



CITY OF FORT LAUDERDALE

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 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS
 100 NORTH ANDREWS AVENUE
 THURSDAY, JULY 11, 2019, 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	Cumulative Attendance 3/2019 through 2/2020	
		<u>Present</u>	<u>Absent</u>
Don Karney, Chair	P	4	0
Gustav Schmidt, Vice Chair	P	3	1
Robert Wolfe	A	2	2
John Forman	P	4	0

Staff Present

Det. Paul Maniates, Liaison
 Don Londerlee, Assistant City Attorney
 Bruce Jolly, Esq., Board Attorney
 Joyce Hair, Board Clerk
 Brigitte Chiappetta, Recording Clerk, Prototype Inc.

Communication to the City Commission

None.

<u>Index Item No.</u>	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
4.	18-06-01	501 West Sunrise Blvd., 501 Plaza Status Hearing	2
5.	18-08-02	1500 NW 6 th Street, Sistrunk Market Status Hearing	2
6.	19-06-01	101 SW 31 st Avenue, Rainbow Market Evidentiary Hearing	3

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 7:07 p.m., and the Pledge was recited.

2. Roll call; witnesses sign log; swearing in

Ms. Chiappetta called roll and determined a quorum was present.

Two witnesses were sworn in by Ms. Chiappetta.

3. Approval of minutes for May 9, 2019

Motion made by Vice Chair Schmidt, seconded by Mr. Forman, to approve the minutes for the May 9, 2019, meeting as presented. In a voice vote, the motion passed unanimously (3-0).

Cases

**4. Case Number 18-06-01
501 W Sunrise Blvd
501 Plaza**

- **Status Hearing**

Det. Maniates stated that the owner of the property is Bernard Charisol. He was mailed legal notice of this meeting on June 27, 2019, and was present. Police-related activities for the past 60 days totaled five (5) with one (1) being nuisance-related.

The property is in compliance, and Det. Maniates advised that jurisdiction will end on July 20, 2019. Mr. Charisol has worked pro-actively with Det. Maniates in trying to keep the property in compliance.

The Compliance Form has been prepared for Mr. Charisol to record at the Government Center, and Det. Maniates will explain the process to him.

The nuisance-related call occurred on June 18, 2019, and was a proactive stop by two (2) police officers with an individual that was loitering outside the liquor store with a small bag of cannabis on him.

There were no comments.

**5. Case Number 18-08-02
1500 NW 6 Street
Sistrunk Market**

- **Status Hearing**

Det. Maniates stated the property owner, Mr. Ali Al Madi, was mailed legal notice of this meeting on June 27, 2019. Mr. Al Madi's attorney, Peter Hanna, was also notified of this meeting, although he was advised he did not have to be present. The business owner was also notified. Police-related activities for the past 60 days totaled 23 with

one (1) being nuisance-related. Out of the 23 calls, seven (7) were false alarms at the business.

Det. Maniates reported that Sgt. Andy Pallen has continued to update him about any problems on the property, and the police detail is a major help. He advised Mr. Hanna of the effectiveness of the police detail, and Mr. Hanna said he would relay that information to the business owner.

Det. Maniates stated that the property is in compliance, and he recommended a status hearing for the month of September, 2019.

The nuisance-related call consisted of the business owner contacting Sgt. Pallen in reference to a defendant selling narcotics on the property. Sgt. Pallen made contact with the individual, who has arrested.

Det. Maniates advised that jurisdiction ends on the property in September, 2019.

There were no comments.

**6. Case Number 19-06-01
101 SW 31st Avenue
Rainbow Market**

- **Evidentiary Hearing**

Det. Maniates stated the property owner, New Global Holdings, was mailed legal notice of this meeting on July 1, 2019. Det. Maniates met with the property manager, Francis Abdallah, several times at the property to discuss the issues. Mr. Abdallah was very cooperative and will work with the Police Department to get the property back into compliance.

An armed security officer hired by the market owner has been at the property for the last three (3) weeks. The security officer was also present. The presence of an officer has made an enormous impact on traffic at that location. Det. Maniates said he thanked each of the security officers for their work, and they have contact information for Det. Maniates if they need assistance. Every time Det. Maniates has visited the property it has been "completely quiet."

Police-related activities for the past six (6) months totaled 58 with nine (9) being nuisance-related.

There were three instances where crack cocaine was purchased via a confidential informant:

- January 24, 2019 – purchase of \$20 of crack cocaine
- March 20, 2019 – purchase of \$20 of crack cocaine

- April 18, 2019 – purchase of \$40 of crack cocaine

Det. Maniates showed photographs of the property for the Board. At the end of the strip mall there is a restaurant; he met with the owner, who was very cooperative.

Mr. Londeree spoke with the property manager and the business owner; they have agreed to stipulate to the police recommendations as follows:

1. The owner will maintain a trespass affidavit on file with the Police Department and have posted authorized “No Trespassing” signs on the east and south sides of the property within fourteen (14) days. *(The signs are already up.)*
2. The owner will clearly display, within ten (10) days and for the duration of jurisdiction, one (1) laminated sign measuring 16”x20” 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. *(The same sign is up from Det. Maniates’ last visit.)*
3. The owner will provide a list of all occupants in the Plaza, a copy of their Business License, and hours of operation. The owner will provide the investigative detective with a contact name and phone number of each business within fourteen (14) days.
4. The owner will remove any narcotic paraphernalia being sold from the store immediately. *(There was nothing in the store when Det. Maniates visited)*
5. The owner will ensure that no person(s) loiter in the parking lot, on the sidewalks, all sides of the property, as well as the inside of the store during all business hours. *(Det. Maniates stressed the importance of this item to the business owner).*
6. The Owner will remove all advertisements and products obstructing the front windows, all businesses in the strip mall. *(Already removed.)*
7. The Owner will install and maintain exterior lighting on the front, rear, and sides of the building according to all City of Fort Lauderdale Code requirements. *(They are doing major painting and property enhancements.)*
8. The owner will maintain the property free of debris and trash.
9. Investigator costs total a dollar amount of \$1,503.86. The owner is assessed 50% of this amount plus expenses, which equals \$751.93. *(This cost will be held in abeyance at this time because they stepped up immediately with armed security, which is costly.)*
10. If any of the above listed items are not complied with within the time frame set forth, a fine in the amount of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of non-compliance.
11. The owner will appear before the Nuisance Abatement Board at the September 12, 2019, Nuisance Abatement Board Meeting. If no meeting occurs then, then they will be at the succeeding Nuisance Abatement Board meetings for a Status Hearing. The property manager will make sure someone is there every month for a meeting.

12. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year from the date of this order.

Vice Chair Schmidt asked for the name of the beneficial owner of New Global Holdings. Mr. Abdallah stated he was the Operations Manager for New Global Holdings. The company is owned by six (6) or seven (7) shareholders - he was not sure of the number, but said they are local.

Mr. Abdallah stated that the two (2) names on the corporation documents are Nofal Kahook and **Y. L. Dashen**, and said that they both live "in town." It was established that a tenant operates the property, not the owner.

Motion made by Vice Chair Schmidt, seconded by Mr. Forman, to determine that the property constitutes a nuisance in accordance with Florida Statutes. In a roll call vote, the motion passed unanimously (3-0).

Motion made by Vice Chair Schmidt, seconded by Mr. Forman, to accept the police recommendations as recommended here tonight and stipulated to by the Property Owner. In a roll call vote, the motion passed unanimously (3-0).

There were no comments.

7. Board Discussion – None

Adjournment

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:25 p.m.

Next Meeting: September 12, 2019

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

[Minutes prepared by J. Rubin, Prototype, Inc.]