17 CHAIR WEYMOUTH: Mr. Holland?

18 MR. HOLLAND: Yes, before we vote, I also would
19 like to implore you to be prepared for storm weather and go
20 to extraordinary means to secure that structure prior to this
21 rework --

22 MR. HICKMAN: Right.

23 MR. HOLLAND: -- in the event a storm comes up
24 before our next hearing.

25 MR. HICKMAN: In his overview of the property and

1 seeing what was there, he did concur that the hurricane
2 straps are in place, that it is secured, it was done properly
3 up to this point. It's just the way it happened.

4 And again, this has been, and unfortunately it was
5 almost three years ago, well actually, almost four years ago
6 that this was done. So he did say that it is what I had
7 thought about the hurricane straps and everything is, you
8 know, structurally sound. But again, one of the options is
9 to just remove everything there, start over. He gave me two
10 other options so.

11 CHAIR WEYMOUTH: All right. All right. Well
12 there's nothing else, and with a motion to extend for thirty-
13 five days to September 20, and a second. If there's no other
14 discussion then we'll move it to a vote. All in favor say
15 aye.

16 BOARD MEMBERS: Aye.

17 CHAIR WEYMOUTH: Any opposed? Hearing none, the
18 motion is extended, or the motion's approved. All right.

19 [INDEX](#)

20 **BOARD DISCUSSION**

21 None.

22 [INDEX](#)

23 **COMMUNICATION TO THE CITY COMMISSION**

24 MS. PARIS: Any communication to the City
25 Commission?

1 CHAIR WEYMOUTH: Are they back?

2 MS. HALE: Not, not until next Monday.

3 MS. PARIS: No, not 'til Tuesday. And this is
4 Brian's last meeting. So I don't know if y'all want to --

5 BOARD MEMBERS: Bye!

6 MR. LARSON: Don't forget to take the trash out
7 when you --

8 MS. HALE: Shake the door.

9 MS. PARIS: And Jeri's now here permanently, we
10 hope. Anyway, for today.

11 MR. WEYMOUTH: Welcome, welcome. All right, well,
12 if there's nothing else --

13 MS. PARIS: And Ginger's birthday is tomorrow.

14 MR. LARSON: Ginger, how many gray hairs do you
15 have now?

16 MS. WALD: Oh, well none, basically.

17 MR. LARSON: You're going to have one more by
18 tomorrow.

19 [INDEX](#)

20 **FOR THE GOOD OF THE CITY**

21 No discussion.

22

23 [Meeting concluded at 3:29 pm.]

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Don Paris

BOARD CLERK

Michael Weymouth

MICHAEL WEYMOUTH, CHAIR

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

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held August 16, 2012, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this 20 day of September, 2012.

PROTOTYPE, INC.

Jamie Opperlee
JAMIE OPPERLEE
Recording Clerk

SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this 20 day of September, 2012.



D.J. GROSSFELD
MY COMMISSION # EE 065058
EXPIRES: April 26, 2015
Bonded Thru Budget Notary Services

D.J. Grossfeld
NOTARY PUBLIC
State of Florida

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