



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
NUISANCE ABATEMENT BOARD
CITY HALL, CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
THURSDAY, FEBRUARY 9, 2023, 7:00 P.M.**

Cumulative

Committee Members	January-December 2023		
	Attendance	Present	Absent
John Forman, Chair	P	1	0
Joel Slotnick, Vice Chair	P	1	0
Robert Phaneuf	P	1	0
Avigdor Pemper	P	1	0

Staff Present

Detective Jameson Jones
Joyce Hair, Board Clerk
Carla Blair, Recording Secretary, Prototype, Inc.

Communication to the City Commission

None.

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Purpose: Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending, or repeated violation continues to exist.

1. Call meeting to order; Pledge of Allegiance

The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited.

2. Roll call; witnesses sign log; swearing in

Roll was called and it was noted a quorum was present. Any individuals planning to speak at tonight’s meeting were sworn in.

3. Approval of minutes for January 11, 2023

Motion made by Vice Chair Slotnick, seconded by Mr. Pemper, to approve the minutes from January 12, 2023. In a voice vote, the **motion** passed unanimously.

Cases

4. Case Number 22-11-03

5100 N State Road 7

Plaza Hotel

- **Status Hearing**

Detective Jameson Jones stated that the Plaza Hotel had 80 Police-related calls over the last 30 days, which included 17 trespass-related incidents, two narcotics-related incidents, and five burglary-related incidents. He last visited the property on Tuesday, January 31, 2023, to discuss the hotel's hire of two detail Officers, who began work on February 1.

Det. Jones continued that renovations to the property were expected to begin February 1, 2023. Cameras have been installed on the property and are working. Work has been completed on door locks on the third, fourth, and fifth floors. The hotel has implemented a policy prohibiting visitors after 10 p.m. Three new doors have been installed to replace damaged doors. The current hotel rate is \$89/night during the week and \$152/night on weekends. He concluded that hotel manager Danny Santiago remains very cooperative and provides the Police Department with the information they need.

Det. Jones addressed the discussion of the Police detail at the January 12, 2023 Board meeting, requesting that the Board's parameters for the hours of the detail be further clarified. He explained that a Police detail comes at an extraordinary cost, and noted that the hotel is also undergoing renovations at this time. At present, the detail Officers are working in two blocks of approximately five-hour shifts, which provides 10 hours of coverage with two Officers. This means the hotel is paying for 20 hours of service each day, which would total over \$50,000 per month.

Det. Jones recommended that there be greater flexibility regarding the Police detail, suggesting that the current schedule continue for the next two to three weeks before it is scaled down to one Officer for 12 hours or two Officers for six hours. He pointed out that the Officers' presence at the hotel is very effective, and calls for service have dropped significantly. The hotel will also diminish its guest capacity while renovations are underway. He concluded that he wished to ensure this flexibility was acceptable to the Board.

Vice Chair Slotnick confirmed that the Board's intent was not for the hotel to lose money, but to help the property improve. He agreed that Det. Jones and Mr. Santiago know what

is necessary for this purpose. Det. Jones added that Mr. Santiago is also overseeing a number of improvements that were not requested by the Police or the Board.

Chair Foreman recalled that Board Attorney Don Londeree had requested the Board be specific regarding the detail Officers' hours, and asked if they can modify their request to give more discretion to Det. Jones and the property owner or representative. Det. Jones advised that he has spoken with Attorney Londeree and concluded that the Board's language should refer to maintaining 10 hours of Police service per day. He recommended that the hours may be addressed regularly at subsequent meetings.

Det. Jones continued that the amended order states the owner or manager will fund the allocation of 12 hours of Police detail services during the hours of 12 p.m. to 7 a.m. as proscribed by the Nuisance Abatement Detective beginning on February 1. The confusion occurred with the designation of one or two Officers, as well as with whether they would work concurrently or in separate shifts. He did not feel further amendment of the order was necessary, and reiterated that this would allow detail hours to be scaled back in the coming weeks if calls for service continue to decline.

Det. Jones advised that the order's language allows the hotel to pay for at least 12 hours of service between the hours stated above. The hotel is currently paying for 20 hours.

Danny Santiago, manager of the Plaza Hotel, concurred with Det. Jones that the Police detail has been very helpful, but at significant expense. He added that when the Police presence is no longer necessary, the hotel hopes to implement a security plan.

Det. Jones also emphasized that the current Police detail includes two Officers because this will ensure there is backup when the hotel calls for service. Once these calls decrease, the detail would be scaled back to one Officer.

Det. Jones showed photos of the hotel, noting that Mr. Santiago has equipped the detail Officers with tablets granting them access to the camera system. He reiterated that new locks have been installed, furniture has been removed from the lobby to discourage loitering, and signage has been posted for the City's Noise Ordinance.

Mr. Pemper asked if renovations have begun on schedule. Mr. Santiago confirmed this, adding that the plan is to complete construction by October 2023. He still plans to do away with cash payment by March 1. The required deposit has been increased for current cash payment. Det. Jones advised that the hotel will also try to transition older reservations away from cash.

- 5. Case Number 23-02-01**
 - 18 NW 1st Ave.**
 - One Stop Shop**
 - **Evidentiary Hearing**

Det. Jones reported that notice of tonight's meeting was delivered personally to the store manager and mailed to store owner Hanoun Stoer. There have been 38 Police-related activities for the past six months, at least three of which were nuisance-related. These three incidents were as follows:

- May 4, 2022: narcotics complaint resulting in arrest
- September 10, 2022: shooting/aggravated battery currently under investigation
- November 25, 2022: shooting currently under investigation

Det. Jones noted that the store is unique, as it is in an extraordinarily transient area. The Police recommendations for the property are limited to very reasonable requests that do not penalize the store based on its location. He added that the store owner has been very cooperative.

Police recommendations for the property are as follows:

- Owner will clearly display, within 10 days and for the duration of the Board's jurisdiction, a 16x20 laminated sign stating that the property is under the jurisdiction of the Nuisance Abatement Board (NAB) and will be monitored by the City of Fort Lauderdale Police Department; one sign will be placed on each side of the building at minimum
- Owner will maintain a trespass affidavit on file with the Police Department and post No Trespassing signs on each side of the building within seven days
- Trespass warnings will be given to all persons arrested on the property for nuisance-related crimes by the owner, and a log of these warnings will be maintained by the owner
- Owner will ensure no persons loiter on the property at any time
- Owner will install/maintain a minimum of four exterior cameras, one on each side of the building, and at least one interior camera capturing entry/exit of patrons with recorders that can be monitored by management according to Code requirements; video will be available to the Police Department during business hours
- Owner will post surveillance warning signs on each side of the building within one week
- Owner will cease to use any gaming machines at the establishment
- Owner will remove all advertisements and products obstructing the front windows
- Owner will install exterior lighting that completely illuminates each side of the building and will maintain this lighting in good working order within seven days; illumination will be required from dusk to dawn
- Owner will remove any narcotic paraphernalia, including glass rose stems, rolling papers, jewelry bags, "Brassos," and "chore boys" from being sold from the store within seven days
- Owner will remove any tables and chairs from the exterior of the property
- Owner will maintain the property free of debris and trash

- Owner will conduct property checks at the location no less than once weekly and email the investigative detective weekly to advise of status and compliance with each item of this order, nuisance-related activity, trespasses, or any other concerns
- If any of these items are not complied with within the time frame set forth, a fine of \$250/day per item, not to exceed \$250/day, will be imposed for each day of noncompliance
- Owner or representative of the property will appear before the NAB at the March 2023 meeting; or, if no meeting occurs on that date, the succeeding NAB meeting for status hearings as well as all scheduled NAB meetings for the duration of jurisdiction unless otherwise notified by the investigative Detective
- The NAB will retain jurisdiction over the property for a period of one year from the date of this order

Det. Jones stated that he has reviewed these recommendations with the store owner, who has completed or is in the process of completing most of these items. No fines or investigative costs have been assessed at this time, as he did not feel they were applicable due to the level of cooperation and the location of the store.

Det. Jones reviewed photos of the property, observing that the volume of pedestrian traffic from the nearby bus terminal is related to most of the incidents at the store. There are no Code violations at the store. The owner has indicated he will stipulate to the Police recommendations on the record.

It was clarified that the individual representing the ownership at tonight's meeting, Mr. Othman, was not the owner of the property, but has a 20-year lease with four years remaining. There is additional space for lease on the property. Mr. Othman described issues that have affected the store, some of which occur on nearby public properties. Vice Chair Slotnick recommended that he call the Police when problems occur, adding that the No Trespassing signs may help. He also suggested that Mr. Othman reach out to the chair of the board of a local church that provides food to homeless individuals near the site.

Det. Jones advised that there have been inconsistent recommendations from different Police Commanders as well as from City Staff regarding how to solve some of the issues at the store. He felt having the site under the NAB's jurisdiction could help to clarify the City's position and the Police Department's goals. He also acknowledged that the store may have been blamed for nearby incidents in the past even if they did not occur at that site.

The Board further discussed the church activities in public areas that have affected the business, with Mr. Phaneuf pointing out that the church is required to secure clearance and/or a permit for their use of public space. Vice Chair Slotnick commented that the Police Department may wish to communicate with the church as well.

Motion made by Vice Chair Slotnick to accept One Stop to go under nuisance abatement with the recommendations outlined by the Detective and the Police.

Mr. Pemper requested clarification of how individuals who are arrested are informed they have been trespassed from the property. Det. Jones explained that the store has a trespass affidavit: the request means if a person is arrested on the site for any incident, the owner has authorized the Police Department to inform the person they are no longer welcome at the store. It was clarified that an individual does not have to be arrested to be trespassed from the property, and that the trespass order may be verbal.

Det. Jones advised that the Board Attorney has requested the owner stipulate that the property is a nuisance as well as to the Police recommendations. Mr. Othman stipulated to these two items.

Mr. Pemper **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously.

Det. Jones concluded that he has also met with the manager of the store, who has been very cooperative.

6. Board Discussion

There being no further business to come before the Board at this time, the meeting was adjourned at 7:48 p.m.

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

[Minutes prepared by K. McGuire, Prototype, Inc.]