

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JANUARY 18TH, 2006

Members Present: James Starkweather Emile Amedee Jose Vera
Abel Ramirez Benjamin S. Essien Kevin Deeb
Carlos Naumann

Absent: Alberto Milian James Cueva, C Gordon Loader, VC

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, January 18th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Kevin Deeb, requested a motion to approve and accept the minutes of the December 14th, 2005 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034457U	1475 NE 111 Street
DC2005050315U	8403 NW 25 Avenue
DC2006093900U	11190 Biscayne Blvd.
DC2006093901U	11190 Biscayne Blvd.
DC2006093902U	11150 Biscayne Blvd.
DCF2005104670U	1900 NW 75 Street, #1
DCF2005104739U	3250-54 NW 38 Street, #1
DCF2005104800U	495 NE 83 Street, #1
DCF2005104820U	7150 SW 23 Street, #1
DCF2005104847U	4180 SW 74 Court, #1
DCF2005104923U	10030 W. Indigo Street, #1
DCF2005104950U	26920 SW 145 Avenue, #1
DCF2005105013U	658 NW 100 Street, #1
DCF2005105080U	8250 N. Miami Avenue, #1
DCF2005105085U	6728 NW 18 Avenue, #1
DCF2005105118U	2145 NW 32 Avenue, #2
DCF2005105303U	285 NE 191 Street
DCF2005105304U	245 NE 191 Street
DCF2005105305U	300 NE 191 Street

UNSAFE STRUCTURES BOARD HEARING MINUTES OF February 15TH, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Jose Vera Abel Ramirez
Benjamin S. Essien Carlos Naumann

Absent: Alberto Milian Kevin Deeb

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, February 15th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the January 18th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034779U	22419 South Dixie Highway
DC2005036602U	8248 NW 22 Avenue
DC2006066929U	11770 SW 110 Lane
DCF2005104684U	1337 NW 77 Street, #1
DCF2005104694U	8460 NW 7 Avenue, #1
DCF2005104695U	8400 NW 7 Avenue, #1
DCF2005104927U	10235 SW 186 Street, #1
DCF2005104940U	21845 Goulds Avenue, #1
DCF2005104979U	11510 NE 2 Avenue, #1
DCF2005105039U	8750 NW 27 Avenue, #1
DCF2005105302U	270 NE 191 Street
DCF2005105306U	19000 NE 3 Court

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2005104615U	1301 NE 111 Street, #1
DCF2005105394U	7500 NW 22 Avenue, #1

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred**:

Unincorporated Miami-Dade County:

DCF2005104562U	18584-86-88-90 NE 2 Avenue, #1
DCF2005104672U	2230 NW 76 Street, #1
DCF2005105124U	3350 NW 21 Street, #1
DCF2005105318U	4550 SW 67 Avenue
DCF2005105351U	8226-28 NW 2 Court, #1

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DCF2005104785U	3199 NW 20 Street, #1
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Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Errickson gave an account for structure and recommended a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s)."

Mr. Carlos de la Rionda, Property Manager, stated that a report was submitted to the Building Department. He informed the Board that the Engineer submitted a letter to the Building Department indicating that it is not necessary to obtain a permit to repair the minor items. Mr. de la Rionda then informed the Board that they are waiting on the final inspection to be performed.

After some discussion, Mr. Ramirez moved that "case shall be deferred for sixty (60) days per the Unsafe Structures Board." Mr. Starkweather seconded the motion.

Annual Voting for Chairman & Vice-Chairman

The Board acknowledged the Election of Chairman and Vice Chairman for the Unsafe Structures Board on the agenda.

Mr. Herminio Gonzalez thanked all the Board members for all their hard work over the years and stated that he really appreciated them for taking time to contribute to the Unsafe Structures Board.

Mr. Starkweather then elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Essien seconded the motion.

Mr. Cueva and Mr. Loader thanked everyone for all their kind words and acknowledged the extraordinary contributions of his fellow Board members for over the last 12 months where they faced significant challenges. Specifically, he related to the limited number of Board members that have required a hundred percent attendance from all of them, which is an extraordinary commitment.

Mr. Gonzalez then administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Mr. Spencer Errickson informed the Board that the Unsafe Structure Board Panel is for Residential & Duplex Structures. He also informed the Board the ordinance requested that an Unsafe Structures Board Member appear at these hearing.

Ms. Kathy Charles provided the members the hearing dates of the Building Department Panel.

Mr. Loader appointed Mr. Starkweather to represent the Unsafe Structures Board.

There being no further business, the meeting was adjourned at 2:30 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2005104552U	950 SW 57 Avenue, #1
DCF2005104610U	10999 Biscayne Blvd., #1
DCF2005104690U	7171 NW 12 Avenue, #1
DCF2005104850U	5810 SW 57 Avenue, #1
DCF2005104851U	5810 SW 57 Avenue, #2
DCF2005104852U	5960 SW 57 Avenue, #1

City of Miami:

M05-062	2364 SW 11 Terrace
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Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104921U	10300 SW 162 Street, #1
DCF2005104922U	11101 SW 184 Street, #3
DCF2005105261U	27940 S. Federal Hwy., #3

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Deeb requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Deeb informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then informed the Board that there were no cases to be heard by the Unincorporated Miami-Dade and City of Miami, Unsafe Structures Unit.

The Board acknowledged the Election of Chairman and Vice Chairman for the Unsafe Structures Board on the agenda and decided to vote at its next hearing date of Wednesday, February 15th, 2006.

There being no further business, the meeting was adjourned at 1:50 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF March 15TH, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Jose Vera Abel Ramirez
Benjamin S. Essien Carlos Naumann Kevin Deeb

Absent: Alberto Milian

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Jannett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, March 15th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the February 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034278U	12261 SW 130 Street
DC2005034898U	3540 NW 103 Street
DC2005050041U	14909 SW 104 Street, #18-12
DCF2004104013U	15721 NW 7 Avenue, #01
DCF2005104581U	12801 NW 27 Avenue, #2
DCF2005104582U	12601 NW 27 Avenue, #1
DCF2005104648U	2075 NW 99 Terrace, #1
DCF2005104726U	4240 NW 27 Avenue, #1
DCF2005104735U	3235 NW 37 Street
DCF2005104740U	3230-34 NW 38 Street, #1
DCF2005104998U	11115 NE 13 Avenue, #1
DCF2005105082U	6309 NW 18 Avenue, #1
DCF2005105122U	3315 NW N. River Drive, #1
DCF2005105342U	7401 NW 32 Avenue, #1

City of Miami:

M06-005 1757 NW 51 Terrace

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DC2005034329U	3580 NW 54 Street
DCF2005104578U	2601 NW 119 Street, #2
DCF2005104974U	10895 NW 7 Avenue, #1
DCF2005105261U	27940 S. Federal Hwy., #3

DCF2005105344U 7301 NW 36 Court, #1
DCF205105369U 900 Lejeune Road, #1
DCF2005105378U 19301 SW 127 Avenue, #1

City of Miami:

M06-001 38 NE 50 Street
M06-002 1335 SW 4 Street
M06-003 1503 NW 66 Street
M06-004 1601 NW 43 Street

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2001102437U 2751 NW 91 Street

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DCF2005105335U 4225 NW 72 Avenue, #1

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “a 40 year recertification report in the format required by the Miami-Dade County Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property

owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Mohammed Dalbani, Owner, gave the status of the structures and indicated that his intent is to sale the property in the condition that it is in and the new owners will do all the necessary repairs. Mr. Dalbani then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dalbani answered “yes.”

Mr. Essien then suggested to owner to hire a good Engineer.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Dalbani replied that it can take up to 180 days to bring the property up to code.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within seventy-five (75) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Mr. Cueva informed the Board that James Starkweather was appointed to attend the Unsafe Structure Board Panel for Residential & Duplex Structures. He then inquired what took place at the Board Hearing.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 19th, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Abel Ramirez Benjamin S. Essien
Carlos Naumann Kevin Deeb

Absent: Alberto Milian Jose Vera

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:36 P.M. on Wednesday, April 19th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the March 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104468U	8000 SW 107 Avenue, #11
DCF2005104595U	19400 W. Dixie Hwy., #1
DCF2005104657U	3000 NW 73 Street, #1
DCF2005104958U	29501 SW 152 Avenue, #1
DCF2005105156U	8000 SW 107 Avenue, #23
DCF2005105157U	8000 SW 107 Avenue, #10
DCF2005105307U	250 NE 191 Street

City of Miami:

M06-006	420 NW 40 Street
M06-010	1911 Coral Gate Drive
M06-011	5595 NW 17 Avenue

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104317U	601 NE 107 Street, #9
DCF2004104388U	16600 S. Dixie Hwy., #01
DC2006094852U	3901 SW 112 Avenue

City of Miami:

M06-009	1343 NW 1 Street
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City of Coral Gables:

CG2006-01	737 Valencia Avenue
CG2006-03	114 Menores Avenue
CG2006-10	1514 Salzedo Street
CG2006-11	24 Sidonia Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables, Village of Virginia Gardens and City of Miami case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104943U	15585 SW 232 Street, #1
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City of Miami:

M06-008	1210 NE 1 Avenue A/K/A 1208 NE 1 Avenue
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City of Coral Gables:

CG2006-02	110 Sidonia Avenue
CG2006-04	118 Menores Avenue
CG2006-05	223 Phoenetia Avenue
CG2006-06	222 Phoenetia Avenue
CG2006-07	230 Salamanca Avenue
CG2006-08	5410 W 8 Street
CG2006-09	2334 Ponce de Leon Blvd.
CG2006-13	219 Miracle Mile
CG2006-14	101 Grand Avenue
CG2006-15	203 University Drive
CG2006-16	119 Grand Avenue
CG2006-18	300-04-08 Majorca Avenue
CG2006-20	119 Antiquera Avenue
CG2006-21	131 Antiquera Avenue
CG2006-22	2603 Ponce de Leon Blvd.
CG2006-23	35 Sidonia Avenue
CG2006-24	449 Anastasia Avenue
CG2006-25	230 Phoenetia Avenue

Village of Virginia Gardens:

VG2006-01	3660 NW 37 Terrace
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The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-12

1200 Anastasia Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. John Dronzek, Representative of Owner, gave the status of the structures and indicated that the owner’s intent is to do all the necessary repairs. Mr. Dronzek then requested for additional time.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dronzek answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Dronzek answered that it was 3 months ago.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The

application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension. The Unsafe Structures Board shall retain jurisdiction." Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-17

100 Giralda Avenue

Mr. Manuel Lopez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that "a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private

contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Ms. Gail Ackerman, Owner, gave the status of the structures and indicated that she is in agreement with the Building Official. She then requested additional time to submit the 40-year recertification. Ms. Ackerman then asked the Board what steps to take to resolve the problem.

After some discussion, Mr. Essien moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within ninety (90) days from the date of obtaining the permit. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-19

245 Altara Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Ray Castellanos, Representative of Owner, gave the status of the structures and indicated that the owner is in the process to sale the property. He informed the Board that there is a potential buyer and plan to close in June. Mr. Castellanos stated that the new owner will purchase the property in the condition that it is in and will do all the necessary repairs. He then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if there is another plan if the sale doesn’t go through and how long does he need to submit the recertification.

Mr. Castellanos answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Castellanos answered that it was 3 months ago.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Castellanos replied that it can take up to 180 days to bring the property up to code if the sale doesn’t go through.

After some discussion, Mr. Loader moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification

report. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred fifty (150) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Bi-Annual Review Report

Mrs. Kathy Charles, Building Code Compliance Office, provided the Unsafe Structures Board with general information on the 2004-05 Bi-Annual Review Report. She informed the Board that item #6 of the General Information Section is an addition to the Bi-Annual Review Report. Mrs. Charles then read the outline of the Mission Statement to the Board and stated that they could reword at their discretion.

The Board did not object to the Mission Statement, but made modification to items #4 & #6 of the Evaluation Criteria Section. They indicated that the member vacancies of the Unsafe Structures Board should appear on the attached list as to how long the vacancy was open. The Board then suggested to striking out the last sentence of the 1st and 2nd paragraph of item #6 of the Evaluation Criteria Section.

A motion was made by Mr. Deeb to accept the amendments of the 2004-05 Bi-Annual Review report of the Unsafe Structures Board. The motion was seconded by Mr. Starkweather.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:10 P.M. and seconded by Mr. Amedee.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF May 17th, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Abel Ramirez Benjamin S. Essien Carlos Naumann
Jose Vera

Absent: Alberto Milian Kevin Deeb

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:36 P.M. on Wednesday, May 17th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the March 15th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104468U	8000 SW 107 Avenue, #11
DCF2005104595U	19400 W. Dixie Hwy., #1
DCF2005104657U	3000 NW 73 Street, #1
DCF2005104958U	29501 SW 152 Avenue, #1
DCF2005105156U	8000 SW 107 Avenue, #23
DCF2005105157U	8000 SW 107 Avenue, #10
DCF2005105307U	250 NE 191 Street

City of Miami:

M06-006	420 NW 40 Street
M06-010	1911 Coral Gate Drive
M06-011	5595 NW 17 Avenue

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DCF2004104317U	601 NE 107 Street, #9
DCF2004104388U	16600 S. Dixie Hwy., #01
DC2006094852U	3901 SW 112 Avenue

City of Miami:

M06-009	1343 NW 1 Street
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City of Coral Gables:

CG2006-01	737 Valencia Avenue
CG2006-03	114 Menores Avenue
CG2006-10	1514 Salzedo Street
CG2006-11	24 Sidonia Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Coral Gables, Village of Virginia Gardens and City of Miami case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2005104943U	15585 SW 232 Street, #1
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City of Miami:

M06-008	1210 NE 1 Avenue A/K/A 1208 NE 1 Avenue
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City of Coral Gables:

CG2006-02	110 Sidonia Avenue
CG2006-04	118 Menores Avenue
CG2006-05	223 Phoenetia Avenue
CG2006-06	222 Phoenetia Avenue
CG2006-07	230 Salamanca Avenue
CG2006-08	5410 W 8 Street
CG2006-09	2334 Ponce de Leon Blvd.
CG2006-13	219 Miracle Mile
CG2006-14	101 Grand Avenue
CG2006-15	203 University Drive
CG2006-16	119 Grand Avenue
CG2006-18	300-04-08 Majorca Avenue
CG2006-20	119 Antiquera Avenue
CG2006-21	131 Antiquera Avenue
CG2006-22	2603 Ponce de Leon Blvd.
CG2006-23	35 Sidonia Avenue
CG2006-24	449 Anastasia Avenue
CG2006-25	230 Phoenetia Avenue

Village of Virginia Gardens:

VG2006-01	3660 NW 37 Terrace
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The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-12

1200 Anastasia Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. John Dronzek, Representative of Owner, gave the status of the structures and indicated that the owner’s intent is to do all the necessary repairs. Mr. Dronzek then requested for additional time.

Mr. Cueva asked the owner if reports were submitted by an Engineer.

Mr. Dronzek answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Dronzek answered that it was 3 months ago.

After some discussion, Mr. Deeb moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The

application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension. The Unsafe Structures Board shall retain jurisdiction." Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-17

100 Giralda Avenue

Mr. Manuel Lopez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that "a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the Miami-Dade Building Department's Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private

contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Ms. Gail Ackerman, Owner, gave the status of the structures and indicated that she is in agreement with the Building Official. She then requested additional time to submit the 40-year recertification. Ms. Ackerman then asked the Board what steps to take to resolve the problem.

After some discussion, Mr. Essien moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification report. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within ninety (90) days from the date of obtaining the permit. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of Coral Gables, Unsafe Structures Unit.

City of Coral Gables Case:

CG2006-19

245 Altara Avenue

Mr. Manuel Lopez, Building Officials, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lopez gave an account for structure and recommended that “a 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer’s or architect’s 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon the property owner’s failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s).”

Mr. Ray Castellanos, Representative of Owner, gave the status of the structures and indicated that the owner is in the process to sale the property. He informed the Board that there is a potential buyer and plan to close in June. Mr. Castellanos stated that the new owner will purchase the property in the condition that it is in and will do all the necessary repairs. He then requested additional time for the sale of the property to go through.

Mr. Cueva asked the owner if there is another plan if the sale doesn’t go through and how long does he need to submit the recertification.

Mr. Castellanos answered “yes.”

Mr. Essien then asked how long had he known about the recertification

Mr. Castellanos answered that it was 3 months ago.

Mr. Cueva asked the owner how much time was needed to conduct the repairs.

Mr. Castellanos replied that it can take up to 180 days to bring the property up to code if the sale doesn’t go through.

After some discussion, Mr. Loader moved that “said structure(s) are to be secured within five (5) working days. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. A 40 year recertification report in the format required by the City of Coral Gables Building Department prepared by a Florida registered professional engineer or architect must be submitted to the City of Coral Gables Building Department’s Unsafe Structures Unit within ninety (90) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and or electrical permit must be submitted to the City of Coral Gables Building Department within forty-five (45) days from the date of submission of the 40 year recertification

report. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from the date of the submission of the application and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred fifty (150) days from the date of obtaining the permit. Upon the property owner's failure to comply with any of the requirements of this Agreement the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). If the property owner fails to obtain a Certificate of Occupancy for the building(s) or structure(s) within 90 days from today, then the Building Official shall be revoke the Certificate of Occupancy. If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadlines set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion:

Bi-Annual Review Report

Mrs. Kathy Charles, Building Code Compliance Office, provided the Unsafe Structures Board with general information on the 2004-05 Bi-Annual Review Report. She informed the Board that item #6 of the General Information Section is an addition to the Bi-Annual Review Report. Mrs. Charles then read the outline of the Mission Statement to the Board and stated that they could reword at their discretion.

The Board did not object to the Mission Statement, but made modification to items #4 & #6 of the Evaluation Criteria Section. They indicated that the member vacancies of the Unsafe Structures Board should appear on the attached list as to how long the vacancy was open. The Board then suggested to striking out the last sentence of the 1st and 2nd paragraph of item #6 of the Evaluation Criteria Section.

A motion was made by Mr. Deeb to accept the amendments of the 2004-05 Bi-Annual Review report of the Unsafe Structures Board. The motion was seconded by Mr. Starkweather.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:10 P.M. and seconded by Mr. Amedee.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF June 21st, 2006

Members Present: James Cueva, C James Starkweather Abel Ramirez
Benjamin S. Essien Carlos Naumann Jose Vera
Kevin Deeb Emile Amedee

Absent: Alberto Milian Gordon Loader, VC

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:26 P.M. on Wednesday, June 21st, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the May 17th, 2006 Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2005036726U	10845 East Dixie Highway
DC2006050917U	2121 NW 119 Street
DCF2005104939U	21831 Goulds Avenue, #1
DCF200607609U	14260 SW 136 Street, #10
DCF2005105319U	7713 SW 88 Street
DCF2005105436U	18720 NE 18 Avenue, #2
DCF2005105437U	18740 NE 18 Avenue, #3
DCF2005105438U	18760 NE 18 Avenue, #4
DCF2005105439U	18780 NE 18 Avenue, #5

City of Miami:

M06-012	64 NW 28 Street
M06-013	328 NE 28 Street
M06-015	1741 NW 1 Court

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DC2005050291U	468 NE 206 Lane
DCF2005104681U	777 NW 79 Street, #1
DCF2005104743U	3901 NW 29 Avenue
DCF2005104807U	7850 SW 8 Street, #1
DCF2005105389U	10777 NW 36 Avenue, #2

City of Miami:

M06-018

5203 NW 5 Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DC2006081964U

1398 NW 79 Street Club House

City of Miami:

M06-014

436 NE 29 Street

M06-016

3025 Elizabeth Street

M06-017

3801 Thomas Avenue A/K/A 3801-03 Thomas Avenue

The cases and photographs were submitted to the Board for review as called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Status Report: Turner Guilford Knight Correctional Center

Mr. Cueva then announced that a status report of the (TGK) will be presented by Mr. Jose Perez, GSA.

Mr. Jose Perez, GSA, informed the board of the status of the Turner Guilford Knight Correctional Center (TGK). He stated that it had been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Mr. Perez proceeded to inform the Board that a contractor was hired, but was disqualified because he did not make the bid. He then indicated that the bid for sealing the hose for penetration has been tentatively scheduled for September 2006.

Mr. Perez further added that it would be a two year process once the bid is authorized, because the plans have to be reviewed prior to starting the repairs. He also informed the Board that there are 20 pods in the facility and it depends on the amount of crew to determine how long it will take to complete each pod, which could take up to a month to complete each one.

Mr. Cueva then asked Mr. Spencer Errickson how does their department feels about the projected timeframes. He also asked if they were on schedule with the timelines that were submitted to the Board.

Mr. Spencer Errickson, Building Inspector Supervisor, Building Department, replied “yes” based on the plans that were submitted to their office. He then informed the Board that the testing of the fire alarm must be completed prior to any repairs.

After much discussion, Mr. Deeb moved that “all repairs must be completed by June 24th, 2008 and a status report shall be provided to the Unsafe Structures Board on a quarterly basis until compliance is made. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction to consider in its discretion any petition relating to the enforcement of this order including the granting of additional time to obtain required permits.” Mr. Amedee seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Herminio Gonzalez informed the Unsafe Structures Board members that the Financial Disclosure needed to be submitted by July.

Mr. Cueva announced that Mr. Alberto Milian indicated to him that he will be submitting a resignation letter to the Board.

Mr. Glenn Saks, Assistant County Attorney, then informed the Board that a Proposed Revised Board Order for 40-year recertification structures was pointed out by Mr. Loader.

After some discussion, the Board decided to address the Proposed Revised Board Order at its next Board hearing.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:20 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JULY 19TH, 2006

Members Present: Kevin Deeb, Benjamin S. Essien, Carlos A. Naumann, James Starkweather, Jose Vera

Excused: Emile Amedee, James Cueva, Gordon Loader, Abel Ramirez

Staff: Jorge Gamoneda, Acting Secretary of the Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Janice Aguirre, Official Court Reporting Services

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:05 P.M. on Wednesday, July 19th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Jorge Gamoneda informed the Building Officials and appellants that, due to the lack of a quorum, the hearing would have to be postponed. He apologized for any inconvenience and then indicated that these agenda items would be heard at the next hearing date of September 20th, 2006. It was stated that the cases that were agreed upon would be ratified at the next scheduled Unsafe Structures Board Hearing.

The meeting was adjourned at 1:15 P.M.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JULY 19TH, 2006

Members Present: Kevin Deeb, Benjamin S. Essien, Carlos A. Naumann, James Starkweather, Jose Vera

Excused: Emile Amedee, James Cueva, Gordon Loader, Abel Ramirez

Staff: Jorge Gamoneda, Acting Secretary of the Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Janice Aguirre, Official Court Reporting Services

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:05 P.M. on Wednesday, July 19th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Jorge Gamoneda informed the Building Officials and appellants that, due to the lack of a quorum, the hearing would have to be postponed. He apologized for any inconvenience and then indicated that these agenda items would be heard at the next hearing date of September 20th, 2006. It was stated that the cases that were agreed upon would be ratified at the next scheduled Unsafe Structures Board Hearing.

The meeting was adjourned at 1:15 P.M.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF September 20th, 2006

Members Present: James Cueva, C James Starkweather Abel Ramirez
Benjamin S. Essien Carlos Naumann Kevin Deeb
Jose Vera

Absent: Gordon Loader, VC Emile Amedee

Staff: Alvaro Cosculluela, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:26 P.M. on Wednesday, September 20th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the June 21, 2006 and July 19, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2006095854U	1395 NW 57 Avenue
DCF2005104677U	7999 NW 23 Avenue, #1
DCF2005104692U	810 NW 72 Street, #2
DCF2005104917U	13301 SW 87 Avenue, #1

City of Miami:

M06-019	1855 NW 48 Street
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

DC2006094081U	303 NE 187 Street
DC2006097899U	5750 NW 32 Avenue
DCF2005104700U	5575 NW 27 Avenue, 1 - #2501

City of Miami:

M06-020	4846 NW 16 Avenue
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Mr. Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Hialeah cases were **Withdrawn/Deferred**:

Unincorporated Miami-Dade County:

DCF2005104611U	1326 NE 110 Street, #1
DCF2005104678U	2275 NW 79 Street, #2

City of Hialeah:

H2006-3258	5368 W 23 Lane
H2006-3260	5366 W 23 Lane
H2006-3823	350 E 40 Street / 335 E 39 Place
H2006-4504	3535 W 14 Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Sunny Isles Beach, Unsafe Structures Unit.

Unincorporated Miami-Dade County:

US20060630	17749 Collins Avenue
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Mr. Clayton Parker, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Parker gave an account for structures and recommended that “said structures shall be demolished by an individual qualified to obtain a demolition permit within sixty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible and the Unsafe Structures Board does not retain jurisdiction.”

Mr. Augusto Maxwell, Attorney with law firm of Ackerman Senterfit, gave the status of the structures and requested that the Board uphold the Building Official’s recommendation because the building is unsafe.

Mr. Parker explained to the Board that his calculations are based on the property as being one facility. He further explained that the roof and the second floor have a large amount of damage. Mr. Parker then informed the Board that the building is not feasible to save because it has over 50 percent of damage.

Mr. Cueva asked if the property is feasible to be saved.

Mr. Gary Phillip answered “that an Engineer will have to determine if that is possible.”

Mr. Dean Carlson, Engineer of Carlson Engineering, explained to the Board the major structural problems to the building. He then informed the Board that the building is not feasible to be saved.

Mr. John Pistorino, Pistorino & Allen Consultant Engineers, informed the Board that there are three actual residential buildings with different types of construction. He then informed the Board that there is no way that the buildings could be repaired, rebuilt or restored. Mr. Pistorino enlightened the Board that it is cost efficient to tear them down and rebuild.

Ms. Rebecca Henderson, Attorney, stated that she represents the 36 unit owners of the condominium, who would like to demolish the property and build a highrise so that they can invest. She informed the Board that the owners have owned the property for 20 years and would like to repair the property. Ms. Henderson then requested that the Board give the unit owners an opportunity to repair the property.

Mr. James Starkweather, Board Member, asked if the front of the property was built separate.

Mr. Mark Shore, Attorney, answered that he is not certain if they were, but they treat them as separate buildings.

Mr. Maxwell explained to the Board the unsafe condition of the building. He then requested that the Board render a demolition order on this property.

After some discussion, Mr. Ramirez moved that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. “Said structures (A) & (E) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures (A) & (E) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (B), (C), (D) & (F) shall be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

Motions passed 4 to 3. (Mr. Deeb, Mr. Benjamin and Mr. Naumann were opposed)

(For a verbatim version, please refer to the transcripts)

Mr. Cosculluela then called forth the second case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

City of Miami Springs:

MS2006-1

13 South Royal Poinciana Boulevard

Mr. Edwin Reed, Building Official, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Reed gave an account of the structure and recommended that “Said structure shall be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Yamile Camino, Owner, gave the status of the property and then requested additional time to repair the property.

Mr. Cueva asked how much time is needed to comply.

Ms. Camino answered that she needs at least 90 days.

After some discussion, Mr. Starkweather moved that “Said structure(s) shall be secured within five (5) working days. The following securing method is approved: Fencing. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

TGK Status Report

After some discussion, Mr. Starkweather made a motion to accept the report that was prepared by General Services Administration on behalf of the Department of Corrections. The Unsafe Structures Board accepted the status report of the completion of all repairs for the structure that was submitted to the Board from Turner Guilford Knight Correctional Center (TGK). All repairs must be completed by June 24th, 2008 and a status report shall be provided to the Unsafe Structures Board on a quarterly basis until compliance is made. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction to consider in its discretion any petition relating to the enforcement of this order including the granting of additional time to obtain required permits. Mr. Deeb seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Deeb to adjourn the meeting at 4:10 P.M. and seconded by Mr. Naumann.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF October 18th, 2006

Members Present: Gordon Loader, VC James Starkweather Kevin Deeb
Benjamin S. Essien Carlos Naumann Emile Amedee
Jose Vera

Absent: James Cueva, C Abel Ramirez

Staff: Alvaro Cosculluela, Secretary
Daniel Frastai, Assistant County Attorney
Latisha Byrd, Recording Secretary

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, October 18th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader, requested a motion to approve and accept the minutes of the September 20th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Alvaro Cosculluela then announced that the following Unincorporated Miami-Dade County case have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC2006093935U 18900 NE 3 Court

Mr. Cosculluela then announced that the following City of Miami cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

M06-022 1942 NW 2 Court

Mr. Cosculluela then announced that the following City of Miami case was **Withdrawn/Deferred:**

City of Miami:

M06-023 3098 SW 16 Terrace

The cases and photographs were submitted to the Board for review and were called by Mr. Cosculluela.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cosculluela then called forth the first case to be heard by the City of Hialeah, Unsafe Structures Unit.

City of Hialeah:

H2006-3258

5368 West 23rd Lane

H2006-3260

5366 West 23rd Lane

Mr. Juan Guterrez, Building Official, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Guterrez gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Carlos Naumann, Unsafe Structures Board Member, informed the Board that he works for the City of Hialeah. He then excused himself from the hearing due to a conflict of the two cases.

Mr. Daniel Frastai, County Attorney, suggested that the Board to hear the cases at its next meeting, due to lack of Board Member quorum.

Ms. Latisha Byrd, Recording Secretary, informed the Board that the submittal for all cases to be heard on the agenda for the next hearing had already passed its case submittal deadline. She then informed the Board that it can be heard on the agenda for the December meeting.

After some discussion, Mr. Deeb moved that “Case shall be deferred to the December 13th, 2006 hearing due to lack of Board Member quorum to hear this case.” Mr. Starkweather seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Vice Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cosculluela then called forth the second case to be heard by the City of Miami, Unsafe Structures Unit.

City of Miami:

M06-021

420 NW 40 Street

Mr. Cedric Mar, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Mar gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vane Eubanks, Owner, gave the status of the structures and indicated that his intent is to do all the necessary repairs to bring the property up to code, but needed additional time. He then expressed to the Board how important the church is needed in the community.

Mr. Loader asked how long would it take to do the repairs.

Mr. Sonny Wright answered that an Engineer will have to determine the timeline. He then proceeded to ask the Board once again for additional time.

Mr. Loader asked how much does it cost to do all the necessary repairs to the building.

Mr. Wright answered that no exact figures has been given, but they are in the process of raising funds to rebuild.

Mr. Starkweather asked how long had the building been vacant.

Mr. Eubanks answered that the church had been vacant for 10 years.

Mr. Essien then asked why hasn't any repairs been done for 10 years.

Mr. Wright answered that they did not know what direction to get assistance from, but at this present time they have a source to assist them to do all the repairs.

Mr. Loader asked how much time is needed.

Mr. Wright answered that a Contractor hasn't determined the estimate of time as of yet.

Mr. Loader then suggested that they come back with a plan to indicate the timelines.

After some discussion, Mr. Starkweather moved that "The Unsafe Structures Board grant a sixty (60) days extension from the date of hearing. A status report shall be provided to the Unsafe Structures Board indicating the cost of all repairs. Plans must be prepared by an Architect/Engineer or a qualified individual with the timelines of the completion for the repairs. If any of the above conditions are not complied with, the Unsafe Structures Board shall uphold the Building Official recommendation. Said structure(s) shall be secured within five (5) working days to the satisfaction of the enforcing municipality. The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. If structure is not secured within five (5) working days, said structure shall be demolished by the enforcing municipality within thirty (30) days from today." Mr. Deeb seconded the motion.

Mr. Cosculluela administered a roll call vote as requested by the Vice Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:50 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF December 13th, 2006

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Kevin Deeb Abel Ramirez Benjamin S. Essien
Carlos Naumann Emile Amedee Jose Vera

Staff: Herminio Gonzalez, Secretary
Glenn Saks, Assistant County Attorney
Latisha Byrd, Recording Secretary

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, December 13th, 2006, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the October 18th, 2006 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County case have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

DC20060100426U 7930 NW 10 Avenue
DCF2006106036U 1325 NE 111 Street, #1

Mr. Gonzalez then announced that the following City of Miami and City of Opa-Locka cases have made **No Contest/No Show with the Building Official:**

Unincorporated Miami-Dade County:

M06-024 1540 NW 2 Avenue
M06-025 6802 NW 3 Avenue

City of Opa-Locka:

OP2006-001 911 Jann Avenue
OP2006-002 1006 Superior Street
OP2006-003 14181 NW 23 Place
OP2006-004 1106 Dunad Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case was **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF1999101454U 7136 NW 114 Place

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Board then heard a status report from Mr. Jose Perez with GSA regarding the Turner Guilford Knight Correctional Center (TGK).

Mr. Jose Perez, GSA, Representative for TGK, informed the Board of the status of the (TGK). He then informed the Board that originally it was projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Mr. Perez then requested for additional time from June 24, 2008 to August 12, 2008. He also informed the Board that it would be a two-year process once the bid is authorized, because the plans have to be reviewed prior to starting the repairs. He also informed the Board that there are 20 pods in the facility and it depends on the amount of crew to determine how long it will take to complete each pod. Mr. Perez further informed the Board it could take up to a month to complete each pod. He then informed the Board that the testing of the fire alarm must be completed prior to any repairs.

Mr. Cueva asked what the obstacles were, since it is delaying the completion of the repair.

Mr. Perez answered that they are scheduled to be heard by the Community Outreach Safety & Healthcare Administration Committee (COSHAC) on December 13th, 2006 at 2:00 P.M., and BCC approval on December 19th, 2006. He then proceeded to inform the Board that the notice to award and notice to proceed will follow BCC approval. Mr. Perez stated that the electrical work is 70% complete and the roofing work outlined in the 40-year Recertification report is 80% complete. He then informed the Board that Building "F" roof has damage beyond repair and will require a new roof, but it will not hold up the completion of this project by the end of December 2006.

After much discussion, Mr. Loader moved that "the Unsafe Structures Board accept the attached timelines of the completion of all repairs for the structure that was submitted to the Board regarding the Turner Guilford Knight Correctional Center (TGK). All repairs must be completed by August 12th, 2008. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Board then heard the status report of the City of Miami to be presented by Mr. Cedric Mar.

Mr. Cedric Mar informed the Board that the main structure is secured, but the roof, floor and full basement is about to collapse and is in non compliance.

Mr. Vane Eubanks provided the Board with the Engineer's report indicating the timelines and the cost of all repairs.

Mr. Cueva asked Mr. Eubanks does he have the source of income to complete the repairs.

Mr. Eubanks replied that they are seeking assistance from an agency to complete the building.

Mr. Loader reminded the Board that they granted a sixty (60) day extension from the date of hearing in October and a status report shall be provided to the Unsafe Structures Board indicating the cost of all repairs. He also reminded the Board that they ordered that the plans be prepared by an Architect/Engineer or a qualified individual with the timelines of the completion for the repairs and if any of the conditions are not complied with, the Unsafe Structures Board shall uphold the Building Official recommendation which is to demolish within thirty (30) days.

Mr. Essien enlightened the Members that the report that was submitted to the Board by the Owner is not an estimate. He then stated that an estimate can not be done without a plan by a General Contractor.

Mr. Cueva then asked the owner why he had not received the plans by the General Contractor.

Mr. Eubanks answered that he was ill. He then stated that he was not successful getting another General Contractor to respond.

Ms. Julia Colas, Buena Vista West Homeowner's Association, stated that she contacted and left messages for Mr. Eubanks on several occasion, but he never returned her call. She then stated that the building has been in the same condition for ten years. Mr. Colas expressed to the Board that she would like to see the building demolished and a community center built to serve the area.

Mr. George Graham informed the Board the he lived in the community for 40 years and would like to see the church restored. He then provided the Board with a petition letter that was signed by individuals in the community that has the same feelings.

Mr. Cueva informed the Board that the owner had up to the following Monday to submit the plans.

After some discussion, Mr. Loader moved that "The Unsafe Structures Board defer the case to January 17th, 2007 hearing and retain jurisdiction. Mr. Vera 2nd the motion."

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion failed 4 to 5. (Mr. Amedee, Mr. Essien, Mr. Naumann, Mr. Starkweather and Mr. Vera were opposed).

After more discussion, Mr. Essien then moved that "The Unsafe Structures Board grant a sixty (60) day extension from the date of hearing on October 18th, 2006. As requested by the Unsafe Structures Board at its October 18th, 2006 ruling, a status report was provided by the owners at the meeting. However, an outline indicating the cost of all repairs, as well as, the plans for the structure were not prepared by an Architect/Engineer or a qualified individual outlining the timelines for the completion of the repairs had not been made. Therefore, the Unsafe Structures Board shall uphold the Building Official's recommendation. Said structure shall be demolished by the enforcing municipality within thirty (30) days from today." Mr. Amedee seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed 5 to 4. (Mr. Loader, Mr. Ramirez, Mr. Deeb and Mr. Cueva were opposed).

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the first case to be heard by the City of Hialeah, Unsafe Structures Unit.

City of Hialeah:

H2006-3258

5368 West 23rd Lane

H2006-3260

5366 West 23rd Lane

Mr. Juan Guterrez, Building Official, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Guterrez gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Carlos Naumann, Unsafe Structures Board Member, informed the Board that he works for the City of Hialeah. He then excused himself from the hearing due to a conflict of the two cases.

Ms. Bravo, City of Hialeah’s Attorney, stated that the Association failed to pay the necessary fees. She then informed the Board that the City undertook the demolition.

Mr. Laurence Wanshel, Attorney, informed the Board that his client is contingent to demolish, but needed approval from the Condominium Association. He stated that his client has made a complaint to the State, but still needs the Association approval.

Mr. Cueva asked was the Association notified.

Ms. Bravo answered “yes.”

Mr. Manuel Fuetes, Owner, stated that he has hired a General Contractor, but they do not want the liability.

After some discussion, Mr. Essien moved that “said structure must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Amedee seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of South Miami, Unsafe Structures Unit.

City of South Miami:

SM06-01

6291 SW 42 Terrace

Mr. Fernandez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Fernandez gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Joel Donuse, Representative, gave the status of the structures and indicated that his intent is to do all the necessary repairs to bring the property up to code, but needed additional time. He then expressed to the Board how important the church is needed in the community.

Mr. Loader asked how much time is needed to complete the repairs.

Mr. Donuse answered that he will need at least six months.

After some discussion, Mr. Loader moved that “said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed. 7 to 2 (Mr. Naumann and Mr. Starkweather were opposed).

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of South Miami, Unsafe Structures Unit.

City of South Miami:

SM06-02

6443 SW 60 Avenue

Mr. Fernandez, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Fernandez gave an account of the structure and recommended that “said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Terry Voche, Owner, gave the status of the structures and indicated that his intent is to do all the necessary repairs to bring the property up to code, but needed additional time. He then expressed to the Board that he recently closed on the property. Mr. Voche also informed the Board that damages were caused by the Hurricane and he and the City came into an agreement, but the Building Official was not available at the time.

Mr. Fernandez asked the Board to defer the case until February.

After some discussion, Mr. Starkweather moved that "Case shall be deferred to the February 21st, 2007 hearing, per the Unsafe Structures Board." Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Board acknowledged and accepted the meeting dates for 2007.

There being no further business, a motion was made by Mr. Deeb to adjourn the meeting at 3:50 P.M. and seconded by Mr. Starkweather.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____