

**Special Magistrate WaterWorks 2011 Hearing
City Commission Meeting Room
Judge Floyd Hull, Presiding
March 26, 2007
11:00 A.M. – 11:38 A.M.**

Staff Present:

Eve Bazer, Clerk of Special Magistrate Supervisor
Diana Cahill, Secretary, WaterWorks 2011 Special Magistrate
Heather Steyn, WaterWorks 2011 Adm. Manager
Mario Diaz, WaterWorks 2011

Also Present:

CE07020462: Carlos Zuniga, owner, Diana Cerquera, friend
CE06100895; CE06100894: Gregory Miller, owner's husband
CE06100947: Rubenia Santiago, owner
CE06100923: Tesheda Mansfield, owner's girlfriend
CE06100936: Santos Alvarez, owner's brother

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 11:00 A.M. Judge Hull introduced himself and explained his role in ensuring adherence with the City's codes.

Case: CE07020462

Carlos Zuniga
813 Northwest 8th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/28/07.

Violation:

- 28-33(a): Not connected to City's sanitary sewer system.

Ms. Steyn stated that the owner had connected, but had not paid the connection fee. The owner had two properties on this street and was able to connect both properties on one permit, but had paid only one connection fee, leaving a balance of \$2,533.

Mr. Carlos Zuniga, owner, acknowledged that he had only paid one fee because there was only one sewer connection for both properties. Ms. Steyn said the properties shared a lateral, but had separate water accounts, so the other connection fee must be paid. Ms. Steyn said the fees had been reduced due to an appeal. Mr. Zuniga requested time to pay the fee. Ms. Steyn said the payment schedule was only for residential homes and did not allow payment plans. Mr. Zuniga requested 30 days to pay the fee.

Judge Hull found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day.

Case: CE06100936

Hearing to Impose Fine

Hilda Rivera
1606 Northwest 13th Court

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. An extension had been granted from 1/22/07 to 3/8/07. The property was not complied and the City was requesting imposition of a \$4,200 fine and its continued accrual until the property was complied.

Mr. Santos Alvarez, the owner's brother, explained that the washer had been hooked up, but the plumber had been delayed due to family issues.

Ms. Steyn explained that the connection fee was paid on March 22, but no final inspection had been performed. She had no objection to a 30-day extension.

Judge Hull granted a 30-day extension to 4/23/07 and advised the owner to reappear at that hearing.

Case: CE06100923

Hearing to Impose Fine

Mickey Pupien
1557 Northwest 15 Avenue

Ms. Bazer stated that this case was first heard on 1/22/07 with compliance ordered by 2/21/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,200 fine and its continued accrual until the property was complied.

Ms. Tesheda Mansfield, the owner's girlfriend, explained that her boyfriend would be in jail until August. Judge Hull advised that he would not grant an extension to August. He advised Ms. Mansfield to use the power of attorney to hire a plumber to do the work, and said he would grant 30 days to complete the work. Judge Hull advised Ms. Mansfield to return to request an extension if the work would not be completed on time.

Judge Hull granted a 30-day extension to 4/23/07 and advised the owner to reappear at that hearing.

Case: CE06100947

Hearing to Impose Fine

Rubenia Santiago
1523 Northwest 10th Place

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. Fines had been suspended from 1/22/07 to 2/21/07.

The property was complied on 2/19/07 and the City was recommending that no fine be imposed [reduced from \$2,500].

Ms. Rubenia Santiago, owner, thanked Judge Hull.

Judge Hull imposed no fine.

The following two cases for the same owner were heard together:

Reference CE06100895

Hearing to Impose Fine

Lynnann Fagan

1412 Northwest 19th Avenue

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 2/16/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,700 fine and its continued accrual until the property was complied.

Mr. Gregory Miller, the owner's husband, said his wife's brother-in-law, who was in the Navy, had been the plumber on the job, but had been called back to Naval duty. He should return in two weeks, and Mr. Miller hoped he could complete the work then. Mr. Miller said he was unaware he could request an extension. He confirmed that they had the permit for the 14th Street address, and Ms. Fagan hoped to get the permit for the 19 Avenue address within the next two weeks. Ms. Steyn said they had already been granted a 60-day extension, and she recommended imposing the fine for both properties.

Ms. Steyn said the connection fee had not been paid. Mr. Miller said they had never been notified of the fee on that property; Ms. Fagan had purchased the property approximately six months ago. Ms. Steyn said notice had been sent in October and she must check her records to determine if the green card had been returned. Ms. Bazer confirmed that service was via posting on the property, not certified mail. Ms. Bazer said Mr. Miller had supplied the new mailing address for this case at the December hearing, but Broward County still showed the old address.

Judge Hull granted a 30-day extension to 4/23/07 and advised the owner to reappear at that hearing.

Case: CE06100894

Hearing to Impose Fine

Lynnann Fagan

1712 Northwest 14th Street

Ms. Bazer stated that this case was first heard on 1/22/07 with compliance ordered by 2/21/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,200 fine and its continued accrual until the property was complied.

Judge Hull granted a 30-day extension to 4/23/07 and advised the owner to reappear at that hearing.

Case: CE06070896

Hearing to Impose Fine

Antoinette Walker & Howard Eubanks
819 Northwest 1st Avenue

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. Fines had been suspended from 1/22/07 to 2/21/07. The property was not complied and the City was requesting imposition of a \$5,700 fine and its continued accrual until the property was complied.

Judge Hull signed the order to impose the \$5,700 fine with fines continuing to accrue.

Case: CE06070826

Hearing to Impose Fine

Sonya Gomez
819 Northwest 4th Avenue

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. Fines had been suspended from /26/07 to 3/26/07. The property was complied and the City was requesting imposition of a \$250 fine [reduced from \$6,000].

Judge Hull imposed the \$250 fine.

Case: CE06070840

Hearing to Impose Fine

Harvey Channell Van Knapp
821 Northwest 4th Avenue

Ms. Bazer stated the City was recommending a 30-day extension.

Judge Hull granted a 30-day extension.

Case: CE06102412

Hearing to Impose Fine

Justina Bryan
906 Northwest 4th Avenue

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 2/16/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,700 fine with fines continuing to accrue.

Case: CE06100745

Hearing to Impose Fine

Jacob Condell
1135 Northwest 18th Avenue

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 1/26/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$5,800 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$5,800 fine with fines continuing to accrue.

Case: CE06101006

Hearing to Impose Fine

Keith & Tiffany Timmons
1413 Northwest 15th Avenue

Ms. Bazer stated that this case was first heard on 11/27/06 with compliance ordered by 1/26/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$5,800 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$5,800 fine with fines continuing to accrue.

Case: CE06100747

Hearing to Impose Fine

Natasha Cooper
1513 Northwest 19th Avenue

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 2/16/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,700 fine with fines continuing to accrue.

Case: CE06100760

Hearing to Impose Fine

Dan Davies Trustee, McGill Land Trust
1647 Northwest 11th Place

Ms. Bazer stated that this case was first heard on 1/22/07 with compliance ordered by 2/21/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,200 fine with fines continuing to accrue.

Case: CE06100828

Hearing to Impose Fine

Lonnie Hill Jr. Estate, Andrea Branche-Hill
1700 Northwest 13th Court

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was complied and the City was recommending a fine of \$250 [reduced from \$4,100].

Judge Hull imposed the \$250 fine.

Case: CE06100798

Hearing to Impose Fine

Olive Gordon & Eleanor Williams
1708 Lauderdale Manors Drive

Ms. Bazer stated that this case was first heard on 1/22/07 with compliance ordered by 2/21/07: 1 section at \$100 per day. The property was complied and the City was recommending a fine of \$250 [reduced from \$2,700].

Judge Hull imposed the \$250 fine.

Case: CE06101023

Hearing to Impose Fine

Patrick & Jacqueline Wells
1709 Northwest 14th Street

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 2/16/07: 1 section at \$100 per day. The property was complied and the City was recommending a fine of \$250 [reduced from \$1,200].

Judge Hull imposed the \$250 fine.

Case: CE06100728

Hearing to Impose Fine

Selvin Campbell
1816 Northwest 15th Court

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$6,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$6,700 fine with fines continuing to accrue.

Case: CE06100999

Request for Extension

Chrispin Thomas
1800 Northwest 15th Place

Ms. Bazer stated that this case was first heard on 1/22/07 with compliance ordered by 2/21/07: 1 section at \$100 per day. The property was complied and the City was recommending imposition of a \$250 fine [reduced from \$1,300].

Judge Hull imposed the \$250 fine.

Cases Complied

Ms. Bazer announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE07010449

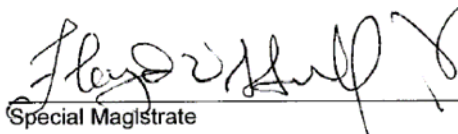
Cases Pending Service

Ms. Bazer announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:


CE06070814

CE06100754

There being no further business, the hearing was adjourned at 11:38 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate