

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
ABATEMENT HEARING
WEDNESDAY, MARCH 1, 2017 – 5:00 P.M.

1. Call to Order

Mayor James called the meeting to order at 5:00 p.m.

2. Roll Call

Present:

Mayor:	Tamara James
Vice-Mayor:	Bill Harris
Commissioners:	Chickie Brandimarte Bobbie H. Grace
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson
Code Attorney:	Eric Abend

Absent:

Commissioner:	Marco A. Salvino, Sr.
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3. Abatement Requests

- 3.1 Abatement request from Dynamic F & B Holdings Inc., 1317 S. Federal Highway, Case #14-2102 (Folio #1203-24-0100)

Attorney Abend noted this case involved 1 violation. The fine ran for 464 days for a total of \$61,916.50, including recording fees of \$262.50. The out of pocket cost to the City is \$1,100.00. The Special Magistrate recommends an abatement of \$6,960.00.

Ted, owner of Tarks, explained they had a problem with their sewer line, which prompted a visit from the code officer. The code officer also issued a violation for not painting the parking lot, which he was unaware of; had he known, he would have corrected the problem. He requested a total abatement.

Commissioner Grace motioned to abate the lien to \$2,000.00, to be paid in 60 days; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.2 Abatement request from 4214 Building LLC., 42 SW 14 Street, Case #15-0688 (Folio #1203-10-5980)

Attorney Abend noted this case involved 2 violations. The fine ran for 409 days for a total of \$61,654.00, including recording fees of \$304.00. The out of pocket cost to the City is \$1,000.00. The Special Magistrate recommends an abatement of \$6,135.00.

Clara Robinson, manager of the building, noted she took over the building maintenance 2 years ago and since then the building has been updated. She is an agent for the owners who live in Argentina, who purchased the building from photos, which did not show the actual condition of the building. She asked for a reduction because they already paid \$7,700.00 for another fine.

Commissioner Grace motioned to abate the lien to \$3,000.00, to be paid in 30 days; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.3 Abatement request from Project USA LLC, 150 S. Bryan Road, Case #16-0397 (Folio #0233-27-0010)

Attorney Abend noted this case involved 3 violations. The fine ran for 106 days for a total of \$26,762.50, including recording fees of \$262.50. The out of pocket cost to the City is \$1,000.00. The Special Magistrate recommends an abatement of \$2,650.00.

Commissioner Grace motioned to abate the lien to \$2,650.00, as recommended by the Special Magistrate, to be paid in 90 days; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.4 Abatement request from Tran Tantikij, 3121 SW 44 Street, Case #15-1424 (Folio #0230-01-0480)

Attorney Abend noted this case involved 2 violations. The fine ran for 142 days for a total of \$21,542.50, including recording fees of \$242.50. The out of pocket cost to the City is \$1,100.00. The Special Magistrate recommends an abatement of \$2,130.00.

Commissioner Grace motioned to abate the lien to \$1,100.00, to be paid in 90 days; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.5 Abatement request from First Chase, 312 Phippen Road, Case #15-1608 (Folio #1203-00-0451)

Attorney Abend noted this case involved 8 violations. The fine ran for 96 days for a total of \$19,200.00, including recording fees of \$242.50. The out of pocket cost to the City is \$1,100.00. The Special Magistrate recommends an abatement of \$3,000.00.

Gina Leone, representing First Chase, noted the house has been demolished and the property is being kept clean. She requested an abatement of \$1,500.00.

Commissioner Grace motioned to abate the lien to \$1,500.00, to be paid in 60 days; seconded by Vice-Mayor Harris. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.6 Abatement request from Vincent Ireland, 257 SW 4 Street, Case #12-1126 (Folio #1203-05-0060)

3.7 Abatement request from Vincent Ireland, 257 SW 4 Street, Case #01-0142 (Folio #1203-05-0060)

Attorney Abend noted the first case involved 8 violations. The fine ran for 1,038 days for a total of \$155,700.00. The out of pocket cost to the City is \$2,000.00. He noted there is also a utility lien for \$8,000.00. Mr. Ireland presented a letter of hardship and made a \$100.00 payment. The Special Magistrate recommends an abatement of \$2,500.00, with a payment plan of \$50.00 per month due on the 21st of each month.

Attorney Abend noted the second case involved 2 violations. Fine #1 ran for 2,906 days for a total of \$581,300.00; Fine #2 ran for 2,891 days for a total of \$144,650.00. The Grand total for both fines is \$725,950.00. The out of pocket cost to the City is \$2,000.00. The City Commission abated these fines at the October 22, 2009 Abatement Hearing to \$2,000.00 to be paid within 180 days, however no payment has been rendered. Mr. Ireland is requesting the City Commission reconsider the previous order and authorize a payment plan of \$50.00 per month due on the 21st of each month.

Vincent Ireland, 257 SW 4 Street, said he did not have any money to pay and the City keeps punishing him.

Commissioner Grace motioned to abate the first lien to \$2,000.00, with a payment plan of \$25.00 per month to be paid on the 21st day of each month, if payment is delinquent it reverts back to the original amount of \$155,700.00; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

Commissioner Grace motioned to abate the second lien to \$2,000.00, with a payment plan of \$25.00 per month to be paid on the 21st day of each month, if payment is delinquent it reverts back to the original amount of \$725,950.00; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Absent		

3.8 Approval of the settlement received for Edward Gonzalez, 245 NW 6 Avenue, Case #10-0802, for \$4,028.35 for code fines on property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.9 Approval of the settlement received for Lillian M. Young EST, 55 SW 7 Avenue, Case #09-2121, for \$3,500.00 for code fines on the property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.10 Approval of the settlement received for Harold A. Davis & Audrey Council, 608 SW 12 Avenue, Case #09-2063, for \$8,500.00 for code fines on the property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.11 Approval of the settlement received for US Bank NA Trstee, 4729 SW 34 Avenue, Case #16-0580 and #16-0856, for \$6,500.00 for code fines on both cases

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.12 Approval of the settlement received for Cookies & Crackers, 9906 NW 6 Place, Plantation, FL, Case #11-1606 and #12-1075, for \$3,000.00 to partially release liens due to sale of property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.13 Approval of the settlement received for David Earl, 2460 SW 50 Street, Case #09-2059 and #10-0708, for \$3,653.32 due to sale of the property

Commissioner Brandimarte motioned to approve the settlement agreement; seconded by Commissioner Grace. The motion carried unanimously.

3.14 Approval of the settlement received for Jose Cruz, 2460 SW 53 Street, Case #09-1797, for \$2,600.00 due to sale of property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

3.15 Approval of the settlement received for Richard Borghi H/E, 3291-5 SW 444 Street, Case #12-0773, for \$2,000.00 due to sale of property

Commissioner Grace motioned to approve the settlement agreement; seconded by Commissioner Brandimarte. The motion carried unanimously.

4. Adjournment

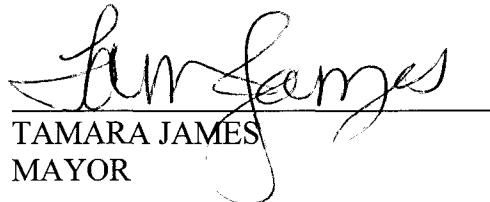
Mayor James adjourned the meeting at 5:46 p.m.

ATTEST:



LOUISE STILSON, CMC
CITY CLERK

CITY OF DANIA BEACH



TAMARA JAMES
MAYOR

Approved: March 14, 2017

