

# APPROVED

## MINUTES

### CITY OF FORT LAUDERDALE VIRTUAL CIVIL SERVICE BOARD MEETING

Friday, January 15, 2021 - 10:00 AM

**MEETING CAN BE ACCESSED AT THE LINK BELOW:**

<https://www.fortlauderdale.gov/government/CIVIL>

<b><u>Board Member</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 01/01/2021 – 01/15/2021</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Lori Adelson, Chair	P	0	0
Shelley Gialluca	P	0	0
Robert Baldwin	P	0	0

#### **Call to Order**

Ms. Adelson called the meeting to order at 10:00 AM.

#### **Roll Call**

#### **Staff Present:**

Jerome Post – Deputy Director of Human Resources  
Kerry Arthurs - Administrative Supervisor and Board Clerk

#### **Other Attendees:**

Mimi Turin, Esquire – Board Counsel  
Kenneth Miller, Esquire – Outside Counsel for the City of Fort Lauderdale  
Denise J. Bleau, Esquire – Counsel for John Madden, Appellant  
John Madden – Appellant  
John Travers – Building Official, Department of Sustainable Development  
Robyn Randall – Learning & Development Specialist, Department of Sustainable Development  
Eldridge Burt Ford III - Chief Zoning Examiner, Department of Sustainable Development  
Leroy Jones Jr. – Senior Building Inspector, Department of Sustainable Development

#### **Attachment**

Transcript of Proceedings – Prototype Inc.

#### **Meeting Adjournment**

the meeting was adjourned at 5:45 PM.

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CITY OF FORT LAUDERDALE  
CIVIL SERVICE BOARD HEARING

**TRANSCRIPT OF PROCEEDINGS**

**APPEAL OF TERMINATION OF EMPLOYMENT - JOHN MADDEN**

DATE HELD: FRIDAY, JANUARY 15, 2021

TIME: 10:00 a.m. - 5:04 p.m.

PLACE: Via Zoom

**APPEARANCES BY****BOARD MEMBERS:**

LORI ADELSON

SHELLEY GIALLUCA

ROBERT BALDWIN

**STAFF:**

JEROME POST, Deputy Director of Human Resources

KERRY ARTHURS, Administrative Supervisor & Board Clerk

JOHN TRAVERS, Building Official, Department of  
Sustainable Development

MAURICIO BAQUERO, IT Department

JAMIE OPPERLEE, Prototype-Inc, Recording Secretary

**COUNSEL:**

KENNETH MILLER, ESQUIRE

Haliczer, Pettis & Schwamm

*Outside Counsel for the City of Fort Lauderdale*

One Financial Plaza, Seventh Floor

***Prototype Inc. (954) 249-2177***

1 100 SE Third Avenue  
2 Fort Lauderdale, FL 33394-0015

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4

5 DENISE J. BLEAU, ESQUIRE

6 Ward, Damon, Posner, Pheterson and Bleau

7 *Counsel for John Madden, Former Employee*

8 4420 Beacon Circle

9 West Palm Beach, FL 33407

10

11

12 MIMI TURIN, ESQUIRE

13 Turin Center for Dispute Resolution

14 *Board Counsel*

15 11352 West State Road 84, Suite 58

16 Davie, FL 33325-4007

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## HEARING

January 15, 2021

[COMMENCING AT 10:00 A.M.]

JEROME POST: Good morning everyone. Thank you for joining in the City of Fort Lauderdale for today's Civil Service Board Meeting. This meeting is being conducted using Zoom Video Conferencing in order to maintain proper social distancing during Covid-19. This meeting is open to the public and is being recorded.

If any member of the public would like to participate in today's meeting, please visit the Board's website at [www.fortlauderdale.gov/government/civil](http://www.fortlauderdale.gov/government/civil) and complete the brief speaker form. Once completed, you will be granted access to the meeting and you will be called upon at the appropriate time. If you're having trouble signing up, please email [virtualmeetingsadmin@fortlauderdale.gov](mailto:virtualmeetingsadmin@fortlauderdale.gov).

To help ensure we will follow the same protocols that we do during in-person meetings and to ensure online security, we ask that you please abide by the following guidelines: This meeting is to conduct official business for the City of Fort Lauderdale. Any behavior that is disruptive, distracting, profane, and/or inhibits the meeting in anyway is prohibited.

1           While you are the phone waiting for your  
2 opportunity to speak, please mute any other broadcasts  
3 to avoid any known delay with our broadcast. Once you  
4 have completed your speaking time, please feel free to  
5 return to the FLTV broadcast. The City of Fort  
6 Lauderdale will be controlling your ability to speak  
7 during the virtual meeting. You have automatically  
8 been added to a listen-only mode.

9           Those of you who are panelists will be able to  
10 access the Board Meeting at any time simply by pressing  
11 your mute and unmute buttons. I'd like to remind Board  
12 Members, presenters, and participating members of the  
13 public to please remember to mute yourself if you are  
14 not speaking and to silence all electronic devices to  
15 limit the amount of interference.

16           Regarding the process for today's meeting, the  
17 Board Chair has a copy of the agenda and will proceed  
18 through each item allowing for public comment in Item 4  
19 titled "For the Good of the Order." I will now turn it  
20 over to the Board Chair to start the meeting.

21           CHAIR LORI ADELSON: Thank you, Mr. Post. Good  
22 morning everyone, Happy New Year, good to see everyone.  
23 We are going to get started with today's hearing.  
24 First matter of business is to approve the Minutes, and  
25 forgive me, I have to figure out what date. Mimi, can

1 you chime in on that?

2 KERRY ARTHURS: Excuse me, Madam Chair, we have  
3 to do the Roll Call first.

4 CHAIR ADELSON: Right. Roll Call first. So,  
5 if everybody - I will go through. Mimi Turin?

6 MIMI TURIN: Here.

7 CHAIR ADELSON: Present. Okay, if everyone  
8 could just introduce themselves, it would probably be  
9 easier, and their role here today.

10 SHELLEY GIALLUCA: Shelley Gialluca, Civil  
11 Service Board Member.

12 ROBERT BALDWIN: Robert Baldwin, Board Member.

13 DENISE BLEAU: Denise Bleau, Attorney for John  
14 Madden.

15 KENNETH MILLER: Kenneth Miller, Attorney for  
16 the City of Fort Lauderdale.

17 JOHN MADDEN: John Madden.

18 CHAIR ADELSON: And our moderator, Mr. Travers?

19 MR. TRAVERS: Good morning. Present.

20 CHAIR ADELSON: Okay, and could you say your  
21 role here today, please.

22 MR. MILLER: Mr. Travers is here as the  
23 Representative of the City.

24 CHAIR ADELSON: Perfect. And Jamie Opperlee is  
25 recording.

1 MS. ARTHURS: Kerry Arthurs for the City of  
2 Fort Lauderdale, HR Department.

3 CHAIR ADELSON: Bring me back now to the second  
4 item of business, which is the minutes for the prior  
5 date of -- and you'll have to bear with me a second. I  
6 know, Kerry, you sent me the Agenda. For some reason,  
7 it just decided to close in the middle of my  
8 conversation. So we need to approve the minutes for -  
9 I do not see it on the agenda.

10 MS. GIALLUCA: Excuse me, Madam Chair. I do  
11 have just a couple corrections to the October 23<sup>rd</sup>  
12 Meeting Minutes.

13 CHAIR ADELSON: Thank you.

14 MS. GIALLUCA: They're just minor. But the  
15 first one that I have is on page 213, the word  
16 "helpfully" should be "hopefully," that's on line 20.  
17 Line 22 the word "thought" should be "though." And on  
18 page 134, line 1, the word "sideboard" should be  
19 "cyborg." And starting on page 38 and throughout  
20 various documents, my last name is spelled incorrectly.  
21 It should be G-I-A-L-L-U-C-A, just one C. That's all I  
22 have.

23 CHAIR ADELSON: Anyone else have any other  
24 corrections to the minutes of October 23, 2020? Not  
25 hearing any further corrections or -- does anyone have

1 any other comments? Not hearing any, then I move to --

2 MR. BALDWIN: Motion to approve.

3 CHAIR ADELSON: Second?

4 MS. GIALLUCA: Second.

5 CHAIR ADELSON: So the minutes are now so  
6 entered. Thank you.

7 All right, so then we're here today for the  
8 Appeal of Termination of Employment of John Madden.  
9 This is day eight and I thank everybody for being here  
10 today. We will get started. We are on Mr. Madden's  
11 witnesses. Ms. Bleau, you may begin.

12 MS. BLEAU: Thank you, Madam Chair. We call  
13 Robyn Randall as our first witness this morning.

14 CHAIR ADELSON: Let him in. Is Robyn Randall  
15 present?

16 MR. BAQUERO: Yes, he is. He's in the room,  
17 just checking to see if his audio is working.

18 CHAIR ADELSON: Is this a "him" or a "her?"

19 MS. BLEAU: A "her," not a "him."

20 CHAIR ADELSON: I saw the spelling.

21 MR. BAQUERO: I am very sorry.

22 MS. BLEAU: I bet she gets that all the time.  
23 Miss Randall, can you turn your video on?

24 MS. RANDALL: Yes, I'm trying, can you hear me?

25 MS. BLEAU: We can, yes.

1 [Technical difficulties, audio but no video]

2 CHAIR ADELSON: For the record, we are waiting  
3 for the witness' IT person to assist her in allowing  
4 her video portion to work. Going to sit tight until we  
5 hear back from her, until we see her.

6 [Pause in proceedings]

7 MS. BLEAU: Technology is great when it works,  
8 not so great when it doesn't. So, hi, welcome. Thank  
9 you, sorry about all that. You're going to be sworn in  
10 and then I'm going to ask you a few questions, okay?  
11 We're waiting on Madam Chair. Not sure when she's  
12 coming back, do you all mind if I take a step out for  
13 just a minute.

14 MR. POST: No, please do.

15 MS. BLEAU: Okay, thank you.

16 [Pause in proceedings, further technical  
17 issues]

18 MS. BLEAU: Excellent. So if you will swear in  
19 the witness, we can proceed.

20 CHAIR ADELSON: I most certainly will. Thank  
21 you everyone for your patience. Robyn, if you would,  
22 please raise your right hand. Do you solemnly swear to  
23 tell the truth, the whole truth, and nothing but the  
24 truth?

25 MS. RANDALL: Yes.

1 MS. BLEAU: Can you state your name for the  
2 record, please?

3 MS. RANDALL: Robyn Randall.

4 MS. BLEAU: And you might want to spell it, so  
5 it's right in the record.

6 MS. RANDALL: R-O-B-Y-N, and the last name is  
7 R-A-N-D-A-L-L.

8 MS. BLEAU: Great, and you can put your hand  
9 down now. Thank you. You are currently employed with  
10 the City of Fort Lauderdale, is that correct?

11 MS. RANDALL: Yes.

12 MS. BLEAU: In what position?

13 MS. RANDALL: I'm the Learning and Development  
14 Specialist.

15 MS. BLEAU: How long have you been in that  
16 position.

17 MS. RANDALL: For five years.

18 MS. BLEAU: So when did you start?

19 MS. RANDALL: I started in December of 2015.

20 MS. BLEAU: You used to work for the Florida  
21 Department of Law Enforcement?

22 MS. RANDALL: Yes.

23 MS. BLEAU: What did you do there?

24 MS. RANDALL: I was in the same type of  
25 position. I was a Training Specialist.

1 MS. BLEAU: How long have you worked for the  
2 City of Fort Lauderdale? Is this your only position  
3 you've had?

4 MS. RANDALL: Yes. The entire five years has  
5 been in this position.

6 MS. BLEAU: Understood. Where is your office  
7 located?

8 MS. RANDALL: I've actually moved offices  
9 during the time that I'm here. But my first office was  
10 in the middle of the Plans Room, which is where our  
11 Plans Examiners are housed, that review the plans.  
12 Currently, I'm actually on the other side of the  
13 building, a little bit closer to the Building Services  
14 Management Team.

15 MS. BLEAU: I see. So in September of 2016,  
16 you would have been in the middle of the Plans Room.  
17 Is that correct?

18 MS. RANDALL: Correct.

19 MS. BLEAU: Okay. And when your office was in  
20 that location, would you hear a lot of activity sitting  
21 at your desk, there'd be a lot of activity around you?

22 MS. RANDALL: Yes.

23 MS. BLEAU: Did you ever hear arguments that  
24 involved City Staff while you were in that office?

25 MS. RANDALL: Yes.

1 MS. BLEAU: Did it ever rise to the level where  
2 you felt like in fear of your own personal well-being?

3 MS. RANDALL: No.

4 MS. BLEAU: Do you know who John Madden is?

5 MS. RANDALL: Yes.

6 MS. BLEAU: Did you work -- was that office in  
7 the general area, same area as Mr. Madden?

8 MS. RANDALL: Yes.

9 MS. BLEAU: Did you ever witness Mr. Madden  
10 threaten anyone with physical harm?

11 MS. RANDALL: No.

12 MS. BLEAU: Did Mr. Madden ever yell at you?

13 MS. RANDALL: No.

14 MS. BLEAU: Did you ever witness Mr. Madden  
15 raise his voice at anyone?

16 MS. RANDALL: Yes.

17 MS. BLEAU: And who was that?

18 MS. RANDALL: It's a former IT technician that  
19 we had. His name was Paul, and I did witness him get  
20 pretty angry and get in his face and yell at him about  
21 an issue.

22 MS. BLEAU: Okay. And that was about the MIFI  
23 issue, do you recall that that's what that was about?

24 MS. RANDALL: Yes.

25 MS. BLEAU: Where the gentleman didn't have

1 access in the field to computer technology, right?

2 MS. RANDALL: Yes.

3 MS. BLEAU: Do you know who Valerie Arthur is?

4 MS. RANDALL: Yes.

5 MS. BLEAU: Did you ever witness John Madden  
6 aggressively scream or yell at Valerie Arthur in your  
7 presence or near your office?

8 MS. RANDALL: No.

9 MS. BLEAU: If you had witnessed Mr. Madden  
10 become aggressive with Ms. Arthur, is that something  
11 you would remember?

12 MS. RANDALL: Yes.

13 MS. BLEAU: Did you ever witness Mr. Madden  
14 aggressively scream or yell at anyone in your presence,  
15 being aggressive and threatening?

16 MS. RANDALL: Just Paul. But it wasn't  
17 anything -- he didn't threaten that he would physically  
18 harm him, but I mean it was pretty threatening.

19 MS. BLEAU: He was pretty upset, Mr. Madden?

20 MS. RANDALL: Yeah, a lot of people actually  
21 got up and went to look to see what was going on  
22 because of the raised voices and him being like  
23 directly in his face.

24 MS. BLEAU: Do you recall when that was?

25 MS. RANDALL: I don't. I believe it was

1           sometime in 2016, but I don't remember specifically the  
2           date.

3                   MS. BLEAU: Do you recall how Paul reacted or  
4           responded?

5                   MS. RANDALL: Yeah, he looked afraid. During  
6           the whole exchange, he was constantly trying to tell  
7           him that he'll do whatever needs to happen to fix the  
8           situation. So he was not being -- trying to provoke or  
9           egg him on. He was trying to resolve the situation as  
10          calmly as possible.

11                   MS. BLEAU: Okay. And how did that discussion  
12          between the two of them end?

13                   MS. RANDALL: Eventually John calmed down and  
14          Paul walked away.

15                   MS. BLEAU: Okay. I don't think I have any  
16          other questions. Thanks for your time and your candor.

17                   MS. RANDALL: Thank you.

18                   CHAIR ADELSON: Mr. Miller?

19                   MR. MILLER: Miss Randall, good morning. My  
20          name's Ken Miller, I'm the attorney for the City of  
21          Fort Lauderdale. How are you?

22                   MS. RANDALL: Pretty good.

23                   MR. MILLER: Pretty good. I just have a couple  
24          questions in follow-up to what you just said. How well  
25          do you know Valerie Arthur?

1 MS. RANDALL: I've worked with her for the last  
2 five years on some projects here and there.

3 MR. MILLER: Is her office near where you were  
4 located back in 2016?

5 MS. RANDALL: No.

6 MR. MILLER: Okay.

7 MS. RANDALL: She's on the other side of the  
8 building.

9 MR. MILLER: Okay. Now you told us the one  
10 incident that you could recall involving Mr. Madden  
11 involved an IT tech named Paul, I think you said his  
12 name was?

13 MS. RANDALL: Yes.

14 MR. MILLER: And what you just described is  
15 that he was yelling and that he was aggressive, and I  
16 think you -- did you say he was in his face?

17 MS. RANDALL: Yes.

18 MR. MILLER: Mr. Madden never did that to you,  
19 correct?

20 MS. RANDALL: No, he never did that to me.

21 MR. MILLER: How would you have felt if he did  
22 that to you?

23 MS. RANDALL: Oh, I definitely would have been  
24 afraid.

25 MR. MILLER: So, the tone and the manner in

1 which he did it was enough that, from your perspective,  
2 you believed that whoever was the recipient of that  
3 might have been afraid of him.

4 MS. RANDALL: Yeah. Paul definitely looked  
5 afraid.

6 MR. MILLER: Thank you very much. I don't have  
7 any other questions.

8 MS. RANDALL: Okay.

9 MS. BLEAU: Nothing further.

10 CHAIR ADELSON: Miss Randall. Miss Bleau, do  
11 you have any follow ups?

12 MS. BLEAU: I do not, thank you.

13 CHAIR ADELSON: Okay, Miss Randall, you are  
14 free to go, free to get off the virtual Zoom. And who  
15 is your next witness?

16 MS. BLEAU: Have we heard from Leroy Jones? He  
17 is my next witness.

18 MR. BAQUERO: No, Leroy Jones has not signed in  
19 yet.

20 MS. BLEAU: Hmm. Okay, well, I guess we will  
21 go with Mr. Ford then. Mr. Jones was subpoenaed today  
22 and confirmed that he would be available, so I'm not  
23 sure. Perhaps Mr. Travers, does Mr. Jones still work  
24 for you and could you reach out to him?

25 MR. TRAVERS: I have sent out the invitations

1 to Jones.

2 MS. BLEAU: Yeah, I understand. And I've sent  
3 him emails, but I'm not getting a response.

4 MR. TRAVERS: Miss Bleau, I'll have staff reach  
5 out to find out if he's in the field and, if so, that  
6 he returns immediately to be able to join us.

7 MS. BLEAU: Thank you very much, I appreciate  
8 it.

9 CHAIR ADELSON: Thank you. All right, so it  
10 looks like we have Burt Ford in the room. Mr. Ford,  
11 can you hear me?

12 MR. FORD: I can.

13 CHAIR ADELSON: Great. I'm going to swear you  
14 in. Would you kindly raise your right hand? Do you  
15 solemnly swear to tell the truth, the whole truth, and  
16 nothing but the truth?

17 MR. FORD: I do.

18 CHAIR ADELSON: Thank you. I can't see your  
19 mouth moving. Miss Bleau, please feel free to proceed.

20 MS. BLEAU: Thank you. Could you just state  
21 your name for the record, please?

22 MR. FORD: Eldridge Burton Ford, III.

23 MS. BLEAU: Where are you right now, Mr. Ford?

24 MR. FORD: I'm at the DSD Conference Room.

25 MS. BLEAU: I was actually wondering about your

1 mask. Are you alone?

2 MR. FORD: Yeah, I'm alone, I'll take it off.

3 MS. BLEAU: All right, great. And you can hear  
4 me okay?

5 MR. FORD: I can hear you fine.

6 MS. BLEAU: Great. Mr. Ford, what licenses do  
7 you have?

8 MR. FORD: I have the State Building  
9 Inspector's license, a State Plans Examiner's license,  
10 and a US Floodplain Manager's license.

11 MS. BLEAU: And how long have you worked for  
12 the City of Fort Lauderdale?

13 MR. FORD: And I also have a State General  
14 Contractor's license. I'm going on 14 years, I  
15 believe.

16 MS. BLEAU: I'm sorry, I didn't mean to cut you  
17 off before. Did you get all your licenses and  
18 certifications?

19 MR. FORD: The last one was Certified GC for  
20 the State of Florida.

21 MS. BLEAU: General Contractor, yeah. So 14  
22 years with the City of Fort Lauderdale. What positions  
23 have you held with the City of Fort Lauderdale in that  
24 time?

25 MR. FORD: Building Inspector, Plans Examiner,

1 and currently the Zoning Chief.

2 MS. BLEAU: Did you interact with Mr. Madden on  
3 a regular basis when he was employed with the City?

4 MR. FORD: Yes, I did.

5 MS. BLEAU: Did you report to Mr. Madden at any  
6 point?

7 MR. FORD: Yes, I did.

8 MS. BLEAU: In what positions?

9 MR. FORD: As a Building Inspector.

10 MS. BLEAU: And how long did you report to Mr.  
11 Madden in that position?

12 MR. FORD: A couple years. Two or three years.

13 MS. BLEAU: Were you part of any training while  
14 working for the City of Fort Lauderdale?

15 MR. FORD: What type of training?

16 MS. BLEAU: Well, did Mr. Madden conduct any  
17 training that you were a part of?

18 MR. FORD: Yeah, he'd do training sessions when  
19 we had our Plans Examiners and Inspectors meetings on  
20 occasion.

21 MS. BLEAU: When Mr. Madden discovered a  
22 problem at a job site, sometimes would it be customary  
23 for him to involve everyone as part of the training  
24 regarding that discovery or issue?

25 MR. FORD: I was only involved in one of those

1 inspections.

2 MS. BLEAU: Okay, where he invited everybody to  
3 the jobsite to learn something?

4 MR. FORD: That's correct.

5 MS. BLEAU: Gotcha. Did you ever have the  
6 Inspectors -- did John ever have the Inspectors meet at  
7 a house in Rio Vista on the New River? Do you remember  
8 that?

9 MR. FORD: The one I was on was at a house in  
10 Rio Vista. I don't know if it was on the New River or  
11 if it was on a canal. I think it's 1015 North Rio  
12 Vista. It's 10-something. But I don't know if that  
13 was just a canal or if it was on the New River.

14 MS. BLEAU: Okay. And what was the issue  
15 there, as you recall?

16 MR. FORD: There was an inspection done and it  
17 had sat for quite some time -- inspection on tie-beams  
18 and columns, and it had sat for quite some time and  
19 there was a significant number of trees at that lot.  
20 And many of them had fallen into the tie-beams and  
21 whatnot and they weren't cleaned out and they poured on  
22 top all of the debris. And then when they stripped the  
23 forms we found that they had to do a lot of repair work  
24 on the tie-beams and columns because of the organic  
25 material that had been in there.

1 MS. BLEAU: Did you find that that training  
2 session was a helpful reminder?

3 MR. FORD: Reminder for what?

4 MS. BLEAU: To not repeat the mistakes that had  
5 been made that led to that issue.

6 MR. FORD: That wasn't a mistake on anybody in  
7 the City of Fort Lauderdale's part. That was the  
8 contractor who had let everything sit there. I think  
9 they probably learned because we required them to get  
10 an engineer out there. He had to file -- he had to  
11 come up with a complete report on all of the repairs  
12 that had to be done. He had to submit that. And then  
13 we had to inspect each time he made a repair to make  
14 sure everything was done per the PE.

15 MS. BLEAU: So Mr. Madden was just -- his  
16 actions there were just to make sure that the  
17 construction was done properly.

18 MR. FORD: Yeah. I mean, for that inspection,  
19 I think we were there to show what happens when a  
20 contractor probably doesn't do everything you're  
21 supposed to do. And it also showed how we're only  
22 there a brief point in time and if there's an extended  
23 amount of time and something happens while we're not  
24 there and we've already passed an inspection, then a  
25 lot can happen. And we just have to be on top of that

1 when we go back after they've completed that work just  
2 to follow up on anything they've done previously.

3 MS. BLEAU: As part of your job as an  
4 Inspector, did you use the computer to look up permit  
5 information?

6 MR. FORD: Yes.

7 MS. BLEAU: Did you use a computer to look up  
8 Code information?

9 MR. FORD: Yes.

10 MS. BLEAU: Did you use a computer to look up  
11 property information?

12 MR. FORD: Yes.

13 MS. BLEAU: Is it important for you to have  
14 that information accessible to you while you were in  
15 the field?

16 MR. FORD: Yes.

17 MS. BLEAU: And if you didn't have access to  
18 that information, could you perform your job  
19 efficiently?

20 MR. FORD: I'm sure we could because building  
21 inspections have been going on long before computers  
22 were around. So it's more efficient now, but I think  
23 you know obviously it's -- it's obvious that we did it  
24 before computers were ever here. It's just more  
25 efficient.

1 MS. BLEAU: When you do inspections, do you go  
2 out and do one inspection, come back to the office, go  
3 out, do another inspection, come back to the office.  
4 Or do you do multiple inspections while you're out in  
5 the field?

6 MR. FORD: Yeah, you just stay in the field and  
7 do all your inspections that are assigned to you.

8 MS. BLEAU: So if you didn't have computer  
9 access to look up the information we talked about,  
10 you'd have to go back to the office every time?

11 MR. FORD: You know, I really don't know how it  
12 was done before computers. So I don't want to say  
13 because I don't know.

14 MS. BLEAU: Gotcha.

15 MR. FORD: I don't know what their procedure  
16 was.

17 MS. BLEAU: All right, fair enough. In the  
18 time that you interacted with Mr. Madden as a Plans  
19 Examiner, Inspector, and maybe even as a Zoning Chief,  
20 did you observe that it was important to Mr. Madden to  
21 hold Inspectors accountable and make sure that the  
22 Building Code was enforced?

23 MR. FORD: Yes.

24 MS. BLEAU: Did you ever see Mr. Madden  
25 threaten anyone with physical violence?

1 MR. FORD: Not with physical violence, no.

2 MS. BLEAU: Okay. Did you ever see Mr. Madden  
3 threaten anyone?

4 MR. FORD: I've never seen him threaten anyone,  
5 no.

6 MS. BLEAU: Have you ever seen Mr. Madden get  
7 upset with anyone?

8 MR. FORD: Yes.

9 MS. BLEAU: And in that context, did you ever  
10 see Mr. Madden ball up his fists or look like he was  
11 going to take a swing at someone?

12 MR. FORD: No.

13 MS. BLEAU: Did you ever witness Mr. Madden get  
14 up from a chair and appear like he was going to leap  
15 over a table at someone?

16 MR. FORD: No.

17 MS. BLEAU: Do you recall a discussion Mr.  
18 Madden had with Building Inspectors and the Plans  
19 Examiners regarding certain City of Fort Lauderdale  
20 Inspectors who were not going on top of the roof to  
21 perform roof inspections?

22 MR. FORD: I only recall one instance of that.

23 MS. BLEAU: And do you recall a roofing permit  
24 that involved an Inspector who, on several occasions,  
25 failed to issue a correction notice or stop work order,

1 even though the work did not comply with the Florida  
2 Building Code? I think that might have been Mr.  
3 Masula.

4 MR. FORD: Yes.

5 MS. BLEAU: I'm going to share my screen, just  
6 pull a piece of it up.

7 MR. FORD: So, I'm going to amend that last  
8 response.

9 MS. BLEAU: Sure.

10 MR. FORD: So, I did inspect a roof that had  
11 some issues on it, but I don't know what happened prior  
12 to my inspection with two other Building Inspectors. I  
13 don't know if, you know, stuff had been done wrong and  
14 Mr. Masula knew about it or not. I just know that when  
15 we went there, there was some deficiencies and, as far  
16 as I know, they were taken care of thereafter. So I  
17 don't necessarily know of a job that he did that on,  
18 but the roof that I was part of the inspection on,  
19 there were deficiencies and I think thereafter  
20 everything was brought into compliance.

21 MS. BLEAU: Okay, fair enough. I'm going to  
22 show you -- can you see this document on the screen,  
23 sir?

24 MR. FORD: Not yet. It's spinning.

25 MS. BLEAU: Oh.

1 MR. FORD: There, I can see it.

2 MS. BLEAU: This is a memo from Mr. Madden to  
3 Mr. Masula. The exhibit references a meeting that  
4 occurred regarding roof inspection issues, and I  
5 believe you were a part of that meeting. Do you recall  
6 during that meeting Mr. Madden threatening Bobby Masula  
7 with physical harm, and looking like he was going to  
8 take a swing or go at him or anything of the like?

9 MR. FORD: I don't recall that meeting.

10 MS. BLEAU: Okay. I want to discuss the City's  
11 former computer system. I think when I was asking  
12 questions before of Mike Rinkus, I'm not sure I made it  
13 clear I was talking about the former system. Because  
14 you all use a system now called, is it Accella? But  
15 you used to use something called the Community Plus  
16 system, is that right?

17 MR. FORD: Correct.

18 MS. BLEAU: And talking about the Community  
19 Plus system, not the Accella, the Community Plus system  
20 is what the DSD was using in 2016 when Mr. Madden was  
21 there. Do you recall that?

22 MR. FORD: I don't remember the year that we --  
23 that Accella - yes it is. Yeah, yeah, that's correct.

24 MS. BLEAU: Okay. And when that system was  
25 being used in the City, did you regularly, in the

1 performance of your duties as a Building Inspector, use  
2 that system?

3 MR. FORD: Yes.

4 MS. BLEAU: In what ways would you use it?

5 MR. FORD: You'd look it up to see what  
6 inspections that you have and then when you go do the  
7 inspections, you input the results and any comments  
8 associated with that inspection.

9 MS. BLEAU: Sharing my screen with you again.  
10 Let me know when you see the document.

11 MR. FORD: I see it, but it's quite small.

12 MS. BLEAU: Yes, it is, isn't it? See if I can  
13 make it bigger. Is that better?

14 MR. FORD: Yeah, a little bit.

15 MS. BLEAU: Okay. Does this report include  
16 records generated for testing purposes?

17 MR. FORD: I don't know.

18 MS. BLEAU: You see the words --

19 MR. FORD: Oh, I see where it says -- it  
20 appears, as some of them do say "test."

21 MS. BLEAU: I actually have one that's marked  
22 already, let's see. Here's one used to test speed,  
23 testing flood inspections, you see all these different  
24 --

25 MR. FORD: Uh-huh [affirmative].

1 MS. BLEAU: -- entries. Okay. Was DSD's  
2 address used, customarily used, as a default to conduct  
3 C+ testing?

4 MR. FORD: I can't answer for anyone but  
5 myself, but I always used the address for DSD.

6 MS. BLEAU: Do you recall Valerie Arthur, I  
7 think also called ValMal, ever using DSD's address for  
8 conducting testing?

9 MR. FORD: I don't know if she did or did not.  
10 To be honest with you, I don't recollect that.

11 MS. BLEAU: Okay. I put a different screen up,  
12 a document up here. You see the new document now?

13 MR. FORD: Sure. Yes.

14 MS. BLEAU: It looks like Project Description,  
15 Test Permit, Please Disregard. And I think this was  
16 you. This is something you did, right?

17 MR. FORD: Not unless you can show me my name,  
18 because I don't remember anything like that.

19 MS. BLEAU: I swear I saw it on there.

20 MR. MILLER: This is not an exhibit that's  
21 already in evidence, is it, Denise?

22 MS. BLEAU: It is not. These are new. Looking  
23 at this document, how would one know who was doing the  
24 test or entering the information? Do you know?

25 MR. FORD: From looking at the document, I

1 don't see anything on there that shows it. If you  
2 scroll up, scroll to the top --

3 MS. BLEAU: Uh-huh [affirmative].

4 MR. FORD: -- it looks to me, if you look to  
5 the right where it says "login" -- it doesn't look like  
6 anybody's logged into it, so I don't think you can  
7 tell. It seems to me like it's a general inquiry which  
8 anybody could do in the public realm. You can go on  
9 and pull up information in LauderBuild. So, there's no  
10 way to tell.

11 MS. BLEAU: Okay. Could you use an active or  
12 current permit number on a private property address for  
13 testing purposes?

14 MR. FORD: In what program?

15 MS. BLEAU: In the C+ program.

16 MR. FORD: I suppose you could.

17 MS. BLEAU: Would that be problematic in  
18 anyway?

19 MR. FORD: I personally don't think it would  
20 be, as long as it was documented that it was a test.  
21 But that's my opinion.

22 MS. BLEAU: How about removing inspection stops  
23 or something along those lines as a test and not  
24 reinstating them. Would that be a problem on an active  
25 --

1 MR. FORD: Oh, okay, so I misunderstood what  
2 you said. So you're asking me on a permit that's been  
3 issued for somebody else, can you use that for a test?

4 MS. BLEAU: Yes.

5 MR. FORD: You probably should not do that.

6 MS. BLEAU: Okay. And you certainly don't need  
7 to do that, because the DSD address is always available  
8 for testing those kinds of things, right?

9 MR. FORD: Yes, but you could -- and again, the  
10 point I was making was that if you took just an  
11 arbitrary address and used it as a test, starting out  
12 from scratch, and put the information in there that it  
13 was a test, then I don't think it would be a problem.

14 MS. BLEAU: Sure, but something active and  
15 ongoing, in the middle of inspections and construction  
16 --

17 MR. FORD: No, [inaudible, talking over one  
18 another] Exactly.

19 MS. BLEAU: Okay. All right. I'm showing you  
20 another document. Ken, I'm pulling up the City's  
21 notebook for this one, page 113. Okay, Mr. Ford, do  
22 you see this document -

23 MR. FORD: Yes, I do.

24 MS. BLEAU: -- from October of 2016?

25 MR. FORD: Yes.

1 MS. BLEAU: All right. If we go down here,  
2 this starts out in May, this is an email from Mr.  
3 Madden, you were included, I believe, there. In this  
4 email chain -- oops, sorry. Actually let me go down  
5 further first. No, I guess not. Okay, so this is an  
6 email from Mr. Madden, I apologize, and he instructs  
7 the Inspectors to enter a "C" on these Private Provider  
8 jobs where the City is not actually doing the  
9 inspection. Mr. Madden told you and the other  
10 Inspectors to enter a "C" into the system if the  
11 Inspector was notified about a scheduled inspection  
12 being performed by a Private Provider; and then include  
13 a statement in the notes making it clear that the City  
14 wasn't actually performing the inspection. Correct?

15 MR. FORD: If that's what the document states.

16 MS. BLEAU: You don't recall this  
17 independently?

18 MR. FORD: No, I do not.

19 MS. BLEAU: What did you understand at the time  
20 that using the C+ program, what does the "C" signify in  
21 that system? Do you recall?

22 MR. FORD: I can only go by what you just read  
23 in the document. I don't even know. I don't even  
24 remember if I ever did a Private Provider inspection.

25 MS. BLEAU: Okay.

1 MR. FORD: So, yeah, I don't recollect as to  
2 exactly, and I don't even remember the document.

3 MS. BLEAU: Sure.

4 MR. FORD: But if that's what it states, then  
5 that's what it states.

6 MS. BLEAU: Independently, do you ever recall  
7 entering a "C" in the C+ program or having seen someone  
8 else entering a "C" in the C+ program on a project?

9 MR. FORD: Again, if that's what the statement  
10 says that's what John wanted at the time, then that  
11 should have been the procedure. Again, I don't  
12 recollect me ever inspecting one, off the top of my  
13 head. And I can't tell you what anybody else did.

14 MS. BLEAU: Okay. And you don't know what the  
15 effect is or isn't of putting a "C" in the program?  
16 You can't tell me that?

17 MR. FORD: Well, again, not recalling the  
18 document, I think you stated that it was to show that  
19 the Private Provider did the inspection, and not the  
20 City of Fort Lauderdale.

21 MS. BLEAU: That wouldn't cause the Community  
22 Plus system to demand some other action before future  
23 inspections could be conducted, right?

24 MR. FORD: Not to my knowledge.

25 MS. BLEAU: Okay. Are you aware of BORA's

1 prosecution of Mr. Madden?

2 MR. FORD: I am.

3 MS. BLEAU: When did you become aware of that?

4 MR. FORD: I don't recall. You know, after it  
5 started at some point, but I couldn't tell you exactly  
6 how long ago.

7 MS. BLEAU: Do you know what the charges were  
8 that were brought against Mr. Madden?

9 MR. FORD: Not specifically, no.

10 MS. BLEAU: Do you know what the result of  
11 Board's ruling was?

12 MR. FORD: I think that he was fined, but  
13 that's the only thing I can remember and I don't know  
14 if it's accurate.

15 MS. BLEAU: Do you know who, as between the  
16 Building Official or the Chief Inspector, has the sole  
17 authority to interpret the Florida Building Code  
18 according to the Board of Rules and Appeals?

19 MR. FORD: I believe the Board of Rules and  
20 Appeals states that the Chief Building Inspector is the  
21 person to interpret the Code. But without me reading  
22 it specifically, I don't want to commit to that, but  
23 that said, that's my understanding.

24 MS. BLEAU: Did you attend any of the BORA  
25 proceedings?

1 MR. FORD: No. You're talking about BORA/John  
2 Madden proceedings?

3 MS. BLEAU: That's correct, yes, sir.

4 MR. FORD: No, I did not.

5 MS. BLEAU: Okay. How many years did you work  
6 in Code Enforcement as a Building Inspector for the  
7 City?

8 MR. FORD: About three, three-and-a-half years.

9 MS. BLEAU: Any idea how many cases you handled  
10 during that time period?

11 MR. FORD: Hundreds.

12 MS. BLEAU: I'm sorry, did you answer?

13 MR. FORD: Hundreds.

14 MS. BLEAU: Hundreds, okay. As an Inspector  
15 work in Code, did you ever handle a Code Case that  
16 involved work without a permit?

17 MR. FORD: Often, yes.

18 MS. BLEAU: Would the permit be handled as an  
19 after-the-fact permit in that instance?

20 MR. FORD: Not always. It's, you know, it's --  
21 I can't say a hundred percent of the time, but that's  
22 standard procedure. But there are circumstance  
23 everything now and then that it would not be called  
24 after-the-fact. Just for -- or I guess it would be  
25 after-the-fact that maybe the fee wouldn't be attached

1 to it. So yeah, I think they all call them after-the-  
2 fact.

3 MS. BLEAU: Okay, and after-the-fact permit  
4 just means the work was done without a permit and they  
5 got a permit after the work was done. Is that --  
6 that's my lay person's understanding of it.

7 MR. FORD: Or at least it was started. I can't  
8 tell you if it's -- it wasn't always because it was  
9 completed. But it was certainly started or in some  
10 phase or had been completed. It could have been any of  
11 those.

12 MS. BLEAU: And starting construction without  
13 the proper permit would result in a Code Case, is that  
14 right?

15 MR. FORD: Yeah, if we knew about it, yeah, we  
16 ended up starting a Code Case for it. Yes.

17 MS. BLEAU: Are you familiar with the Broward  
18 County Property Appraiser's site?

19 MR. FORD: Yes.

20 MS. BLEAU: And would you access that website  
21 as part of your job as a Building Inspector assigned to  
22 Code Enforcement?

23 MR. FORD: Yes.

24 MS. BLEAU: As a Building Inspector assigned to  
25 Code Enforcement, did you access the Property

1 Appraiser's website to get photos of exterior  
2 elevations?

3 MR. FORD: I think when I was in Code, they  
4 didn't really have the ability to see exterior  
5 elevations. They did have like a photograph or two,  
6 sometimes, on their webpage. But I don't think they  
7 had the pictometry that they have now, when I was in  
8 Code where you could actually view elevations. So it  
9 was mostly aerials, if not all aerials.

10 MS. BLEAU: Sure. What year were you in Code,  
11 do you recall?

12 MR. FORD: 2007 to sometime in 2010.

13 MS. BLEAU: Okay. Are the Property Appraiser's  
14 photos that you can access on their website, are they  
15 date stamped?

16 MR. FORD: I don't recall.

17 MS. BLEAU: Do you know if today it's a common  
18 practice for Code Enforcement Officers to access the  
19 photos of exterior from the Property Appraisers to show  
20 the amount of construction or what's happening on the  
21 site or what was there before, I guess?

22 MR. FORD: To be honest, I don't know what the  
23 process is that they use today.

24 MS. BLEAU: Okay. Does the City of Fort  
25 Lauderdale keep permit history in a database?

1 MR. FORD: Yes.

2 MS. BLEAU: Did you compare Fort Lauderdale  
3 permit history with the Property Appraiser's Office in  
4 order to see whether or not work was being done without  
5 a permit? Did you ever use that as a method?

6 MR. FORD: Can you be more specific? I don't  
7 really know what you mean.

8 MS. BLEAU: I guess again, going back to what  
9 photos you could access on the Property Appraiser's  
10 website, see if what's out on the site is different  
11 from what appears on the Property Appraiser's website  
12 to work being done without a permit.

13 MR. FORD: Sure, to the best of our ability,  
14 again, we're just looking at aerials, so we may not  
15 show a whole lot, but I'm sure I did that.

16 MS. BLEAU: Have you presented evidence of --  
17 first of all, just in general, have you presented  
18 evidence before the Code Enforcement Board?

19 MR. FORD: Yes.

20 MS. BLEAU: And would some of that evidence be  
21 aerials or photographs showing construction that's  
22 being done without a permit?

23 MR. FORD: I think most of the stuff that I did  
24 -- I can't remember specifically if I used a BCP  
25 aerial. I may have used it to show where the lot was,

1 but most of it, I believe, was done with photographs  
2 that were taken onsite.

3 MS. BLEAU: Okay. Would it be customary for  
4 people to be cited for as little things as repairing a  
5 fence or constructing a fence without a building  
6 permit?

7 MR. FORD: Yes.

8 MS. BLEAU: I'm going to share my screen again.  
9 Okay, Mr. Ford, on the screen now is an email chain  
10 from back in 2016 with some photos attached. I'm going  
11 to direct you to the bottom of page 1 of this document,  
12 which is Exhibit 54. It's an email from John Madden on  
13 September 2, 2016, at 5:51 p.m. And Mr. Madden begins,  
14 "Today, I, along with Burt Ford, Joe Pascarello,  
15 Alberto Torres, and Felix Rodriguez visited this site  
16 around noon." Do you remember visiting the site at  
17 1415 Northwest 62<sup>nd</sup> Street, I think sometimes called the  
18 BSO job?

19 MR. FORD: So, I don't recognize the address,  
20 but I do recognize the term BSO.

21 MS. BLEAU: Okay. And do you recall going out  
22 there with Mr. Madden and these other gentlemen?

23 MR. FORD: I recall being there with Joe  
24 Pascarello and John Madden. I don't remember that  
25 Alberto Torres or Felix Rodriguez was there.

1 MS. BLEAU: Okay. At the time of your visit,  
2 was this an active construction site, as you recall?

3 MR. FORD: Yes. Yes.

4 MS. BLEAU: Was this the first time you were at  
5 this jobsite?

6 MR. FORD: Yes.

7 MS. BLEAU: And the subject of the email is  
8 "Work Without Permits and Inspections," correct?

9 MR. FORD: Appears to be, yes.

10 MS. BLEAU: Was there exterior work underway  
11 during your visit?

12 MR. FORD: I don't recall any exterior work  
13 underway at the time of the visit, but I do believe  
14 there was evidence that some had been done.

15 MS. BLEAU: Gotcha. And did the work that you  
16 observed require Zoning approval?

17 MR. FORD: So, I can't answer to that question  
18 at the time, but through my experience working in  
19 Zoning and being the Zoning Chief, normally that type  
20 of work probably would not have required Zoning  
21 approval because, from what I recollect, they blocked  
22 in some openings, but I don't think they did anything  
23 other than that, which really doesn't affect a Zoning  
24 review.

25 MS. BLEAU: Did you observe any interior work

1 as well while you were there?

2 MR. FORD: Yes.

3 MS. BLEAU: Do you recall whether or not they  
4 had a permit set of plans on the property at the time?

5 MR. FORD: I recall that they -- the only  
6 permit and plans they had on site was for remodeling  
7 the bathrooms.

8 MS. BLEAU: Okay. Nothing about the exterior  
9 work or the other interior work that was being done,  
10 that you observed? Right?

11 MR. FORD: Not that I remember now.

12 MS. BLEAU: Did the contractor produce a permit  
13 card for approving the work that was being done out  
14 there?

15 MR. FORD: For the bathroom remodel, you mean?

16 MS. BLEAU: No, for the actual work that was  
17 being done.

18 MR. FORD: I don't know how you would have a  
19 permit card if there wasn't a permit for it. I don't  
20 recall that.

21 MS. BLEAU: Yeah, sure. Did you observe any  
22 conversations between anyone from the City of Fort  
23 Lauderdale and the contractor while you were there?

24 MR. FORD: Yes.

25 MS. BLEAU: And who?

1 MR. FORD: Pardon me?

2 MS. BLEAU: Who --

3 MR. FORD: I guess it was the contractor or the  
4 supervisor for the contracting company. I don't  
5 remember names.

6 MS. BLEAU: And who interacted -- from the  
7 City, who interacted with the contractor?

8 MR. FORD: I think John and probably both Joe  
9 and I may have said something during the conversation,  
10 but I don't really recall exactly. But John for sure.

11 MS. BLEAU: And did you witness anyone, John,  
12 you, or Joe, being rude or disrespectful to the  
13 contractor at the time of that visit?

14 MR. FORD: Not that I remember. We may have  
15 been blunt, but I don't know about rude.

16 MS. BLEAU: Okay. Blunt because what they were  
17 doing was illegal, basically, right?

18 MR. FORD: Yeah. I mean, you know, we speak in  
19 matter-of-fact, you know. But not in terms of being  
20 rude.

21 MS. BLEAU: Sure. Do you recall what you did  
22 when you returned from visiting the site?

23 MR. FORD: I don't, to be honest with you.

24 MS. BLEAU: Do you recall doing a search for  
25 the permit history?

1 MR. FORD: Probably did, but I don't recall.

2 MS. BLEAU: Sure. Do you recall reporting to  
3 someone about the search? I guess if you don't recall  
4 doing it, probably don't recall that.

5 MR. FORD: Yeah. No.

6 MS. BLEAU: On the top of page 3 here, included  
7 in Mr. Madden's email is an aerial photo from the  
8 Property Appraiser's website, correct?

9 MR. FORD: For what property?

10 MS. BLEAU: This is for the 1415 Northwest 62<sup>nd</sup>  
11 Street, the BSO job.

12 MR. FORD: Okay.

13 MS. BLEAU: Do you recognize that? Probably?

14 MR. FORD: I couldn't -- if I looked at that  
15 picture, there's no way I could tell you what it was  
16 for.

17 MS. BLEAU: What about that one?

18 MR. FORD: Yeah, that definitely.

19 MS. BLEAU: Okay. All right. And the date of  
20 the photo is?

21 CHAIR ADELSON: Miss Bleau. I'm going to take a  
22 pause here for a second. I need a two minute break.  
23 I'm sorry to interrupt your questioning.

24 MS. BLEAU: Okay. No problem.

25 CHAIR ADELSON: Bear with me one second. If

1 anyone wants to maybe go use the restroom or whatever  
2 for a couple of minutes. I'll be back in a few  
3 minutes.

4 [Recess from 11:10 A.M. - 11:16 A.M.]

5 CHAIR ADELSON: I apologize, but here's the  
6 thing. I have to get back off again in ten minutes.  
7 So, the question that I have, Miss Bleau, how much  
8 longer do you think you have?

9 MS. BLEAU: I have a while.

10 CHAIR ADELSON: So do you think we would be  
11 better served if we take an early lunch break and then  
12 come back, or do you want to take the next ten -- I  
13 hate interrupting you. I know you're in the middle of  
14 a conversation that is important. So you just tell me  
15 which way works best. And again, I apologize, this  
16 can't be avoided today.

17 MS. BLEAU: I understand. I think maybe if we  
18 could just try to wrap up this one topic and then take  
19 a break for lunch, if that's okay with you and the rest  
20 of the panel.

21 CHAIR ADELSON: Works for me. Everybody back  
22 on? Okay, go ahead.

23 MS. BLEAU: Okay, thank you. Mr. Ford, we were  
24 looking at these pictures. So this picture from the  
25 Property Appraiser's website was taken on January 24,

1 2016. It shows up here in this corner. Oh, I'm not  
2 sharing anymore, am I?

3 MR. FORD: Nope.

4 MS. BLEAU: I'm looking at it, I don't know why  
5 you can't see it. Okay, here we are. This January 24,  
6 2016, in the corner I don't -- you may not be able to  
7 see that very clearly on your computer.

8 MR. FORD: No, I can see it. I see it.

9 MS. BLEAU: And it shows garage doors here,  
10 basically, and then this is a photo of what it looked  
11 like when you went out there that day, right?

12 MR. FORD: Well, I think the previous one  
13 showed the windows that you're seeing up in the right  
14 hand corner.

15 MS. BLEAU: Oh, I see, up here.

16 MR. FORD: Yeah, those are windows.

17 MS. BLEAU: But aren't those still here?

18 MR. FORD: Yep, yep.

19 MS. BLEAU: Okay, but this --

20 MR. FORD: Show me the one before.

21 MS. BLEAU: Yeah. You see you have bay doors  
22 here, can you see that?

23 MR. FORD: That I can't see clearly, it just  
24 looks all gray to me.

25 MS. BLEAU: Okay, all right. There's a bay

1 door here and a bay door here and --

2 MR. FORD: Yeah. And I do recollect that some  
3 bay doors were filled in.

4 MS. BLEAU: Okay.

5 MR. FORD: I'm not going by the photo, just by  
6 my memory.

7 MS. BLEAU: Gotcha. And, so, Mr. Madden sent  
8 this email regarding you all's discovery on September  
9 2, 2016, and Mr. Oliva responded to you and, you know,  
10 everybody by reply to all, I guess, maybe added some  
11 people; sent it to Bobby Masula, asked him to, "Read  
12 the email, investigate and cite as you see it. Also  
13 get with Detective Maura if you believe an NTA is  
14 required." What is an NTA?

15 MR. FORD: Notice to Appear.

16 MS. BLEAU: Okay. And Detective Maura, who is  
17 that?

18 MR. FORD: He was a detective from FLPD that  
19 was assigned to DSD.

20 MS. BLEAU: Okay. Do you know why Mr. Oliva  
21 responded so quickly at 5:59 to Mr. --

22 MR. MILLER: I object to the form. I mean I  
23 object how he could even know what Mr. Oliva was  
24 thinking?

25 MS. BLEAU: You don't even know what I'm asking

1 yet.

2 CHAIR ADELSON: Let's rephrase the question,  
3 Miss Bleau.

4 MS. BLEAU: Yes. Mr. Madden sent the email  
5 5:51. Eight minutes later, Mr. Oliva responded  
6 suggesting that perhaps Detective Maura would get  
7 involved. Why would Detective Maura potentially need  
8 to get involved in this situation?

9 MR. FORD: I don't know why George wrote in the  
10 email the way he did or why he did it in a certain  
11 amount of time after he was, I guess, notified, that I  
12 can't really respond to. I don't know.

13 MS. BLEAU: Sure, I appreciate that. Not  
14 really what I was asking, though. What I was asking  
15 is, as somebody who's involved in Code Enforcement and  
16 experienced in these areas, do you know why Detective  
17 Maura might be involved in a situation such as that  
18 that that you observed at the BSO?

19 MR. FORD: Sure. Florida Building Code  
20 requires that a permit be pulled and, whether you're a  
21 licensed contractor or an unlicensed contractor, you  
22 know, it's against the law to do the work without a  
23 permit. And Detective Maura was the police officer and  
24 he's the only one who can write an NTA.

25 MS. BLEAU: An NTA. So what -- if I understand

1 correctly, if there's a Code violation such as this  
2 where construction is happening without a permit, in  
3 addition to the Code Enforcement that we talked about  
4 earlier, action that could be brought, they could also  
5 receive an NTA from Detective Maura which makes them  
6 have to go to court? Is that it? Are they criminal  
7 proceedings at that point?

8 MR. FORD: I don't know the nature of the  
9 proceedings and it usually was up to Detective Maura  
10 after he did research whether he should or could issue  
11 an NTA. Exactly what the proceedings were after it was  
12 issued, I don't really know exactly what it was.

13 MS. BLEAU: All right. I think this is  
14 probably a good stopping point, Madam Chair.

15 CHAIR ADELSON: Okay, terrific. Thank you and  
16 I do appreciate all of your indulgence. Mr. Ford,  
17 you're still under oath. And Mr. Miller will be asking  
18 questions when we return. So let's taken 10 minutes  
19 and come back at 11:45. Okay?

20 MR. FORD: Okay.

21 MS. BLEAU: So this is our lunch break, is what  
22 you were saying, right?

23 CHAIR ADELSON: Well, no, it's early enough. I  
24 mean, if you want to come back at 11:45 and continue  
25 until 1:00, we could take a later lunch?

1 MS. BLEAU: Oh, we can? Okay. You just have  
2 to take a break now? Okay. All right.

3 CHAIR ADELSON: Yeah, fifteen minutes.

4 MR. MILLER: So 11:45?

5 CHAIR ADELSON: Yes, please, 11:45.

6 MR. MILLER: All right, thank you.

7 [Recess taken from 11:24 a.m. - 11:45 a.m.]

8 CHAIR ADELSON: I kept on time today. All  
9 right. Kerry, are you there? Mr. Travers?

10 MR. TRAVERS: I am here.

11 MS. ARTHURS: Yes, I'm here.

12 CHAIR ADELSON: Okay, excellent. All right,  
13 Mr. Ford, I'm going to remind you that you're still  
14 under oath and Mr. Miller, if you'd like to --

15 MR. MILLER: I don't think that Denise was  
16 finished.

17 CHAIR ADELSON: Oh.

18 MS. BLEAU: No, I wasn't.

19 CHAIR ADELSON: Go ahead, please continue.

20 MS. BLEAU: Thank you. Mr. Ford, did you ever  
21 allow work on a site to continue -- construction work  
22 to continue where there was no permit issued?

23 MR. FORD: I can't recall if that ever  
24 happened, but I don't believe it's standard procedure.  
25 Again, there are always special circumstances to every

1 single thing. If it was an emergency kind of a deal  
2 that could create damage to something, you know, like  
3 water damage or whatever, we may get permission from  
4 the Building Official and, you know, the contractor or  
5 homeowner would have to obtain a permit per that  
6 section of the Florida Building Code, but in general,  
7 no.

8 MS. BLEAU: In general, it's not customary to  
9 allow work to continue without a permit?

10 MR. FORD: No.

11 MS. BLEAU: Have you ever been told to not get  
12 involved with an after-the-fact permit?

13 MR. FORD: I don't think so. I don't recall  
14 anyone. When you say that, what do you mean by that?  
15 Was I told to look the other way or something to that  
16 effect, or what do you mean by that?

17 MS. BLEAU: Yeah, pretty much. Yes.

18 MR. FORD: No. I don't recall that ever  
19 happening, to be honest.

20 MS. BLEAU: Okay. That would be, again, not  
21 customary; that would be unusual?

22 MR. FORD: Yes.

23 MS. BLEAU: All right, let me share my screen  
24 with you. So, I'm now showing on the screen a printout  
25 -- do you recognize this document, what this document

1 is? I mean just the general kind of document this is?

2 MR. FORD: Yes.

3 MS. BLEAU: What do we call these? Or do we?  
4 Is there a name for this kind of printout or report?

5 MR. FORD: I don't know of any particular name  
6 for it.

7 MS. BLEAU: Okay.

8 MR. FORD: It's just a Code Case.

9 MS. BLEAU: Okay. And you'll see here, we've  
10 been talking about this 1415 Northwest 62<sup>nd</sup> Street,  
11 which was the BSO project. This is a printout of the  
12 Code Case. All right, that's what this case number  
13 means here? This is the Code Enforcement Case  
14 regarding that property? Is that right?

15 MR. FORD: That's correct.

16 MS. BLEAU: Okay. On 5/16/17, I have some  
17 highlighted information here, but the case is closed  
18 about a year after you all were out there by Masula.  
19 And he said, "I was told by upper management to not get  
20 involved with this case and not to follow up because  
21 the matter was being addressed by the Building Official  
22 and Management." Were you aware that that is how the  
23 BSO issue was "resolved" or handled?

24 MR. FORD: I don't remember that.

25 MS. BLEAU: Okay. Do you have any idea how or

1 why the Code Case was closed without resolution of a  
2 fine or penalty of some type?

3 MR. FORD: I don't.

4 MR. MILLER: Note my objection to this. We're  
5 talking about an event that occurred after Mr. Madden  
6 was terminated, so I don't see how that's relevant to  
7 the issue that's before this Board.

8 MS. BLEAU: The matter that Mr. Madden was  
9 terminated for, in part, was raising objections  
10 regarding this particular project. That once Mr.  
11 Madden was terminated, it was Mr. Masula was instructed  
12 to close it. So I don't know how it can't be relevant.

13 MR. MILLER: So then the person that instructed  
14 Mr. Masula can be asked about it. I don't know why  
15 we're asking Mr. Ford about this.

16 MS. BLEAU: Well, I'm asking Mr. Ford if he  
17 knows about it. He's a witness. That's my job, is to  
18 find what this witness knows about these important  
19 areas.

20 CHAIR ADELSON: I'm going to let it go for a  
21 little bit. Ms. Bleau, if you could bring it back to  
22 the case at hand, that would be helpful.

23 MS. BLEAU: Yeah, again, Madam Chair, this is  
24 our case at hand. But, I was done with my questions on  
25 that matter and was moving on to something else.

1           Mr. Ford, now I'm showing you another document,  
2 this is Tab 120, the last one was 152, that we were  
3 just talking about. This is Tab 120, On the top of  
4 page 2, there's reference to the permit number here,  
5 16090332, do you see that?

6           MR. FORD: I do.

7           MS. BLEAU: Okay, and that's the same one that  
8 was the Code Enforcement case that we were just talking  
9 about. Is that right?

10          MR. FORD: Yep. It appears to be, yes.

11          MS. BLEAU: And the permit type, which is here,  
12 do you see that? Can you read that? Permit Type? I  
13 can make it bigger if you need to.

14          MR. FORD: Commercial alteration.

15          MS. BLEAU: This "BALTC SM COMM MAS ALT <= 3  
16 Floors" -- what does that stand for?

17          MR. FORD: Commercial Masonry Alteration less  
18 than three floors.

19          MS. BLEAU: Okay. And does that indicate a  
20 multi-story masonry commercial building that's  
21 undergoing an alteration?

22          MR. FORD: It could be a permit for a building  
23 up to -- less than or equal two three floors. That's  
24 what those two characters mean, less than or equal to  
25 three floors.

1 MS. BLEAU: So it could be one floor?

2 MR. FORD: One, two, or three.

3 MS. BLEAU: One, two, or three. So not  
4 necessarily a multi-story?

5 MR. FORD: No.

6 MS. BLEAU: Although I guess from the pictures  
7 we saw, it was a multi-story building, correct?

8 MR. FORD: I don't recall if it was more than  
9 one story or if it just had high ceilings, to be  
10 honest.

11 MS. BLEAU: Okay. I think -- here's some notes  
12 from Mr. Masula talking about the second floor being  
13 remodeled. Do you see that?

14 MR. FORD: Yeah, I never visited the second  
15 floor on that building.

16 MS. BLEAU: Okay, you didn't go out there?

17 MR. FORD: No.

18 MS. BLEAU: When a permit type like this, that  
19 we just talked about, is entered into the system, are  
20 permit stops automatically generated? Or at least were  
21 they in the C+ system that was in effect at the time?  
22 Like would it automatically enter a Plan Review stop  
23 for Building Structural?

24 MR. FORD: If it was set up that way. I  
25 couldn't tell you if this one was or was not.

1 MS. BLEAU: Okay.

2 MR. FORD: As far as stops, though, I don't  
3 believe it had anything stops that may schedule  
4 inspections, if it was set up that way. But, this is a  
5 permit, correct? This isn't a Code Case, this is a  
6 permit?

7 MS. BLEAU: This was -- yes, the permit type.

8 MR. FORD: Yeah, so when you wish for a permit  
9 you don't -- this is not standard procedure to put any  
10 holds on it unless there's some kind of a circumstance  
11 that warrants it. But when you issue a Permit, that's  
12 a green light to go ahead and start working.

13 MS. BLEAU: Sure. So I had always understood  
14 that the stops to be not holds on the project, but the  
15 terminology used to mean scheduled inspections, as you  
16 said. Do you recall that?

17 MR. FORD: Stops?

18 MS. BLEAU: Yeah.

19 MR. FORD: Not really. I mean, inspection is  
20 an inspection as far as I can recall.

21 MS. BLEAU: Okay, so I'm going to use your  
22 terminology.

23 MR. FORD: So I'll amend that in saying that,  
24 you know, there is a term that says, "How many stops do  
25 you have?" - so, yes, that could be used.

1 MS. BLEAU: Okay and so whether we use stops or  
2 scheduled inspections, basically, when a permit type, a  
3 permit like this is entered into the system, the system  
4 automatically generates Structural Plan Review,  
5 Plumbing Plan Review, Electrical Plan Review, and  
6 Mechanical Plan Review for something like this, right?

7 MR. FORD: For whatever -- you know, each  
8 permit type was different and it would generate, if it  
9 was inputted into the system, to generate it.

10 MS. BLEAU: Okay.

11 MR. FORD: Most of them, I think, did.

12 MS. BLEAU: If the contractor never called --  
13 let's say there was a stop or a Mechanical Inspection  
14 generated and required in the system, but the  
15 contractor never called for the Mechanical Inspection,  
16 does that stop the job or keep the work from  
17 proceeding?

18 MR. FORD: No.

19 MS. BLEAU: Okay. Did I understand you earlier  
20 to say that you never were involved in a project as an  
21 Inspector that was one of the Permit by Affidavit jobs?

22 MR. FORD: I just couldn't recall if I had  
23 been.

24 MS. BLEAU: All right. Are you familiar with  
25 the process that was in effect when Mr. Madden was

1 employed with the City regarding Permit by Affidavit  
2 projects?

3 MR. FORD: I don't recall directly. I couldn't  
4 tell you what the process was at this time.

5 MS. BLEAU: Okay.

6 MR. FORD: I don't remember.

7 MS. BLEAU: Let me try another one here. So,  
8 this same one, on the top of page 3, again I know it's  
9 sort of hard to show, do you see Review Stops for  
10 Building, Zoning, Fire, Flood, and G, which is  
11 Engineering -- do you see all those here?

12 MR. FORD: Can you zoom in a little bit?

13 MS. BLEAU: How's that?

14 MR. FORD: Okay, there we go.

15 MS. BLEAU: P, M, E, B -- really sort of hard,  
16 it's not the greatest.

17 MR. FORD: So those appear to be inspections to  
18 me, not Plan Reviews. But it's hard to tell for sure.

19 MS. BLEAU: Gotcha.

20 MR. FORD: Curtain wall and column and ceiling  
21 grid, those look like inspections, but again, I'm not a  
22 hundred percent sure.

23 MS. BLEAU: All right. I'm gonna [sic] pull up  
24 another one here, Exhibit 44. I apologize for the  
25 delay. I'm actually, potentially skipping some stuff.

1 CHAIR ADELSON: No problem.

2 MS. BLEAU: I don't want to ask a lot of  
3 questions that Mr. Ford's not familiar with. All  
4 right, let's try this one. Showing you now, Mr. Ford,  
5 what was previously marked as Exhibit 63, we're on the  
6 same project, 1415. I'm going to go to page 4 of this  
7 document. The Permit Number 16080943. There's a  
8 9/21/16 date -- that would be the date that the Permit  
9 was issued, is that correct?

10 MR. FORD: I don't know, it says "closed" next  
11 to it. I don't know. It says that's the date it was  
12 issued.

13 MS. BLEAU: Right. And then the status is  
14 whether or not --

15 MR. FORD: Closed.

16 MS. BLEAU: Closed, okay. So it was issued on  
17 that date. Then there's this other Permit, 16032275,  
18 that would be here, that was also issued that same  
19 date, correct, 9/16?

20 MR. FORD: Yeah, if the document says 9/16,  
21 I'll agree to that.

22 MS. BLEAU: Okay. And, so, one project has  
23 multiple permit numbers? Why is that? How does that  
24 work?

25 MR. FORD: Yeah, one project can have many,

1 many permit numbers.

2 MS. BLEAU: Is there a master permit number  
3 that everything, all of them, deal with or relate to?

4 MR. FORD: There could be multiple masters,  
5 too, depending on the project.

6 MS. BLEAU: Okay. These permits that we've  
7 been looking at here, the 9/16, the 9/21, the 9/19, all  
8 of these were issued after the visit by you and Mr.  
9 Madden and Mr. Pascarello to the BSO project on  
10 September 2<sup>nd</sup> then, right?

11 MR. FORD: You'd have to tell me the date that  
12 we were out there. I don't recall what that date was.

13 MS. BLEAU: That was, according to the email  
14 from Mr. Madden, the record will show, it was September  
15 2<sup>nd</sup>.

16 MR. FORD: Yeah, okay.

17 MS. BLEAU: One of these has to do with fire  
18 sprinkler systems, that was also issued after the fact.  
19 If alterations were made to the fire sprinkler system  
20 in this occupied building, without a permit, is that a  
21 concern?

22 MR. FORD: State that again please.

23 MS. BLEAU: Sure. According to this, the  
24 permit --

25 MR. FORD: What is this job for? Which job is

1 this?

2 MS. BLEAU: This is still the BSO job.

3 MR. FORD: Okay.

4 MS. BLEAU: And it looks like the fire  
5 sprinkler system permit was issued on 9/19, right? You  
6 see my highlighting there? 2016/9/19.

7 MR. FORD: That's what it appears to be, yeah.

8 MS. BLEAU: And that would have been after your  
9 visit. And my question is, I'll just sort of in  
10 general and then specifically with this project, if  
11 sprinkler system was altered in an occupied building  
12 without a permit, does that concern you? Is that a  
13 life/safety issue?

14 MR. FORD: In what way was it altered? It may  
15 or may not. You know what I mean? If it's altered in  
16 a way that makes it, you know, it is required by the  
17 Florida Building Code, then it wouldn't concern me. Is  
18 that what you're saying?

19 MS. BLEAU: Well, how would the City know? If  
20 the plans hadn't been approved and a permit hadn't been  
21 issued and the construction work was done without  
22 ticking those boxes and complying with the legal  
23 requirements, how can you after the fact confirm  
24 whether or not the sprinklers were altered in  
25 accordance with the permit?

1           MR. FORD: It may be something that, you know,  
2 the Inspector can visually inspect after the fact.  
3 I've done many inspections after the fact with work  
4 that's been completed, or there could be a licensed  
5 engineer that will attest to it in a document with a  
6 sign and seal on it. So, I imagine there are certainly  
7 ways to be able to do that.

8           MS. BLEAU: And without those assurances, or  
9 some way to confirm those things, that could implicate  
10 life/safety, right?

11           MR. FORD: We're talking about a Permit that  
12 was issued, so I'm assuming that those are taking  
13 place. Now, if you showed me a Permit that was issued,  
14 I guess those actions had to be taken for it to be  
15 closed out.

16           MS. BLEAU: Right, the Permit was issued after  
17 the fact, not before.

18           MR. FORD: But if it was completed and closed  
19 out, then I'm assuming that inspections were done or  
20 whatever had to be done was done to close it out. I  
21 don't have intimate knowledge with that permit so I  
22 couldn't tell you exactly what the circumstances were  
23 for the approval.

24           MS. BLEAU: So even though you were there that  
25 day, on September 2<sup>nd</sup> with Mr. Madden, there was not

1 follow-up that you recall on your part and no further  
2 involvement with the project, as you recall?

3 MR. FORD: I don't remember any follow-up. If  
4 there was, if you have a document that shows then  
5 that's fine, but I definitely, I don't recall anything  
6 to do with fire, fire sprinklers. I don't think I was  
7 looking for that at the time. Or I don't remember, you  
8 know, looking at it.

9 MS. BLEAU: Going to ask you if you know. Show  
10 you another document here which is Exhibit 64. Here  
11 there's a review and it has "B." Do you know what that  
12 indicates?

13 MR. FORD: Structural. It says it right to the  
14 right of it.

15 MS. BLEAU: And that's Plan Review, right?

16 MR. FORD: It's a Structural Plan Review, yeah.

17 MS. BLEAU: Going to page 4 of this document,  
18 Ralph Riles plan review notes for September 7, do you  
19 see that here?

20 MR. FORD: Uh-huh [affirmative]. Yes.

21 MS. BLEAU: At the top of his notes, Ralph  
22 writes: "Insufficient information after the fact." Do  
23 you see that?

24 MR. FORD: I do.

25 MS. BLEAU: So does that indicate, again, like

1 we've talked about, that work was done without a  
2 permit?

3 MR. FORD: Well, the "after the fact" does,  
4 yes.

5 MS. BLEAU: Okay. And does Ralph list a number  
6 of items that include life/safety such as what's listed  
7 here in 7, 8, and 9 regarding two exits and panic  
8 hardware being required. Do you see that?

9 MR. FORD: I do.

10 MS. BLEAU: Okay.

11 MR. FORD: I don't see where he cited it as  
12 life/safety, though, I didn't see that. Could you show  
13 me that?

14 MS. BLEAU: Sure. I'm asking you, s in your  
15 professional capacity, if you considered those types of  
16 items life/safety issues.

17 MR. FORD: Which ones are they?

18 MS. BLEAU: 7, 8, and 9.

19 MR. FORD: Certainly, yeah.

20 MS. BLEAU: Going to 9/16, again Mr. Riles  
21 notes insufficient information. Once again he's  
22 talking about two conference rooms required two exits,  
23 only one door shown, panic and fire hardware  
24 information, and notations missing from several  
25 assemblies. Again, these are also life/safety issues,

1 correct?

2 MR. FORD: Yeah, then the notes are there<sup>1</sup> to  
3 signify what hasn't been shown on the plans correctly.  
4 And these are correction requirements before he'll  
5 approve his review, and then all reviews have to be  
6 approved before they'll issue the permit.

7 MS. BLEAU: And so on September 16, Mr. Riles  
8 actually failed the Plan Review because of this missing  
9 information, is that correct?

10 MR. FORD: That's what it appears to be, for  
11 the plans that he was reviewing.

12 MS. BLEAU: Okay. Then three days later on  
13 September 19<sup>th</sup> an entry is made, "DSD Audit Only.  
14 Reviewed by third party for compliance. MTCI Ryan  
15 Alexander, PX1265." Do you see that?

16 MR. FORD: Uh-huh [affirmative]. Yes, I do.

17 MS. BLEAU: And what does that indicate to you?

18 MR. FORD: It appears that the Permit became a  
19 Private Provider, but I'm just guessing.

20 MS. BLEAU: At this entry, three days after Mr.  
21 Riles' original notes -- this entry basically approves  
22 the plans or says City of Fort Lauderdale isn't  
23 reviewing them or having anything to do with it, right?

24 MR. FORD: I don't know if that's what he did  
25 or didn't do.

1 MS. BLEAU: What do you mean?

2 MR. FORD: However he approved it or didn't  
3 approve it would determine that, I guess. I mean,  
4 that's just a note. It doesn't tell me that he  
5 approved it based on the fact that it was reviewed by a  
6 Private Provider. And again, I don't remember the  
7 statuses, if that's Status N at the time reflected  
8 that, then that's what it would be.

9 MS. BLEAU: Right, yeah, I was going to  
10 actually ask you about that, Do you know what "N"  
11 means?

12 MR. FORD: I don't recall what it means in  
13 terms of Private Provider, but for back then, no.

14 MS. BLEAU: Going back to Exhibit 120, we had  
15 looked at the screen shot and sort of talked about some  
16 things about it. The actual screen shot was part of an  
17 email from Mr. Madden on September 9. Again, this one  
18 has to do with the Code Enforcement action for the BSO  
19 project. And Mr. Madden said, "Can anyone explain why  
20 the following Plan Review stops were removed from this  
21 Permit? I believe Electrical, Mechanical, and Plumbing  
22 must review this. There has been work performed that  
23 included each of these trades." Do you see where he  
24 says that?

25 MR. FORD: I do.

1 MS. BLEAU: Valerie Arthur responded that "When  
2 I deleted those reviews, it was to show Francine how it  
3 was done as well as for the one and two inspections."  
4 We already talked about that would be highly unusual  
5 for Plan Review Stops or things like that, alterations  
6 to be made to an active matter when it was just for  
7 testing purposes, correct?

8 MR. FORD: Yeah. I don't recall if C+ had a  
9 test environment or not. I think they did have a test  
10 environment for fees and inspections, but I don't  
11 recall. But, again, you shouldn't be testing an active  
12 permit. I don't think that's a standard procedure.

13 MS. BLEAU: Can we see here -- I don't know if  
14 it's clear enough. Can you tell when these Plan Review  
15 Stops were deleted?

16 MR. FORD: I'm going to have to go grab my  
17 charger. It says I have 10% battery left, so let me go  
18 get that real quick and I'll be right back.

19 MS. BLEAU: Sure. You all set? So, we were  
20 talking all of these -- the email regarding Mr. Madden,  
21 and I can put it back up if you need to -- where  
22 Valerie Arthur removed Plan Review Stops working with  
23 Francine Weber as a test, according to her, was on that  
24 same BSO project that we've been talking about, right?

25 MR. FORD: Appear to be, yes.

1 MS. BLEAU: Who did Francine Weber report to at  
2 the time, do you recall?

3 MR. FORD: I don't. She may have worked with  
4 George Oliva at the time, but I don't recall a hundred  
5 percent.

6 MS. BLEAU: Okay, let me show you another  
7 document. So, this is Building Services Division  
8 Performance Measures, John Travers, Building. This was  
9 a PowerPoint that was part of a July, 2016 presentation  
10 to the City Commission that is listed as Doc-CAM  
11 160855, slide 6. It is actually the Building  
12 Organization chart, and we'll put this into evidence as  
13 Exhibit 153. It shows who Francine reported to. But I  
14 want to take you to --

15 MR. FORD: [Inaudible] I can't really see  
16 that.

17 MS. BLEAU: Yeah, I know. That's why, we'll  
18 put in Evidence and there's a bigger, I'll try to get a  
19 better copy. Page 18, this interactive website  
20 residential design? Do you see that? Do you know who  
21 came up with that idea and asked for this work to be  
22 implemented?

23 MR. FORD: I think, and I don't know for  
24 certain, but I thought it was something was brought up  
25 by Mark Leibowitz.

1 MS. BLEAU: Is that you?

2 MR. FORD: That's me.

3 MS. BLEAU: Okay. I think I'm running out of  
4 room here, data space, I'm going to close all those  
5 out.

6 Do you know what an Early Start Permit is?

7 MR. FORD: I know what an Early Start Letter  
8 is.

9 MS. BLEAU: Okay, certificate. Early Start  
10 Certificate, I think it's called, the document. What  
11 is that?

12 MR. FORD: That is -- if it's been approved --  
13 it's an approval for someone to start work prior to the  
14 actual issuance of a permit in its -- what is allowed  
15 and what isn't.

16 MS. BLEAU: Okay. And generally speaking, does  
17 it limit the scope of work to what should be done prior  
18 to the required first inspection?

19 MR. FORD: If that is in the document then,  
20 because I'm sure every one of those are different from  
21 each other. So, they're an individual guideline  
22 certificate. So, whatever is written in that document,  
23 that's for that particular job, that's what they have  
24 to do.

25 MS. BLEAU: "Construction work is authorized to

1 commence pursuant to this permit on the above-  
2 referenced address. Work done pursuant to the permit  
3 shall not be concealed, but shall remain open for  
4 inspection where it can only proceed to the point  
5 approved by the Early Start Certificate." And so we  
6 would look where to see what was permitted to proceed  
7 pursuant to the Early Start Certificate?

8 MR. FORD: Posted above Building, Framing, and  
9 Concrete, Electrical, [unintelligible] rough,  
10 [unintelligible] rough, Plumbing rough, and Top Out,  
11 Site Work, Concrete, and whatever that says next to it,  
12 Parking Lot something or other.

13 MS. BLEAU: Parking Lot, is that what that is?  
14 Yeah, maybe.

15 MR. FORD: I don't know, parking lot maybe.

16 MS. BLEAU: So this describes what it  
17 permissible and anything other this, anything beyond  
18 this, would be impermissible, correct?

19 MR. FORD: I'm not familiar with early starts,  
20 so I can't tell you what the totality of that document  
21 is. That would be better asked to the Building  
22 Official. I don't really know what the intent was.

23 MS. BLEAU: All right. Do you know if the BSO  
24 project received an early start permit?

25 MR. FORD: If that's what you just showed me,

1 then I guess they did. But from memory, I don't  
2 recollect that.

3 MS. BLEAU: Okay. Are you aware that Florida  
4 Statute Code 116.1.2 says that if work is done without  
5 a permit, it is presumed and deemed unsafe? Are you  
6 aware of that?

7 MR. FORD: Yes.

8 MS. BLEAU: Okay.

9 MR. FORD: You know, that doesn't mean that it  
10 is. It just means that there was never a permit issued  
11 for that, then the Florida Building Code deems it  
12 unsafe because it hasn't been approved.

13 MS. BLEAU: If a building owner were to remove  
14 a required exit in an existing building without a  
15 permit, would it be the obligation of the Building  
16 Official to require a permit?

17 MR. FORD: It depends on the building. So, if  
18 it's a building that required two exits, per the  
19 Florida Building Code, then if they were to remove an  
20 exit, then they would probably need a permit.

21 MS. BLEAU: Probably or they would be? You're  
22 not sure?

23 MR. FORD: If it reduced the required exits,  
24 they would need a permit to do so.

25 MS. BLEAU: Would that also include a revised

1 life/safety plan? Would that also be required, to  
2 remove an exit from the required --

3 MR. FORD: Yeah, they would have to show  
4 whatever's required by the Florida Building Code for  
5 that to be approved.

6 MS. BLEAU: Would a Code Enforcement Case be  
7 opened and the owner cited if they removed the required  
8 exits without the permit and the life/safety plan.

9 MR. FORD: I'm sure it could be. Sure.

10 MS. BLEAU: Should there be? I mean, is there  
11 any reason not to bring a Code Case against an owner  
12 for violating the law in that way?

13 MR. FORD: Well, in general, if it was required  
14 when the permit was first issued and it's removed, then  
15 you should have a permit.

16 MS. BLEAU: And if you don't, then you open a  
17 Code Case just like you do against poor property owners  
18 who repair their fence without a permit, right? Which  
19 is a lot less serious of an issue?

20 MR. FORD: Yes.

21 MS. BLEAU: Do you recall this issue about the  
22 removal of required exits in the DSD building being  
23 another issue that John Madden raised as a potential  
24 life/safety issue?

25 MR. FORD: The removal of an exit in the actual

1 DSD building itself?

2 MS. BLEAU: Yes, sir.

3 MR. FORD: I don't recall any exit being  
4 removed from this building, to be honest with you.

5 MS. BLEAU: Okay. And you don't recall John  
6 Madden raising that as an issue?

7 MR. FORD: The removal of -- when you say  
8 "removal," what do you mean by removal? Blocking  
9 something up? Making -- to my knowledge, nothing's  
10 been closed in as far as exits to the building.

11 MS. BLEAU: In the time that you've been there,  
12 has the City modified the floor plan in the DSD  
13 building?

14 MR. FORD: I don't know.

15 MS. BLEAU: You don't know.

16 MR. FORD: It gets modified all the time, so I  
17 would say it's certainly been modified.

18 MS. BLEAU: And did that include the addition  
19 of offices?

20 MR. FORD: That I don't know.

21 MS. BLEAU: And you don't know whether or not  
22 those changes included the modification of pathways  
23 that were part of a means of egress?

24 MR. FORD: I don't recall ever seeing, you  
25 know, showing that that happened.

1 MS. BLEAU: Okay. I'm going to show you  
2 another -- actually, this is the one that we talked  
3 about before. I think it's 149. You can see that  
4 document, correct?

5 MR. FORD: If you can zoom in a little bit, it  
6 would be better.

7 MS. BLEAU: Now, does this list include those  
8 items that were done for testing and training purposes,  
9 which we already talked about, right, the tests? What  
10 is the description for the Permit Number 14120533? Let  
11 me verify that, 14120533. Can you see that there?

12 MR. FORD: What was the question?

13 MS. BLEAU: The question is, what was the  
14 description of that permit? It says, "Install plastic  
15 letter wall sign. Greg Brewton and the City."  
16 Correct? Would this list include all the permit  
17 activity for the DSD building?

18 MR. FORD: No, it only talks about a sign.

19 MS. BLEAU: This particular one.

20 MR. FORD: Yes.

21 MS. BLEAU: The report itself, would it include  
22 all of the permit activity for the DSD building? Or do  
23 you know?

24 MR. FORD: I don't know if it includes  
25 everything. They were all that address. I don't know

1 if there's more. Or --

2 MS. BLEAU: Gotcha [sic]. This email from John  
3 Madden, dated April 26, 2016, to Lee Feldman regarding  
4 a number of issues, have you ever seen this email  
5 before, Mr. Ford? Specifically about referencing the  
6 SunGard and the spending of \$300,000 on a project that  
7 the City got no value for?

8 MR. FORD: I don't recall reading it before,  
9 no.

10 MS. BLEAU: Do you know how long after Mr.  
11 Madden's email to Mr. Feldman, which was again, I said  
12 in April of 2016, the end of April, do you know how  
13 long after that the City purchased the Accela new  
14 computer software system?

15 MR. FORD: I don't know the dates, the  
16 timeline, no.

17 MS. BLEAU: Why are spot surveys important?

18 MR. FORD: Spot surveys determine the location  
19 of a structure to ensure that it's being built in the  
20 location that it was proposed.

21 MS. BLEAU: And when are spot surveys required?

22 MR. FORD: They're usually required prior to  
23 the tie-beam being poured.

24 MS. BLEAU: And for every project? Or only  
25 certain projects?

1 MR. FORD: It's standard.

2 MS. BLEAU: Okay. Has Mr. Madden conducted  
3 classes regarding spot surveys, if you recall?

4 MR. FORD: I don't recall one, but I'm sure he  
5 has. But I don't recall it specifically.

6 MS. BLEAU: Okay. Is it imperative for an  
7 Approved Shoring and Reshoring Plan to be onsite once a  
8 high rise building goes vertical?

9 MR. FORD: If that's what's required per the  
10 plans.

11 MS. BLEAU: The Shoring and Reshoring Plan?

12 MR. FORD: Yes.

13 MS. BLEAU: Okay. Is there a way for an  
14 Inspector to inspect a building without having with  
15 him, on the project, you know, on the site, an approved  
16 set of Permit Plans?

17 MR. FORD: Not usually. I guess it would  
18 depend on what he was looking at. But I think most of  
19 the time, no.

20 MS. BLEAU: Okay. Because the whole idea of an  
21 inspection is to inspect the property and make sure  
22 it's being constructed in accordance with the permitted  
23 plans, right?

24 MR. FORD: Correct.

25 MS. BLEAU: Okay. All right, going to pull up

1 an email, marked as 146, for the record. This is an  
2 email dated March of 2016 from John Madden -- so the  
3 original email was to Joe Pascarello, Barry Fein,  
4 Mohammed Malik, and Richard Benton. Do you see that?

5 MR. FORD: I do.

6 MS. BLEAU: Who is Mohammed Malik at that time?

7 MR. FORD: I believe he was the Zoning Chief.

8 MS. BLEAU: And that's the position that you  
9 have today?

10 MR. FORD: That's correct.

11 MS. BLEAU: And in this email regarding 1721  
12 Southeast 17<sup>th</sup> Street, are you familiar with that  
13 project?

14 MR. FORD: Not particularly, no. I know where  
15 17<sup>th</sup> Street is and where -- the approximate --

16 MS. BLEAU: Mr. Madden wrote Mr. Dougherty,  
17 nothing that he "had been performing many inspections  
18 on the site, but that the revisions to the plans had  
19 not been approved and there was no approval for a spot  
20 survey or spot EC." Is that something that is in  
21 accordance with the City's policies, or would that be  
22 not the way to do things?

23 MR. FORD: Depends on what the inspections are.  
24 So there are going to be inspections prior to a spot  
25 survey, you know, there could be slab inspections,

1 there could be a tie-beam inspection - oh there won't  
2 be - or there could be some that are before it.

3 MS. BLEAU: Okay. Let's look at the pictures  
4 that were attached to the email. This is the building  
5 that was attached to Mr. Madden's email.

6 MR. FORD: That specifically references that  
7 email.

8 MS. BLEAU: Yes.

9 MR. FORD: That would have gone past when the  
10 spot survey should have been submitted and approved.

11 MS. BLEAU: Okay. And as the Building Chief,  
12 would it be appropriate for Mr. Madden to bring this to  
13 Mr. Dougherty's attention that he was not doing his job  
14 properly?

15 MR. FORD: Yes.

16 MS. BLEAU: Again, is approving the  
17 construction of three floors of building with  
18 Shoring/Reshoring Plans, the Spot Survey Approval, are  
19 those life/safety issues?

20 MR. FORD: Spot survey certainly is not, but  
21 the reshoring could be.

22 MS. BLEAU: Okay. All right, now I'm going to  
23 pull up 147. This review, it says "Z," that's Zoning,  
24 right?

25 MR. FORD: Yes.

1 MS. BLEAU: Partial spot survey. Does it show  
2 that you rejected the spot survey?

3 MR. FORD: I really can't tell if it was  
4 approved just by the notes. I'd have to see the screen  
5 that actually shows whether it's approved or failed.

6 MS. BLEAU: Your notes say, "Why does the  
7 survey show foundation when inspections have been done  
8 for multiple floors? Spot Surveys are required prior  
9 to the first tie-beam or first floor tilt up." That's  
10 basically what you just told me a few minutes ago,  
11 right?

12 MR. FORD: Uh-huh [affirmative].

13 MS. BLEAU: And you say, "Show on the survey  
14 the building letter I, E, A, B or C. Why is only half  
15 the building being shown? This is correct? If so,  
16 draw the entire building, the gray out sections not  
17 applicable to this review or cloud the section that  
18 applies, whatever you like." Did I read that  
19 accurately?

20 MR. FORD: Yes.

21 MS. BLEAU: Did you speak with John Dougherty  
22 about his failure to properly enforce the Code on this  
23 project?

24 MR. FORD: I don't recall if I talked to him or  
25 not.

1 MS. BLEAU: Do you think Mr. Dougherty failed  
2 to get a Spot Survey because he didn't know one was  
3 needed?

4 MR. MILLER: Objection as to what Mr. Dougherty  
5 knows or doesn't know.

6 MS. BLEAU: Let me rephrase. Would you expect  
7 that Mr. Dougherty, with his certifications as a  
8 Building Official and Plans Examiner, Inspector, et  
9 cetera, that he would -- also holding a construction  
10 license -- would you expect that Mr. Dougherty would  
11 know that Spot Survey would be needed in this instance?

12 MR. FORD: Yes.

13 MS. BLEAU: Okay. You worked with Mr. Madden  
14 for almost ten years. Is that right, Mr. Ford?

15 MR. FORD: If that's how long he was working  
16 here before he was not.

17 MS. BLEAU: When did you start again, with the  
18 City?

19 MR. FORD: November of 2007.

20 MS. BLEAU: Was Mr. Madden there when you got  
21 there?

22 MR. FORD: Yes, he was.

23 MS. BLEAU: And he was there until the end of  
24 2016, correct?

25 MR. FORD: If that's the date, yes.

1 MS. BLEAU: Sure, okay. Would you consider Mr.  
2 Madden lazy, lackadaisical, unproductive, or  
3 ineffective in his job, based on your observations of  
4 his work ethic?

5 MR. FORD: No.

6 MS. BLEAU: Do you think that Mr. Madden was a  
7 diligent advocate for the uniform enforcement of the  
8 Building Code, especially on life/safety issues?

9 MR. FORD: Yes.

10 MS. BLEAU: Do you think that diligence tended  
11 to rub people the wrong way sometimes?

12 MR. FORD: No, not the fact that he was  
13 diligent to uphold the Code. I don't know of anybody  
14 that that rubbed the wrong way.

15 MS. BLEAU: Okay. Would you work with Mr.  
16 Madden in the future if he was reinstated with the  
17 City?

18 MR. FORD: Yes.

19 MS. BLEAU: I have no further questions.

20 CHAIR ADELSON: Thank you. Mr. Miller?

21 MR. MILLER: Yes.

22 CHAIR ADELSON: Are you ready?

23 MR. MILLER: Yes. Mr. Ford, good afternoon.  
24 Can you hear me all right, sir?

25 MR. FORD: I can.

1           MR. MILLER: My understanding from what you've  
2 told us is that you worked as a Building Inspector only  
3 for two years, is that accurate?

4           MR. FORD: Yeah, two or three years, whatever  
5 the time was that I transferred from the Code side to  
6 the Building side. I don't really recall how long it  
7 was, two or three years.

8           MR. MILLER: All right. In the DSD  
9 Organizational Chart that Ms. Bleau tried to show us  
10 that was kind of small, they've got it broken down  
11 between Building and Enforcement, right? Those are  
12 considered separate areas?

13           MR. FORD: For back in 2016?

14           MR. MILLER: Yes, sir.

15           MR. FORD: I don't recall what the structure  
16 was in 2016.

17           MR. MILLER: All right. There were Building  
18 Inspectors that worked in Enforcement and then there  
19 were also Building Inspectors that worked in Plans  
20 Approval, et cetera, right? There was different  
21 Building Inspectors that were doing different things.

22           MR. FORD: That's correct.

23           MR. MILLER: In addition to being a Building  
24 Inspector in Code Enforcement, what other positions  
25 have you held with the City before your current

1 position?

2 MR. FORD: Just a Building Inspector.

3 MR. MILLER: Okay. You said you're now the  
4 Director -- is that your title, Director of Zoning?

5 MR. FORD: No, I'm the Zoning Chief and  
6 Engineer.

7 MR. MILLER: How long have you been the Zoning  
8 Chief now?

9 MR. FORD: Technically, maybe a year to a year  
10 and a half. But I also was the Interim for a year and  
11 a half.

12 MR. MILLER: Okay. How many people are in  
13 Zoning that report to you?

14 MR. FORD: Four that directly report to me.

15 MR. MILLER: All right. And in the hierarchy  
16 currently, who do you report to at DSD?

17 MR. FORD: Mohammed Malik.

18 MR. MILLER: And what's his title?

19 MR. FORD: Zoning Administrator.

20 MR. MILLER: So, in your position as Zoning  
21 Chief, you are considered -- for lack of a better word  
22 -- a supervisor of the people that work underneath of  
23 you? Would that be a fair way to describe it?

24 MR. FORD: That's correct.

25 MR. MILLER: And as part of that process, you

1 have to deal with people who work underneath of you,  
2 right? They bring issues to you, you discuss things  
3 with them, you review things with them, correct?

4 MR. FORD: Yes.

5 MR. MILLER: And generally speaking, you would  
6 agree that that's done in a professional manner, correct?

7 MR. FORD: Yes.

8 MR. MILLER: I mean, the people who work for  
9 you now, do you have any ongoing issues with any of  
10 those folks, with their performance?

11 MR. FORD: I do not.

12 MR. MILLER: That's not to say there may not be  
13 things that you find that they have done or not done  
14 that you would like them to do differently. Is that  
15 fair?

16 MR. FORD: Certainly.

17 MR. MILLER: And if that situation like that  
18 presents itself to you, how do you go about expressing  
19 that to them?

20 MR. FORD: If it's one single individual, I  
21 would take them into an office and speak to them  
22 individually and do so in a professional manner. And I  
23 advise them what I require - what the City requires,  
24 and ask them to do it correctly.

25 MR. MILLER: Would you consider an appropriate

1 technique to bring the people in to yell, scream at  
2 them, get in their face, put your finger in their face,  
3 to tell them that they're doing something incorrectly.

4 MR. FORD: No.

5 MR. MILLER: You were just shown a few moments  
6 ago some notes you made that had to do with an  
7 inspection that involved John Dougherty. Do you  
8 remember looking at those just a few moments ago?

9 MR. FORD: I do.

10 MR. MILLER: Okay. And I think Ms. Bleau asked  
11 you did you ever speak to Mr. Dougherty about that, and  
12 I honestly don't remember if you said you did or you  
13 don't remember if you did.

14 MR. FORD: I don't remember if I did.

15 MR. MILLER: All right. If you had spoken to  
16 him about the things that you raised in those notes,  
17 about whether there was a spot inspection or some of  
18 the other things, would you have done it in a manner  
19 that you just described to me? You would have pulled  
20 him aside and very professionally you would have said,  
21 "Hey, John, what's going on with this? How come we  
22 don't have this? Where's that? Why isn't this done?"  
23 Is that how you would have handled it?

24 MR. FORD: Yeah, I would have just pulled him  
25 aside if there was an office available and just said, you

1 know, "This is the reason that we need this. Please,  
2 before proceeding any further, ensure that this is  
3 submitted and approved."

4 MR. MILLER: Okay. You certainly would not  
5 have pulled him aside, screamed at him and tried to  
6 demean him for not doing something appropriately, would  
7 you?

8 MR. FORD: No.

9 MR. MILLER: Because that would be  
10 inappropriate, correct?

11 MR. FORD: It would.

12 MR. MILLER: All right. Similarly, you were  
13 show some documents a few moments ago having to do with  
14 Valerie Arthur, when there were some notes in there  
15 about testing that was being done. Do you remember  
16 that line of questions?

17 MR. FORD: I do.

18 MR. MILLER: And you were asked specifically  
19 was it appropriate to test on an active permit, and I  
20 think your answer was, "Generally speaking, that's not  
21 the way that's done." Correct?

22 MR. FORD: Correct.

23 MR. MILLER: All right. If, in fact, you had  
24 been involved in that and you found out that that was  
25 being done, would you again address Miss Arthur or

1       whoever was involved by pulling them aside and in a  
2       professional manner explaining to them that this is not  
3       the appropriate way to do things?

4               MR. FORD: I would.

5               MR. MILLER: Would you, at any point in time,  
6       in front of other people screamed at her, put your  
7       finger in her face, and accused her of knowingly  
8       violating the law? Would you do something like that?

9               MR. FORD: I would not.

10              MR. MILLER: Because you would agree that that  
11       would be inappropriate to do in a workplace setting.  
12       Correct?

13              MR. FORD: I agree.

14              MR. MILLER: All right. Now, can I ask you how  
15       it is you got involved in this to appear here today to  
16       testify?

17              MR. FORD: You have to be a little more  
18       specific, I don't --

19              MR. MILLER: Did someone reach out to you,  
20       whether it was Mr. Madden or his attorney, and ask you  
21       if you would be available to testify today?

22              MR. FORD: He did.

23              MR. MILLER: Mr. Madden did?

24              MR. FORD: Yes, he did.

25              MR. MILLER: All right. What did he tell you

1 he wanted you to testify about?

2 MR. FORD: He didn't say specifically what it  
3 was. And then when he asked me if I would be willing  
4 to do so, I said, "Of course." I said, "But the only  
5 thing I will do is tell the truth."

6 MR. MILLER: Okay. Did he tell you this  
7 hearing had to do with his termination from the City?  
8 Did he tell you that much?

9 MR. FORD: I don't think he specifically said  
10 that, but that's what I assumed, of course.

11 MR. MILLER: All right. Do you have any  
12 personal knowledge as to why he was terminated from the  
13 City?

14 MR. FORD: I don't know specifics. No, I  
15 don't.

16 MR. MILLER: Okay. So as far as whether or not  
17 the City had a valid reason for terminating him or not,  
18 you're not in a position to shed light on that one way  
19 or another, are you?

20 MR. FORD: No, I've never been told exactly, by  
21 anybody above me, managers, of the exact reasons why he  
22 was terminated. I only hear it through rumor, which is  
23 invalid.

24 MR. MILLER: All right. Through your  
25 employment with the City, and especially now in your

1 position as Zoning Chief, are you aware of the fact  
2 that the City has an actual written policy on anti-  
3 bullying and things like that in the workplace?

4 MR. FORD: I don't know if I specifically know  
5 about it, but it's very commonplace that that would be,  
6 you know, a standard.

7 MR. MILLER: Okay. Let me just show it to you.  
8 I'm going to try to bring it up. I may not be as good  
9 as Ms. Bleau at this, but I'm going to do my best to  
10 share my screen here. And this is from the City's  
11 Notebook, Exhibit Number 13. So give me one second,  
12 let me see if I can figure out how to do this. I may  
13 not be able to, because I'm not that technologically  
14 advanced.

15 I'm going to ask you to assume that there's a  
16 written workplace bullying policy in place for the City  
17 of Fort Lauderdale, okay?

18 MR. FORD: Okay.

19 MR. MILLER: And for the Board Members, it is  
20 Exhibit Number 13 in the City's Notebook. It says,  
21 among other things, as a definition that "Workplace  
22 bullying is a repeated form of abusive contact direct  
23 or indirect, intentional or unintentional, by one or  
24 more employees against another employee, group of  
25 employees at work, that is (a) threatening, degrading,

1 humiliating, or intimidating; (b) work interference or  
2 sabotage which prevents work from getting done; and (c)  
3 verbally abusive language." Does that sound about  
4 consistent with your understanding as to what the  
5 City's policy would be on that kind of conduct?

6 MS. BLEAU: Objection to form. He's already  
7 said he doesn't know that they have a policy. How can  
8 it be consistent with his understanding, then?

9 MR. MILLER: Did you say you're not aware the  
10 City has such a policy or just hadn't seen it?

11 MS. BLEAU: He said he assumed that they must  
12 have but -- sorry, go ahead, you can repeat your  
13 answer.

14 MR. FORD: I said I hadn't seen it, I hadn't  
15 read it, or don't recall reading it.

16 MR. MILLER: Okay. So let me re-ask the  
17 question. I'll ask it a different way. If, as the  
18 Chief of Zoning, an employee that worked under you came  
19 to you and said, "Hey, Employee X over here is treating  
20 me in a way that I think is degrading, they're trying  
21 to humiliate me, they're yelling and screaming, and  
22 they've got in my face to the point where I'm scared,"  
23 do you think as the Chief you would have an obligation  
24 to report that up the chain?

25 MR. FORD: Yes.

1 MR. MILLER: So whether or not you knew about  
2 the written policy or not, you would know that's the  
3 type of behavior that you would have to report to  
4 somebody else, correct?

5 MR. FORD: Yes.

6 MR. MILLER: And as far as any or all of the  
7 people that have come before this Board or went to the  
8 City to complain about John Madden, you don't have any  
9 personal knowledge one way or the other as to whether  
10 their complaints are accurate, do you, sir?

11 MR. FORD: I do not.

12 MR. MILLER: Thank you, sir. I don't have any  
13 other questions.

14 MS. BLEAU: Let me just a few follow-up. Mr.  
15 Ford, you worked pretty closely with Mr. Madden and saw  
16 him on a day-to-day basis, correct?

17 MR. FORD: I did, for a couple of years, yeah.  
18 Not every day, even when I did work from under him,  
19 sure.

20 MS. BLEAU: And in the conduct that Mr. Miller  
21 described, did you ever see Mr. Madden engage in such  
22 conduct?

23 MR. FORD: Yes.

24 MS. BLEAU: How was that?

25 MR. FORD: Well, I've seen him yell at people

1 and dress them down while we were in our meetings.

2 MS. BLEAU: Okay, give me an example of one  
3 instance where that occurred.

4 MR. FORD: I can't give you a specific  
5 instance.

6 MS. BLEAU: Okay.

7 MR. FORD: But I did, you know, there were  
8 meetings that that happened.

9 MS. BLEAU: When you say, "yell," Mr. Madden  
10 raised his voice and he was upset?

11 MR. FORD: Yes.

12 MS. BLEAU: Okay. Did he threaten the  
13 employee, physical harm?

14 MR. FORD: No.

15 MS. BLEAU: I think I asked you earlier, did he  
16 act like he was going to come across the table and go  
17 at them and attack them physically?

18 MR. FORD: No.

19 MS. BLEAU: Did he spew names at them, call  
20 them stupid and idiot and whatever else names you  
21 wanted to have, to demean them in a way that --  
22 insulting -- and insult them. Did he ever do that?

23 MR. FORD: He would certainly dress them down.  
24 I can't remember specific language that he used, that  
25 probably I would not have done in the same manner.

1 MS. BLEAU: Dress them down. I'm still not  
2 understanding --

3 MR. FORD: It's a military term. I'm not a  
4 military guy, but it's when you, you know, you are  
5 blunt with them, I guess.

6 MS. BLEAU: Okay. So he was definitely blunt  
7 and clear that, on occasion, when somebody failed to  
8 meet expectations, is that fair?

9 MR. FORD: Yeah, he would let you know if you  
10 did do that, yes.

11 MS. BLEAU: Okay. Did anybody ever complain to  
12 you or did you ever hear anybody complain about the way  
13 Mr. Madden spoke to them?

14 MR. FORD: Yes. I don't think anybody  
15 complained to me directly, but I do know that people  
16 have complained or weren't happy with the way they were  
17 spoken to. I do know of those things, yes.

18 MS. BLEAU: Do you know if anyone ever -- well,  
19 let's not talk generalities -- who are you talking  
20 about that complained or wasn't happy?

21 MR. FORD: Probably Barry Fein -- just the way  
22 that he would be addressed at a meeting -- probably  
23 Bobby Masula -- those two are the ones that come to  
24 mind right off the bat.

25 MS. BLEAU: And how many people overall did Mr.

1 Madden supervise?

2 MR. FORD: I couldn't tell you an exact number.  
3 There were a few of us, you know. At certain times  
4 there were less and other times there were more,  
5 depending on what the economy was like.

6 MS. BLEAU: In the range of 26 sound about  
7 right?

8 MR. FORD: Yeah, I'd say 15 to 26, depending on  
9 the work.

10 MS. BLEAU: Depending on the time, sure. And  
11 you can remember Mr. Madden dressing down, to use your  
12 words, Bobby Masula and Barry Fein. Anybody else?

13 MR. FORD: I can't think of anybody off the top  
14 of my head.

15 MS. BLEAU: Okay. Is Bobby Masula someone that  
16 -- would you rate him as Inspector -- he's a Building  
17 Inspector, correct?

18 MR. FORD: That's correct.

19 MS. BLEAU: Would you rate him as an "A"  
20 quality inspector? A "B," a "C," a "D?" Based on your  
21 knowledge of his performance, where would he fall?

22 MR. FORD: I mean, he's -- I've never  
23 supervised Barry, so I don't know his work performance  
24 in depth. It would just be in general, because I  
25 didn't read his reports on a regular basis. He may

1 have sent a snippet to me.

2 MS. BLEAU: And you said Barry. Do you know I  
3 was asking you about Bobby?

4 MR. FORD: I was talking about Bobby even  
5 though I said Barry.

6 MS. BLEAU: Okay, I thought maybe --

7 MR. FORD: So, I don't know if I'm qualified to  
8 tell you where he stands, you know, of the totality of  
9 his work.

10 MS. BLEAU: Mr. Miller asked you hypothetical  
11 questions based on you being a supervisor and  
12 supervising four people, not 15 to 26, but four. If  
13 you had an employee who failed to do their job, sort of  
14 once, and you talked to them in the manner that you  
15 said you would, and then they did the same thing again,  
16 and you talked to them in the manner that you said they  
17 would, and they did the same thing again, would you  
18 still talk to them in the same manner as you said you  
19 would?

20 MR. FORD: I would. And you know, everyone is  
21 different, as a supervisor. You know, you're going to  
22 speak to different people different ways. You know,  
23 someone may -- well, doesn't matter -- you still have  
24 to be professional always. And I would speak in a  
25 professional manner.

1 MS. BLEAU: And are you saying that you have  
2 seen when Mr. Madden spoke with Bobby Masula or Barry  
3 Fein that he was not professional?

4 MR. FORD: I would say that it was  
5 unprofessional in some of the meetings that we had.  
6 There were Plans Examiners and Building Inspector  
7 meetings where I would say it was unprofessional, yes.

8 MS. BLEAU: And do you know if these meetings  
9 that you're remembering occurred before or after Mr.  
10 Madden's heart attack?

11 MR. FORD: No, I don't. It probably -- when  
12 was his heart attack?

13 MS. BLEAU: 2015?

14 MR. FORD: Yeah, I couldn't tell you if it was  
15 before or after.

16 MS. BLEAU: 2014.

17 MR. FORD: Okay. Yeah, I don't know.

18 MS. BLEAU: Do you know if Mr. Madden had never  
19 been -- nobody had ever talked to Mr. Madden about the  
20 way he dealt with his employees, ever, prior to  
21 terminating him, after his employment with the City  
22 from 2006. Would that have been a decision you would  
23 have made as a supervisor regarding an employee that  
24 you felt was violating a policy of the City?

25 MR. FORD: You mean, if there were complaints

1 about it, I probably would have talked to John.

2 MS. BLEAU: You would have talked to him,  
3 right? And tried to correct the behavior, maybe given  
4 a warning? Is that a written reprimand sort of  
5 customary as the next step after you talk to somebody  
6 and you say, "Hey, look this behavior is  
7 unprofessional, it's inappropriate, don't do it again."  
8 Right? You'd talk to him the first time, you said,  
9 right?

10 MR. FORD: I think it doesn't matter who it is,  
11 the same procedure should be done for everyone,  
12 regardless if they were the City Manager or one of us.

13 MS. BLEAU: Sure. And then if you talk to  
14 employee about their behavior that you felt was  
15 inappropriate or unprofessional and they continued,  
16 then would you fire them or would you maybe write them  
17 up or, you know, suspend them or discipline them in  
18 some way before getting to termination?

19 MR. FORD: Well, I think specifically for me I  
20 think you would have to go -- I would bring somebody in  
21 above me and proceed that way. You know, I don't think  
22 I would take that action of suspension or firing, nor  
23 do I think they'd want me to do that, so I would always  
24 bring somebody in privately.

25 MS. BLEAU: Okay. And if the person you

1 brought in above you asked for your recommendation, are  
2 you a one and out sort of guy, you know, "I've talked  
3 to you about this, you didn't fix it, so now I'm going  
4 to fire you?" Or would you recommend some punishment  
5 less than firing?

6 MR. FORD: Yeah, no, I don't think it's a one  
7 and out for anything, any time. It depends on what it  
8 is, of course, but in generalities, no. You know, it's  
9 a process.

10 MS. BLEAU: Sure. And when you say, "it's a  
11 process," it's really, typically, the City's process,  
12 right? I mean, the customary way of dealing with  
13 things in the City is to talk to the employee first,  
14 provide warnings, corrective action. You know, it  
15 takes a while, going through the progression to get to  
16 termination, correct?

17 MR. FORD: Yes.

18 MS. BLEAU: Okay. Do you know why none of that  
19 was done in Mr. Madden's case?

20 MR. MILLER: Let me object, he's already  
21 testified he doesn't know why he was fired.

22 MS. BLEAU: Okay, but you asked him about the  
23 basis for the termination and --

24 MR. MILLER: I didn't ask him about the  
25 procedure.

1 MS. BLEAU: Okay, well the procedure is in the  
2 record. We all know what happened. And my question to  
3 Mr. Ford is, let me do it in a hypothetical way, Madam  
4 Chair. I'll rephrase. Mr. Ford, if in fact nobody had  
5 ever talked to Mr. Madden about his behavior with  
6 respect to anyone, and it went from nothing -- you  
7 know, positive reviews, no discipline, no written  
8 reprimands, no even closed-door office discussions or  
9 warnings or corrective action in any sense to  
10 complaints, termination. Do you have any idea why the  
11 City would not have followed their customary procedure  
12 with respect to Mr. Madden.

13 MR. FORD: I don't.

14 MS. BLEAU: Okay, I have nothing further.

15 MR. MILLER: I just have a quick follow-up,  
16 Madam Chair. Mr. Ford, along those lines, do you think  
17 the situation changes when it comes to workplace  
18 violence?

19 MR. FORD: I do. That's, as I stated before,  
20 it always depends on what the violation is. Different  
21 violations demand different procedures.

22 MR. MILLER: So if an employee, for example,  
23 that had a spotless record threatened another employee,  
24 you think that might be basis to get rid of them even  
25 if they had a spotless record before?

1 MR. FORD: Certainly could be.

2 MR. MILLER: Okay. So, again, if an employee  
3 came to you and told you that another employee had  
4 threatened violence against them, and you reported that  
5 up the chain, it wouldn't surprise you if the City got  
6 rid of that person, would it?

7 MR. FORD: It would not.

8 MR. MILLER: Thank you, sir. No other  
9 questions.

10 MS. BLEAU: I just want to clarify Mr. Ford's  
11 answer, there. You're not aware of any instances that  
12 Mr. Madden ever threatened violence of anyone, are you,  
13 Mr. Ford?

14 MR. FORD: I am not.

15 MS. BLEAU: Okay, I think I'd asked you that  
16 before. With this dressing down of Mr. Masula and Mr.  
17 Fein that you observed at some point in time, you did  
18 not perceive that as a threat of violence in any way,  
19 did you?

20 MR. FORD: No. It was personal, but it wasn't  
21 violent.

22 MS. BLEAU: Okay. And have you -- have you  
23 witnessed or heard about Mr. Madden doing anything to  
24 anyone in the City at any time that would suggest that  
25 he was a violent individual?

1 MR. FORD: So, define violent.

2 MS. BLEAU: Well, according to the way Mr.  
3 Miller's using it, violent as in potential dangerous to  
4 somebody's physical safety.

5 MR. FORD: I've never heard or witnessed any  
6 violent, physical violence, from John Madden.

7 MS. BLEAU: Okay. So if the exception that was  
8 referred to by Mr. Miller in his questions to you about  
9 skipping the whole progressive discipline thing, to  
10 your knowledge, based on what you know about Mr.  
11 Madden's behavior, would not apply, correct?

12 MR. FORD: Again, I'm not privy to everything  
13 that's happened in John Madden's career --

14 MS. BLEAU: That's not what I asked you. I  
15 said to your knowledge.

16 MR. FORD: [Unintelligible], no.

17 MS. BLEAU: Yes. Okay, you're not aware of any  
18 conduct by Mr. Madden that would justify that skipping  
19 of the progression, correct?

20 MR. FORD: No, I'm not aware of anything.

21 MS. BLEAU: Okay. Appreciate your time, Mr.  
22 Ford.

23 MR. MILLER: I have nothing further.

24 CHAIR ADELSON: Okay. Mr. Ford, you are  
25 dismissed, and thank you for your time.

1 MR. FORD: All right, thank you. Have a great  
2 day.

3 CHAIR ADELSON: Miss Bleau, do you have another  
4 witness to call?

5 MS. BLEAU: I do. It's 1:00, do you want to  
6 take a lunch break?

7 CHAIR ADELSON: Yep. Perfect timing, actually.  
8 Thank you for noting that. Let's take 45 minutes and  
9 be back at 1:45?

10 MS. BLEAU: That would be good.

11 MR. MILLER: That's fine.

12 CHAIR ADELSON: All right, so see you back here  
13 at 1:45.

14 MS. BLEAU: All right. Thank you.

15 MR. MILLER: Thank you.

16 [Recess from 1:00 p.m. - 1:52 p.m.]

17 CHAIR ADELSON: All right everyone, so we are  
18 back on the record. It's 1:42 and Mr. Leroy Jones has  
19 joined us as a witness. Mr. Jones, can you hear me?  
20 Oops, I'm looking at the top of your head, though.

21 Mr. Jones, we only have the top of your head --  
22 I mean, from your nose down. There you go -- awesome.  
23 Excellent.

24 Lori Adelson -- I'm the Chair. I'm going to be  
25 swearing you in.

1 MR. JONES: Okay.

2 CHAIR ADELSON: Could you raise your right  
3 hand. Do you solemnly swear to tell the truth, the  
4 whole truth, and nothing but the truth?

5 MR. JONES: Yes, I do.

6 CHAIR ADELSON: Okay, great. Ms. Bleau?

7 MS. BLEAU: Thank you. Thank you, Mr. Jones,  
8 for being here today. Could you state your name for  
9 the record, please?

10 MR. JONES: Leroy Jones, Jr.

11 MS. BLEAU: And Mr. Jones, you are currently  
12 working for the City of Fort Lauderdale. Is that  
13 correct?

14 MR. JONES: Yes.

15 MS. BLEAU: And what is your position there?

16 MR. JONES: Structural Plans Examiner,  
17 Structural Building Inspector.

18 MS. BLEAU: And how long have you been in that  
19 position?

20 MR. JONES: I've been a Plans Examiner for a  
21 year and a half; a Building Inspector for six years.

22 MS. BLEAU: And have you held any other  
23 positions with the City, besides those two?

24 MR. JONES: No, I haven't.

25 MS. BLEAU: If you wanted to know whether a

1 permit had been issued for construction that was  
2 occurring, how would you determine whether a permit had  
3 been issued?

4 MR. JONES: Look up the permit number in the  
5 computer.

6 MS. BLEAU: Well, if you don't know whether or  
7 not a permit's been issued, how do you look up the  
8 number?

9 MR. JONES: I'd look it up by the address. I'm  
10 sorry, not permit number. But, I'd look the address up  
11 and see if a permit has been issued.

12 MS. BLEAU: I see. And, what is a permit card?

13 MR. JONES: It's a permit card.

14 MS. BLEAU: For us laypeople --

15 MR. JONES: I don't understand what you mean  
16 about what is it.

17 MS. BLEAU: Well, you know what it is. I'm not  
18 sure I know what it is. So, can you describe what a  
19 permit card is exactly?

20 MR. JONES: It's a card that has information on  
21 it about the property.

22 MS. BLEAU: Okay, so it would have like the  
23 address and it would also have a permit number?

24 MR. JONES: Yes, correct.

25 MS. BLEAU: And does it describe at all what

1 scope of construction has been permitted or is that  
2 just all internal information?

3 MR. JONES: Yes.

4 MS. BLEAU: Oh, it does?

5 MR. JONES: Yes.

6 MS. BLEAU: On the permit card?

7 MR. JONES: Yes.

8 MS. BLEAU: Is a permit card required to be on  
9 site while construction is underway?

10 MR. JONES: Yes.

11 MS. BLEAU: And why is that? Do you know?

12 MR. JONES: No, I don't know what the exact  
13 Code states, but the permit card must be on site at  
14 time of inspection.

15 MS. BLEAU: And if you are conducting an  
16 inspection, is the permit card one of the things you  
17 look to examine to make sure that the construction  
18 underway has been permitted?

19 MR. JONES: Yes.

20 MS. BLEAU: Is an approved permit set of plans  
21 issued by the City of Fort Lauderdale required to be on  
22 site while construction is underway?

23 MR. JONES: It's required to be on site at time  
24 of inspection.

25 MS. BLEAU: Okay.

1           MR. JONES: But I'd have to review the Code to  
2 find out does it have to be on site all the time. I'm  
3 not sure. I'm not sure on that.

4           MS. BLEAU: But it is required to be there at  
5 time of inspection?

6           MR. JONES: Yes.

7           MS. BLEAU: Because your inspection is to look  
8 at the construction and look at the plans that have  
9 been approved and permitted and to make sure that the  
10 construction is in accordance with those plans, right?

11          MR. JONES: Correct.

12          MS. BLEAU: And so you couldn't do that if you  
13 didn't have the plans to review, correct?

14          MR. JONES: If I didn't have an approved set of  
15 plans to review.

16          MS. BLEAU: Got you. So, it's important that  
17 you have an approved set of plans to review?

18          MR. JONES: Correct.

19          MS. BLEAU: Got you. Okay. Do you use the  
20 computer as part of your job?

21          MR. JONES: Yes.

22          MS. BLEAU: When you're out in the field during  
23 construction, do you use a computer to look up permit  
24 information and Code information?

25          MR. JONES: Yes.

1 MS. BLEAU: And the information on the property  
2 itself?

3 MR. JONES: Yes.

4 MS. BLEAU: Is it important that you have  
5 access to that information while you're out in the  
6 field?

7 MR. JONES: Yes.

8 MS. BLEAU: Does your computer need to be  
9 connected to the Internet in order for you to access  
10 that information?

11 MR. JONES: Yes.

12 MS. BLEAU: Did you ever work under the  
13 authority of John Madden?

14 MR. JONES: Yes.

15 MS. BLEAU: For how long?

16 MR. JONES: Oh, I'm not sure.

17 MS. BLEAU: Do you know when you started with  
18 the City?

19 MR. JONES: I started with the City July of  
20 2015.

21 MS. BLEAU: Okay, and was Mr. Madden there  
22 then?

23 MR. JONES: Mr. Madden was recovering from --  
24 I'm not sure --

25 MS. BLEAU: Is that when Mr. Madden had been

1 out for his heart attack?

2 MR. JONES: Yes, oh yes, the heart attack.

3 Yes, he was recovering from the heart attack.

4 MS. BLEAU: So, when you started with the City,  
5 Mr. Madden had, at some point, returned from being out  
6 for the heart attack?

7 MR. JONES: Yes.

8 MS. BLEAU: I see. Would Mr. Madden conduct  
9 meetings from time to time with the Plans Examiners and  
10 Building Inspectors?

11 MR. JONES: Yes.

12 MS. BLEAU: And would he discuss various issues  
13 sort of as training or things to watch out for, keep an  
14 eye out, things like that in those meetings?

15 MR. JONES: Yes.

16 MS. BLEAU: Do you think that Mr. Madden's goal  
17 was to ensure that the work associated with the  
18 building permit is compliant with the Building Code?

19 MR. JONES: Yes.

20 MS. BLEAU: And did Mr. Madden ever discover  
21 life/safety violations of the Code that caused him to  
22 be concerned?

23 MR. JONES: Yes.

24 MS. BLEAU: Would Mr. Madden get upset about  
25 life/safety violations of the Building Code?

1 MR. JONES: Never seen Mr. Madden upset.

2 MS. BLEAU: Okay. Would you say that those  
3 life/safety Code issue violations were important to  
4 him?

5 MR. JONES: To all of us.

6 MS. BLEAU: Okay, okay. You never saw Mr.  
7 Madden upset. Did you ever see Mr. Madden -- did Mr.  
8 Madden ever threaten you -- threaten harm to you?

9 MR. JONES: No.

10 MS. BLEAU: Did Mr. Madden ever yell at you?

11 MR. JONES: No.

12 MS. BLEAU: Okay. Did you ever make a mistake  
13 or do something Mr. Madden didn't like where he  
14 corrected you?

15 MR. JONES: Yes.

16 MS. BLEAU: Okay. And did he do that in a  
17 professional manner?

18 MR. JONES: Yes.

19 MS. BLEAU: All right. Mr. Jones, I'm going to  
20 ask you some questions about 1415 Northwest 62<sup>nd</sup> Street.  
21 I think it's also known as the BSO project. Do you  
22 know what building I'm talking about?

23 MR. JONES: Yes. I think I know what building  
24 you're talking about.

25 MS. BLEAU: Okay. I can show you a picture if

1 you're not clear, but I think it's the one where they  
2 had some bay doors on the side that had been closed in  
3 and some other construction happening interior-wise;  
4 made changes to the parking lot; things all of which  
5 had been done without a permit. Do you remember that?

6 MR. JONES: I don't remember that exactly.

7 MS. BLEAU: Okay.

8 MR. JONES: I remember the address because that  
9 was my area, so that's why I remember the address. But  
10 the circumstances and the situations, I can't really  
11 recall.

12 MS. BLEAU: Do you recall -- let me show you  
13 this -- I'm going to share my screen, sir. I'm showing  
14 you what was previously marked in these proceedings as  
15 Exhibit 123. Can you see that?

16 MR. JONES: Yes.

17 MS. BLEAU: Okay. The first line is the permit  
18 number, right?

19 MR. JONES: Yes.

20 MS. BLEAU: Second line is the owner name.  
21 That would be the owner of the particular property?

22 MR. JONES: Yes.

23 MS. BLEAU: Permit type: XPXA2 -- what does  
24 that mean to you?

25 MR. JONES: It means it's a private provider.

1 MS. BLEAU: Okay. And the address here is what  
2 we discussed -- permanent address: 1415 Northwest 62<sup>nd</sup>  
3 Street. Inspection type: Building Final - 1. What is  
4 that? What does that mean?

5 MR. JONES: A building final.

6 MS. BLEAU: And to us laypeople, what does that  
7 mean?

8 MR. JONES: The building is completed in  
9 reference to the inspections.

10 MS. BLEAU: Okay. The rest of the address,  
11 here's an inspector -- 759. Do you know who that is?

12 MR. JONES: Yes, that is my inspector number.

13 MS. BLEAU: I see. Okay. Request date: 9/27;  
14 Schedule date: 9/28 - and that's the request for the  
15 final inspection? Is that right, sir?

16 MR. JONES: That's correct.

17 MS. BLEAU: So, on 9/27/16, the contractor is  
18 informing the City of Fort Lauderdale that all the  
19 construction has been completed and they want you to  
20 come inspect for a final time, right?

21 MR. JONES: Yes.

22 MS. BLEAU: Instructions: MTCI Private  
23 Provider PXA2. Are you familiar with MTCI?

24 MR. JONES: It's a Private Provider that works  
25 in the City of Fort Lauderdale.

1 MS. BLEAU: What is their role, if you're doing  
2 the final building inspection, what is their role on  
3 this particular project, if you know?

4 MR. JONES: MTCI?

5 MS. BLEAU: Um hmm [in the affirmative]. As  
6 the Private Provider, what were they supposed to be  
7 doing?

8 MR. JONES: They're supposed to be making sure  
9 the job's been done according to the Florida Building  
10 Code, and according to the approved set of plans.

11 MS. BLEAU: And would that necessarily require  
12 that they also make sure that construction doesn't  
13 occur without a permit being issued?

14 MR. JONES: Yes.

15 MS. BLEAU: I see. Okay. So we have the  
16 inspection date at 9/28 and the result is an F. I  
17 mean, I know what that meant in school. Is that a  
18 fail? Is that what that means?

19 MR. JONES: Yes, it means failed.

20 MS. BLEAU: And then there are some comments  
21 here. So these would be your comments that you input  
22 on your failed inspection, is that correct?

23 MR. JONES: Correct. Yes.

24 MS. BLEAU: All right. And you said, "Missed  
25 inspection, FBC 110, and F.S. 553791 in accordance with

1 the applicable State statutes and the Florida Building  
2 Code, the contractor has failed to notify the City of  
3 Fort Lauderdale Building Department. Please contact  
4 the Building Official, John Travers." How or when was  
5 the contractor supposed to notify the City of Fort  
6 Lauderdale Building Department?

7 MR. JONES: He was supposed to -- how? You  
8 say, "How was he supposed to notify them?"

9 MS. BLEAU: I mean, under what circumstances, I  
10 guess is what I'm asking. Should the contractor have  
11 notified the City that they didn't, that caused you to  
12 fail the inspection?

13 MR. JONES: Can you go back to my -- and let me  
14 read my comments?

15 MS. BLEAU: Yes, sure can.

16 MR. JONES: He was supposed to go into the  
17 office and speak with John Travers in referenced to his  
18 missed inspections.

19 MS. BLEAU: And when you say missed  
20 inspections, even though this was a Private Provider  
21 job, the City was supposed to be notified when  
22 inspections were going to be occurring. Is that  
23 right?

24 MR. JONES: Correct.

25 MS. BLEAU: Okay. You all good?

1 MR. JONES: Yeah, I'm okay. I need to stop  
2 that. Okay, go ahead.

3 MS. BLEAU: Since this is a Private Provider  
4 job, and MTCI was the Private Provider, what would your  
5 job be when you're notified that an inspection is going  
6 to occur? Let's assume for the moment in this  
7 hypothetical that there was actually a permit issued on  
8 this BSO project.

9 MR. JONES: What was my job, you're saying?

10 MS. BLEAU: Yes, sir. What would you do once  
11 the City was notified, "Hey, an inspection is going to  
12 occur tomorrow" -- if they had done what they were  
13 supposed to do.

14 MR. JONES: At that time, if I'm not -- I'm  
15 trying to remember at that time, my job was to go out  
16 to the job and make sure that the Private Provider has  
17 -- his inspector has did the process of listing the  
18 inspections that he reviewed and having a log with the  
19 time he did the inspections.

20 So, my job was to actually go out and audit the  
21 Private Provider's log to make sure he's actually done  
22 -- his inspector has actually done the inspections.

23 MS. BLEAU: Got you. And in order for you to  
24 be able to do that, the Private Provider has to have  
25 the logs on site in order for you to review them,

1 right?

2 MR. JONES: Yes, correct.

3 MS. BLEAU: Do you recall making inspections at  
4 the BSO?

5 MR. JONES: I can only recall my last time  
6 there. I know I had been out before, but I was doing  
7 an inspection, hopefully I made the correct result.  
8 But in remembrance, the only thing I remember from that  
9 is the last time that I was there.

10 MS. BLEAU: And what do you recall about that  
11 visit?

12 MR. JONES: I recall a conversation I had with  
13 the Superintendent and I cannot recall his name.

14 MS. BLEAU: The Superintendent -- is this a  
15 representative of the contractor, of MTCI, of the  
16 owner? What's the Superintendent?

17 MR. JONES: I'm not exactly sure.

18 MS. BLEAU: Okay.

19 MR. JONES: I'm not exactly sure because I  
20 didn't see any credentials that he had, so, you know,  
21 he presented himself as the Superintendent at that  
22 time. But I never checked any credentials to see  
23 whether he was working for the owner, whether he  
24 working for the contractor. I'm not sure.

25 MS. BLEAU: All right, fair enough. And what

1 do you recall about your conversation with this  
2 Superintendent?

3 MR. JONES: I can recall -- I remember a  
4 conversation of the Superintendent questioning me about  
5 the failed -- failing the job. And he asked me why am  
6 I failing the job? I explained to him, according to  
7 the notes that I have written down, and I remember him  
8 telling me that, "You can't do it that way." And I  
9 told him, "I talked to John Madden, which is my Chief,  
10 and he told me at this time, this is how I handle a  
11 situation like this."

12 And, his question to me was, "Is that your  
13 Chief?" And, I said, "Yes." And I remember this: him  
14 saying, "Don't worry about him, because he's not going  
15 to be there long." And it was kind of, you know, it  
16 kind of put me in a position that, it's time for me to  
17 leave this conversation, because his attitude wasn't --  
18 I'm trying to think of the word to use, but -- his  
19 attitude wasn't -- it had become a toxic. No, "Bye,"  
20 so I left the job.

21 MS. BLEAU: And did you tell anyone about this  
22 conversation at the time, or this comment from the  
23 Superintendent at the BSO that John Madden was not  
24 going to be with the City for very much longer.

25 MR. JONES: I'm not sure -- it was either that

1 afternoon or the following day, I'm not sure. I went  
2 into John's office -- John Madden's office, and I just  
3 expressed to him about the conversation I had with the  
4 Superintendent.

5 MS. BLEAU: And did you also speak with  
6 Detective Maura about this?

7 MR. JONES: Actually, before I can finish my  
8 conversation, I think John had Detective Maura and, I  
9 think, also Scott Dry, which is the Electrical Chief to  
10 come inside the room before I finished my statement.  
11 But I remember making the statement and they were in  
12 the room.

13 MS. BLEAU: And, can you put a time - do you  
14 know when exactly that would have occurred?

15 MR. JONES: Like I'm saying, I'm not sure  
16 whether it was that afternoon, or the following day.  
17 I'm not sure, but I brought it to his attention  
18 immediately. Like I said, I can't recall whether I  
19 returned that afternoon or whether it was the following  
20 day. I'm not sure.

21 MS. BLEAU: Sure, sure. And my question wasn't  
22 clear, because what I wanted to know is do you recall  
23 when your conversation with the Superintendent on site  
24 at the BSO occurred where they told you, "You don't  
25 have to worry about John Madden, he's not gonna [sic]

1 be with the City too much longer?"

2 MR. JONES: No, I couldn't give you an exact  
3 time. I don't remember.

4 MS. BLEAU: Okay. Does it happen from time to  
5 time that as a building inspector you are met with  
6 resistance from an owner of property or contractor who  
7 might engage in intimidation or threats or bribery to  
8 try to get you to not properly enforce the Code? Has  
9 that happened to you?

10 MR. JONES: Yes. It has happened.

11 MS. BLEAU: Did you feel that the  
12 Superintendent's statements were threatening?

13 MR. JONES: No.

14 MS. BLEAU: Okay. Why not?

15 MR. JONES: I don't know. It could have been  
16 taken that way but me, personally, I didn't take it as  
17 a threat because he's a man and I'm a man. So, I'm  
18 getting into me personal. You follow what I'm saying?  
19 So --

20 MS. BLEAU: So you didn't feel personally  
21 intimidated or threatened? That's what you're telling  
22 me?

23 MR. JONES: I felt not threatened but  
24 disrespected. But not threatened.

25 MS. BLEAU: Okay, fair enough. Do you recall

1 that this gentleman told you that you better choose who  
2 you're going to follow because John is not going to be  
3 working there any longer?

4 MR. JONES: Yeah, yeah. Yes. I remember that.

5 MS. BLEAU: And John Madden had you repeat that  
6 story to Detective Mauro and some Structural Plans  
7 Examiners and Inspectors? Is that right?

8 MR. JONES: Yes. Yes.

9 MS. BLEAU: And is it true that two weeks later  
10 is when John was placed on administrative leave with  
11 the City?

12 MR. JONES: I know he was placed on  
13 administrative leave, but I really can't put it in that  
14 time frame back at that time. I don't know how long  
15 was it after that statement was made that John was put  
16 on administrative leave.

17 MS. BLEAU: Okay, fair enough. Let me just  
18 share the screen with you one more time, and just ask  
19 now, according to this, your inspection date was  
20 September 28<sup>th</sup> of 2016, correct?

21 MR. JONES: Correct.

22 MS. BLEAU: And that's when you failed and then  
23 you had a conversation with the Superintendent about  
24 your failure. Would that have been subsequent to this  
25 September 28, 2016, inspection, then? Or would it have

1       been the same time period?

2               MR. JONES: Same time. It should have been the  
3 same day.

4               MS. BLEAU: I see. Okay. So, when he was he  
5 questioning you about your fail, basically you told  
6 them they were going to fail --

7               MR. JONES: Yes.

8               MS. BLEAU: -- then he made his comments about  
9 Mr. Madden not being with the City too much longer, and  
10 then you went back to the office or whatever, or on  
11 your computer at work, and you entered this information  
12 into the system. Is that right?

13              MR. JONES: Yes.

14              MS. BLEAU: That's how it worked?

15              MR. JONES: Yes.

16              MS. BLEAU: Okay. Fair enough. And do you  
17 recall -- if I asked you this, I apologize -- I'm not  
18 sure if I did. When you went there, do you recall  
19 whether or not the inspection logs were on-site during  
20 your inspection at the BSO?

21              MR. JONES: I can't recall.

22              MS. BLEAU: All right. Mr. Jones, I don't  
23 think I have anything else for you. Appreciate it very  
24 much, and Mr. Miller may have some questions for you.

25              MR. JONES: Okay.

1 MR. MILLER: Mr. Jones, good afternoon. Can  
2 you hear me okay, sir?

3 MR. JONES: Yes, I can.

4 MR. MILLER: Thank you. When you began your  
5 career with the City in July of 2015, you said you were  
6 classified as a Building Inspector, correct?

7 MR. JONES: Correct.

8 MR. MILLER: To what department were you  
9 actually assigned to?

10 MR. JONES: Building.

11 MR. MILLER: Were you ever in the Enforcement  
12 area as a Building Inspector?

13 MR. JONES: Yes.

14 MR. MILLER: When was that?

15 MR. JONES: That was maybe a month after --  
16 maybe August of 2015.

17 MR. MILLER: And was it only for a month?

18 MR. JONES: I can't give you exactly how long  
19 it was. I can't recall exactly how long it was. But  
20 it was more than a month.

21 MR. MILLER: Okay. The reason I'm asking is  
22 because we've all seen an organizational chart for the  
23 Department from 2016 and it lists you as being in the  
24 Enforcement Division, not under John Madden.

25 MR. JONES: Okay.

1           MR. MILLER: Is that accurate? I don't have a  
2 clue. That's why I'm asking.

3           MR. JONES: I was hired to the City as a  
4 Building Inspector. What happened was during the  
5 course of me getting my license, I had a lot of down  
6 time. George Oliva came over to me and said, "Leroy, I  
7 can give you something to do during the day." And he  
8 was a head of the Code Division. That's how I started  
9 working with Code. But, I never was assigned to Code.  
10 I just started working with Code. I was always there  
11 to be a Building Inspector, not a Code Compliance  
12 Inspector.

13           MR. MILLER: You just made a statement that  
14 when you first got there you were working on your  
15 license?

16           MR. JONES: You have a year to actually get  
17 your Building Inspector license.

18           MR. MILLER: Okay.

19           MR. JONES: So, during the course of me waiting  
20 to apply for the Building Inspector license is when  
21 George Oliva came over to give me things to do during  
22 the day.

23           MR. MILLER: When did you officially get your  
24 Building Inspector license?

25           MR. JONES: I don't have that -- I think it was

1 November of 2015. I'm not sure, but I think it was  
2 November of 2015.

3 MR. MILLER: Okay. So, it would have been back  
4 in 2015, it didn't carry over to 2016?

5 MR. JONES: No.

6 MR. MILLER: 2016?

7 MR. JONES: No.

8 MR. MILLER: So, you've told us that you  
9 remember this last conversation you had out at the BSO  
10 site and I think you said you think you were probably  
11 there for other times, but you don't remember those  
12 interactions. Is that fair?

13 MR. JONES: Yes, that's fair.

14 MR. MILLER: Okay. And it appears as though,  
15 from the notes that Ms. Bleau just showed you, the date  
16 of the scheduled final inspection was September 28<sup>th</sup>,  
17 2016, and so this conversation that you've told us  
18 about would have been that particular day?

19 MR. JONES: Yes.

20 MR. MILLER: Okay. Do you remember whether or  
21 not there had been any ongoing problems out at that  
22 particular job site as far as permitting and  
23 inspections prior to you going out there on September  
24 28<sup>th</sup>, 2016?

25 MR. JONES: I can't recall whether there was

1 any previous --

2 MR. MILLER: Do you have a recollection of ever  
3 being present on that job site before September 28<sup>th</sup>,  
4 2016, when Mr. Madden was also present with you?

5 MR. JONES: I can't recall me and John being  
6 present at that job site together.

7 MR. MILLER: Okay. Do you know one way or the  
8 other as to whether or not Mr. Madden had actually been  
9 out at the site earlier that month before you got there  
10 on the 28<sup>th</sup>?

11 MR. JONES: I can't recall whether or not he  
12 was there.

13 MR. MILLER: Okay. So, as I understand it, on  
14 the 28<sup>th</sup> when you went there, you determined that -- if  
15 I understand this -- that the Private Provider had  
16 performed inspections, but had not notified the City  
17 that they had performed them. Is that what the note  
18 indicates?

19 MR. JONES: The note indicates that they had  
20 not performed inspections, if I'm correct. The note  
21 indicated that they had not performed, and I can't  
22 recall what inspections they had not performed at that  
23 time.

24 MR. MILLER: Okay. Because the way I read the  
25 note that Ms. Bleau showed you was the reason they were

1 failed is because they had done inspections, but hadn't  
2 notified the City about them. Did I misunderstand  
3 that?

4 MR. JONES: I don't know.

5 MR. MILLER: That's fair.

6 MR. JONES: I don't know, I mean.

7 MR. MILLER: And I guess, and I may be drawing  
8 a distinction that's not a difference, and I don't  
9 know, so forgive me if that's what I'm doing. But I'm  
10 trying to understand if what you said is, "They did the  
11 inspections as the Private Provider they're supposed to  
12 do, but they're supposed to notify the City so we can  
13 come out and audit it, and they didn't notify us." Or,  
14 did you fail them because they just flat out hadn't  
15 done any of those inspections at all?

16 MR. JONES: Not just what you -- no. I failed  
17 them, and maybe you can pull the note and put it back  
18 up.

19 MS. BLEAU: Yeah, sure.

20 MR. MILLER: Yeah, Ms. Bleau's going to do that  
21 for us. Thank you, Denise.

22 MS. BLEAU: Sure.

23 MR. MILLER: Okay, can you see that Mr. Jones?

24 MR. JONES: Yes. I failed it because they had  
25 some missed inspections. I can't recall whether or not

1 who missed the inspections, what inspections were  
2 missed, but I failed it because they had some missed  
3 inspections.

4 MR. MILLER: Okay. So, the Private Provider who  
5 was involved in this job had scheduled you to come out  
6 to do a final inspection, even though they had missed  
7 doing inspections before. Is that the situation?

8 MR. JONES: Let me repeat myself. I failed it  
9 because they had missed inspections. I do not know who  
10 called me out. I don't know whether the Private  
11 Provider called me out on the job. I don't know  
12 whether the contractor called me out on the job.

13 Once I got to the job, I noticed that they had  
14 missed inspections. I don't know what inspections were  
15 missed. I don't know how many inspections were missed.  
16 But at that time of me being on the job site, they had  
17 missed inspections. Are we clear?

18 MR. MILLER: I'm sorry, are you finished? I  
19 didn't mean to talk over you.

20 MR. JONES: I'm finished.

21 MR. MILLER: What does the line mean that you  
22 wrote, "The contractor has failed to notify the City of  
23 Fort Lauderdale Building Department"? What have they  
24 failed to notify the City of?

25 MR. JONES: There were some missed inspections.

1 The Private Provider should have notified the City of  
2 the inspections that they were doing.

3 MR. MILLER: Okay.

4 MR. JONES: So the contractor failed to notify  
5 the City of inspections that they were doing.

6 MR. MILLER: Okay. Why did you then write,  
7 "Please contact the Building Official," and put Mr.  
8 Travers' phone number in this note?

9 MR. JONES: Because he's the Building Official.

10 MR. MILLER: But why would there be a need for  
11 them to contact him as opposed to simply fixing this or  
12 doing the inspections or whatever? Why contact the  
13 Building Official?

14 MR. JONES: If I'm going back to that  
15 particular time, that's what we were telling the  
16 contractors that had either missed inspections or  
17 didn't do the Private Provider system right. It was to  
18 contact John Travers. At that time, that's what we  
19 were -- that's the note that we were having to  
20 contractors to do when they had problems or issues or a  
21 situation is to contact John Travers because he's the  
22 Building Official.

23 MR. MILLER: All right. So, this individual  
24 that you told us that you spoke to, who you believe to  
25 be, I think you called him a Superintendent --

1 MR. JONES: Yes.

2 MR. MILLER: -- you told him that the reason  
3 that you failed the inspection is because that's what  
4 John Madden had instructed you to do, but that he was  
5 supposed to call John Travers?

6 MR. JONES: No.

7 MR. MILLER: Okay.

8 MR. JONES: Repeat your question again.

9 MR. MILLER: Sure. When Ms. Bleau was asking  
10 you about the conversation you had that day, I think  
11 you said the person asked you, why were you failing  
12 him, and that you explained to him that's what you were  
13 told you were supposed to do. And, in the course of  
14 the conversation, you explained that that's what you  
15 had been instructed by your Chief, Mr. Madden, that's  
16 how you were to handle these situations?

17 MR. JONES: Yes. In reference to a job site  
18 where the Private Provider had missed inspections is  
19 what I was informed to fail the job by my Chief, which  
20 was John Madden.

21 MR. MILLER: Okay. And you said that to the  
22 person you were speaking to?

23 MR. JONES: Yes.

24 MR. MILLER: Yet you also told them that in  
25 response to this, what they were supposed to do was

1 contact, not John Madden, but John Travers?

2 MR. JONES: Yes.

3 MR. MILLER: Okay. And you told them that as  
4 well during this conversation?

5 MR. JONES: I'm not sure I told them to contact  
6 -- I put that in my notes, but I'm not clear whether or  
7 not I told the contractor, I mean the Superintendent to  
8 speak with John Travers. I'm not sure.

9 MR. MILLER: Okay. So, are there parts of the  
10 conversation with this gentleman that you don't recall?

11 MR. JONES: I can't recall everything that we  
12 spoke about.

13 MR. MILLER: That's fair. It's only four and a  
14 half years ago. You don't remember every word that you  
15 said to this guy? Come on.

16 MR. JONES: No, no, no. I mean, it's good that  
17 John Madden had called Detective Mauro in because over  
18 the course of time, I really forgot the guy told me be  
19 careful who I follow. I forgot he told me that, and I  
20 didn't take that too well.

21 MR. MILLER: During the course of the  
22 conversation with this gentleman, did he say anything  
23 to you that John Madden had previously been out at the  
24 site and that there had been any issues?

25 MR. JONES: I can't recall.

1           MR. MILLER: At any point in time during the  
2 conversation, did he tell you that when Mr. Madden had  
3 been out at the site, Mr. Madden had said that he was  
4 going to get rid of Mr. Travers and Mr. Feldman, the  
5 then City Manager?

6           MR. JONES: No. Never had that conversation  
7 and never heard that said of them to date and you are  
8 saying it. Never heard that said before.

9           MR. MILLER: All right. As far as the missed  
10 inspections that you're referring to, do you know how  
11 far back in time they went from the date that you were  
12 there?

13          MR. JONES: I can't recall.

14          MR. MILLER: Do you know if any of them had  
15 either been scheduled or been missed or had taken place  
16 at a point in time when any other inspector had been  
17 out at the site besides yourself?

18          MR. JONES: I can't recall.

19          MR. MILLER: The Private Provider Program  
20 itself, as I understand it, and I think you explained  
21 this, but I want to make sure I understand this, the  
22 Private Providers would be charged with the  
23 responsibility of making sure that certain inspections  
24 were done in accordance with the approved plans that  
25 were on site, correct?

1 MR. JONES: Correct.

2 MR. MILLER: And that once those inspections  
3 were done, the City Inspector, such as yourself, would  
4 come out and essentially audit their logs to determine  
5 whether or not they had, in fact, done the inspections,  
6 whether they were timely, appropriate, etcetera; but  
7 you were not going back out to re-inspect the  
8 situation. Correct?

9 MR. JONES: No. The Private Provider should  
10 have gotten that portion of the job inspected -- that's  
11 what you missed. He should have gotten it inspected  
12 and the inspector in turn puts his results in the log.

13 MR. MILLER: Right.

14 MR. JONES: You didn't say that part before.  
15 Everything you said, except you missed the part where  
16 the Private Provider hires an inspector and comes out  
17 to the job site, inspects the portion of the job, and  
18 enters in the logbook his results of his inspection.

19 MR. MILLER: Okay. Was the other part of my  
20 statement correct, though, as far as what it was the  
21 responsibility of the City Inspectors, once that was  
22 done, meaning you would come out to look at those logs,  
23 but you would not actually be re-conducting the  
24 inspection yourself?

25 MR. JONES: Correct.

1 MR. MILLER: And that's how the Private  
2 Provider Program was designed to work, correct?

3 MR. JONES: I'm not -- it's an evolving  
4 situation. So, for me to say correct to that, I'm not  
5 sure exactly how it was designed and worded at that  
6 particular time.

7 MR. MILLER: Okay. Was it ever part of the  
8 program to require the contractor to bring the logs to  
9 the DSD building to be reviewed?

10 MR. JONES: I think at final -- at the final  
11 inspection is when the Private Provider bring [sic] the  
12 information to the Building Department to get a final  
13 review. I think that's how it works.

14 MR. MILLER: I thought the inspection you were  
15 there to do on the 28<sup>th</sup> was the final?

16 MR. JONES: That's what he requested.

17 MR. MILLER: Okay. So, I guess I'm confused,  
18 then. Were you there and were the logs not there, or  
19 were the logs back at DSD? I'm just trying to figure  
20 out what happened here.

21 MR. JONES: I'm gonna [sic] explain it to you  
22 again what happened.

23 MR. MILLER: Okay.

24 MR. JONES: He had missed inspections.

25 MR. MILLER: Right.

1           MR. JONES: It's what I failed him for.  
2 Whether or not the log was there, whether or not the  
3 permits were there, whether or not the approved plans  
4 were there, I can't recall. I failed him because he  
5 had missed inspections.

6           MR. MILLER: Okay. Beyond that, you can't tell  
7 us anything else about what was going on, other than  
8 what you wrote in that note, correct?

9           MR. JONES: I can't tell you in reference to  
10 what you're asking me. You asked me whether or not in  
11 reference to the logs, whether it was there, whether it  
12 was at DSD, I can't tell you in reference to that. I  
13 can tell you at the time I was there, what I failed the  
14 project for.

15          MR. MILLER: What happened to this project,  
16 eventually, after that failure? Do you know?

17          MR. JONES: I can't recall.

18          MR. MILLER: You don't recall whether you ever  
19 went back out and did any other inspections on it?

20          MR. JONES: I can't recall.

21          MR. MILLER: You mentioned that John Madden  
22 called Detective Mauro in to listen to what you had to  
23 say. Did anything come of that?

24          MR. JONES: I left the room after I explained  
25 to them what I had to say.

1 MR. MILLER: As far as you know, did Detective  
2 Maura do anything? Did he go out and investigate  
3 anything?

4 MR. JONES: I can't recall.

5 MR. MILLER: Did he charge anybody with a  
6 crime?

7 MR. JONES: I can't recall.

8 MR. MILLER: Okay. Other than telling Mr.  
9 Madden this verbally, did anybody take a recorded  
10 statement from you?

11 MR. JONES: I don't think no one recorded me.

12 MR. MILLER: Have you stayed in touch with Mr.  
13 Madden since he has been gone from the DSD?

14 MR. JONES: No.

15 MR. MILLER: How was it you were contacted to  
16 be asked to come and to testify here today?

17 MR. JONES: We were all called into a meeting  
18 at the Building Department, and we all was informed  
19 about this being subpoenaed and questioned and all of  
20 this.

21 MR. MILLER: And you've not spoken to Mr.  
22 Madden at all about what you were going to testify  
23 about?

24 MR. JONES: No, not in reference to what I was  
25 going to testify about.

1 MR. MILLER: Do you know what this hearing is  
2 about?

3 MR. JONES: Not exactly.

4 MR. MILLER: Okay. Do you know whether or not  
5 it has anything to do with why John Madden was  
6 terminated?

7 MR. JONES: I don't know the details of the  
8 hearing, what's going on, and other than you hear  
9 something here at the job, you hear something here, but  
10 I don't know the details of what's going on. And, I'm  
11 the type of person, if I want to know something, I do  
12 research to find out what I want to know. And I  
13 haven't done any research to find out exactly the  
14 situation what he's in, what the hearing is for, is it  
15 -- I don't know.

16 MR. MILLER: At the time he was terminated, did  
17 you have any conversations with anybody about why he  
18 was terminated?

19 MR. JONES: No. Gossip.

20 MR. MILLER: But as far as sitting down with  
21 anybody and asking directly, "Hey what happened? Why  
22 is" -- because John was your boss at the time that he  
23 was placed on leave, right?

24 MR. JONES: Yes, he was.

25 MR. MILLER: Did you ever go to anybody above

1 John and say, "Hey, what's going on? Why isn't he here  
2 anymore?"

3 MR. JONES: Oh, no. No, I didn't.

4 MR. MILLER: So as you sit here today, do you  
5 know why it was John was terminated?

6 MR. JONES: No.

7 MR. MILLER: Okay.

8 MR. JONES: Other than rumors and I'm gonna  
9 [sic] repeat a rumor.

10 MR. MILLER: No, that's fair. And as far as  
11 your relationship with Mr. Madden, you never had any  
12 problems working with him, right?

13 MR. JONES: No, I did not.

14 MR. MILLER: You don't know if he ever had  
15 problems with other people though, do you?

16 MR. JONES: Not nothing [sic] that I can  
17 discuss.

18 MR. MILLER: Anything that you have personal  
19 knowledge of?

20 MR. JONES: No, there's nothing that I have  
21 personal knowledge of.

22 MR. MILLER: Okay. Thank you, sir. I don't  
23 have any more questions.

24 MR. JONES: Okay. Thank you.

25 MS. BLEAU: Mr. Jones, I have just a few follow

1 up, if that's okay?

2 MR. JONES: Okay.

3 MR. MILLER: All right. Won't be long. Can  
4 you tell me about this meeting you referenced where you  
5 were called into a room at the Building Department and  
6 told about subpoenaing and -- who called that meeting?

7 MR. JONES: Who? Don't know who actually  
8 called it. Don't know.

9 MS. BLEAU: Who spoke and told you all about  
10 being subpoenaed and all that?

11 MR. JONES: That's a good question. I don't  
12 know.

13 MS. BLEAU: That the first good question I've  
14 asked all day?

15 MR. JONES: Yes. That's the first good  
16 question, because I don't have a fair answer to it.  
17 Um, I don't know who called the meeting.

18 MS. BLEAU: Okay. Do you remember when that  
19 meeting was?

20 MR. JONES: No, I can't recall when it was, but  
21 I know it was a brief meeting. I can't recall.

22 MS. BLEAU: Do you recall who else was called  
23 into that meeting?

24 MR. JONES: Mike Rinkus was there. I'm drawing  
25 a blank to the meeting. I'm sorry.

1 MS. BLEAU: That's okay. Was John Travers  
2 there?

3 MR. JONES: Yeah, John Travers was there. And  
4 I think John Travers made a brief statement. I can't  
5 recall what he said. The meeting was -- I don't know --  
6 -- I can't -- I don't know.

7 MS. BLEAU: Okay. Fair enough. I understand  
8 -- and you sort of made slight reference to this when  
9 Mr. Miller was asking you questions -- as I understand  
10 it, the policies regarding the Private Providers today  
11 are different. The Florida Statutes are different; the  
12 policies are different, right? The procedures are  
13 different today than they were in 2016 when we're  
14 talking about all this, right?

15 MR. JONES: Yes.

16 MS. BLEAU: Back then, in 2016, what did you  
17 understand the purpose of the requirement that the City  
18 be notified beforehand about an inspection that's going  
19 to occur?

20 MR. JONES: I'm not understanding your  
21 question, and you're clear, but I'm not --

22 MS. BLEAU: That's okay. That's all right.  
23 So, the policy back then required that the City be  
24 notified that an inspection is going to occur. On a  
25 Private Provider, the contractor -- or somebody -- was

1 required to notify the City, "Hey, we're going to do  
2 electrical inspection tomorrow," for example. Right?

3 MR. JONES: No.

4 MS. BLEAU: No? Okay.

5 MR. JONES: The Private Provider informed the  
6 City that a framing inspection has been done by his  
7 inspector.

8 MS. BLEAU: Has been done.

9 MR. JONES: Has been done.

10 MS. BLEAU: You're not aware that the policy  
11 required advance notice?

12 MR. JONES: I'm not aware of that.

13 MS. BLEAU: Okay. Fair enough. Just checking  
14 my notes. Give me one second, if you can. Mr. Jones,  
15 I don't have any other questions for you. I appreciate  
16 your time very much and I'm sorry to have made you wait  
17 most of the day.

18 MR. MILLER: I've nothing further.

19 CHAIR ADELSON: Thank you, Mr. Jones. You are  
20 dismissed. We appreciate your time.

21 MR. JONES: All right. Thank you.

22 CHAIR ADELSON: Take a ten-minute break.

23 MS. BLEAU: Sure. Good idea.

24 CHAIR ADELSON: Then we'll come back at 3:00.

25 Just a little housekeeping here in terms of timing. It

1 is Friday. I also understand that we want to get  
2 through as much as possible. Do you have one more day  
3 scheduled?

4 MS. BLEAU: So, this is the thing I was just  
5 about to bring up. So, where we are is, one of the  
6 witnesses that we wanted today was not available today,  
7 but he'll be available next Friday when we're also  
8 scheduled to meet, and Mr. Ford took less than I  
9 thought he was going to. So, I think, what I'm  
10 inclined to do, because I know that we're limited on  
11 time, and I don't want to -- If we weren't limited on  
12 time, I'd say, "Let's break today and resume on  
13 Friday." But because we have such limited amount of  
14 time left, I'm inclined to start with Mr. Madden today  
15 and just go through some stuff with the time that we  
16 have remaining, and then we'll resume with the  
17 witnesses on Friday, get those finished, and then  
18 finish with Mr. Madden.

19 CHAIR ADELSON: So, is the intention to go  
20 'till 5:00? That is my question.

21 MS. BLEAU: I thought we were scheduled to go  
22 'till 6:30 is what I was told by Ms. Arthurs.

23 MS. ARTHURS: Yes.

24 CHAIR ADELSON: Oh, that's right. So we can do  
25 an extended session so that we can get through this.

1 All right, that is fine. So let's take just a two-  
2 minute break and start with Mr. Madden when we come  
3 back, and then we'll get through a little bit.

4 MR. MILLER: Just before we do that, I have a  
5 question. Can I presume, Denise, that you do not  
6 anticipate finishing with Mr. Madden today?

7 MS. BLEAU: Absolutely.

8 MR. MILLER: Okay.

9 MS. BLEAU: You can presume that.

10 MR. MILLER: Okay. Just because, obviously, I  
11 was not counting on him testifying today. I'm not  
12 prepared to cross-examine him today.

13 MS. BLEAU: Hey, I don't have questions for  
14 him, so.

15 MR. MILLER: Okay. Good. Let's get it done.  
16 We'll start with closing right now.

17 MS. BLEAU: I'm gonna be winging it! If you  
18 think you're not prepared. You know, the person asking  
19 the questions should be prepared, and I'm not, so,  
20 it'll be fun.

21 MR. MILLER: Okay. So, that's fine then.

22 MS. BLEAU: All right. Thanks.

23 CHAIR ADELSON: Denise, you want more time?  
24 You want like a half an hour so you can --

25 MS. BLEAU: No, there was a lot that I skipped

1 in Mr. Ford's and then we've been -- I think there's a  
2 lot to talk about with respect to this project, so  
3 that's what I'm going to go back and do.

4 CHAIR ADELSON: All right. We'll continue at  
5 3:00.

6 MS. BLEAU: Appreciate it.

7 [Recess taken]

8 [3:00 - Meeting resumes]

9 CHAIR ADELSON: Taking roll call. Everybody  
10 here? I don't see Mr. Baldwin and Mr. Travers because  
11 you're up. Thanks, John. Mr. Baldwin, are you back?  
12 Let's give him a minute. Mr. Baldwin, are you back  
13 yet? He's back. Mr. Baldwin? Excellent. All right,  
14 so we are all present. Ms. Bleau, would you like to  
15 start? Let me swear in Mr. Madden. And, yes, you  
16 reminded me twice when I forgot to have them state  
17 their name for the record, so, Mr. Madden, please state  
18 your name for the record.

19 MR. MADDEN: John Madden.

20 CHAIR ADELSON: Do you solemnly swear to tell  
21 the truth, the whole truth, and nothing but the truth?

22 MR. MADDEN: I do.

23 CHAIR ADELSON: Okay, you may proceed.

24 MS. BLEAU: Mr. Madden, you were here when we  
25 were speaking earlier to Leroy Jones and Burt Ford

1 about a project located at 1415 Northwest 62<sup>nd</sup> Street.  
2 Correct?

3 MR. MADDEN: Yes.

4 MS. BLEAU: And that project is also known as  
5 BSO? Is that correct?

6 MR. MADDEN: Yes.

7 MS. BLEAU: I'm going to go ahead and share my  
8 screen. I don't even know if I need to. On Tab 54  
9 that we looked at earlier, you had sent an email on  
10 September 2<sup>nd</sup>, 2016, at 5:51 in the afternoon, to a  
11 number of people that begins, "Today, I along with Burt  
12 Ford, Joe Pascarello, Alberto Torres, and Felix  
13 Rodriguez visited this address around noon. Do you  
14 recall that email?

15 MR. MADDEN: I do.

16 MS. BLEAU: Do you recall that visit?

17 MR. MADDEN: I do.

18 MS. BLEAU: Can you tell the Board what  
19 precipitated that visit, how it was that you and those  
20 gentleman ended up going to that site, that day, at  
21 that time.

22 MR. MADDEN: I don't know who it was, but  
23 somebody told me that they thought that something was  
24 going on at that particular address and site, and I  
25 guess it had to do with something in the permit records

1 or something like that. So, I discovered that before I  
2 went to the site, that the permit documents, the permit  
3 application, the plans, and so forth were in the  
4 office, so -- but apparently I was told that work was  
5 underway. I had no idea what work, what type of work,  
6 what wasn't permitted, other than the set of plans that  
7 were sitting on my desk that I took a photograph of  
8 before I left the Building Department.

9 MS. BLEAU: Before you left the Building  
10 Department to go to the BSO project?

11 MR. MADDEN: Yeah, to go to the project, yup.

12 MS. BLEAU: Since you referenced that photo. I  
13 think I can find it. Here it is, I think. Again, I  
14 apologize if I'm not more efficient in my presentation  
15 today. I hope you all will bear with me.

16 All right, Mr. Madden, I'm going to show, I'm  
17 screen-shotting for you -- do you see this?

18 MR. MADDEN: I do.

19 MS. BLEAU: Okay. This is a photo that you  
20 took?

21 MR. MADDEN: I did.

22 MS. BLEAU: I see up here job address. It says  
23 1415 Northwest 62<sup>nd</sup> Street, correct?

24 MR. MADDEN: Yes.

25 MS. BLEAU: All right. There's information

1 over here on the left. Does this tell you when you  
2 took this photo?

3 MR. MADDEN: Yes.

4 MS. BLEAU: And what does it tell you?

5 MR. MADDEN: It tells me the day -- September  
6 2<sup>nd</sup>, 2016, at 11:55 a.m. It says the location of where  
7 the photograph was taken and it says some photography  
8 stuff.

9 MS. BLEAU: So, September 2<sup>nd</sup>, 2016, 11:55 a.m.  
10 These permits were located in your office.

11 MR. MADDEN: Yes.

12 MS. BLEAU: And there's some additional  
13 pictures here in this Exhibit, which is Exhibit 53 for  
14 the record. Page 2 of this Exhibit, is that the back  
15 of the BSO?

16 MR. MADDEN: It is.

17 MS. BLEAU: And what does this picture reflect?

18 MR. MADDEN: It's the north elevation of that  
19 property, almost taken right around the property line,  
20 and it gives September 2<sup>nd</sup>, 2016, at 12:23 p.m., and it  
21 gives down at the bottom on the left, it will give you  
22 the location of where that photograph was taken.

23 MS. BLEAU: Down here this little map --

24 MR. MADDEN: Right.

25 MS. BLEAU: -- it's where you were?

1 MR. MADDEN: Yeah, it will give you lat and  
2 long on that as well.

3 MS. BLEAU: And this photo, page 3 of this  
4 Exhibit, I guess, the last page of this Exhibit, what  
5 does it show you?

6 MR. MADDEN: Was that a question?

7 MS. BLEAU: Yes, I'm sorry.

8 MR. MADDEN: Oh, okay. Sorry, it says my  
9 Internet is unstable.

10 MS. BLEAU: I've got that too.

11 MR. MADDEN: Is that yours or mine?

12 MS. BLEAU: I think it might have been mine.  
13 But, anyway, you can see that and --

14 MR. MADDEN: Okay, so anyhow, there it says  
15 once again September 22<sup>nd</sup>, 12:21 p.m. It gives you the  
16 location and that's the interior portion of the first  
17 floor. I'm not sure exactly where in that first floor  
18 it is taken.

19 MS. BLEAU: And just for the record, you said  
20 September 22<sup>nd</sup>, you meant --

21 MR. MADDEN: Oh, I did? No, no, September 2<sup>nd</sup>.  
22 Sorry about that. That's the same day -- same day I  
23 was there.

24 MS. BLEAU: So, somebody told you they thought  
25 something fishy was going on, basically, with this

1 project. Was it unusual or did it happen sort of  
2 regularly that people would come to you to report  
3 things that they thought might not be going on above  
4 board?

5 MR. MADDEN: They do come to me. They did come  
6 to me. And they still come to me.

7 MS. BLEAU: This many years after you were  
8 terminated from the City they're still coming to you  
9 about issues that they think are going on?

10 MR. MADDEN: Yes.

11 MS. BLEAU: Why? Why you? Why do they come to  
12 you?

13 MR. MILLER: Objection. How could he possibly  
14 know why other people come to him?

15 MS. BLEAU: Fair enough? What do you think the  
16 reason is?

17 MR. MADDEN: Oh, I know why they come to me. I  
18 mean, I can't -- Mr. Miller, I don't know exactly, but  
19 I guess that they come to me because they know I'm  
20 going to do something about it.

21 MS. BLEAU: This first picture, does it show a  
22 permit application envelope that typically contains the  
23 application and other permit documents?

24 MR. MADDEN: Yeah, the top, the envelope that  
25 you see on the top of this picture is --

1 MS. BLEAU: Yes.

2 MR. MADDEN: Hello?

3 MS. BLEAU: Yes, is it --

4 MR. MADDEN: No, somebody said something.

5 MS. BLEAU: Oh, I'm circling it with my mouse.  
6 Is this what you're talking about here?

7 MR. MADDEN: Yeah, it's the one that's  
8 horizontally written, "Permits by Affidavit," by hand.

9 MS. BLEAU: Okay.

10 MR. MADDEN: And what this is is [sic]  
11 typically when you have -- that's kind of like the  
12 permit package, so if it's a large set of plans, you'll  
13 have that permit envelope and in the permit envelope  
14 you'll have maybe product approvals, you'll have  
15 reports, you'll have the permit application. You have  
16 all the supporting -- not all the supporting documents,  
17 but you'll have supporting documents in that envelope.  
18 That envelope is a part of the set of plans that's  
19 below it. Do you need anything else on that?

20 MS. BLEAU: No. Is a permit by affidavit --  
21 this is a permit by affidavit, basically?

22 MR. MADDEN: Well, I mean, it all depends, if  
23 you think the word, "Permit by Affidavit," technically  
24 speaking or is it a [sic] alternative plan review or  
25 alternative plan review and permitting, I think, is the

1 way the language in the Statute of 553.791. But the  
2 term, "permitted by affidavit," I guess it's universal  
3 and, you know, I took it to understand that it was the  
4 permit application that was being submitted as a part  
5 of Florida Statute 553.791.

6 MS. BLEAU: And there's a permit number  
7 16080299, correct?

8 MR. MADDEN: That's correct.

9 MS. BLEAU: That's up here at the top here of  
10 this envelope?

11 MR. MADDEN: Yes.

12 MS. BLEAU: And what does that permit number  
13 tell you?

14 MR. MADDEN: That tells me that it is the  
15 master permit to that particular permit. Maybe not to  
16 the entire job, but for that permit, and the permit  
17 numbers below it on the right hand side of the  
18 envelope, the 16080300, 301, 302, 304, and I think  
19 that's 303.

20 Those are sub-permits that are tied to the 299,  
21 so the 299, if it was put into the computer system  
22 correctly, if you pulled up 1608030, for example, if  
23 you're electrical and you're an electrical plans  
24 examiner, you'll see that particular permit number and  
25 then somewhere on that screen you'll see the master

1 permit number, or something in there, that's connecting  
2 those two particular permit numbers.

3 MS. BLEAU: Okay.

4 MR. MADDEN: As well as all the other ones, 301  
5 and 302 and 4 and 5.

6 MS. BLEAU: So 300 is Electrical? Is that  
7 right?

8 MR. MADDEN: That's what it says. It's  
9 Electrical, Mechanical, Plumbing, Fire, and fire  
10 sprinkler.

11 MS. BLEAU: Is the box PSA2 checked off on the  
12 plans?

13 MR. MADDEN: It's the one on the left of the  
14 two boxes. I mean, it's so small I can't see it.

15 MS. BLEAU: The one on the left or the one on  
16 the right?

17 MR. MADDEN: I'm sorry, it's on the right of  
18 that?

19 MS. BLEAU: The yellow Permit by Affidavit  
20 sticker, right?

21 MR. MADDEN: Yeah, the one that's oriented  
22 horizontal.

23 MS. BLEAU: On here, right here, it says,  
24 "Francine Weber."

25 MR. MADDEN: Right.

1 MS. BLEAU: Do you know who Francine Weber is?

2 MR. MADDEN: I do.

3 MS. BLEAU: And who is she?

4 MR. MADDEN: She -- I don't know who she works  
5 for now -- I'm told that she works for George Oliva,  
6 but that was just told to me by other people in the  
7 Department, but, she's still there. She works for the  
8 City of Fort Lauderdale. But at the time, she worked  
9 in the Building Department.

10 MS. BLEAU: And at the time, who did she report  
11 to?

12 MR. MADDEN: On paper or who she worked for  
13 directly? It was either John or Luis or both John and  
14 Luis. But in my interaction --

15 MS. BLEAU: John?

16 MR. MADDEN: John Travers, I'm sorry.

17 MS. BLEAU: It's okay.

18 MR. MADDEN: The interaction when I dealt with  
19 her, it was either as a part of a conversation or  
20 something that I was doing for either John Travers or  
21 doing something for Luis Hernandez. You know, some  
22 sort of communication to either or both of them.

23 MS. BLEAU: And any idea why Francine Weber  
24 would have signed this Permit by Affidavit?

25 MR. MADDEN: Well, there's a couple of

1 thoughts, but I don't know for certain. I don't know  
2 how the intake process was as permits were brought into  
3 the Building Department when they were handled by  
4 permit affidavit. If they were handled by one of the  
5 front lines staff, or if they didn't go through that  
6 front line staff, that they would contact either  
7 Francine or John Travers or Luis Hernandez directly.

8 I don't know how that got to how the stamps and  
9 everything was written on the set of plans, but that's  
10 her signature, so I think if you look to the left of  
11 her handwritten name on the plans, I don't know if that  
12 says processed by or submitted by. Gotta [sic] bring  
13 it down.

14 MS. BLEAU: Request by, it looks like.

15 MR. MADDEN: Request by -- I can't see it on my  
16 screen

17 MS. BLEAU: I still can't really make it out  
18 very clearly.

19 MR. MADDEN: But it has like a date on there, I  
20 think 8/3/16? Can I see that? And her name,  
21 handwritten name.

22 MS. BLEAU: Right 8/3 --

23 MR. MADDEN: Yeah, 8/3/16. Yep.

24 MS. BLEAU: The submission date over to the  
25 right on the envelope is 8/10/16?

1 MR. MADDEN: Correct.

2 MS. BLEAU: Okay. Going back to the envelope,  
3 did Fire sign and approve these plans?

4 MR. MADDEN: They did.

5 MS. BLEAU: And did Flood sign and approve  
6 these plans?

7 MR. MADDEN: Yes.

8 MS. BLEAU: Did Zoning approve the plans?

9 MR. MADDEN: Nope.

10 MS. BLEAU: Did Engineering approve the plans?

11 MR. MADDEN: No.

12 MS. BLEAU: Looking at the envelope, did  
13 Engineering fail the Plan Review?

14 MR. MADDEN: Yes.

15 MS. BLEAU: And how can you tell that?

16 MR. MADDEN: Typically, what we would do during  
17 the routing process, so you didn't have to go back to  
18 the computer, it was like when the permit application  
19 or the envelope was in a box. We had a row of boxes  
20 and these envelopes were kept there. You could lift it  
21 up and you could quickly ascertain whether or not you  
22 need to look at it again, whatever discipline you were,  
23 without having to go back to your desk and the  
24 computer.

25 So, it was just a way to streamline whether or

1 not somebody had either looked at it, approved it --  
2 that was usually the way that was indicated. You  
3 looked at it and approved it, or you looked at it and  
4 you didn't approve it. If you didn't have your  
5 initials or dates on there or anything else, that means  
6 you or your Discipline hasn't looked at it yet.

7 MS. BLEAU: So here it seems to say 9/1 on the  
8 side, and Engineering and there's initials, but there's  
9 nothing in the Approved By box and there's nothing in  
10 the date.

11 MR. MADDEN: Right. You would put it outside  
12 the box. You know, some people had different -- I  
13 mean, they all had different ways of doing it -- but as  
14 long as your name wasn't in there approved by and that  
15 date, then you knew they hadn't looked at it -- if they  
16 put their initials on there -- or they looked at it and  
17 rejected it. That's what that tells me.

18 MS. BLEAU: Now, as a Private Provider job, do  
19 you just skip these reviews, the Fire Department,  
20 Flood, Engineering? Are those not applicable because  
21 it's a Private Provider job?

22 MR. MADDEN: No. Actually, at the time in  
23 2016, there was a House Bill that was approved, I  
24 think, a couple of years ago, or last year, year  
25 before. But there was a House Bill that went through

1 the State, Florida Statutes, and that changed the whole  
2 Private Provider industry policies and what they could  
3 look at.

4 But at this particular time in 2016, Private  
5 Providers were not tasked with -- under 553.791 -- the  
6 Private Providers were not tasked with, had the  
7 responsibility, or, I think, the authority to look at  
8 Zoning, Fire -- fire in Broward County because you have  
9 to be licensed -- I can't speak for Fire, but I can  
10 speak for Zoning. I don't believe 553.791 gave them  
11 the authority to do that, and Engineering. But the  
12 trades, Electrical, Plumbing, Building, and Mechanical,  
13 it was a joint venture.

14 But that was -- I haven't read the PX policy in  
15 a long time, but I think that was consistent with how  
16 the permits were to be processed as well. I'd have to  
17 take a look at the policy to see what the verbiage was  
18 for that with respect to whether the Private Provider  
19 looked at those trades. So --

20 MS. BLEAU: You were the Chief Building  
21 Inspector at the time, right?

22 MR. MADDEN: Yes.

23 MS. BLEAU: And did Building and Structural  
24 Plan Review fall under your responsibility?

25 MR. MADDEN: Yes.

1 MS. BLEAU: Did Building or Structural review  
2 this permit application at all?

3 MR. MADDEN: Not according to that envelope.

4 MS. BLEAU: And did Plumbing review it at all?

5 MR. MADDEN: Not according to that envelope.

6 MS. BLEAU: Did Mechanical review it at all?

7 MR. MADDEN: Not according to that envelope.

8 MS. BLEAU: Did Electrical review it at all?

9 MR. MADDEN: Not according to that envelope.

10 MS. BLEAU: Let me put another one up here.

11 This is Exhibit 63, regarding this same property,  
12 correct?

13 MR. MADDEN: Yes.

14 MS. BLEAU: And we went over this a little bit  
15 with Mr. Ford -- Permit 16080943 was issued when?

16 MR. MADDEN: Issued on 9/21/2016.

17 MS. BLEAU: 1632275 was issued when?

18 MR. MADDEN: 2275?

19 MS. BLEAU: Yes.

20 MR. MADDEN: September 16, 2016.

21 MS. BLEAU: And Permit 16080299, when was that  
22 issued?

23 MR. MADDEN: September 19, 2016.

24 MS. BLEAU: So all of these permits were  
25 actually issued weeks after your September 2<sup>nd</sup> visit to

1 the property, correct?

2 MR. MADDEN: Yep, yep. Yes.

3 MS. BLEAU: The fire sprinkler permit,  
4 16080303, when was that issued?

5 MR. MADDEN: September 19, 2016.

6 MS. BLEAU: Again, after -- a couple of weeks  
7 after your visit to the project, correct?

8 MR. MADDEN: Correct. Yes.

9 MS. BLEAU: So, let me take you back and just  
10 ask you now to describe what you recall about your  
11 first visit to the property at 1415 Northwest 62<sup>nd</sup>  
12 Street, the BSO project that was owned by Mr.  
13 Goldstein, right? We're going to talk about Mr.  
14 Goldstein, I think, probably later today. Do you  
15 recall that Mr. Goldstein was the owner of this  
16 building?

17 MR. MADDEN: On my first visit?

18 MS. BLEAU: Well, as you sit here today, are  
19 you aware that Mr. Goldstein was the owner of the  
20 building?

21 MR. MADDEN: That's what he told me. I think  
22 it's a corporation, but yeah, that's what he told me,  
23 he was the owner.

24 MS. BLEAU: All right. So tell the Board about  
25 what you recall about your first visit.

1 MR. MADDEN: Well, the first visit, there's a  
2 couple things that proceeded why I grabbed Bert --  
3 Alberto, Joe, and Felix, I think is the guy's name.  
4 There's a reason why I brought them. I mean, I don't  
5 know if it's relevant to your question, but --

6 MS. BLEAU: Sure, go ahead.

7 MR. MADDEN: Okay. Well, what was happening  
8 there is somebody came to me, and I don't know who it  
9 was, to be specific. There's a couple of sources and  
10 they're still employed with the City and they told me  
11 that their -- or permit stops had been deleted -- not  
12 permit stops -- Plan Review stops had been deleted.  
13 And when you look at that permit, the one that was on  
14 the envelope, if you look at that permit, and Burt was  
15 talking about it, the building masonry alteration or  
16 whatever --

17 MS. BLEAU: This one?

18 MR. MADDEN: Can you scroll down? Is it  
19 written -- I mean scroll up, I'm sorry. Commercial  
20 interior renovations, but no there is -- I don't know  
21 if it's this particular permit or another permit, but  
22 when they were -- well, I don't want to reveal my  
23 sources. When I was told that these stops had been  
24 removed, that led me to need to go out to the job site,  
25 with more than just myself. And that's what I did.

1 So, I grabbed Zoning, which was Bert; I grabbed the  
2 other two guys, Felix or -- those two guys were in  
3 Engineering; and then Joe Pascarello and myself. The  
4 four of us went out to the job site.

5 And, so, when we got to the job site, we all  
6 went and we were walking around, we were walking  
7 outside, we were walking through the building and so  
8 forth. There was a table in one of the large areas of  
9 the building, and at the time, there was [sic] workers  
10 there. There wasn't -- the Superintendents or the  
11 contractor wasn't there at the time. So --

12 MS. BLEAU: Let me stop you there. Do you know  
13 who this Superintendent was that Mr. Jones was  
14 referring to?

15 MR. MADDEN: I don't know. He never told me  
16 who it was. If he did, I don't remember who it was  
17 that he spoke with.

18 MS. BLEAU: Did you ever meet a Superintendent  
19 on the project when you --

20 MR. MADDEN: I met a couple of people. I met  
21 either one or both of the owners of the contracting  
22 company, Coleman, or James Coleman. One was James and  
23 the other one was Coleman, I think it was, or something  
24 like that. But they were at lunch, the James and  
25 Coleman, or the two guys - the two main guys.

1 MS. BLEAU: Okay.

2 MR. MADDEN: So, either they were the owners of  
3 the company -- I think they introduced themselves as  
4 the owners. But, they were at lunch and when we were  
5 there we were asked, "Hey, what are you guys here for?"  
6 And we told them what we were doing. They said, "Do  
7 you want us to contact the contractor or the owners?"  
8 And we said, "Sure, c'mon, yeah." So, they called  
9 those two guys and they showed up on the job site, so  
10 we talked to them.

11 MS. BLEAU: When you said you told them what  
12 you were doing there, what did you tell them?

13 MR. MADDEN: We told them we were there looking  
14 at the permits, we were looking at permit activity, and  
15 we were at the table, it was like a typical  
16 construction table with plans and permit card and all  
17 these things on the table, so we were like, "Okay, what  
18 have you got here?" So we were trying to ascertain,  
19 okay, maybe they did have their permit. Maybe they did  
20 have everything in place for the work that they were  
21 doing.

22 MS. BLEAU: Before you left the City to go to  
23 the project for the first visit, you had taken pictures  
24 of plans that were at the City.

25 MR. MADDEN: Correct. Right.

1 MS. BLEAU: But they also had plans at the  
2 property?

3 MR. MADDEN: Yeah.

4 MS. BLEAU: Okay. And they had a permit card?

5 MR. MADDEN: Yeah, yeah, I think they did have  
6 a permit card.

7 MS. BLEAU: Did they have inspection logs?

8 MR. MADDEN: I think they did.

9 MS. BLEAU: All right. So, what was the  
10 problem?

11 MR. MADDEN: The problem was that permit that  
12 was issued and the permit plans that was issued, and I  
13 think the permit card that was issued, that was for the  
14 restrooms. They were remodeling the restrooms. And  
15 that permit was issued months ago. I think it was  
16 issued, I don't know, I can't tell you the date. But  
17 that particular permit for those restrooms, that set of  
18 plans and everything, it looked like everything was in  
19 place, in order. That wasn't the problem. The problem  
20 was, was like, "Wait a minute. Let's take a look at  
21 your approved set of plans, let's take a look at your  
22 permit documents and we're going to match what we see  
23 at the job site with those permit documents." And  
24 that's where they were unable to do that.

25 MS. BLEAU: Okay, so your letter says

1 construction work was underway, construction vehicles,  
2 workers carrying tools. You entered the west entrance,  
3 met by several workers. One of them offered to call  
4 the contractor. "He was on his way back to the site,  
5 we were told." Who is the contractor? Is that --

6 MR. MADDEN: Yeah, that's the guy. I think it  
7 was two of them. I'm not certain, absolute certain  
8 that both of them were there, but one of them at least  
9 represented themselves -- both of them represented  
10 themselves as the contractor.

11 MS. BLEAU: Okay, because you had said earlier,  
12 as the owner. You didn't mean the owner. You meant  
13 the contractor?

14 MR. MADDEN: No, I didn't know who the owner  
15 was. I had never met the owner and during that entire  
16 visit, I never even talked to that owner.

17 MS. BLEAU: So during that time, you walked  
18 around, noticed the extensive work, most of which was  
19 either complete or close to being done. Some work  
20 remained visible. There was an exterior work on the  
21 north end of the building. According to your computer  
22 records, "Many permits have yet to be issued. These  
23 appear to be related to work underway." What do you  
24 mean have yet to be issued?

25 MR. MADDEN: They were applied for. The ones

1 that -- I mean, I think when I was doing my computer,  
2 right -- okay, hold it right there. Okay, so when you  
3 look at that screenshot right there, what that is, is  
4 when you bring up like an address, and if you're doing  
5 like permit research. And, if you look in the way that  
6 screen pops up is based on the folio number, so if you  
7 look in the top left, the property is highlighted.

8 So, I'm looking at that set of records right  
9 there based on the property. So, in folio, you bring  
10 up that folio number and it will give you all of the  
11 permits that are in the system that are for that folio  
12 number. That's how you do like property research.

13 MS. BLEAU: Okay. Anything else you want to  
14 talk about this?

15 MR. MADDEN: I do. If you look at -- okay,  
16 down below, when you bring up the folio number, on the  
17 left hand side of that column you see permit, status,  
18 type, address, the purpose, the owner and in those  
19 lines, you're getting a bunch of information.

20 So, for example, if you look at almost down  
21 towards the bottom third of that, you see permit number  
22 16080299. It says "applied," and then it says "XPXA2,"  
23 gives you the address and then under purpose it tells  
24 me what that permit is for. So, that permit is for a  
25 building alteration, commercial, SM masonry. And then

1 it says, "PXA2" and then the one hundred interior  
2 renovations. So that permit is telling me that 299 is  
3 for the interior renovations.

4 And I'll just go see where else -- there's some  
5 others in here. The 300, the 301, 302, 303, and 304.  
6 If you look at all of those, you see they're all  
7 applied. Well, that whole page that's up in that  
8 picture, all those permits are applied for. I don't  
9 see any permit in that picture that the status is  
10 issued, applied -- I don't know if they'd say permitted  
11 or issued or closed.

12 So, that status tells you where that permit is,  
13 because when you apply and you're given a number, let's  
14 say that's 16080299. When that permit application is  
15 submitted to the Building Department, that number is  
16 not necessarily representing a permit.

17 At that time, it's in application status, so it  
18 would be in applied status. And then once the Plan  
19 Reviews are complete, the fees are paid, the permit is  
20 issued, then I believe it goes to issued or permitted.  
21 I'm not sure, whatever it is. And then once everything  
22 is complete, then the status will show as closed or  
23 expired, if you didn't close out the permit, and  
24 there's time limitations on the duration of a permit  
25 that becomes inactive or something like that. So

1 there's a number of different things you can get on  
2 that screen when you look at that.

3 MS. BLEAU: So, when you sent this screen shot  
4 and this email to various individuals, including Chris  
5 Lagerbloom, John Travers, a number of other individuals  
6 --

7 MR. MADDEN: Anthony.

8 MS. BLEAU: -- Burt Ford. You were describing  
9 this work without permit inspections, but this  
10 screenshot shows that these were Permit by Affidavit  
11 projects, right?

12 MR. MADDEN: Yeah, the PX or the XP, PXA2 or  
13 A1, or whatever it is, it shows that it was taken in or  
14 is being processed as a Private Provider job. Yeah,  
15 Private Provider, Permit by Affidavit, or, whichever  
16 the Plan Review and Permit Inspections.

17 MS. BLEAU: So, the fact that it was a Private  
18 Provider job, if we can use that term, that didn't  
19 obviate the need for a permit to be issued?

20 MR. MADDEN: No. Obviate?

21 MS. BLEAU: To do away with? Do you still need  
22 a permit -- does the permit still have to be issued  
23 even for a private provider job in order to legally  
24 proceed with construction?

25 MR. MADDEN: Well, can I get into a little bit

1 on the Statute and the responsibilities a little bit?  
2 Can I do that?

3 MS. BLEAU: Okay. Sure. We're winging it  
4 here, go for it.

5 MR. MADDEN: All right. Let me do it this way.  
6 Way back in the 2000's -- somewhere in the 2000's --  
7 way back, before this permit, the alternative plan  
8 review and inspections, was introduced into  
9 legislation, passed, approved and then became law, I  
10 was part of that. And I told John that -- John Travers  
11 -- we talked about it, so I understood for (1) the need  
12 for it and (2) that I didn't have a problem with it.  
13 I'm okay with it.

14 But if you look at that Florida Statute, that  
15 Florida Statute -- I believe so, it's even the same  
16 language as today -- that's there's two procedures that  
17 that Statute is specifically for. And the procedures  
18 are (1) doing Plan Review, and (2) doing inspections.

19 The other component to that is permit intake  
20 and permit issuance. The responsibility to take in the  
21 permit and the responsibility to issue that permit is  
22 by the local government and the City.

23 So, if I worked for MTCI or any of the other  
24 companies, yeah, I'm doing my plan review, but I take  
25 all of that documents and once I've completed my

1 processes of doing the Plan Review and gathering all of  
2 the list of Inspectors, the list of Plans Examiners,  
3 all the other pertinent information, the Building  
4 Official takes that in as part of their process and  
5 once it's taken in then it does all the stuff in the  
6 back.

7 But just because that is done by the MTCI or  
8 Nova or Universal or any of these other companies, the  
9 permit still must be issued by the local government  
10 because there's a lot of things that the local  
11 government was tasked with doing.

12 The local building department, I should say,  
13 was tasked with doing and those responsibilities remain  
14 with the local building department. The functions must  
15 be performed by the local government officials before  
16 that permit is issued. You just don't come in and the  
17 Building Official gives you a permit card. That isn't  
18 the way it works. That's not the purpose of the  
19 Statute.

20 MS. BLEAU: Okay.

21 MR. MADDEN: Sorry.

22 MS. BLEAU: That's okay. I'm not sure what my  
23 last question really was though. So, I think you  
24 answered it. It doesn't obviate the need to issue a  
25 permit. A permit needs to be issued. The government

1 has to do that because you can't just sign everything  
2 to the Private Provider. The law didn't require it --  
3 didn't provide for that at that time.

4 MR. MADDEN: No, no. It does not. You still  
5 must obtain that permit from that municipality, that  
6 county, the town. Whoever has the authority having  
7 jurisdiction for that local building department is the  
8 one that issues that building permit.

9 MS. BLEAU: As I understand it, private  
10 providers like MTCI are supposed to be the watchdogs to  
11 make sure that, instead of the City being the watchdog  
12 to make sure that things are done in accordance with  
13 the law, MTCI is supposed to be making sure things are  
14 done in accordance with the law and then the city just  
15 makes sure MTCI does their job. Is that accurate?

16 MR. MADDEN: No.

17 MS. BLEAU: Okay. Tell me what was not  
18 accurate about that.

19 MR. MADDEN: There's a lot left out.

20 MS. BLEAU: Okay.

21 MR. MADDEN: Okay, so getting back to the  
22 Statute itself, there's the responsibility of doing  
23 plan review and then there's the responsibility of  
24 doing inspections by the Private Provider, the company  
25 that's doing that.

1 All of the other stuff, the coordination and  
2 the other responsibilities rest upon the local  
3 jurisdiction, so if there's outside agencies, if  
4 there's other plan reviews that are not specifically in  
5 the Statute.

6 So, for example, Flood Plan Review I think  
7 still remains the responsibility of the local building  
8 department. Even under the current Statute, I don't  
9 believe have been relinquished by the local  
10 jurisdiction or their responsibility.

11 The other component is like, for example, if  
12 you have a threshold building and that building in  
13 Broward County is a threshold building, there's a bunch  
14 of stuff that is specifically tasked with the Chief  
15 Building Inspector's responsibility as well as the  
16 Building Official. The Florida Statute 553.791, I  
17 haven't read it in a long time, but I don't believe  
18 contains any language relinquishing that authority to  
19 the Private Provider.

20 So the Private Provider does not have any  
21 responsibility, does not have any accountability to  
22 these other things, unless it's specifically given to  
23 it.

24 I mean, I'm not an attorney, but I was just  
25 teaching a class on it the other day and it's a term

1 called Dillon's Rule. And Dillon's Rule, from my  
2 understanding is, if it goes from the State to the  
3 County to the local jurisdiction or whatever level it  
4 is, it must be legally showing you that those  
5 responsibilities have been relinquished or you've been  
6 given that authority to do that. And I don't believe  
7 553.791 relinquishes the Building Department's  
8 responsibility on a number of things.

9 MS. BLEAU: And again, especially back then.

10 MR. MADDEN: Yeah. Oh, more so back then. I  
11 think Zoning and I think maybe Engineering, that now  
12 can be done under 553.791.

13 MS. BLEAU: So, going back to your letter, you  
14 had talked about how the BCPA's website -- what's BCPA  
15 stand for?

16 MR. MADDEN: Broward County Property Appraiser  
17 website.

18 MS. BLEAU: "Two exterior overhead doors have  
19 been removed and modifications to those walls appear to  
20 be complete, however, there are no permits issued for  
21 the work. See photo." So this is a photo we looked at  
22 a little bit with Burt Ford. This shows the date of  
23 the photo, I think, is March 24, 2016?

24 MR. MADDEN: I think that says January 24,  
25 2016.

1 MS. BLEAU: It said January? I couldn't tell  
2 if that's a one or a three. Okay.

3 MR. MADDEN: Yeah.

4 MS. BLEAU: I don't know if it matters for  
5 this. And this is what it looked like before and these  
6 are the overhead doors that you're referencing?

7 MR. MADDEN: Yeah, I mean I've used it all the  
8 time while I was there and others would use it. And  
9 it's just a good way to show a time frame. Or let's  
10 say for example, if I were to look at that building  
11 today, you might see those doors gone. Well, you see  
12 them gone, if the photograph captures it. I don't know  
13 if the trees have overgrown it or not.

14 But, in there, when you compare the -- not that  
15 picture, that's the picture I took -- if you compare  
16 that picture with the picture I took, you can see that.  
17 But I want to point out one thing in there that's kind  
18 of hard to tell. If you look at -- there's a downspout  
19 almost in the middle of the picture --

20 MS. BLEAU: Here?

21 MR. MADDEN: -- you'll see a vertical line in  
22 between the windows on the second floor on the wall  
23 itself.

24 MS. BLEAU: Here?

25 MR. MADDEN: Yep. That's a downspout.

1 MS. BLEAU: Okay.

2 MR. MADDEN: That downspout, I believe, is  
3 still in my picture. But if you look where the elbow  
4 comes out in that downspout, there's about a two or  
5 three foot drop, and what it was is those bay doors  
6 were originally below grade and so, like when you go to  
7 a warehouse where the trucks are backed up to the  
8 warehouse, that the floor of the bed is the finished  
9 floor of the building.

10 So, if you bring up the picture that I took,  
11 you'll see the elbow now goes straight out and then  
12 this area where this catch basin is in the bottom left,  
13 all that has been changed. All of the drainage, the  
14 catch basin, there may be like a French drain in there,  
15 I don't know how they did all that.

16 That's not my responsibility, but that was one  
17 of the reasons why I brought the engineering guys,  
18 Felix and the other guy, I think it was. I don't think  
19 both of them were there full time. I think one of them  
20 was and the other one was not.

21 MS. BLEAU: Felix and Alberto?

22 MR. MADDEN: Yeah. I think Alberto was a City  
23 employee and I think Felix was maybe like an intern, or  
24 something like that.

25 MS. BLEAU: Here you talk about Coleman James

1 Building Company. You were met by Dave Coleman and  
2 George James. So that's --

3 MR. MADDEN: Yeah.

4 MS. BLEAU: -- that's what -- all right. You  
5 asked them about the work, if they had permits. They  
6 responded by saying that they had an early start. And  
7 we talked a little bit about this, but can you explain  
8 what an early start is and why that was or was not  
9 sufficient for the work that was being done.

10 MR. MADDEN: Yeah, early starts are great and I  
11 think they're great, and phase permitting is great.  
12 All of those are really -- they're ways that allow the  
13 contractor, the owner, everybody to start to process  
14 and get things moving, but a phase permit is different  
15 than an early start and they each allow you to do  
16 different things.

17 So, early start basically says this: that this  
18 is what I want to do. I want to do this or I want to  
19 do that. And literally you could construct a wall, a  
20 masonry wall. You could build that masonry wall or you  
21 could form that slab or that place where you're going  
22 to pour concrete. But what an early start does not  
23 allow you to do, and that is to go beyond the first  
24 required inspection.

25 So, if I say in the early start, "I want to

1 frame that wall," hey, I'm okay with that. No big  
2 deal. But what that early start does not allow you to  
3 do is to hang the drywall on that framing, to put the  
4 electrical in there, put the drywall -- anything that  
5 is concealed. Bottom line, you can't conceal any work  
6 under an early start. You can work up to that first  
7 required inspection.

8 So, if I dig a hole and they placed some steel  
9 in there, I'm okay with that. No big deal. But, the  
10 early start will tell you that and then the Early Start  
11 Certificate is very clear. You cannot work beyond the  
12 first required inspection. So, whatever that required  
13 inspection is, it's under 110, then you can't go beyond  
14 that first required inspection.

15 MS. BLEAU: You continue in your letter here to  
16 say that, "After explaining that this did not allow the  
17 work beyond the first inspection as indicated --"

18 MR. MADDEN: Yeah, I even wrote it.

19 MS. BLEAU: "-- in the document they produced.  
20 Each had said that John Travers and Luis Hernandez were  
21 both on site last week."

22 MR. MADDEN: Ah.

23 MS. BLEAU: Now, when you had been told that  
24 there was something inappropriate going on that lead  
25 you to go out there to begin with, had you been aware

1 that John Travers and Luis Hernandez had been to the  
2 site or was this news to you?

3 MR. MADDEN: I had no idea. I'd never been to  
4 the site before. That building is tucked away off of  
5 62<sup>nd</sup> Street and it's facing north. It's not even on the  
6 main thoroughfare, so it would have never even -- I  
7 would have never even come across that had somebody  
8 said, "Hey, you know, you might want to take a look at  
9 this." And so I looked at it I saw the permit  
10 documents, I gathered them, put them on my desk, took a  
11 photograph of it, and then I said, "Okay, let's go out  
12 and take a look and see what we got."

13 MS. BLEAU: Okay, but specifically my question  
14 is, were you told before you went on the site that John  
15 Travers or Luis Hernandez had been out there and  
16 basically ignoring the fact that no permits were issued  
17 and this construction was going on without a permit?

18 MR. MADDEN: Before I went to the site?

19 MS. BLEAU: Yes.

20 MR. MADDEN: No, I had no idea. I didn't know  
21 what we had.

22 MS. BLEAU: Okay, I just wanted to be clear.  
23 So this is news to you that John and Luis had been out  
24 there that week before?

25 MR. MADDEN: It blew my mind when those guys

1 said that, "John and Luis were here like last week."  
2 And I'm like, "Ooh, it's a little more than what I want  
3 to get into." When they said that, I'm like, "This is  
4 -- I don't know -- something's going on here."

5 MS. BLEAU: So, upon your arrival at DSD, you  
6 went to see John Travers. Is that right?

7 MR. MADDEN: Yeah. I went right to him, and  
8 I'm like, "What have we got?" But I don't think he was  
9 there.

10 MS. BLEAU: Right, right.

11 MR. MADDEN: No, he wasn't there.

12 MS. BLEAU: Okay. So you wanted to, "Place a  
13 hold on printing the permits and quadruple the permit  
14 fees. As for the work that has been concealed without  
15 permits, we can deal with that prior to the issuance of  
16 the permits." Did I read that correctly?

17 MR. MADDEN: Yeah.

18 MS. BLEAU: So, after you sent this email,  
19 George Oliva responded, right?

20 MR. MADDEN: Yeah, yep.

21 MS. BLEAU: And what did he say?

22 MR. MADDEN: Basically, he almost responded to  
23 me immediately and I hadn't talked to him about it. I  
24 hadn't talked to anybody about it, other than four of  
25 us and maybe some other people. I can't recall exactly

1 who I talked to.

2 But I was doing the best I could to find out  
3 what we had, what we issued, and I'm not as familiar  
4 with looking up folio numbers and all that kind of  
5 stuff. I mean, I'm pretty good, but some of those  
6 people live and breathe that. I don't live and breathe  
7 that.

8 So, I spent a lot of time formulating this  
9 email. It took me a while to put this together because  
10 I didn't know what we had, and I just said, "Hey, you  
11 guys -- and if I'm wrong, I'm wrong. I'm okay.  
12 Wouldn't be the first time I'm wrong, but if we've got  
13 something here, tell me. Please tell me that you're  
14 not allowing these people to work like this without  
15 getting a permit."

16 MS. BLEAU: That's a pretty bad no-no, right?

17 MR. MADDEN: That? Uh, yeah. Yeah.

18 MS. BLEAU: And Mr. Oliva responded immediately  
19 like it was a pretty bad no-no in his email to Bobby  
20 Masula, right?

21 MR. MADDEN: Yeah, because typically you're not  
22 going to say, "Oh, Bobby, get with George Mauro and go  
23 out there with him." No, we don't reach to that level,  
24 at that point. I mean, I didn't even reach that  
25 conclusion. I didn't mention George Mauro and I don't

1 even think -- can you scroll down -- I don't even think  
2 I sent that email to him.

3 MS. BLEAU: From George -- nope.

4 MR. MADDEN: I didn't send it to him. I just  
5 didn't -- you know, I wasn't making any ascertations  
6 [sic] whether John was doing something, or whatever. I  
7 just didn't understand what we had here because these  
8 guys might have been lying to me. They might have been  
9 saying, "Hey, yeah, John and Luis, they gave us the  
10 job. They said it was okay for us when they were out  
11 here last week." And I'm like, "I don't think either  
12 one of them would do that."

13 And, so I didn't accuse them of doing anything.  
14 I knew something was going on, but I didn't think it  
15 was John or Luis. I kind of doubted whether the guy  
16 was being truthful when they said to me that he was out  
17 there, or the two of them were out there. I didn't  
18 know. You figure it out.

19 MS. BLEAU: So, at some point later, the fact  
20 that you didn't suggest an NTA, that you didn't bring  
21 in Detective Mauro, it's a point you've made to me  
22 before, and it's an important point for you because  
23 later somebody accused you of being the one, is that  
24 right?

25 MR. MADDEN: I think it was George Oliva. I

1 think George Oliva was trying to save his tail hind and  
2 say that I'm the one that got Detective Maura involved.  
3 "Uh-uh, George, it wasn't me man." And it wasn't -- it  
4 wasn't me. I didn't even -- no. That was George.

5 MS. BLEAU: All right. So, you sent the  
6 letter. George immediately responded to Bobby, you  
7 know, "Go out there and investigate and if you confirm  
8 what John said, get Mauro involved and do an NTA,  
9 notice to appear." Right?

10 MR. MADDEN: Right.

11 MS. BLEAU: At that first meeting, when you  
12 were on the site, did you ever meet Mr. Goldstein?

13 MR. MADDEN: No. I didn't even know what the  
14 guy looked like.

15 MS. BLEAU: Did you ever go back?

16 MR. MADDEN: I never met him, never looked at  
17 him, never saw him, never met him. Nope.

18 MS. BLEAU: Did you go back to the site at some  
19 point?

20 MR. MADDEN: I did, yeah.

21 MS. BLEAU: Why?

22 MR. MADDEN: I think it was a week later or  
23 something like that.

24 MS. BLEAU: Why?

25 MR. MADDEN: I think Bobby had issued a stop

1 work order on it and there was lot of conversations. I  
2 don't recall when, who, and so forth with respect to  
3 exact dates and times. But I was just trying to figure  
4 out why this was happening.

5 And I don't know if it was in between that  
6 time, the first and second inspections, or whatever,  
7 but John Travers, myself, and I think it was Detective  
8 Mauro in my office and I said, "John, these guys say  
9 that you were there." And John was, "Well, um, um,"  
10 and I think he did admit to myself and George Mauro,  
11 Detective Mauro, that yeah he was there, but he doesn't  
12 know what the timeframe was.

13 And I'm like, "Ooh, you were there. I don't  
14 know what you saw, but if you saw what I saw, you would  
15 have put a stop to that immediately." And I didn't  
16 know what we had. It was weird. It was just -- I  
17 don't know.

18 MS. BLEAU: When you went out there a second  
19 time, had the permits been issued at that point, or  
20 were they still not issued?

21 MR. MADDEN: They were not issued. I went out  
22 there. Bobby issued a stop work order, so I went out  
23 there to see if they were working and Joe DeMaio and I  
24 were out there. So, I wanted to bring another witness  
25 again, so Joe DeMaio and I went out there and we were

1 looking at things. We were looking at the restrooms,  
2 we were looking at the plans, and once again they  
3 weren't there.

4 MS. BLEAU: Who weren't?

5 MR. MADDEN: James Coleman and -- I can't think  
6 of his - the two guys, the two contractors.

7 MS. BLEAU: Okay.

8 MR. MADDEN: James and Coleman, whatever. But  
9 they weren't there, so apparently, I guess, somebody  
10 told them and they showed up. They showed up and --

11 MS. BLEAU: Let me stop you there for a minute.  
12 When you got there, work was continuing, even though  
13 there was a stop work order.

14 MR. MADDEN: Yes. Yeah, the workers were in  
15 there working.

16 MS. BLEAU: And did you know that when you went  
17 out there? Is that why you went out there again? Did  
18 somebody tell you they're still working, or you just  
19 went to see?

20 MR. MADDEN: You know, I don't know. I don't  
21 know if someone told me again that they were out there.  
22 I didn't know. But, I went out there because Bobby had  
23 issued the stop work order yesterday or the day before.  
24 Maybe Bobby told me that they were continuing to work.  
25 I don't know.

1 MS. BLEAU: Are you accustomed to stop work  
2 orders being issued on contractors and them just going,  
3 "Pfft, I don't have to pay attention to you. I'm gonna  
4 [sic] keep working." I mean, was that a common  
5 occurrence?

6 MR. MADDEN: It all depends on whose job it is  
7 and who owns it, and who's, you know, things like that,  
8 but typically people will respect that. And before I  
9 say that we should issue a stop work order, or I  
10 believe a stop work order should be issued, I think a  
11 stop work order should be --

12 The Building Code has a couple of things on why  
13 a stop work order should be issued. And there are a  
14 couple of things that will prompt you to have to issue  
15 a stop work order. And it doesn't afford me or anyone  
16 that has a license to enforce the Building Code, either  
17 a Building Inspector, a Plans Examiner, Building Code  
18 Administrator.

19 In Broward County -- unlike 99 percent of the  
20 other parts of the State of Florida -- in Broward  
21 County, it doesn't give you that option when work is  
22 started, commenced, not complete. There's a whole list  
23 of things that the Code says, "It shall be presumed and  
24 shall be deemed unsafe." That doesn't give me an  
25 option. That doesn't give me the authority to say,

1 "You know what? Um, eh, it's not safe. I mean, you  
2 know, nothing's falling down," -- things like that.

3 When it says, "shall" -- let's say for example,  
4 if I were to leave that construction site and allow  
5 them to continue working and someone were to get  
6 electrocuted or the building were to catch fire as a  
7 result of maybe a contractor leaving a torch on or set  
8 something inside the wall on fire, these things happen.  
9 And if it showed that I was on site and I failed to do  
10 something about it, that's not a discretionary decision  
11 that would -- I forget the legal term. It's when  
12 you're not responsible as a government official. I  
13 know the term, but I just can't think of it right now.

14 MS. BLEAU: Immune? Immunity?

15 MR. MADDEN: No, no, no. Oh, sovereign  
16 immunity. I think sovereign immunity is the word. But  
17 when the words say, "shall," and "it shall be  
18 presumed," and "it shall be deemed," that does not give  
19 me the option to say, "You know what? You know what?  
20 I like you guys. You guys are cool. Looks like  
21 everything's cool here. Yeah, just go ahead and come  
22 on into the Building Department and, you know, pull the  
23 permit, you know, do something." I can't. I have to  
24 notify them.

25 MS. BLEAU: What do you understand "deemed" to

1 mean? Is that like "declared"? I mean, do you --

2 MR. MADDEN: Yeah, when it's "deemed" - well,  
3 presumed that means -- it says, "shall be presumed" or  
4 -- I don't have the language in front of me. But in  
5 Broward County, that's what makes Broward County so  
6 unique from other Building Codes.

7 If I were to go to Palm Beach County, I think  
8 "unsafe" under Chapter 1, 99 percent of the States,  
9 it's left "reserved unsafe structures or buildings."  
10 That gives the Building Official a lot of discretionary  
11 authority. But if I'm licensed as a part of the  
12 building permit process and it says, "shall be deemed"  
13 and "shall be presumed," I don't have that  
14 discretionary decision.

15 What people fail to understand is the Building  
16 Code is not the middle of the road; the Building Code  
17 is the absolute minimum standard that's allowed. So,  
18 you can build better. You can build something  
19 stronger. You can build something more fire resistive,  
20 but you can't do it any less than this. And if this is  
21 what it says, you can't go below that line.

22 And as a licensed person, to me that's one of  
23 the feasances [sic]. I don't know what level they are,  
24 but that you willingly and knowingly allow that person  
25 to continue work. And if something were to happen,

1 that building were to catch fire -- "Oh, I want to  
2 bring this up." The sprinkler system in there -- the  
3 sprinkler system that Burt says, "Well, you know, I  
4 wasn't sure," and he said, "You know, I'm not really  
5 positive." As Burt admitted, an extensive amount of  
6 his experience is in Zoning.

7 But if you go to the Florida existing Building  
8 Code and the Florida existing Building Code says this,  
9 "Means of egress, fire suppression systems," whatever  
10 it is those life/safety systems that are in place in  
11 that building, on an occupied building, "must be  
12 maintained at all times."

13 So the fact that they modified the sprinkler  
14 system, they did the work on the sprinkler system  
15 without the permits, at some point that system was  
16 down. It wasn't functioning. It wasn't operable. So,  
17 what life/safety systems were in place in lieu of that?  
18 Fire sprinkler system that they were connecting to the  
19 system, they were keeping it charged.

20 I'll give you an example of a job site in  
21 downtown Fort Lauderdale. It was a high rise building.  
22 It's the blue building, the round building in the  
23 heart, right by Huizinga's Plaza. There was a  
24 contractor there that was doing work without a permit.  
25 It was relatively -- you know, I'm sure a lot of people

1 do.

2 They were remodeling the bathroom in this high  
3 rise building and I think they were changing maybe the  
4 tub to a shower or doing whatever it was, and the  
5 contractor, unaware of what they were doing, chipped  
6 through the floor, knocked out the fire suppression  
7 system. It flooded the units down below, adjacent  
8 unit, I don't know how many floors.

9 But when that fire system went down and they  
10 were unable to provide fire sprinkler service to that  
11 building, the Fire Department, Bruce Strandhagen, or  
12 one of the guys in there, told me that the City of Fort  
13 Lauderdale made them put a fire watch in that building  
14 until the fire sprinkler system was restored. Now  
15 three or four or five hundred dollars an hour sitting  
16 out in the fire truck sitting out front in that lobby.

17 So, when someone says, "Ah, you know, they've  
18 modified the fire sprinkler system and I don't know  
19 what did they do, when did they do it, and so forth,"  
20 I'm like, "You did it without a permit. The heads are  
21 in place. The ceiling tiles were in place. If you  
22 bring up that one photograph, you'll see the sprinkler  
23 heads in the drop ceiling.

24 The Electrical work was done, Mechanical  
25 systems were done, Plumbing work was done. Any number

1 of those systems could have been hazards, could have  
2 been fatal.

3 MS. BLEAU: Are you talking about the pictures  
4 of the interior?

5 MR. MADDEN: Yeah, if you look at the interior  
6 photograph, the one in there.

7 MS. BLEAU: Yeah, hold on. But --

8 MR. MADDEN: I mean, I took a bunch more  
9 pictures in there. The City -- it should be in the  
10 City's computers. In the City's cell phone and so  
11 forth.

12 MS. BLEAU: How does an issuance of a permit  
13 resolve this issue that you're addressing? You're  
14 saying that when alterations --

15 MR. MADDEN: If you look at that picture?

16 MS. BLEAU: Uh-huh [affirmative].

17 MR. MADDEN: Zoom in on the top right. On the  
18 top right picture, there's a guy in the window? That's  
19 Burt.

20 MS. BLEAU: Right here?

21 MR. MADDEN: Yeah. Zoom into it, that's Burt.  
22 In fact, he's even wearing a red shirt like he was  
23 wearing today.

24 MS. BLEAU: Yeah. Yeah. Okay. So, John,  
25 listen to me, though.

1 MR. MADDEN: Sorry.

2 MS. BLEAU: It's okay. I want to make sure I  
3 understand because I'm not sure I do and I want to make  
4 sure the Board understands. When they altered the fire  
5 sprinkler system without a permit being issued and,  
6 therefore, it was off-line for some period of time, and  
7 that might be a problem -- and we're going to talk  
8 about that in a minute, whether or not it was a problem  
9 -- but how does waiting until a permit is issued  
10 resolve that problem and make sure that isn't a  
11 problem?

12 MR. MADDEN: Well, for one, I don't know when  
13 they laid out the sprinkler system, they laid out the  
14 piping and so forth. I'm not a sprinkler guy. I'm not  
15 licensed. I'm not certified. I can't speak  
16 specifically on the technical aspect of the fire  
17 sprinkler system, the electrical systems, mechanical  
18 systems or plumbing systems. I'm not licensed, I'm not  
19 certified in those disciplines.

20 But, what I can tell you, the basic principle  
21 of doing any work without a permit, the Florida  
22 Building Code tells me, "John," especially as the  
23 Chief, especially as the Building Official, especially  
24 as the Assistant Building Official, "you shall presume  
25 and deem that job unsafe."

1 MS. BLEAU: Okay.

2 MR. MADDEN: I don't have any discretionary  
3 decision beyond that.

4 MS. BLEAU: Okay. And one other thing, we talk  
5 about this being occupied, but the pictures make it  
6 look like it's not occupied at the time that this  
7 construction is happening, right?

8 MR. MADDEN: That's a portion of the building.

9 MS. BLEAU: Was there a portion of the building  
10 occupied with people in it at the time?

11 MR. MADDEN: Yeah. I didn't go to the second  
12 floor. Bobby did, I guess.

13 MS. BLEAU: Right.

14 MR. MADDEN: It's in his email. But the second  
15 floor was, other parts of the building were occupied,  
16 and getting back to the sprinkler system, was there  
17 sufficient piping, size piping, pressure, heads, and  
18 all that kind of stuff? I don't know how they  
19 calculate that, but did they do that? When they got  
20 into the panels and did electrical work, did they use  
21 the right size wire and right size, you know, I don't  
22 know. That's John, John can speak on that, John  
23 Travers or Scott Dry or somebody. I don't know.

24 Structurally, I can speak of. I can't say what  
25 that set of plans was, what was there, what needed to

1 be there. I can't speak on that. I never saw those  
2 permits, the logbooks -- I don't think I ever saw those  
3 logbooks for that work.

4 MS. BLEAU: You don't think you ever saw the  
5 inspection logbooks?

6 MR. MADDEN: Yeah, MTCI's inspection log.  
7 There's one thing I want to bring up in the timeline,  
8 and the Google Earth photo. Do you have that?

9 MS. BLEAU: I do.

10 MR. MADDEN: I don't know if it's Google Earth,  
11 Google street view. I don't know if it's the same  
12 thing, or whatever.

13 MS. BLEAU: This?

14 MR. MADDEN: Yeah, that's it. Now, that  
15 photograph, the actual photograph -- these photographs,  
16 by the way, the photographs that you have there, the  
17 photographs with this job, the photographs that are in  
18 your system that you have, that are in the exhibits,  
19 those are all taken on my City cell phone and they were  
20 taken and I believe put into my computer. I think I  
21 put them into my computer and may have attached them to  
22 the permit documents, because you can do attachments.

23 But that Google image in there -- Google has, I  
24 don't know if it's an actual date or month, but in  
25 there it will give you, I believe, the lat and long,

1 and it will give you maybe the day of the month, or  
2 just the month and the year. So, I can't tell you to  
3 what -- I mean, I can't read it -- but that photograph  
4 right there, if I'm correct, was taken in May of 2016.

5 Oh, by the way, if you can zoom into the  
6 dumpster, the green dumpster, there's where you can see  
7 the loading dock is below grade for the trucks. So  
8 what you see in this photograph is -- that wood that  
9 you see in there, would be typically -- I don't know if  
10 they frame that in wood, if that was part of their  
11 framing or if that was part of their form work. I  
12 guess you would probably have to look at what the  
13 finish was.

14 I mean, it was all finished. I couldn't tell  
15 or remember what the material is that they -- but if  
16 was definitely -- you can see the garage doors removed,  
17 and the concrete was poured. I'm pretty certain that  
18 those photographs indicate that might be some form  
19 work, but then again, it might be a wooden frame. I  
20 don't know. But the work was definitely underway.

21 I don't know if you can see it on your screen,  
22 but I can't see it on mine the date of that Google  
23 image. I believe, I'm pretty certain it was in May of  
24 2016, almost like six months before those permits were  
25 issued for that.

1 MR. MILLER: Denise, you're on mute.

2 MS. BLEAU: No wonder he's not answering me.

3 Thank you. Six months before, you said?

4 MR. MADDEN: I think it was six months before.

5 It all depends on what that permit number was for that,  
6 and you would have to bring up the actual permit number  
7 that included that masonry wall. And, it will be very  
8 specific and you'll look at the actual set of plans.

9 So, if I were to go out to that job site and it  
10 had 10 or 15 plans, which is not unusual, by the way,  
11 you can break up permits. You can say, "Okay, here's a  
12 permit for the restrooms. Here's a permit for this.  
13 Here's a permit for that."

14 It's like when you get stopped by the police  
15 for speeding, or something like that. First thing they  
16 say, "I'd like to see your driver's license, your proof  
17 of insurance, and your auto registration." Go the job  
18 site? Permit card, permit set of plans, and anything  
19 supporting the work that you're doing. I can look at  
20 those plans, I can look around to see what's going on,  
21 and if that set of plans with that permit number  
22 matches that work, I'm good. No big deal. Everything's  
23 good.

24 MS. BLEAU: Okay. So, I want to show you  
25 another document. We looked at this a little bit

1 earlier with Mr. Ford. This is the Early Start permit,  
2 correct?

3 MR. MADDEN: Well, it's not a permit. It's an  
4 Early Start Certificate. You're not giving someone a  
5 permit, you're saying, "Hey, look," you know.  
6 Sometimes bureaucracy is a little slow.

7 MS. BLEAU: All right. And who signed this  
8 certificate for the City?

9 MR. MADDEN: You need to scroll up. Okay. On  
10 the bottom there, you have building approved, flood  
11 approved, engineering approved. Now, it's my  
12 understanding that this form has changed, so if the  
13 work that they want to do in there today, if I'm not  
14 mistaken, that building would be signed by the Chief  
15 Building Inspector. The Flood would be signed by  
16 someone in Flood. And then Engineering, someone would  
17 sign for Engineering. So, if it involved Electrical,  
18 if it involved Plumbing --

19 I think the new form -- John could probably  
20 talk about this -- the new form now, if you do any of  
21 those trades, that particular Chief of that trade is  
22 the one that says, "Hey, okay, I've got enough  
23 information here for you to go ahead and start work  
24 before the permit is issued. But, you're not going  
25 beyond the Early Start. You're not going beyond the

1 first inspection." I'm okay with that.

2 MS. BLEAU: So, the pictures that we looked at,  
3 the Google Earth pictures, that you think was taken in  
4 May, this Early Start was issued in June --

5 MR. MADDEN: Yup.

6 MS. BLEAU: -- so the Early Start Certificate  
7 was issued after the construction had already been  
8 underway.

9 MR. MADDEN: Well, can you zoom in to see what  
10 the work is, because it looks like there's some stuff  
11 under Site, Electrical, Mechanical. So, okay, so if  
12 you look at framing and concrete, okay, if you want to  
13 do framing, you want to do form work, I'm even okay if  
14 you drop some steel. Now, some Building Officials,  
15 some Chiefs, you're not dropping steel. When I mean  
16 drop steel, is reinforcing steel. So it's placed. You  
17 haven't poured concrete, I'm okay with that, not all --

18 MS. BLEAU: Hang on a second, John, because  
19 that wasn't my question. My question was simply as to  
20 the dates.

21 MR. MADDEN: Oh.

22 MS. BLEAU: This certificate wasn't issued  
23 until June 3<sup>rd</sup>, but you believe --

24 MR. MADDEN: Where's the date on there?

25 MS. BLEAU: Down at the bottom. Signed, June

1 3<sup>rd</sup>.

2 MR. MADDEN: Oh, yeah. Right there, June 3<sup>rd</sup>.

3 MS. BLEAU: June 14, actually, for Engineering.

4 MR. MADDEN: June 3<sup>rd</sup> for John, June 14<sup>th</sup> for  
5 Engineering, June 3<sup>rd</sup> for Flood and June 3<sup>rd</sup> again for  
6 John.

7 MS. BLEAU: And flood is Richard Benton.

8 MR. MADDEN: John Travers. That looks like  
9 Richard Benton's -- whoever signed it. Yeah.

10 MS. BLEAU: Yeah. So, if this Google Earth  
11 image was taken in May?

12 MR. MADDEN: Yup.

13 MS. BLEAU: And this Early Start Certificate is  
14 issued in June. That means that the work was done even  
15 before the Early Start Certificate was issued, correct?

16 MR. MADDEN: That's a month before the work  
17 began. Yup.

18 MS. BLEAU: Yeah. And then the Early Start  
19 Certificate in June, when Mr. Travers signed this  
20 certificate, and then he went out to the property a  
21 week before or so before September 2<sup>nd</sup>.

22 MR. MADDEN: That's what those guys told me.  
23 On that visit right there, they told me that John and  
24 Luis were out there, and I'm like, "Okay, I don't know  
25 what we got. Maybe there's something I'm missing here.

1 I don't know."

2 MS. BLEAU: Okay, so if that's the case, would  
3 Mr. Travers and Mr. Hernandez be aware that the only  
4 thing issued at that point was the Early Start  
5 Certificate?

6 MR. MADDEN: I think I asked them, I said,  
7 "When John and Luis were out here, what were they  
8 looking at? Were they looking at -- were they looking  
9 at, you know -- what were they looking at?" That's  
10 what I wanted to know because maybe John and Luis  
11 missed it. Maybe those two were bamboozled. I don't  
12 know. It's possible.

13 It's possible that John and Luis, they walked  
14 in there, they said, "Hey, you know, it's looking  
15 good," so forth. They may not have even looked at the  
16 permit card. They may not have even looked at the set  
17 of plans. They may not have -- the just maybe have  
18 gone out there and said, "Hey," you know, "okay." You  
19 know? "All right, what have we got?" What did they  
20 look at? What did they notice?

21 MS. BLEAU: Okay. You don't know the answers  
22 to those questions, right?

23 MR. MADDEN: No.

24 MS. BLEAU: All you know is that the work that  
25 was being done out there was illegal?

1 MR. MADDEN: Illegal? It's just, look guys --  
2 you know I think - was it Leroy? When work is  
3 underway, when you're actually - work is underway, that  
4 permit card and that set of plans must be on site, not  
5 just for inspections. The permit card and permit set  
6 of plans must be on site. Obviously, for the Building  
7 Inspector, but when construction is there. Because  
8 quite often sometimes, when people leave the job site  
9 at night, you know vandals and people come in, they'll  
10 steal permit cards, they'll steal plans, and they'll  
11 throw them away.

12 But when work is there, everything's got to be  
13 there. So, when we went out there, I just did the  
14 basic: permit card, set of plans, and if everything is  
15 cool, I'm cool. No big deal. I'm sent out here on a  
16 wild goose chase. Looking through and I said to the  
17 guys, "Where's the permit card and where's the set of  
18 plans?" They're like, "Well John and Luis were out  
19 here last week and they said everything was okay."  
20 "Okay. All right. Maybe I'm missing something." I  
21 didn't know.

22 MS. BLEAU: But the permits were actually  
23 issued weeks after your September 2<sup>nd</sup> visit, right?

24 MR. MADDEN: Yeah, after that visit when I got  
25 back to the office, that's when I really started to

1 look at things.

2 MS. BLEAU: Okay, so no permits had been issued  
3 that would have authorized the work that was done that  
4 you saw that day on September 2<sup>nd</sup>?

5 MR. MADDEN: The restrooms, I believe that  
6 permit had been issued. The other stuff, the exterior  
7 walls, all the other stuff, I couldn't find a permit  
8 card or a permit set of plans that had been issued on  
9 either time. The first time I was there or the second  
10 time.

11 MS. BLEAU: Right. So the second time you show  
12 up, they're still doing work even though a stop work  
13 order has been issued, and that time you ended up  
14 having a conversation with Mr. Goldstein, correct?

15 MR. MADDEN: Yeah, he walked in on our  
16 conversation. I don't know if he said, "Who are you?"  
17 and I said, "Who are you?" I don't know what it was,  
18 but we were talking because these guys, they thought  
19 that I was coming in like Gestapo. Look, man, take it  
20 easy, you know? So I said, "We want you to record  
21 it," or I said, "record," or whatever, so I pushed  
22 Record. And I'm recording this conversation and I'm  
23 talking to the guys and so forth, and then he walked in  
24 on the conversation.

25 MS. BLEAU: Let me take you to another screen

1 here, which is this letter from -- is that Wingard? Is  
2 that a "W" and it's just cut off? Is that right?

3 MR. MADDEN: Wingard, Vingard --

4 MS. BLEAU: I'm not sure? Okay. This letter  
5 is dated December 13, 2016. That would have been after  
6 you were put on leave. Was it after you were  
7 terminated?

8 MR. MADDEN: No, I hadn't been terminated.  
9 That's almost two months after they walked me out of  
10 the Building Department. If not -- I think it was  
11 October 13<sup>th</sup> when they walked me out.

12 MS. BLEAU: Okay and this is December 13 to Lee  
13 Feldman from James Goldstein, President of the -- oh,  
14 Midgard, it's an "M." -- Midgard Group Company. The  
15 permits that were issued in the latter part of  
16 September all said the owner was Fort Lauderdale Crown  
17 Center, Inc. Do you recall that?

18 MR. MADDEN: I don't recall who's listed on the  
19 -- the owner.

20 MS. BLEAU: I can. Yeah, on the screen, you  
21 can see here. See over here, it says Fort Lauderdale  
22 Crown. You can see that much.

23 MR. MADDEN: Yeah, yeah, yeah.

24 MS. BLEAU: So, Mr. Goldstein's letter talks  
25 about himself and his reputation, et cetera. "At the

1 start we were made aware a lost number of personnel at  
2 the City," -- and we'll talk about that later -- "Great  
3 rapport with the City, shortage of manpower, they  
4 decided to have MTCI to their project." Right?

5 MR. MADDEN: Chose to employ them.

6 MS. BLEAU: No, go ahead.

7 MR. MADDEN: No, I was just reading as you were  
8 highlighting.

9 MS. BLEAU: "The process was not without its  
10 issues as it was new to the City. We were a  
11 cooperatively and patiently with all. Our attorney  
12 helped us with the process as well as our company and  
13 construction manager, our contractor, James Coleman, or  
14 Coleman James, 10 years experience." So, Mr. Goldstein  
15 had an attorney involved --

16 MR. MADDEN: Yeah, Courtney Crush.

17 MS. BLEAU: -- a Construction Management  
18 professional, and the contractor and MTCI, all to make  
19 sure that everything was done in accordance with the  
20 law, right?

21 MR. MADDEN: Yup.

22 MS. BLEAU: "MTCI was most familiar with the  
23 process, had worked with Chief Building John Travers  
24 and others at times. Toward the end we had numerous  
25 meetings with the Building Department to finalize

1       approvals." Do you know when those meetings occurred?

2               MR. MADDEN: No.

3               MS. BLEAU: "At this point, we had some very  
4       upsetting and unprecedented experience with some of the  
5       Building Department, most particularly, John Madden.  
6       During the month of September, we found ourselves  
7       subjected to behavior that can only be described as  
8       intimidation, harassment and deliberate abuse. By  
9       September, the construction was substantially  
10      complete."

11              MR. MADDEN: Yeah, he says it right there.

12              MS. BLEAU: You would agree with that  
13      statement, correct?

14              MR. MADDEN: Oh yeah. No, no, it's an accurate  
15      statement. The others I have a problem with, but  
16      that's accurate.

17              MS. BLEAU: Okay. "On Friday, September 2<sup>nd</sup>,  
18      John Madden and three other men came by the BSO site  
19      unannounced saying someone from the Department sent  
20      them." First of all, is that true?

21              MR. MADDEN: Yeah. That someone --

22              MS. BLEAU: Unannounced and said someone had  
23      sent you?

24              MR. MADDEN: Well, they didn't send me. It was  
25      either that day or the day before, or whatever, someone

1       came -- I was informed that something was going on in  
2       this particular job site. So, I went around the  
3       Department.

4               MS. BLEAU: Look, my question is, he said that  
5       when you showed up, you said that someone sent you to  
6       the site. That's what you told somebody at this site  
7       when you were there.

8               MR. MADDEN: Wait. "Unannounced, saying  
9       someone from their Department sent them." Hmm. I  
10      don't know, because I was the Chief, I don't know if  
11      someone sent me. But, I only went there because  
12      somebody told me what was going on. I wouldn't have  
13      even known about the job.

14              MS. BLEAU: All right. Well, let's move on.  
15      So, "They took the position we did not have any permits  
16      or authorization to do the work." Is that a true  
17      statement?

18              MR. MADDEN: Wait, what was that?

19              MS. BLEAU: That you took the position that  
20      they were doing work without authorization and without  
21      permits.

22              MR. MADDEN: Well, yeah. I mean, initially,  
23      you know, you ask the basics: okay, permit card, your  
24      plans, and all that other stuff. They couldn't produce  
25      it, but they said when John and Luis were there, so

1 then I went back to the Building Department. I was  
2 just trying to confirm what they said. I couldn't find  
3 any evidence of it.

4 MS. BLEAU: And you took pictures. The general  
5 contractor introduced himself, took them to the Early  
6 Start permit, which again we've talked about is not an  
7 Early Start permit. It's a permit certificate, right?

8 MR. MADDEN: Yeah, it's an Early Start  
9 Certificate.

10 MS. BLEAU: I mean an Early Start Certificate.

11 MR. MADDEN: Early Start release, permission,  
12 you know, but it's not a permit.

13 MS. BLEAU: They showed you the logbook,  
14 according to Mr. Goldstein. You think that's true?

15 MR. MADDEN: They showed me -- that's what I  
16 said. They showed me a logbook, but the logbook, that  
17 was for the restrooms. And the restrooms were  
18 permitted. I'm like, "I'm okay with that."

19 MS. BLEAU: And the General Contractor told  
20 you, according to Mr. Goldstein, that "John Travers was  
21 aware of the work."

22 MR. MADDEN: Yeah. Well, John and Luis, they  
23 told me.

24 MS. BLEAU: Mr. Goldstein then says, "At this  
25 point, I came on the job and saw them looking over the

1 plans. Mr. Madden was threatening to have people  
2 arrested and/or licenses suspended. My contractors  
3 were definitely intimidated. The tones and words used  
4 were threatening. Madden began recording from his  
5 phone and I told him on the phone not to threaten us."  
6 Now --

7 MR. MADDEN: Wait, I want to see -- I want to,  
8 I mean, go ahead. But he says, "he began recording."  
9 No, that's not true. I was already recording the  
10 conversation we were having and then he walked in on  
11 the conversation. I didn't begin recording.

12 MS. BLEAU: All right. But more importantly,  
13 the first time you were there, you didn't have any  
14 interaction with Mr. Goldstein, and this recording  
15 occurred the second time you were there when they were  
16 violating the stop work order, and continuing to do  
17 construction without permits, and in violation of a  
18 stop work order. Correct?

19 MR. MADDEN: The recording that I took -- when  
20 I was recording, I was talking to those guys and I had  
21 my cell phone -- the City's cell phone -- I'm recording  
22 the conversation, and looking through plans, or looking  
23 at stuff, and then he walked in and I didn't know who  
24 he was, and he didn't know who I was.

25 And, so, this recording that he's talking about

1 is not consistent with the recording that I recorded  
2 because the recording that I made was at my second  
3 visit, not my first visit. I didn't know Mr.  
4 Goldstein, never met him, didn't know what he looked  
5 like. You know, he could have been an owner out of  
6 state, for that matter. But, when he came in when I'm  
7 recording the conversation, because those guys asked me  
8 to record it, and frankly, I'm like, "Good. I'm glad  
9 someone's asked me to record it." I'm like, "I don't  
10 have any problem with that." And, so, yeah.

11 MS. BLEAU: Madam Chair, could we take a five  
12 minute personal break?

13 CHAIR ADELSON: Yes. Why don't we take ten.

14 MS. BLEAU: Okay.

15 CHAIR ADELSON: And come back at -- what is it,  
16 4:35? So let's come back at 4:45, please.

17 MR. MADDEN: How much time?

18 CHAIR ADELSON: Ten minutes.

19 MR. MADDEN: Okay.

20 [Recess taken at 4:35 p.m. - 4:42 p.m.]

21 MS. TURIN: When Shelley gets back, there's a  
22 quorum. Lori, just to fill you in, Bob just told me  
23 he's not feeling well. [Inaudible, phone ringing] this  
24 week. But we still have a quorum with you and Shelley,  
25 and this is all being recorded, correct? So, anything

1 that Bob misses, he can watch the video. I would say,  
2 just coordinate through Kerry as to how to get hold of  
3 that.

4 MS. BLEAU: So we could proceed in that way,  
5 Ms. Turin or Madam Chair. You're sort of looking --

6 CHAIR ADELSON: We're all looking a little  
7 peaked from all day.

8 MS. BLEAU: Yeah, yeah. And, you know, this is  
9 important and it matters, so it would be important to  
10 have everybody alert and --

11 MR. BALDWIN: Well, you weren't going much  
12 longer anyway, were you?

13 MS. BLEAU: Yeah. Hour and a little bit.  
14 Could we start earlier than 10:00?

15 CHAIR ADELSON: Yes, but just let me be clear.  
16 I also emailed Kerry and Mimi separately, but now that  
17 we're talking about scheduling, I need to take about an  
18 hour and fifteen minutes in the middle of that day next  
19 Friday, from 12:00 to 1:15. So, I said I'm happy to go  
20 on the other ends of it, so if you want to start an  
21 hour earlier and then extend again like we did here,  
22 but hopefully make it through, I'm fine with that. But  
23 I must take that time. I have a commitment that I  
24 can't not -

25 MR. BALDWIN: So, Kerry, you'll be in touch

1 with me? Kerry?

2 MS. ARTHURS: Yes, I will.

3 MR. BALDWIN: Okay. Thank you.

4 MS. TURIN: I believe next Friday it's just the  
5 two of you and Bob would be watching the video  
6 afterwards.

7 MS. BLEAU: So, he's not going to be there at  
8 all?

9 MS. TURIN: Is that your number? Right, we'll  
10 make the video tape available and if he has any  
11 questions, they would be submitted through staff, to  
12 counsel. I didn't see any questions from the Board  
13 Members today. And we were anticipating that the next  
14 meeting would be a wrap-up.

15 CHAIR ADELSON: Say that again.

16 MS. TURIN: It was my understanding --

17 MS. BLEAU: We are shooting to wrap up next  
18 week with the testimony and then closing arguments the  
19 following - February 2<sup>nd</sup>, I think it is, is the other  
20 date that we've agreed on.

21 MS. TURIN: Is that the date where we are --

22 MR. MILLER: Broken up.

23 MS. TURIN: There's going to be a break in the  
24 middle, correct?

25 MR. MILLER: Yeah.

1 CHAIR ADELSON: [Unintelligible] it's actually  
2 an hour and half. I just looked. But I can probably,  
3 you know.

4 MS. ARTHURS: Madam Chair, unfortunately Robert  
5 will not be able to make that Tuesday date, the  
6 February the 2<sup>nd</sup>. So, I have to get with everyone to  
7 see if I can come up with another date.

8 CHAIR ADELSON: Don't we have a date next week?

9 MS. BLEAU: Yes.

10 MS. ARTHURS: Yes, we have the 22<sup>nd</sup>, but the 2<sup>nd</sup>  
11 was based on his availability, but he said that got  
12 changed.

13 MS. BLEAU: But he's not going to be available  
14 on the 28<sup>th</sup> either, right?

15 MS. GIALLUCA: Madam Chair, just so I'm  
16 understanding, didn't we just we're going to continue  
17 without Mr. Baldwin, because we have a quorum and he's  
18 going to listen the recording and submit questions?  
19 Why couldn't he do that on the 22<sup>nd</sup>?

20 CHAIR ADELSON: Denise said that she thought  
21 that we were all starting to get a little peaked, too,  
22 and wanted our full attention, and I agree with that.  
23 This is important. So, we are going to adjourn after  
24 we pick a date for the next two.

25 MS. GIALLUCA: Okay, so here I thought we had

1 the dates and, I mean, prolonging this is really not  
2 fair to the employee at this point. We've had eight  
3 meetings in over a year's time.

4 CHAIR ADELSON: We understand. So, the 22<sup>nd</sup> is  
5 scheduled for next week, and unfortunately, February 2<sup>nd</sup>  
6 Bob was not going to be available and I was making  
7 accommodations in between my day, so we need to pick  
8 one other day. But we are going to be doing this on  
9 the 22<sup>nd</sup> again, next week.

10 MS. BLEAU: Do I understand that Bob will or  
11 will not be available on the 22<sup>nd</sup>?

12 MS. TURIN: That would be the day he would be  
13 watching the video that we discussed.

14 CHAIR ADELSON: [Unintelligible] then we have a  
15 quorum. That's good. That works.

16 MS. TURIN: And it's still a quorum, so the  
17 Board [unintelligible].

18 CHAIR ADELSON: I didn't hear.

19 MS. TURIN: You still have a quorum with the  
20 two of you, so the Board, yes, can conduct business.  
21 But, you still need now another date [inaudible] to get  
22 another date wrap-up.

23 MS. BLEAU: Why do we need to change the date  
24 of February 2<sup>nd</sup> because of Bob if we're not changing the  
25 28<sup>th</sup> because of Bob?

1 CHAIR ADELSON: My whole second hour is  
2 accommodating in between and betwixt my work schedule,  
3 something in the morning and something in the  
4 afternoon. So, if we really want to wrap this up, I  
5 think it would be best served if we could find a date  
6 where we have the rest of the day, so you guys can do  
7 your closing properly and not have it cut off by me.

8 MS. BLEAU: Okay.

9 MS. ADELSON: And not by Bob either.

10 MS. BLEAU: Okay, we're going to find another  
11 full day? And maybe Bob can attend or if not, he's not  
12 attending the 28<sup>th</sup> -- okay.

13 CHAIR ADELSON: Yes.

14 MS. BLEAU: All right. I understand

15 MS. GIALLUCA: I don't.

16 CHAIR ADELSON: Can we circulate a date or  
17 throw dates out or do you want to just circulate it,  
18 Kerry?

19 MS. ARTHURS: I prefer to circulate again,  
20 because it does take some time.

21 CHAIR ADELSON: [Unintelligible]. Okay, so  
22 we're going to adjourn. Remember where you were. We'll  
23 see all of each other next week, but wanted to ask if  
24 you want to start earlier.

25 MS. BLEAU: Yeah.

1 CHAIR ADELSON: I'm available for earlier. I'm  
2 happy to do so.

3 MS. BLEAU: I can start at 8:30.

4 CHAIR ADELSON: I have an 8:30 to 9:00 meeting,  
5 so I can start at 9:00.

6 MS. BLEAU: 9:00 is better than 10:00.

7 CHAIR ADELSON: Yes.

8 MR. MILLER: Denise, can I ask you, are you  
9 planning on calling anybody other than Luis and  
10 finishing Mr. Madden?

11 MS. BLEAU: I don't think so.

12 MR. MILLER: Okay. So we just have to get  
13 those two people in testimony-wise.

14 MS. BLEAU: Yes, that's the plan at the moment.

15 CHAIR ADELSON: We won't plan a committed end-  
16 time. We'll go as long as we need to get that end  
17 achieved, except that it's not midnight.

18 MS. ARTHURS: [Unintelligible]

19 MR. MILLER: So, were going to shoot to start  
20 at 9:00. We're going to go to 12:00 when you have a  
21 hard stop, then we're going to take a break till  
22 probably 1:30, and then resume and go until we finish.  
23 That's the plan?

24 CHAIR ADELSON: Kerry, does that work?

25 MS. ARTHURS: I need Mauricio to chime in,

1 because a lot of this depends on his -

2 CHAIR ADELSON: Availability.

3 MS. ARTHURS: -- he's the one who has to set us  
4 up to do that.

5 MR. BAQUERO: Give me one second. You guys  
6 should see the calendar, correct?

7 CHAIR ADELSON: Yes.

8 MR. BAQUERO: So what was the date that you  
9 guys are shooting for?

10 CHAIR ADELSON: Next week.

11 MR. MILLER: We're still on next Tuesday, where  
12 we've already got the date set aside.

13 CHAIR ADELSON: No, that's next Friday.

14 MS. ARTHURS: The 22<sup>nd</sup>.

15 CHAIR ADELSON: The 22<sup>nd</sup>.

16 MR. BAQUERO: Next Friday on the 22<sup>nd</sup>? Yeah,  
17 you guys are fine.

18 CHAIR ADELSON: So we can start at 9:00 and  
19 then go as long as we need to with -

20 MR. BAQUERO: You guys want to change it to  
21 9:00?

22 MS. BLEAU: Yes.

23 MR. BAQUERO: Sure thing. All right.

24 MS. GIALLUCCO: Madam Chair, just so I  
25 understand. What happened? What happened to February

1 2<sup>nd</sup>?

2 CHAIR ADELSON: We're going to find a full day  
3 that both Bob and I are available for a full day. I  
4 was not available the whole day.

5 MS. GIALLUCA: We're not? It was committed to,  
6 but you were not - okay. Thank you.

7 CHAIR ADELSON: Yeah, I was available in the  
8 morning and then again in the afternoon and Bob's not  
9 available once again, we're trying to find one full day  
10 so we can get closings in.

11 MS. GIALLUCA: And you think will we have this  
12 meeting this in February, or is this going to go on for  
13 three or six more months?

14 CHAIR ADELSON: I mean, I'm available starting  
15 the 5<sup>th</sup> until the 19<sup>th</sup> a little bit more, so hopefully  
16 we can find something between there and there. And  
17 then after that, fortunately for me, but unfortunately  
18 for this hearing, I have mediations back to back.

19 MS. BLEAU: If I can suggest that we move  
20 quickly on setting. Part of the delay is we'll agree  
21 to set a date and we won't do anything for months, and  
22 then -

23 CHAIR ADELSON: I would allow dates from  
24 February 5 until the 18<sup>th</sup>, so I can move some things  
25 around.

1 MS. GIALLUCA: Yeah, but like two weeks ago,  
2 they scheduled February 2<sup>nd</sup> and you're saying you never  
3 committed to it, so at this point --

4 CHAIR ADELSON: Shelley, I did not say that. I  
5 said I committed to doing it in pieces during that day.  
6 Now, Bob is not available at all, so it doesn't make  
7 sense where I can't give a full day and he's not  
8 available at all to be there for closings to not try to  
9 find a full day.

10 MS. GIALLUCA: Okay, so I misunderstood then.

11 CHAIR ADELSON: It's all right. It's late and  
12 we've all been very patient today, so let's see if we  
13 can find another --

14 MS. ARTHURS: Madam Chair, I can --

15 MS. TURIN: I need to point something out.

16 CHAIR ADELSON: Yes, Mimi.

17 MS. TURIN: Shelley's term will be up pretty  
18 soon. One of the things that we had discussed also --

19 MS. GIALLUCA: It was up January 3<sup>rd</sup>.

20 MS. TURIN: To bring this to closure, we had  
21 also discussed the possibility of evenings or weekend  
22 hearings, just to bring this case to close it -- to  
23 bring it to closure. And then we could start out  
24 clean, as I've discussed with the Administration,  
25 having a set day every month where the Board would be

1 scheduled, and if there's no hearings, it would be  
2 cancelled. But, this case is really taking a long time  
3 which is "justice delayed, justice denied." I mean,  
4 obviously, there's a pandemic, and I understand that,  
5 and everybody's worked really hard, but if we could  
6 bring this to closure using evenings and weekends, we  
7 may be able to just end this and then start with your  
8 next cases. Like I said, Shelley's term is going to be  
9 up.

10 MS. GIALLUCA: It is up.

11 MS. TURIN: I don't think there is a  
12 replacement just yet, but the process has begun. So,  
13 we cannot drag this case out for six more months.

14 CHAIR ADELSON: I wasn't suggesting that. I  
15 just said I have availability for the next three weeks.  
16 Bob is the only one, obviously, that's having some  
17 challenges now, so I suggested sending out some dates  
18 now. Kerry, I think, is right, we should circulate one  
19 of those surveys again and try to get it done in the  
20 next couple of weeks. So, I'm not sure what this thing  
21 about it going on longer, it's not. We'll finish it  
22 up. I prefer to have a full day so that you can both  
23 do closings and have our full attention, rather than  
24 February 2<sup>nd</sup> was an hour and a half in the morning and  
25 two hours in the afternoon.

1 MS. BLEAU: Okay. Sounds like everybody's  
2 going to cooperate, and feels the intensity to get this  
3 done, so that's good. We're all in this together.

4 CHAIR ADELSON: Just to make it clear, because,  
5 Mimi did just bring up about Shelley's term expiring,  
6 mine expired, I stayed on specifically to ensure that  
7 this case had the proper availability and that there  
8 was a quorum available. So, we are endeavoring to give  
9 John the time that we need and I want to make sure  
10 we're giving it the attention we need, and not rushing  
11 through it or splitting -- rushing through the last end  
12 of this. So, let's get a date in the next couple of  
13 weeks. So, let's see if we can get it wrapped up. You  
14 know we're on for next week starting at 9:00 a.m. and  
15 then we'll find another date.

16 MS. BLEAU: Sounds good.

17 MS. ARTHURS: Excuse me, Madam Chair, I would  
18 like to get at this point feedback about in the  
19 evenings and on the weekend. It's easier for us to  
20 talk about it face-to-face than via email.

21 MS. BLEAU: With the availability -- it seems  
22 like Lori's schedule is one of the issues, right,  
23 because she's very busy. And, if she's free, I would  
24 like to think that we could all find one more date in  
25 the next two to three weeks that we're all available

1 without meeting at night or the weekends. I'm fine  
2 with meeting at night or the weekends, but it sort of  
3 runs into the same issue, nobody really wants to be  
4 there, everybody's had a long day and they're tired  
5 and, again, it's important to listen and pay attention.  
6 And I don't want -- this isn't a marathon. It feels  
7 like a marathon, but it's not a marathon, and it would  
8 be important to have everybody energetic and --

9 CHAIR ADELSON: That's why I agree with you, so  
10 I don't want to give this short shrift by breaking it  
11 up into pieces on that last day. So, if you want, I  
12 mean, I can throw out some dates. I have the 5<sup>th</sup>, the  
13 8<sup>th</sup> and the 11<sup>th</sup>, the 12<sup>th</sup>, the 15<sup>th</sup>. I think somebody  
14 somewhere should be able to capture some of those days.

15 MS. BLEAU: The 5<sup>th</sup>, the 8<sup>th</sup>, the 11<sup>th</sup>, the 12<sup>th</sup>  
16 and the 15<sup>th</sup>.

17 CHAIR ADELSON: The 5<sup>th</sup>, the 8<sup>th</sup>, the 11<sup>th</sup>, the  
18 12<sup>th</sup> and the 15<sup>th</sup>.

19 MS. BLEAU: I can make all of those work,  
20 preferably not the 11<sup>th</sup>, but if need be, I can make that  
21 work.

22 CHAIR ADELSON: Anyone else? You're so quiet,  
23 Ken.

24 MR. MILLER: I'm just looking. Of the dates  
25 you just did, I can do the 5<sup>th</sup> and the 15<sup>th</sup>.

1 CHAIR ADELSON: So let's pick one of them.

2 MS. BLEAU: The 5<sup>th</sup> would be better.

3 CHAIR ADELSON: City calendar?

4 MR. MILLER: We're going to have to get in  
5 touch with Bob though, because we've got to make sure  
6 he's available. That's the only problem with doing  
7 this right now, is he's not on the line anymore, so.

8 CHAIR ADELSON: At least if we can narrow down  
9 our dates, then we can present them to him and maybe  
10 he'll be available on the dates that we have. So, if  
11 we have the 5<sup>th</sup> and the 8<sup>th</sup> as a consensus here, we can  
12 circulate that out to Bob if Kerry says that the City  
13 is available.

14 MS. BLEAU: He said the 5<sup>th</sup> and the 15<sup>th</sup> were  
15 good for Ken. Not the 8<sup>th</sup>.

16 CHAIR ADELSON: Oh sorry, 5<sup>th</sup> and 15<sup>th</sup>, sorry.

17 MS. GIALLUCA: Yes, and I'm available the 15<sup>th</sup>  
18 and not the 5<sup>th</sup> or the 8<sup>th</sup>.

19 MS. BLEAU: Okay.

20 CHAIR ADELSON: Let's see if we can Bob on the  
21 15<sup>th</sup>.

22 MS. TURIN: Give the 15<sup>th</sup>.

23 MS. GIALLUCA: 15<sup>th</sup>.

24 MR. BAQUERO: Both those dates are free on the  
25 calendar.

1 MR. MILLER: Okay.

2 MS. TURIN: I'm available.

3 MS. BLEAU: I have a depo that day, but I'll  
4 move it and I'm sure opposing counsel will agree, and  
5 then if Bob's not available, I suggest we just go on  
6 the 15<sup>th</sup> and let him look at the video. We don't want  
7 to go past that date. I mean, that's just --

8 MR. MILLER: I agree. I think we'll just pick  
9 that as the final day and if Bob's got to watch by  
10 video at some point, he'll watch by video. As long as  
11 the two of you can be here, then we'll get it done.

12 MS. BLEAU: Yup.

13 CHAIR ADELSON: All right, so let's do the 15<sup>th</sup>.

14 MS. TURIN: Excuse me, if that's for the  
15 deliberations, why would there be a need for video?

16 MR. MILLER: We're just saying, we don't know  
17 if Bob's available that day.

18 CHAIR ADELSON: We're picking a date now.

19 MS. TURIN: Right, but we still need a quorum.

20 CHAIR ADELSON: I have such a hard time with  
21 Mimi's -

22 MS. TURIN: Sorry. With two of you, it's a  
23 quorum. Can you hear me now?

24 MS. BLEAU: Yeah.

25 MS. TURIN: With two, there's a quorum. If the

1 testimony is finished, you're just going to be doing  
2 deliberations, so if Bob's not here, you still have two  
3 for a quorum, what would there be for him to review?  
4 There would be a decision to be made.

5 MS. BLEAU: Well, closing arguments are  
6 probably going to occur on that day, not just  
7 deliberations, number one -- and then two --

8 CHAIR ADELSON: I will [unintelligible] them,  
9 so then we need two more days. You need next week to  
10 finish up testimony.

11 MR. MILLER: I mean, I can't speak for Denise.  
12 I'm relatively comfortable telling you my closing is  
13 certainly not going to take more than an hour.

14 CHAIR ADELSON: Okay.

15 MS. BLEAU: Mine might take two, but it's not  
16 going to take any more than that.

17 MR. MILLER: Yeah, so, that's a half a day max,  
18 so that gives a half a day. Now, if you don't finish,  
19 obviously we'll have to figure out what we're going to  
20 do, but I would hope that we can get both of those  
21 closings and deliberations done in one day.

22 CHAIR ADELSON: Excellent.

23 MS. BLEAU: That's the plan. Although I wasn't  
24 thinking about the deliberations. Is the idea that  
25 after Bob sat through all of these proceedings, he may

1 not be involved in the final decision, because I'm not  
2 comfortable with that.

3 CHAIR ADELSON: I'd like him to be. The  
4 question is, can he be available on that last date.

5 MR. MILLER: He has to be.

6 MS. BLEAU: I think so, too, Ken. I think he  
7 has to be. I think Mimi was suggesting that the  
8 decision could be just made by two Board Members and I  
9 don't think that --

10 MR. MILLER: I mean, I'm not telling anybody  
11 what to do, but hypothetically, the two of you could  
12 disagree and then we don't have a decision.

13 MS. BLEAU: Right.

14 CHAIR ADELSON: Here's my suggestion -- let's  
15 endeavor for the 15<sup>th</sup> to be the last day and if Bob is  
16 available, great. If not, then we will just finish  
17 testimony and we will pick a time that we can  
18 deliberate.

19 MS. BLEAU: Right, exactly. I think that's  
20 absolutely right. Even if we don't finish and we need  
21 to finish some testimony and then closing, whatever --  
22 if Bob can't be there, let's not shoot for  
23 deliberations that day. That doesn't really matter as  
24 much. I mean, it does, but --

25 MR. MILLER: But three of you could schedule

1 that without us, theoretically, at a time that works  
2 for you.

3 CHAIR ADELSON: [Unintelligible] and you can be  
4 there if you want to.

5 MR. MILLER: I mean, we don't have to be  
6 physically present at the deliberations, so scheduling  
7 might be easier to do that with just the three of you.

8 CHAIR ADELSON: That is true. Okay. So, let's  
9 make the 15<sup>th</sup>, hopefully --

10 MR. MILLER: Next week at 9:00 and we're  
11 shooting for the 15<sup>th</sup>.

12 CHAIR ADELSON: [Unintelligible] closings and  
13 then if he's not there, then we'll pick another date  
14 for deliberations.

15 MR. MILLER: All right.

16 CHAIR ADELSON: Right?

17 MR. MILLER: Yes.

18 MS. BLEAU: Thank you.

19 MS. ARTHURS: Thank you.

20 CHAIR ADELSON: Thank you. I'm actually glad  
21 we stopped. It's almost after 5:00 and we took an hour  
22 to go through scheduling.

23 MS. BLEAU: Yeah, for sure. Take care.

24 CHAIR ADELSON: Everyone be safe.

25 MR. MILLER: All right. Have a nice weekend,

1 everyone.

2 MS. GIALLUCA: All right. Thank you.

3 MS. ARTHURS: Take care. Bye, bye.

4 [Thereupon the meeting concluded at 5:45 p.m.]

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CERTIFICATE

STATE OF FLORIDA )  
 ) ss:  
COUNTY OF BROWARD )

I hereby certify that I was authorized to and did transcribe the foregoing and the transcript is a true record of the proceedings to the best of my ability.

Narrative unable to be transcribed is indicated as [inaudible] or [unintelligible].

I further certify that I am not of counsel, I am not related to or employed by any party to this matter, and I am not interested in the outcome thereof.

Dated this 1st day of February, 2021.

*Lisa G. Tayar*  
LISA G. TAYAR

STATE OF FLORIDA )  
 ) ss:  
COUNTY OF BROWARD )

SWORN TO and SUBSCRIBED before me the day and year above written by Lisa G. Tayar, who is personally known to me.

*Brigitte Chiappetta*  
BRIGITTE CHIAPPETTA, Notary Public  
State of Florida

Notarial Seal:

