



CITY OF FORT LAUDERDALE

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS
 100 NORTH ANDREWS AVENUE
 THURSDAY, JULY 12, 2018 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	Cumulative Attendance 3/2018 through 2/2019	
		<u>Present</u>	<u>Absent</u>
Don Karney, Chair	P	3	0
John Forman	P	2	0
Lorraine Saunders	P	3	0
Gustav Schmidt	P	2	1
Bob Wolfe	P	3	0

Staff Present

Det. Paul Maniates, Liaison
 Don Londeree, Assistant City Attorney
 Joyce Hair, Board Clerk
 Bruce Jolly, Board Attorney
 Lian Chan, Recording Clerk, Prototype Inc.

Communication to the City Commission

None.

<u>Index</u>			
<u>Item No.</u>	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
4.	17-08-02	941 NE 62 nd Street, Pinecrest Plaza, Status Meeting	2
5.	18-06-01	501 West Sunrise Blvd., 501 Plaza Notice of Evidentiary Hearing Board Discussion	2 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 7:01 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 10, 2018

Motion made by Mr. Wolfe, seconded by Mr. Forman, to approve the minutes of the Board's May 2018 meeting as presented. In a voice, the motion passed unanimously.

Cases:

- 4. Case No. 17-08-03
941 NE 62 Street
Owner: The Studio, Pinecrest Square Plaza/Andrew Perkins
Status Hearing**

Det. Maniates stated the property owner was Pinecrest APLLC. The property owner received legal notice of this meeting on June 11, 2018, and is present. Det. Maniates has been in contact with the owner several times in the past 60 days.

There have been issues from the new tenant in the Plaza, located in Suite 905, called The Studio. The Studio has only been opened for a little more than a month. A black female and the owner of the business were arrested on July 9th. The owner of the Plaza was notified of these arrests. Det. Maniates will have more information when the investigation is complete.

Police-related activities over the past 60 days totaled seven from 941 NE 62 Street and 20 from the rest of the Plaza. None were nuisance-related. Out of the 20 calls from the Plaza, 12 of them no reports were taken.

The property is in compliance at this time. Det. Maniates recommended a status hearing in September 2018.

- 5. Case Number 18-06-01
501 West Sunrise Blvd., 501 Plaza
Notice of Evidentiary Hearing**

Det. Maniates stated the property owner was Mr. Boliva Cherisol. Mr. Cherisol received legal notice of this meeting in person on May 2, 2018. Mr. Cherisol advised he would be out of town for tonight's meeting and a representative for the property, Ms. Jay McKenzie, would be in attendance on his behalf.

It was noted that Mr. Cherisol has stipulated to the facts of the case as follows and is looking forward to working with the police department to get the property in compliance.

Nuisance Abatement Board Meeting

July 12, 2018

Page 3

- On December 12, 2017, \$20 of crack cocaine was purchased using a confidential informant.
- On January 2, 2018, \$20 of crack cocaine was purchased using a confidential informant.
- On July 17, \$40 of crack cocaine was purchased using a confidential informant twice during that operation.

Det. Maniates had photographs of the front of the three businesses on the east side of the building showing a barrier in the middle of the block, the front of the middle of the block, and an overview of the business.

Det. Maniates also reviewed the police recommendations, which the owner had stipulated to.

1. The owner will maintain a trespass affidavit on file at the police department and will post "No Trespassing" signs on all sides of the property within seven days. The signs have already been posted.
2. The owner will clearly display, within ten days and for the duration of jurisdiction, two laminated signs measuring 16 X 20 stating that the property is under the jurisdiction of the Nuisance Abatement Board, and is being monitored by the Fort Lauderdale Police Department. Placement will be directed by Det. Maniates.
3. The owner will remove all advertisements and products obstructing the front windows of the businesses.
4. The owner will install and maintain exterior lighting that will completely illuminate the parking lot and all sides of the property, according to the City of Fort Lauderdale code requirements within seven days. The lot will be illuminated from dusk to dawn.
5. The owner will provide a list of all occupants of the Plaza, a copy of their business license, and their hours of operation. The owner will provide the investigative detective with the contact name and phone number for each business within 14 days.
6. The property owner will conduct property checks at the location every two weeks to assess the condition of the property and will notify FLPD with any concerns. The property owner will also contact the investigative detective during each one of these property checks.
7. The owner will ensure that no persons loiter in the parking lot, on the sidewalks, and all sides of the property, as well as the inside of the stores during business hours.
8. The investigative cost total dollar amount is \$1,754.66. The owner will be assessed 25% of this amount which is \$434.64, plus investigative expenses of \$120.00, totaling \$558.64. This cost is to be paid prior to the September Nuisance Abatement Board Meeting on September 13, 2018. If no meeting occurs in September, then the cost will be paid prior to the next meeting.

9. If any of the listed items are not complied with within the time frame set forth, a fine of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of noncompliance.
10. The owner will appear before the Nuisance Abatement Board at the September 13, 2018, meeting, and all Nuisance Abatement Board meetings for the duration of jurisdiction, unless notified by the investigative detective.
11. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one year from the date of this order.

Det. Maniates has met with all the business owners and has made police department expectations clear.

Det. Maniates stated that the drug deals occurred mainly in front of the Food Mart and that drug dealers were loitering on the property. Det. Maniates spoke to the owner of the Food Mart about actions that needed to be taken.

Motion made by Ms. Saunders to find the property nuisance, seconded by Mr. Wolfe. In a roll call vote, the motion passed unanimously.

Motion made by Mr. Schmidt to adopt police recommendations as they stand, in part, based on the stipulation with the respondent to declare the property a nuisance, making the property subject to the jurisdiction of the board, seconded by Mr. Wolfe. In a roll call vote, the motion passed unanimously.

Det. Maniates will be meeting with the business owners to address the loitering issue and will be contacting the owner when he returns in order to move forward.

7. Board Discussion

Det. Maniates announced there will be no meeting in August, 2018.

Communication to the City Commission - None

Adjournment

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:20p.m.

Next Meeting: September, 2018

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by M. Denman, Prototype, Inc.]