

CITY OF COCONUT CREEK

CODE ENFORCEMENT FINE REDUCTION RECOMMENDATION COMMITTEE HEARING MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: December 5, 2017
Time: 11:30 a.m.
Hearing No. 2017-14

1. The meeting was called to order by Director of Sustainable Development Sheila Rose at 11:38 a.m.
2. Present upon roll call:

Assistant City Manager Karen Brooks
Assistant City Attorney Pat Rathburn
Director of Sustainable Development Sheila Rose

Also present: Senior Staff Assistant Amy Edwards, Code Compliance Supervisor Glenn Sime and Code Compliance Officer Winston Roberts.
3. Explanation of Proceedings
Code Compliance Supervisor Glenn Sime explained the proceedings.
4. **Cases**

Citation No.	Property Owner/Violator (New Owner) Address Violation	Violation Date
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Code Fine Reduction

C14090258	Cotton, Thomas	09/11/14
Roberts	5390 NW 41 Way Coconut Creek, FL 33073 Violation Address; 5390 NW 41 Way Chapter 13, Section 257 Sediment control violation, erosion of soil, sand, dirt into adjacent lake	

FINE \$18,750

ADMIN. FEE \$25

Code Compliance Officer Winston Roberts presented a brief timeline of the case. The fine accrued 250 days at \$75 per day with a one-time administrative fee of \$25, total fine amount of \$18,775.00.

Owner Thomas Cotton was present for case number C14090258. He explained he was incarcerated during a portion of the time that the fine was accruing. The property was brought into compliance by Winston Park Foundation.

C15070479	Cotton, Thomas	04/21/15
Roberts	5390 NW 41 Way Coconut Creek, FL 33073 Violation Address: 5390 NW 41 Way Chapter 13, Section 333 Failure to adhere to residential restrictions, rooms rented out to multiple tenants	

FINE \$13,000

ADMIN. FEE \$25

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Code Compliance Officer Winston Roberts presented a brief timeline of the case. The fine accrued 260 days at \$50 per day with a one-time administrative fee of \$25, total fine amount of \$13,025.00.

Owner Thomas Cotton was present for case number C15070479. He stated that he has stopped renting out rooms to tenants and has no plans to do so again.

Mr. Cotton asked if it would be possible for any fine to be paid in installments rather than in a lump sum. Ms. Rathburn advised that this would be unusual, and that the Special Magistrate would have to concur with a recommendation for an installment plan. She advised that in order to recommend an installment plan it would be necessary for Mr. Cotton and the City to enter into a settlement agreement which would form part of the recommendation to the Special Magistrate. The Settlement agreement would provide that in the event of any default in payment, or a recurrence of violation, that the fine would revert back to the original amount. Mr. Cotton agreed to these terms and Ms. Rathburn advised she would draft a settlement and circulate same in advance of the Special Magistrate' January 2018 meeting.

With unanimous consent the Committee agreed to consider cases C14090258 and C15070479 at the same time under one (1) motion.

Motion: Karen Brooks made a motion to reduce the total fine amount for cases C14090258 and C15070479 to the amount of \$14,350 with a \$50 administrative fee making the total fine amount \$14,400. This would be paid over 48 months, \$300 each month. A Stipulated Settlement Agreement incorporating the terms discussed at the meeting will be drafted and brought before the Special Magistrate. Pat Rathburn seconded this motion.

Upon roll call, the motion passed by a 3-0 vote.

Mr. Sime explained the fine reduction recommendation for the case would go before the Special Magistrate on January 24, 2018 at 2:30 p.m. He explained that if the Special Magistrate concurs with the Code Enforcement Fine Reduction Recommendation Committee, the fine would be set at the reduced fine amount as long as the fine is paid either within thirty (30) days from the Special Magistrate hearing or as agreed in a stipulated settlement between Mr. Cotton and the City and then the case would be closed. If the fine is not paid within thirty (30) days after the Special Magistrate hearing or as agreed in a stipulated settlement between Mr. Cotton and the City, the fine would revert back to the original fine amount.

5. ADJOURNMENT

The meeting was adjourned at 12:13 p.m.


Amy Edwards, Senior Staff Assistant


date signed