

**Special Magistrate WaterWorks 2011 Hearing
City Commission Meeting Room
Judge Floyd Hull, Presiding
April 23, 2007
11:00 A.M. – 11:22 A.M.**

Staff Present:

Eve Bazer, Clerk of Special Magistrate Supervisor
Diana Cahill, Secretary, WaterWorks 2011 Special Magistrate
Heather Steyn, WaterWorks Project Coordinator
Laila Haddad, WaterWorks 2011 Administrative Manager

Also Present:

CE06070846; CE06070897: Scott Bursa, owner
CE06070814: David Holley, owner
CE06100789; CE06100788: Kevin Freeman, owner
CE06100754: Howard Cummings, owner's father
CE06100730: John Carson, owner
CE06100923: Tesheda Mansfield, owner's girlfriend
CE06100936: Santos Alvarez, owner's brother
CE06100885: Timothy McCann, owner

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: CE06100730

Hearing to Impose Fine

John Carson
1553 Northwest 15th Avenue

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 requesting imposition of a \$250 fine.

Mr. John Carson, owner, asked Judge Hull to impose no fine, stating he had a financial hardship. He said the reason he had taken time to comply was because he had been unable to afford it at the time. He had refinanced the property to have the work done. Ms. Steyn said the City felt the reduction of the fine to \$250 was sufficient.

Judge Hull imposed a \$250 fine.

Case: CE06100923

Mickey Pupien
1557 Northwest 15 Avenue

Hearing to Impose Fine
Ordered to reappear from 3/26/07

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, reported that the property was in foreclosure. Ms. Steyn recommended imposition of the fines.

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

Case: CE06100754

Phillip Cummings
1530 Northwest 14th Court

Hearing to Impose Fine

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 requesting imposition of a \$250 fine.

Mr. Howard Cummings, owner's father, said he felt the reduction was fair.

Judge Hull imposed a \$250 fine.

Case: CE06100936

Hilda Rivera
1606 Northwest 13th Court

Hearing to Impose Fine
Ordered to reappear from 3/26/07

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. 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 plumber had suffered a motorcycle accident and this had delayed the work. Mr. Alvarez said the inspection was scheduled for the following day. Ms. Steyn said two extensions had already been granted and recommended that the full fine be imposed.

Judge Hull imposed the \$4,200 fine with fines continuing to accrue.

Case: CE06100885

Hearing to Impose Fine

Timothy McCann
1617 Northwest 15th Place

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

Mr. Tim McCann, owner, said he had complied by March 28th. He agreed to the \$250 fine.

Judge Hull imposed a \$250 fine.

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

Case: CE06070846

Hearing to Impose Fine

Erin West-Hillier
812 Northwest 4th Avenue

Ms. Bazer stated that this case was first heard on 9/25/06 with compliance ordered by 12/24/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$250 fine.

Mr. Scott Bursa, owner, thought the extensions he had requested meant no fines would accrue. Ms. Steyn said when Mr. Bursa phoned in December for an extension, there was insufficient notice to put his case on the December agenda, allowing the fines to accrue. She recommended imposition of a \$250 fine for each case.

Judge Hull imposed a \$250 fine.

Case: CE06070897

Hearing to Impose Fine

West Bursa LLC
820 Northwest 4th Avenue

Ms. Bazer stated that this case was first heard on 9/25/06 with compliance ordered by 12/24/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$250 fine.

Judge Hull imposed a \$250 fine.

Case: CE06070814

Hearing to Impose Fine

David & Cherrykey Holley
844 Northwest 3rd Avenue

Ms. Bazer stated that this case was first heard on 9/25/06 with compliance ordered by 11/24/06: 1 section at \$100 per day. The property was complied and the City was requesting a fine of \$250.

Mr. David Holley, owner, said "amen" to the fine reduction.

Judge Hull imposed a \$250 fine.

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

Reference CE06100789

Request for extension

Kevin Freeman
1506 Northwest 15th Terrace

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. An extension had been granted from 2/26/07 to 3/28/07. The property was not complied and the owner was requesting an extension.

Mr. Kevin Freeman, owner, said he had hired a new contractor who was working on the property now. He said he had already paid \$5,400 to the first contractor, and the new contractor would charge about the same again. The contractor hoped to have final inspection the following day. Ms. Steyn said Mr. Freeman had been in constant contact with her office, and recommended a 14-day extension.

Judge Hull granted a 14-day extension and ordered Mr. Freeman to appear at the 5/21/07 hearing.

Case: CE06100788

Request for extension

Kevin Freeman
1525 Northwest 15th Avenue

Ms. Bazer stated that this case was first heard on 12/18/06 with compliance ordered by 11/17/07: 1 section at \$100 per day. An extension had been granted from 2/26/07 to 3/28/07. The property was not complied and the owner was requesting an extension.

Judge Hull granted a 14-day extension and ordered Mr. Freeman to appear at the 5/21/07 hearing.

Case: CE06121108

Hearing to Impose Fine

Chris Adach
1043 Northwest 17th Avenue

Ms. Bazer stated that the property was not complied and the City was requesting imposition of a \$2,500 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$2,500 fine with fines continuing to accrue.

Reference CE06100895

Hearing to Impose Fine

Lynnann Fagan
1412 Northwest 19th Avenue

Ordered to appear from 3/26/07

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: CE06121111

Hearing to Impose Fine

Chrispin Foyle
1426 Northwest 15th Terrace

Ms. Bazer stated that this case was first heard on 2/26/07 with compliance ordered by 3/28/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$2,500 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$2,500 fine with fines continuing to accrue.

Case: CE06100894

Hearing to Impose Fine

Lynnann Fagan
1712 Northwest 14th Street

Ordered to appear from 3/26/07

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.

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:

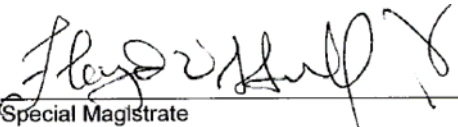
CE06070651

Cases Pending Service

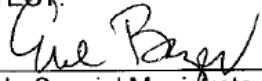
Ms. Bazer announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE07031692

There being no further business, the hearing was adjourned at 11:22 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate