

CITY OF COCONUT CREEK

CODE ENFORCEMENT FINE REDUCTION RECOMMENDATION COMMITTEE HEARING MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: August 2, 2022
Time: 11:30 a.m.
Hearing No. 2022-05

1. The meeting was called to order by Assistant Director of Sustainable Development Justin Proffitt at 11:34 a.m.

2. Present upon roll call:

Deputy City Manager Sheila Rose
Director of Finance and Administrative Services Peta-Gay Lake
Assistant Director of Sustainable Development Justin Proffitt
City Attorney Terrill Pyburn

Also present: Community Enhancement Manager Dan Nelson, Senior Code Compliance Officer Briana Capone and Senior Staff Assistant Daniella Thomas.

Assistant Director of Sustainable Development Justin Proffitt explained that the meeting was being conducted live with a quorum physically present and explained the procedures for public participation and comment for the meeting.

3. Approval of Minutes: Hearing No. 2022-04 for May 3, 2022.

Motion: Deputy City Manager Sheila Rose made a motion to approve the Minutes from Hearing No. 2022-04. The motion was seconded by Director of Finance and Administrative Services Peta-Gay Lake. Upon unanimous voice vote, the Minutes were approved without corrections or deletions.

4. Explanation of Proceedings:
Senior Code Compliance Briana Capone explained the proceedings.

5. **Cases**

Citation No.	Property Owner/Violator (New Owner) Address Violation	Violation Date
<u>Code Fine Reduction</u>		
C14090258	Cotton, Thomas	09/11/14
Capone	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~~
FINE \$17,487.20

ADMIN. FEE \$25

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Senior Code Compliance Officer Briana Capone presented a brief timeline for case number C14090258. There was a total of 31 staff hours spent on this case. Senior Code Compliance Officer Briana Capone presented that the fine for case number C14090258 accrued for 250 days at \$75.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$18,775.00.

Thomas Cotton, owner of the property was present for case number C14090258. He explained that he was incarcerated, went through a divorce and bankruptcy and was unable to pay the original agreed upon amount. He stated that during his bankruptcy we received a payment of \$1,287.80 and asked for another settlement agreement. The property was brought into compliance by Winston Park Foundation.

<u>C15040479</u>	Cotton, Thomas	04/21/15
Capone	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~~

FINE \$11,731.21

ADMIN. FEE \$25

Senior Code Compliance Officer Briana Capone presented a brief timeline for case number C15040479. There was a total of 31 staff hours spent on this case. Senior Code Compliance Officer Briana Capone presented that the fine for case number C15040479 accrued for 260 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$13,025.00.

Thomas Cotton, owner of the property was present for case number C15040479. He explained that he was incarcerated, went through a divorce and bankruptcy and was unable to pay the original agreed upon amount. He stated that during his bankruptcy we received a payment of \$1,287.79 and asked for another settlement agreement. The property was brought into compliance by Winston Park Foundation.

The board clerk, Daniella Thomas made a correction on the record for the fine amounts for each case.

Motion: Deputy City Manager Sheila Rose, after hearing the cases C14090258 and C15040479 on the subject property, made a motion to reduce the aggregated fines to a total of \$12,000.00 inclusive of the administrative fee. This would be paid over 12 months, \$1,000.00 each month. The agreed upon amount would be paid by the 10th of every month and if the payment lapses over 5 days the fines will revert back to the lien amount filed with Broward County. The motion was seconded by Director of Finance and Administrative Services Peta-Gay Lake.

Mr. Cotton agreed to the proposed motion and asked for the payment date to be changed to the 15th of every month.

Motion: Deputy City Manager Sheila Rose, amended her motion to include that the agreed upon amount would be paid by the 15th of every month and if the payment lapses over 5 days the fines will revert back to the lien amount filed with Broward County. The motion was seconded by Director of Finance and Administrative Services Peta-Gay Lake.

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

Senior Code Compliance Officer Briana Capone stated that the Settlement Agreement would need to be signed by The City of Coconut Creek and Mr. Thomas Cotton and then presented before the Commission.

City Attorney Terrill Pyburn explained that the Settlement Agreement for both cases will go before the Commission on September 8, 2022.

6. ADJOURNMENT

The meeting was adjourned by unanimous consent at 12:09 p.m.

Daniella Thomas, Senior Staff Assistant

date signed