

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF January 16<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      Jose Vera  
Benjamin S. Essien      Kevin Deeb      Abel Ramirez  
Carlos Naumann      Aymara D. Riley      Emile Amedee  
Jose Escandell      Robert Sweeney      James Starkweather

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Bridgette Thornton, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Barbara Kaplan, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, January 16<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 December 12<sup>th</sup>, 2007 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:**

DC20070112142U	10790 NE 6 Avenue
DCF2007106685U	1477-1499 NW 79 Street, #1
DCF2007106884U	8300 NE 4 Place, #1
DCF2007106992U	9400 NW 17 Avenue, #1
DCF2007107029U	5825 NW 22 Avenue, #1
DCF2007107059U	3545 NW 51 Street, #1
DCF2007107225U	10534 NW 27 Avenue, #1
DCF2207107226U	3200 NW 110 Street, #1
DCF2007107259U	18707 NE 14 Avenue
DCF2007107292U	4275 NW 77 Avenue, #1

**City of Miami:**

M08-002	124 NW 60 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:**

DC20070107595U	301 NW 109 Avenue
DC20070107944U	740 NW 84 Street
DCF2007106951U	1120-22 NW 119 Street, #1
DCF2007106990U	2190 NW 103 Street, #1
DCF2007107030U	5994 NW 22 Avenue, #1
DCF2007107034U	2610 NW 67 Street, #1

DCF2007107054U	4851 NW 36 Avenue, #1
DCF2007107062U	3820 NW 32 Avenue, #1
DCF2007107069U	3920 NW 32 Avenue, #2
DCF2007107248U	1400 NE 191 Street

**City of Miami:**

M08-001	60 NW 42 Street
M08-003	145 NE 63 Terrace
M08-004	301 NE 55 Terrace
M08-008	4030 NW 3 Avenue
M08-009	4911 NW 6 Avenue
M08-010	5190 NW 12 Avenue
M08-011	5575 NE 3 Avenue
M08-012	5640 NE Miami Place

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 Cosculluela then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

**Unincorporated Miami-Dade County:**

DCF2007107011U	2601 NW 79 Street A/K/A 2615 NW 79 Street
DCF2007107246U	18300 NE 18 Road, #1
DCF2007107323U	6201 NW 24 Avenue, #1
DCF2007107325U	6831-89 NW 37 Avenue, #1
DCF2007107339U	2801 NW 42 Avenue, #1

**City of Miami:**

M08-005	322 NW 41 Street
M08-006	2985 Aviation Avenue A/K/A 2991 Aviation Avenue
M08-007	3332 NW 5 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. Escandell 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**

The Board then heard a status report from Mr. Edurado Astigarragh, GSA, Representative for TGK, informed the Board of the status of the (TGK). He then informed the Board that it has been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Mr. Perez then stated that June 24, 2008 remains the completion date for all repairs. He also informed the Board that the notice to proceed with the Smoke Evacuation Chase Repairs was issued on April 5, 2007 to Chevron Energy Solution (CES) to repair and seal the smoke evacuation chases at the TGK Correctional Facility. Mr. Perez then enlightened the

Board that CES has committed to completing the work within 423 consecutive calendar days, which estimated completion date will be Monday, June 2, 2008. He also informed the Board that there are some pods in the facility that are 100% completed and some are 97.5% completed. Mr. Perez further informed the Board that the construction work on the Pod's are completed as per Schirmer Smoke Evacuation Chase Repairs Construction Documents and the testing & balance results are still pending from CES. He also informed the Board that the Stockade repairs have been completed. Mr. Perez stated that the roofing work, structural and general repairs were 100% completed. He then further informed the Board that additional electrical work is expected to be completed by the end of 2007. Pod's 2-7, 205 and 4-5 are 100% complete. The smoke evacuation test was conducted by CES and approved by Miami-Dade Building Department. Pod's 2-3, 4-3, 6-3, 2-1, 4-1, 6-1, 8-2, 6-2, 4-2, 2-2, 6-4, 4-4, and 2-4 are 97.5% complete. Patchwork on these Pods' is complete according to Schirmer's Smoke Evacuation Chase Repairs Book Report. Chevron is currently conducting test and balance readings on all the chases repaired to date. Once the desired Test & Balance values are achieved the results will be reported to the Building Department. County staff will continue to work closely with CES in order to meet the completion date. The work is 84% complete for this phase of the project. The structural repairs identified in the 40 year report are 100% complete, including the original electrical deficiencies outlined in the 40 Year report. As reported on previous USSB meetings additional electrical deficiencies have been uncovered during field inspections and must be corrected in order to comply with the requirements of the 40 Year report. Total electrical repairs, including new work not identified in the original 40 year report are 92% complete. The permit set and revised plans were submitted to the Building Department and we anticipate receiving approvals late January or by the first week of February. The estimated project completion is within 30 days upon the Building Department's approval of the revised plans.

After some discussion, Mr. Starkweather moved to "accept the status report and granted the extension until June 2008." Mr. Vera seconded the motion.

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

**Motion passed unanimously.**

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

Mr. Cosculluela then informed the members of the Unsafe Structures Board that there were not any cases to be heard.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:05 P.M. and seconded by Mr. Essien.

**Prepared by:** \_\_\_\_\_

**Recording Secretary**

\_\_\_\_\_

**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF February 20<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      Jose Vera  
Benjamin S. Essien      Carlos Naumann      Emile Amedee  
Jose Escandell      James Starkweather

**Excused Absent:** Robert Sweeney      Kevin Deeb      Abel Ramirez  
Aymara D. Riley

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Daniel Frastai, Assistant County Attorney  
Bridgette Thornton, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Shelley Kelly, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, February 20<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 16<sup>th</sup>, 2008 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Naumann 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 Garden cases have made **agreements with the Building Official:**

**Unincorporated Miami-Dade County:**

DC20070113305U	3869 SW 99 Avenue
DCF2007106656U	7236 SW 56 Avenue, #1
DCF2007106861U	4825 NW 27 Avenue, #1
DCF2007107075U	2652 NW 48 Street, #1
DCF2007107254U	1304 NE 191 Street
DCF2007107412U	8601 SW 129 Terrace, #1

**City of Miami Garden:**

US2007-011	16375 NW 52 Avenue
US2007-012	21345 NW 35 Avenue

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

**Unincorporated Miami-Dade County:**

DCF2007107488U	7506 NW 17 Avenue, #1
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**City of Miami:**

M08-014	181 NE 58 Street
M08-015	607 NW 75 Street A/K/A 609 NW 75 Street
M08-018	1513 NW 58 Terrace

M08-020 3267 Charles Avenue  
M08-021 6345 NE 1 Avenue

**City of Miami Garden:**

US2007-011 16375 NW 52 Avenue  
US2007-012 21345 NW 35 Avenue

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

**Unincorporated Miami-Dade County:**

DCF2007106752U 26400 SW 187 Avenue, #1  
DCF2007107061U 3675 NW 46 Street, #1  
DCF2007107157U 17030 SW 100 Avenue, #1  
DCF2007107388U 7505 SW 82 Street

**City of Miami:**

M08-013 180 NW 64 Street  
M08-016 829 NW 69 Street  
M08-017 1171 NW 64 Street  
M08-019 1729 NW 51 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. 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 Unincorporated Miami-Dade, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DCF2007107045U 3325 NW 62 Street, #1  
DCF2007107046U 3325 NW 62 Street, #2

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

Mr. Vega gave an account of the structure and recommended that “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). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within one hundred twenty (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. Julio Diaz, Representative, gave the status of the structures and indicated that his intent is to do all the necessary repairs. He then informed the Board that he is in agreement with the Building Department.

Mr. Loader inquired about how much time was needed to conduct the repairs.

Mr. Vega replied that it could take up within the timeframes of the 40-year recertification. He then informed the Board that plans are required.

Mr. Cueva clarified with Mr. Errickson about the time that Mr. Diaz needed to conduct the repairs.

Mr. Errickson replied "yes".

After some discussion, Mr. Starkweather moved 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 County Building Department's Unsafe Structures Unit within sixty (60) 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: 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 fifty (150) 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 after obtaining the permit. If the property owner fails to comply with any of the above conditions, then the Building Official shall demolish such building(s) or structure(s). The Unsafe Structures Board shall retain jurisdiction." Mr. Naumann seconded the motion.

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

**Motion passed unanimously.**

*(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, Unsafe Structures Unit.

**Unincorporated Miami-Dade County Case:**

DCF2007107023U

6601 NW 18 Avenue, #1

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

Mr. Vega gave an account of the structure and recommended that “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). The Building Official’s actions need not take place in the order listed here. 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).”

The Representative for this case left the hearing.

After some discussion, Mr. Starkweather moved 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 County Building Department’s Unsafe Structures Unit within sixty (60) 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: 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 fifty (150) 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 after obtaining the permit. If the property owner fails to comply with any of the above conditions, then the Building Official shall demolish such building(s) or structure(s). The Unsafe Structures Board shall retain jurisdiction.” Mr. Vera seconded the motion.

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

**Motion passed unanimously.**

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

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

**Unincorporated Miami-Dade County Case:**

DCF20070109605U

1580-84 NE 111 Street

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

Mr. Vega gave an account of the structure and recommended that “Said structure(s) 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 structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. 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 ninety (90) 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. Vega, informed the Board that the Building Department issued violations on the property and nothing had been done.

Mr. Richard Bochnovich, Engineer Consultant, gave the Board a background on reasons why they haven’t been able to do the necessary repairs. He then expressed to the Board that DERM has to re-approve the final in order for them to obtain the permit. Mr. Bochnovich stated that they would like to do all the necessary repairs. He then requested additional time.

Mr. Loader asked the Building Department if they were satisfied with the securing of the property.

Mr. Vega replied “yes”.

After some discussion, Mr. Starkweather moved that “Said structure(s) 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 structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. 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 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 three hundred sixty-five (365) 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. The Unsafe Structures Board shall retain jurisdiction.” Mr. Naumann seconded the motion.

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

**Motion passed unanimously.**

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

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

**City of Miami Garden Case:**

US2007-010

2320 NW 162 Street Road

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

Mr. Rousseau gave an account of the structure and recommended that “Said structure(s) 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 structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. 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 ninety (90) 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. Rousseau, informed the Board that the City issued notice of violations on the property and nothing had been done. He then further informed the Board that there are liens on the property.

Ms. Zarann Beckford, Owner, explained to the Board that the City will not allow her to pull any permits due to five liens on the property. She then informed the Board that when she complied with one issue from the City, then another issue occurred. Ms. Beckford further informed the Board that the hard equity loan is in a bind because of legal issues on the property. She then requested additional time.

Mr. Loader asked the City if the property was secured.

Mr. Rousseau replied “yes”.

Mr. Naumann asked the owner if the City of Miami Gardens suggested a Special Master to clear up the liens.

Ms. Beckford replied that if she could get a release from the City that she will be able to handle the situation.

After some discussion, Mr. Essien moved that “Said structure(s) 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 structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. 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 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. The Unsafe Structures Board shall retain jurisdiction.” Mr. Starkweather seconded the motion.

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

**Motion passed unanimously.**

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

**Annual Voting for Chairman & Vice-Chairman**

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

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

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

**Motion passed unanimously.**

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

Mr. Cueva and Mr. Loader thanked everyone for all their kind words and acknowledged the extraordinary contributions of their fellow Board members for over the last 12 months where they faced significant challenges. Specifically, the limited number of Board members seated at this time, which required a hundred percent attendance from all of them. They thanked the members for their commitment.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:05 P.M. and seconded by Mr. Essien.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_



**\*Revised**  
**UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 16<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      Kevin Deeb  
Benjamin S. Essien      Carlos Naumann      Jose Escandel  
Robert Sweeney      Aymara D. Riley

**Excused Absent:** Abel Ramirez      Emile Amedee      Jose Vera  
James Starkweather

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Bridgette Thornton, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Barbara Kaplan, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:33 P.M. on Wednesday, April 16<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 19<sup>th</sup>, 2008 Unsafe Structures Board Meeting. Mr. Essien moved to accept the minutes of the board meeting. Mr. Sweeney seconded the motion.

**Motion passed unanimously.**

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

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

**City of Miami:**

M08-037      1141 NW 65 Street  
M08-039      3655 Percival Avenue

**City of Miami Garden:**

US2007-015      1955 NW 153 Street  
US2007-020      15835 NW 27 Place

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

**City of Miami:**

M08-034      1 NE 50 Terrace  
M08-035      585 NW 46 Street  
M08-036      1104 NW 64 Street  
M08-038      1430 NW 59 Street  
M08-041      5440 NW 5 Court

**City of Miami Garden:**

US2007-016      4576 NW 185 Street

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

**City of Miami:**

M08-042

6890 NW 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. Naumann moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. 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.

The Board then heard from Mr. Alberto Gonzalez, Vice President, for the property owner of case BV07000609 located at 2000 Park Avenue in the City of Miami Beach.

Mr. Gonzalez informed the Board that the owner would like to request an extension until June 2008. He then informed the Board that the owner is out of town on a business trip.

Ms. Rhonda Montoya-Hasan, City Attorney, gave an account of the structure and informed the Board that the owner has requested a continuance prior to this hearing and it was granted. She then informed the Board that the City is not in agreement with another extension. Ms. Montoya-Hasan also enlightened the Board that no work has been done to the property for several months and she does not feel comfortable granting another extension because hurricane season is approaching.

Mr. Gonzalez stated that there is a problem with the insurance that the owner has been dealing with and it is the lender liability that is holding him up to do the necessary repairs to the property.

Mr. Loader advised Mr. Gonzalez that the Board concerned with the safety of the property and the community.

After some discussion, Mr. Loader moved to “grant the extension until May 2008.” Mr. Deeb seconded the motion.

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

**Motion passed unanimously.**

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

**Status Report**

The Board then heard a status report from Ms. Shellie Ransom, GSA, Representative for TGK, who informed the Board of the status of the (TGK). She then informed the Board that it has been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. Ms. Ransom then stated that June 24, 2008 remains the completion date for all repairs. She also

informed the Board that the notice to proceed with the Smoke Evacuation Chase Repairs was issued on April 5, 2007 to Chevron Energy Solution (CES) to repair and seal the smoke evacuation chases at the TGK Correctional Facility. Ms. Ransom then enlightened the Board that CES has committed to completing the work within 423 consecutive calendar days, which estimated completion date will be Monday, June 2, 2008. She also informed the Board that there are some pods in the facility that are 100% completed.

Ms. Ransom further informed the Board that the Medical Housing unit is completed, but are pending the required smoke evacuation test and approval by Miami Dade County Building Department. She also informed the Board that a test was conducted using a larger sized smoke evacuation fan motor for pods 2-3, 4-3 and 6-3 recently. Ms. Ransom further informed the Board the results of the larger fan motor could properly remove the smoke volume from the pods. She then stated that the results of the larger fan motors are being installed in order to eliminate the need to install metal ducts with the chases to remove smoke from the pods.

Ms. Ransom then further stated that the roofing, structural and general repairs were 100% completed. She then stated that the original structural and general repairs are 100% complete and the roofing work is 100% complete. Ms. Ransom then informed the Board that the original electrical work identified on the engineers report is 100% complete. She further advised the Board that there are additional pending unforeseen electrical repairs that were subsequently identified, not included on the original engineer's report. Ms. Ransom also stated that the required electrical repairs have been addressed via a recently approved plans revision approved by the Building Department and the additional electrical repairs are scheduled to be completed by June 16<sup>th</sup>, 2008.

Mr. Alvaro Cosculluela, Secretary of the Board, asked Ms. Ransom about the completion of the work.

Ms. Ransom replied "yes" the work still can be completed.

Mr. Cosculluela stated that he finds the completion date to be misleading because all of the work has not been performed.

Ms. Ransom enlightened the Board that according to the original Board Order and based on the report that the repairs are completed.

Mr. Julio Navarro, Project Manager, informed the Board that the Smoke Chases are completed and they discovered that the chases on some of the other floors will have to \*pass the test. He then advised the Board that they will be requesting for additional time for the Engineer's report.

After some discussion, Mr. Loader moved to "accept the status report and to provide the Unsafe Structures Board with a report in May 2008." Ms. Riley seconded the motion.

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

**Motion passed unanimously.**

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

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

**City of South Miami Case:**

SM2008-001

6400 SW 60 Avenue

Mr. Dario Gonzalez, Building Official, City of South Miami, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Gonzalez 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. Thomas Dwight Price, Representative, informed the Board that the owner never received a notice of the hearing. He then informed the Board that he has lived in the community for over 60 years. Mr. Price then requested additional time to demolish the property.

Mr. Loader asked how much time is needed to demolish the property.

Mr. Price replied that 90 days would be feasible.

Mr. Essien asked if anyone lived on the property.

Mr. Price replied "no".

Mr. John Price, Owner, informed the Board that he disagreed with the recommendation of the City of South Miami. He then advised the Board that he does not neglect his home, he has a "No trespass" sign posted on the property and advised the police to secure the property. He informed the Board that the property had a fire twice and burglarize, which caused more damage to the property and additional finances to rebuild. Mr. Price stated that he always intended to rebuild, but when he submitted his plans to the City of South Miami, he was told he had to move out.

Mr. Cueva asked Mr. Price if he wishes to demolish or rebuild the property.

Mr. Price replied "rebuild", but needs additional time to obtain funds.

Mr. Cueva explained to Mr. Price that if he doesn't comply a lien will be placed on the property.

After some discussion, Mr. Essien moved that "Said structure shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) 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. Naumann seconded the motion.

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

**Motion passed unanimously.**

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

There being no further business, a motion was made by Mr. Essien to adjourn the meeting at 2:45 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF May 21<sup>st</sup>, 2008**

**Members Present:** James Cueva, Chairman                      Gordon Loader, VC                      Kevin Deeb  
Benjamin S. Essien    Carlos Naumann    Jose Escandell  
Robert Sweeney    Aymara D. Riley    Emile Amedee  
Abel Ramirez    James Starkweather

**Excused Absent:** Jose Vera

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Tanya Settel, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, May 21<sup>st</sup>, 2008 on the 16<sup>th</sup> Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

James Cueva requested a motion to approve and accept the minutes of the April 16<sup>th</sup>, 2008 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien then brought to the Board's attention of an incomplete sentence. Specifically, he indicated that on page 3 and the first sentence of paragraph 8 needs to be completed. Mr. Cueva then requested a motion to **approve** the minutes of the April 16<sup>th</sup>, 2008 as amended. Mr. Starkweather then accept the minutes and Mr. Essien 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:**

DC20080116123U	1399 NE 111 Street
DC20080116534U	7290 SW 40 Street
DCF2005104643U	2362 NW 95 Street, #1
DCF2007106938U	14643 NW 7 Avenue, #1
DCF2007107425U	14090 SW 127 Street, #10
DCF2007107426U	14090 SW 127 Street, #11

**City of Miami:**

M08-044	1828 Espanola Drive
M08-047	2421 NW 24 Avenue
M08-048	2425 NW 24 Avenue
M08-049	4641 NW 15 Court
M08-051	8699 Biscayne Blvd.

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

**Unincorporated Miami Dade County:**

DC20080116332U 1386 NE 110 Terrace

**City of Miami:**

M08-043 1083 NW 65 Street  
M08-045 1924 NW 27<sup>th</sup> Street A/K/A 1924-22 NW 27 Street  
M08-050 5300 North Miami Avenue

**City of South Miami:**

SM2008-002 6430 SW 58 Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami Dade County, City of Miami and City of Miami Beach case was **Withdrawn/Deferred:**

**Unincorporated Miami Dade County:**

DCF2006106159U 8795-9301 NW 58 Street, #5  
DCF2006106160U 8795-9301 NW 58 Street, #6  
DCF2006106161U 8795-9301 NW 58 Street, #7  
DCF2007106856U 3705 NW 35 Avenue, #1  
DCF2007106967U 535 NE 150 Street, #1  
DCF2007107282U 7330 NW 66 Street, #1  
DCF2007107286U 8795-9301 NW 58 Street, #1  
DCF2007107288U 8795-9301 NW 58 Street, #4

**City of Miami:**

M08-046 1927 SW 9 Street

**City of Miami Beach:**

BV07000609 2000 Park 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. 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. Cueva then informed the Board that the City of Miami Beach case will be deferred until the next hearing date of June 18<sup>th</sup>, 2008.

**Status Report**

The Board then heard a status report from Mr. Tom Roberts, Assistant County Attorney, Representative for TGK, who informed the Board of the status of the (TGK). He then informed the Board that they will be requesting an extension at its June hearing because TGK needs more time to complete the work. Mr. Roberts further informed the Board that it has been projected that

the Smoke Evacuation and Fire Alarm system would be completed by June 2008. He then stated that Pod's 2-7, 205 and 405 are 100% complete and has successfully passed the smoke evacuation test. Mr. Roberts then informed the Board that Pod's 2-3, 4-3, 6-3, 2-1, 4-1, 6-1, 8-2, 6-2, 4-2, 2-2, 6-4, 4-4, 2-4, 2-6, 4-6, 2-8, 8-1 and the Medical Housing unit are complete but are pending the required smoke evacuation test and approval by Miami Dade County Building Department. He further informed the Board that a test was conducted using a larger sized smoke evacuation fan motor for pod 2-3, 4-3, and 6-3 recently. Mr. Roberts then advised the Board of the results of the test that was conducted at the Correctional Facility.

Mr. Cueva asked Mr. Roberts about the completion of the work.

Mr. Roberts replied "yes" the work still can be completed, but it will required additional time based on the outcome of the installation of the fans. He further enlightened the Board that according to the original Board Order and based on the report that the repairs are completed.

Mr. Julio Navarro, Project Manager, informed the Board that the smoke chases are completed and they discovered that the chases on some of the other floors will have to achieve. He then advised the Board that they will be requesting for additional time for the Engineer's report.

Mr. Roberts then requested that this item is placed on the next agenda

After some discussion, Mr. Loader moved to "accept the status report and to provide the Unsafe Structures Board with a report in June 2008." Ms. Riley seconded the motion.

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

**Motion passed unanimously.**

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

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

**Unincorporated Miami Dade County Case:**

DC20070112991U

17050 SW 195 Avenue

Mr. Orlando Vega, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account of the structure and recommended 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), (B) & (C) 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 sixty (60) days from today. The completion or repair of said structures (A), (B) & (C) 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."

After the completion of the Board reviewing the case jacket, Mr. Starkweather brought to the Board's attention that the case was a "residential property" in which the Unsafe Structures Board does not address.

After some discussion, Mr. Cueva informed the Board that No Action will be taken by the Board.

There being no further business, a motion was made by Mr. Essien to adjourn the meeting at 2:45 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF June 18<sup>th</sup>, 2008**

**Members Present:** Gordon Loader, VC                      Kevin Deeb                      Carlos Naumann  
Jose Escandell                      Robert Sweeney                      Aymara D. Riley  
James Starkweather

**Excused Absent:** James Cueva, Chairman                      Jose Vera                      Benjamin S. Essien  
Emile Amedee                      Abel Ramirez

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Bridgette Thorton, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Tanya Settel, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, June 18<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 May 21<sup>st</sup>, 2008 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Sweeney 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:**

DCF2007107388U                      7505 SW 82 Street

**City of Miami:**

M08-056                      3406 NW 9 Court

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

**City of Miami:**

M08-054                      301 NW 37 Street  
M08-055                      400 NW 69 Street  
M08-058                      6041 NE Miami Court  
M08-059                      1119 NW 31 Street  
M08-060                      3985 Loquat Avenue

**Village of Pinecrest:**

VOP2008-002                      12995 SW 77 Avenue

Mr. Cosculluela then announced that the following Unincorporated Miami Dade County, City of Miami and Village of Pinecrest case was **Withdrawn/Deferred:**

**Unincorporated Miami Dade County:**

DC20070110211U                      4265 NW 22 Court

**City of Miami:**

M08-052	41 NE 64 Street A/K/A 39 NE 64 Street
M08-053	130 NE 55 Street
M08-057	4291 NW 7 Avenue

**Village of Pinecrest:**

VOP2008-001	7230 SW 132 Street
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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. Loader 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. Sweeney seconded the motion.

**Motion passed unanimously.**

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

After the Board made a motion to consolidate the withdrawals, agreed and uncontested cases, the Board found a discrepancy with the agreement between the Building Inspector and property Owner on case number DCF2005105415U-7200 Crandon Blvd., #2. The Board then deferred the case to the next hearing date.

Mr. Loader then 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**

The Board then heard a status report from Ms. Shellie Ransom, GSA, Representative for TGK, who informed the Board of the status of the (TGK). She then informed the Board that they are requesting an extension because TGK needs more time to complete the work. Ms. Ransom further informed the Board that it has been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. She then stated that the smoke evacuation test was conducted and approved by the Miami Dade County Building Department. Ms. Ransom then informed the Board that they will proceed with the installation of the additional fans and duct work to all the chases. She then informed the Board that it should be completed by November 27<sup>th</sup>, 2008. Ms. Ransom then requested additional time.

Ms. Riley then expressed to the Board that she doesn't feel that an extension should be granted because of the different reports that have been provided to the Board.

Mr. Loader asked Ms. Ransom about the completion of the work.

Ms. Ransom replied "yes" the work still can be completed, but it will require additional time based on the outcome of the installation of the fans. She further enlightened the Board that according to the original Board Order and based on the report that the repairs are completed.

Mr. Starkweather then asked about the additional time to install the fans.

Mr. Julio Navarro, Project Manager, replied that the smoke chases are completed and they discovered that the chases on some of the other floors will have to achieve. He then advised the Board that they are requesting for additional time to install the fans and duct work on the other floors.



then the Building Official shall demolish such building(s) or structure(s).” Ms. Jerri Dausey, Manager of Association, informed the Board that the Association started the process of a permit, but they do not have any funds to obtain the permit. She then stated that they are seeking to obtain the funds to complete the process. Ms. Dausey then enlightened the Board that everything is completed. She then requested the Board to retain jurisdiction because she is not certain of the date that they will retrieve the funds.

After some discussion, Mr. Naumann moved that “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: 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 ninety (90) 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 after obtaining the permit. If the property owner fails to comply with any of the above conditions, then the Building Official shall demolish such building(s) or structure(s). The Unsafe Structures Board shall retain jurisdiction.” Mr. Starkweather seconded the motion.

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

**Motion passed unanimously.**

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

**Discussion**

The members requested the Assistant County Attorney provide the Board with information on the number of members for quorum based on how many members are on board.

Mr. Kevin Deeb inquired about a full transcript of the meetings. He then asked how the Board can approve minutes without reviewing the transcripts.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:30 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF July 16<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman            Kevin Deeb            Carlos Naumann  
Jose Escandell            Robert Sweeney            Benjamin S. Essien  
Abel Ramirez            Jose Vera            Emile Amedee

**Excused Absent:** Gordon Loader, VC            James Starkweather  
Aymara D. Riley

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Lydia Vozza, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, July 16<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 18<sup>th</sup>, 2008 Unsafe Structures Board Meeting. Mr. Essien moved to accept the minutes of the board meeting. Mr. Sweeney 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, City of Miami and City of Hialeah cases have made **agreements with the Building Official:**

**Unincorporated Miami Dade County:**

DC20050118016U	9300 NW 32 Avenue
DCF1999101436U	9200-02 NW 17 Avenue
DCF2007106768U	505 NW 103 Street, #1
DCF2007107279U	1750 NE 115 Street
DCF2007107549U	3616 NW 32 Avenue, #1

**City of Miami:**

M08-066	6931 NW 5 Avenue
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**City of Hialeah:**

H2008-2187	4001 E 10 <sup>th</sup> Avenue
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Mr. Cosculluela then announced that the following Unincorporated Miami Dade County, City of Hialeah, City of Miami and City of Miami Gardens cases have made **No Contest/No Show with the Building Official:**

**Unincorporated Miami Dade County:**

DCF2005104763U	4333 NW 27 Avenue, #1
DCF2007107288U	8795-9301 NW 58 Street, #4

**City of Hialeah:**

H2007-4783	2300 W 5 <sup>th</sup> Way
H2008-2185	782 E 31 Street

**City of Miami:**

M08-061	40 SW North River Drive
M08-062	481 NE 61 Street
M08-063	5680 NW 6 Ave. A/K/A 56305632 NW 6 Ave.
M08-064	6603 NW 7 Avenue
M08-065	6913 NW 4 Court
M08-067	7520 NW 6 Avenue
M08-068	8120 NE 1 Avenue

**City of Miami Gardens:**

US2008-011	15810 NW 19 Avenue
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Mr. Cosculluela then announced that the following Unincorporated Miami Dade County, City of Miami and City of Hialeah case was **Withdrawn/Deferred:**

**Unincorporated Miami Dade County:**

DC20080116388U	27410 SW 187 Avenue
DCF2007106714U	3180 NW 36 Avenue, #1
DCF2006106159U	8795-9301 NW 58 Street, #5
DCF2006106160U	8795-9301 NW 58 Street, #6
DCF2006106161U	8795-9301 NW 58 Street, #7
DCF2005105415U	7200 Crandon Blvd., #24

**City of Miami:**

M008-069	101 NW 79 Street
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**City of Hialeah:**

H2008-1667	935 E 29 Street
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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. Deeb 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 then 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 Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County Case:**

DCF2007107286U	8795-9301 NW 58 Street, #1
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Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee gave an account of the structure and recommended that “Said 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 permit has been submitted to the Miami-Dade Building Department. The permit must be obtained within forty-five (45) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred twenty (120) 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 180 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. Spencer Errickson, Representative for GSA, informed the Board that the intentions are to bring the property up to code, but they will need more time. He then requested for additional time and asked that the Board retain jurisdiction.

Mr. Benjamin Essien, Member, inquired about the submission of the report to the Building Department in a timely manner.

Mr. Errickson stated that the projection of the design phase will take up the time requested.

After some discussion, Mr. Naumann moved that “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 one hundred twenty (120) 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 eighty (180) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within two hundred forty (240) 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 two hundred forty (240) 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 reason beyond Owner’s control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reason for the delay to the Building Department. Such a request must be made prior to the expiration of the deadline set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension. The Board shall retain jurisdiction.” Mr. Ramirez seconded the motion.

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

**Motion passed unanimously.**

*(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.

**Unincorporated Miami Dade County Case:**

DC20070106774U                      6711 NW 18 Avenue  
DCF2007106691U                      6711 NW 18 Avenue, #1

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee 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. Gregory King, Co-Owner, informed the Board that his intentions are to bring the property up to code, but he will need more time to obtain the proper funds to do the work. He then stated that he attempted to hire an Engineer, but they have not been affordable. Mr. King explained to the Board that the property is in livable stage. He then requested for additional time.

Mr. Tracy King, Brother to Co-Owner, informed the Board that he recently became involved because he just obtained knowledge of the situation of the property. He then stated to the Board that he will help his brother to do all the necessary work to bring the property up to code.

Mr. Benjamin Essien, Member, then asked why did he wait until now to get involved.

Mr. King replied that he recently gained knowledge of the situation.

Mr. Kevin Deeb, Member, suggested that the Board review the transcripts before they make a ruling on it.

Mr. Abel Ramirez, Member, stated that the Board should allow him more time to bring the property up to code.

Mr. Essien, enlightened the Board that nothing has been done since the last time he was before the Unsafe Structures Board. He then stated that he doesn't think that he has intentions to comply.

Mr. Benjamin Simon, Assistant County Attorney, informed the Board that they can only rule on the case that the Board retained jurisdiction. He enlightened the Board that it is two cases involved on the same property where the Board did not retain jurisdiction on the other.

Mr. Jose Escandell, Member, asked how would the ruling on one case affect the other case.

Mr. Cueva, stated that he would like to review the transcripts before making a decision on the case.

After some discussion, Mr. Ameede moved to “defer this case for 60 days.” Mr. Deeb seconded the motion.

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

**Motion passed. (Mr. James Cueva, Mr. Robert Sweeney and Mr. Benjamin Essien opposed).**

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

**Discussion**

Mr. Kevin Deeb inquired about the Board reviewing a full transcript of the meetings. He then asked how the Board can have knowledge of a case that the Board retained jurisdiction without reviewing the transcripts. Mr. Deeb then requested that any case that will be re-heard by the Unsafe Structures Board that transcripts automatically be ordered.

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

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF September 17<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman            Kevin Deeb            Carlos Naumann  
Jose Escandell            Robert Sweeney            Benjamin S. Essien  
Abel Ramirez            Jose Vera            Emile Amedee  
James Starkweather            Aymara D. Riley

**Excused Absent:** Gordon Loader, VC

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Bridgette Thorton, Assistant County Attorney  
Latisha Byrd, Recording Secretary

**Court Reporter:** Laurie Yannaccone, Official Reporting Services, Inc.

Prior to the hearing, Mr. Cueva presented Mr. Jose Vera an award for his 14 years of dedication and service to the Unsafe Structures Board.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:45 P.M. on Wednesday, October 15<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 September 17<sup>th</sup>, 2008 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien 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 have made **agreements with the Building Official:**

**Unincorporated Miami Dade County:**

DC20070110211U	4265 NW 22 Court
DC20080117561U	4771 NW 24 Ct. A/K/A 2400 NW 48 St.
DC20080117562U	4771 NW 24 Ct. A/K/A 4761 NW 24 Ct.
DC20080117629U	4771 NW 24 Ct. A/K/A 4751 NW 24 Ct.
DC20080117636U	4771 NW 24 Ct. A/K/A 4781 NW 24 Ct.
DC20080117640U	4771 NW 24 Ct. A/K/A 4671 NW 24 Ct.
DC20080117644U	4771 NW 24 Ct. A/K/A 4661 NW 24 Ct.
DC20080117647U	4771 NW 24 Ct. A/K/A 4651 NW 24 Ct.
DC20080117659U	4771 NW 24 Ct. A/K/A 4641 NW 24 Ct.
DC20080117660U	4771 NW 24 Ct. A/K/A 4670 NW 24 Ct.
DC20080117663U	4771 NW 24 Ct. A/K/A 4680 NW 24 Ct.
DC20080117679U	4771 NW 24 Ct. A/K/A 4610 NW 24 Ct.
DC20080117686U	4771 NW 24 Ct. A/K/A 4621 NW 24 Ct.
DC20080117710U	4771 NW 24 Ct. A/K/A 4620 NW 24 Ct.
DC20080117717U	4771 NW 24 Ct. A/K/A 4630 NW 24 Ct.
DC20080117718U	4771 NW 24 Ct. A/K/A 4650 NW 24 Ct.
DC20080117728U	4771 NW 24 Ct. A/K/A 4710 NW 24 Ct.
DC20080117729U	4771 NW 24 Ct. A/K/A 4720 NW 24 Ct.
DC20080117731U	4771 NW 24 Ct. A/K/A 4730 NW 24 Ct.

DC20080117733U	4771 NW 24 Ct. A/K/A 4740 NW 24 Ct.
DC20080117736U	4771 NW 24 Ct. A/K/A 4750 NW 24 Ct.
DC20080117738U	4771 NW 24 Ct. A/K/A 4760 NW 24 Ct.
DC20080118196U	4801 NW 183 Street
DCF2007107354U	9000 Bird Road, #1

**City of Miami:**

M08-074	1400 NW 39 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:**

DC20080122799U	560 NW 81 Street
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**City of Miami:**

M08-070	100 NW 75 St. A/K/A 102 NW 75 St.
M08-071	130 NE 67 Street
M08-072	798 NW 35 Street
M08-073	1391 NW 38 Street
M08-081	41 NE 64 St. A/K/A 39 NE 64 St.

Mr. Cosculluela then announced that the following and City of Hialeah and City of Miami Gardens cases were **Withdrawn/Deferred:**

**City of Miami:**

M08-080	20 NE 67 Street
M08-082	800 SW 19 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. Cosculluela then called forth the first case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County Case:**

DC20070106774U	6711 NW 18 Avenue
DCF2007106691U	6711 NW 18 Avenue, #1

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee 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. Lee further informed the Board that this case had been before the Board prior and Mr. King was instructed to show his intentions of bringing the property up to code. He also informed the Board that both cases were still in noncompliance and the structure remains unsafe.

Mr. Gregory King, Co-Owner, informed the Board that his intentions are to bring the property up to code, but he will need more time to obtain the proper funds to do the work. He then stated that he attempted to hire an Engineer, but they have not been affordable. Mr. King explained to the Board that he had spoken to a Contractor and decided to demolish the property. He then stated that he went to the Building Department to obtain a permit, but was not successful. Mr. King further informed the Board that he was told that he needed to bring the survey and the case number from the probate to proceed with the demolition.

Mr. Deeb confirmed that Mr. King wants to demolish the property as opposed to repairing it.

Mr. King replied “yes”. He then requested for additional time to demolish.

After some discussion, Mr. Starkweather moved 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. Amede seconded the motion.

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

**Motion passed unanimously.**

*(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.

**Unincorporated Miami Dade County Case:**

DCF2005104726U

4240 NW 27 Avenue, #1

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee 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. Lee further advised the Board that this case had been before the Unsafe Structures

Board prior and the Board retained jurisdiction. He then explained that the timetable has expired for the completion of the repairs.

Ms. Maria E. Rodriguez-Porto, Interested Party, stated that the building has been designated historic and it is very important for the African-American people in the area of Miami Dade and the civil rights. She further explained why it was important to the African-American people. Ms. Rodriguez-Porto informed the Board that they received funding from the Federal fund to do the acquisition, but they didn't have the funds to perform the restoration. She explained to the Board the steps that they took to comply with the previous order, but plans weren't submitted to the Building Department in a timely manner.

Mr. Essien asked what steps did they take for the first 15 months.

Ms. Rodriguez-Porto replied that the completion of the selected demolition and the structured bracing of the building.

Mr. Essien then inquired the long period of time conduct the repairs.

Ms. Rodriguez-Porto explained the length of time for permitting, bidding, and the construction to be performed. She then explained to the Board that the property is secured.

After some discussion, Mr. Starkweather moved to "Said structure(s) shall be secured within five (5) working days. The following securing method is approved: *Storm Shutters (1/2 plywood, bolts and lumber as specs)*. The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Said structure(s) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained 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 qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami Dade County Code within ninety (90) days from today for shoring and demolition and five hundred forty five (545) days for restoration repairs. The complete building or structure shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within fifteen (15) months to complete the shoring/demolition/selective repair and twenty four (24) months to complete the restoration repairs. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not completed with, said structure shall be demolished by the enforcing municipality as soon as possible. A status report shall be provided to the Unsafe Structures Board on March 18<sup>th</sup>, 2009. 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.

**Motion 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 4:00 P.M. and seconded by Mr. Deeb.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF October 15<sup>th</sup>, 2008**

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

**Excused Absent:** James Cueva, Chairman                      Carlos Naumann                      Abel Ramirez  
Aymara D. Riley    Robert Sweeney

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Board Recording Secretary

**Court Reporter:** Tanya Settel, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:45 P.M. on Wednesday, October 15<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 17<sup>th</sup>, 2008 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 have made **agreements with the Building Official:**

**Unincorporated Miami Dade County:**

DC20080115270U	8301-67 SW 107 Avenue, Bldg. 8337
DC20080117613U	4771 NW 24 Ct. A/K/A 4771 NW 24 Ct.
DC20080117617U	4771 NW 24 Ct. A/K/A 4761 NW 24 Ct.
DC20080117629U	4771 NW 24 Ct. A/K/A 4751 NW 24 Ct.
DC20080117636U	4771 NW 24 Ct. A/K/A 4781 NW 24 Ct.
DC20080117640U	4771 NW 24 Ct. A/K/A 4671 NW 24 Ct.
DC20080117644U	4771 NW 24 Ct. A/K/A 4661 NW 24 Ct.
DC20080117647U	4771 NW 24 Ct. A/K/A 4651 NW 24 Ct.
DC20080117659U	4771 NW 24 Ct. A/K/A 4641 NW 24 Ct.
DC20080117660U	4771 NW 24 Ct. A/K/A 4670 NW 24 Ct.
DC20080117663U	4771 NW 24 Ct. A/K/A 4680 NW 24 Ct.
DC20080117679U	4771 NW 24 Ct. A/K/A 4610 NW 24 Ct.
DC20080117686U	4771 NW 24 Ct. A/K/A 4621 NW 24 Ct.
DC20080117710U	4771 NW 24 Ct. A/K/A 4620 NW 24 Ct.
DC20080117717U	4771 NW 24 Ct. A/K/A 4630 NW 24 Ct.
DC20080117718U	4771 NW 24 Ct. A/K/A 4650 NW 24 Ct.
DC20080117728U	4771 NW 24 Ct. A/K/A 4710 NW 24 Ct.
DC20080117729U	4771 NW 24 Ct. A/K/A 4720 NW 24 Ct.
DC20080117731U	4771 NW 24 Ct. A/K/A 4730 NW 24 Ct.
DC20080117733U	4771 NW 24 Ct. A/K/A 4740 NW 24 Ct.
DC20080117736U	4771 NW 24 Ct. A/K/A 4750 NW 24 Ct.
DC20080117738U	4771 NW 24 Ct. A/K/A 4760 NW 24 Ct.
DC20080118196U	4801 NW 183 Street

DCF2007107354U

9000 Bird Road, #1

**City of Miami:**

M08-074

1400 NW 39 Street

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:**

DC20080122799U

560 NW 81 Street

**City of Miami:**

M08-070

100 NW 75 St. A/K/A 102 NW 75 St.

M08-071

130 NE 67 Street

M08-072

798 NW 35 Street

M08-073

1391 NW 38 Street

M08-081

41 NE 64 St. A/K/A 39 NE 64 St.

Mr. Cosculluela then announced that the following and City of Hialeah and City of Miami Gardens cases were **Withdrawn/Deferred:**

**City of Miami:**

M08-080

20 NE 67 Street

M08-082

800 SW 19 Avenue

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

Mr. Loader requested that the interested party in reference to the Miami Dade Housing Agency stay for clarification on case DC20080117613U.

After the Board reviewed each case file, Mr. Loader 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. Loader then 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. Loader then asked Mr. Trujillo why has the County planned to demolish the property.

Mr. Francisco Trujillo, Acting Director, replied to the Board that the structures were built in the 1940's and they want to demolish and rebuild new units, but that will take some time to repair.

Mr. Essien asked how long has the property been unoccupied.

Mr. Trujillo replied he's not exactly sure, but it's been a couple of years.

There being no further business, a motion was made by Mr. Starkweather and seconded by Mr. Deeb to adjourn the meeting at 2:10 P.M.

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_



Mr. Cosculluela then announced that the following and City of Hialeah and City of Miami Gardens cases were **Withdrawn/Deferred:**

**Unincorporated Miami Dade County:**

DCF2007107205U 11200 NW 107 Avenue, #1

**City of Miami:**

M08-087 1900 SW 8 Street  
M08-088 2190 NW 7 Street  
M08-089 3010 Elizabeth Street

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. Deeb requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Ms. Riley moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Naumann seconded the motion.

**Motion passed unanimously.**

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

Mr. Deeb then 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**

The Board then heard a status report from Mr. Jose Perez, GSA, Representative for TGK, who informed the Board of the status of the (TGK). He stated that since the last report to the Board on June 18, 2008, four additional exhaust fans have been installed and are currently being tested for performance requirements. Mr. Perez then informed the Board that they expect to receive the test results by the end of November. He further explained to the Board that the four fans the contractor will place the order for the remaining five fans in December once the test is completed. Mr. Perez then informed the Board that it has been projected that the expected date of delivery for the remaining five fans is on or about February 2009. He then requested for additional time to close out the project with the Building Department.

Mr. Robert Sweeney asked if there are any safety issues to the inmates.

Mr. Perez replied that there is no danger to the inmates and TGK maintains a continuous fire-watch on site until the work is reported 100% completed and approved by the Building Department.

After some discussion, The Board moved to “accept the status report and granted the extension to provide the Unsafe Structures Board with a report in March 2009.”

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

**Unincorporated Miami Dade County Case:**

DC20080119679U 9200 SW 107 Avenue

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee 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. Tom Kortney, Attorney, stated that the property had suffered a fire 6 months ago. He then informed the Board that the owner wants to build a new church, but there is a discrepancy with the insurance company. Mr. Kortney then requested for additional time to do the necessary repairs.

Mr. Ameede, Member, asked how much time is needed.

Mr. Kortney replied that he will need at least a year to complete the work.

After some discussion, Mr. Naumann made a motion that “Said structure(s) shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Said structures (A) & (C) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained 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 qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami Dade County Code within one hundred eighty (180) days for structure (A) and within sixty (60) days for structure (C) from today. The completion or repair of said structures (A) & (C) 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 three hundred sixty-five (365) 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 completed with, said structures shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board shall retain jurisdiction.” Mr. Ameede seconded the motion.

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

**Motion passed unanimously.**

*(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.

**Unincorporated Miami Dade County Case:**

DC20080120757U

2090 SW 122 Avenue, #25

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee gave an account of the structure and recommended 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. 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 ninety (90) 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 twenty (120) 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. Richard Gross, Attorney, informed the Board that the problem hasn't been resolved because the structures were built without a permit. He further informed the Board that the zoning application has been a setback because the next hearing date isn't until December.

Mr. Lee explained to the Board that the setback adjustment is for all the units.

Mr. Naumann asked how long had the structures been up.

Mr. Gross replied that the structures had been up for about 15 years. He then requested the Board to provide the timeframe after zoning approves the application.

After some discussion, Mr. Sweeney made a motion that “case shall be deferred until its next hearing date of December 10<sup>th</sup>, 2008. “ Mr. Naumann seconded the motion.

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

**Motion passed 6 to 1. (Mr. Jose Escandell opposed)**  
*(For a verbatim version, please refer to the transcripts)*

There being no further business, a motion was made by Mr. Naumann and seconded by Ms. Riley to adjourn the meeting at 3:05 P.M.

Prepared by: \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

Date: \_\_\_\_\_

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF December 10<sup>th</sup>, 2008**

**Members Present:** James Cueva, Chairman      Gordon Loader, VC      Benjamin S. Essien  
Kevin Deeb      Carlos Naumann      Aymara D. Riley  
James Starkweather      Robert Sweeney

**Excused Absent:** Emile Amedee      Jose Escandell      Abel Ramirez      Jose Vera

**Staff:** Alvaro Cosculluela, P.E., Acting Secretary of the Board  
Benjamin Simon, Assistant County Attorney  
Latisha Byrd, Board Recording Secretary

**Court Reporter:** Tanya Settel, Official Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, December 10<sup>th</sup>, 2008 on the 16<sup>th</sup> 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 November 12<sup>th</sup>, 2008 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. Alvaro Cosculluela then announced that the following Unincorporated Miami Dade County and City of Homestead have made **agreements with the Building Official:**

**Unincorporated Miami Dade County:**

DC20080122910U      19100 SW 177 Avenue  
DCF2007107256U      1300 NE 191 Street

**City of Homestead:**

H2008-001      169 NW 6 Street

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

**Unincorporated Miami Dade County:**

DCF2008107900U      16400 South Dixie Hwy., #1

**City of Miami:**

M08-094      61 NE 59 Terrace  
M08-096      1680 NW 66 Street  
M08-097      2661 SW 25 Terrace  
M08-098      2671 SW 25 Terrace  
M08-099      3158 McDonald Street  
M08-100      3338 SW 25 Terrace  
M08-101      6912 NW 14 Avenue

**City of Homestead:**

H2008-002

1151 N. Liberty Avenue, #1151D

H2008-003

605 SW 11 Avenue

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

**City of Miami:**

M08-095

335 NE 35 Terrace

M08-100

3338 SW 25 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. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Cosculluela. Mr. Naumann seconded the motion.

**Motion passed unanimously.**

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

Mr. Cueva then 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 Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County Case:**

DC20080119806U

2030 SW 122 Avenue, #18

DC20080120363U

2030 SW 122 Avenue, #17

DC20080120757U

2090 SW 122 Avenue, #25

Mr. Monte Lee, Building Inspector, Unincorporated Miami Dade County, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Lee gave an account of the structure and recommended 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. 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 ninety (90) 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 twenty (120) 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. Richard Gross, Attorney, informed the Board that the problem started in 2005 and hasn't been resolved because the structures and the setbacks were built without a permit. He further informed the Board that the Zoning application has been a delay because the next hearing date isn't until January. Mr. Gross then enlightened the Board that the properties are separately owned. He then submitted to the Board an Engineer's report showing the safety of the properties.

Mr. Lee explained to the Board that the setback adjustment is for all the units.

Mr. Gross replied that the structures have been unsafe since 2005 and constructed for about 15 years. He then requested additional time from the Board to provide the timeframe after zoning approves the application.

After some discussion, Mr. Loader made a motion that "The structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Said structure(s) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained 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 qualified homeowner or a licensed contractor 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 twenty (120) 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 completed with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board shall retain jurisdiction" Mr. Naumann seconded the motion.

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

**Motion passed unanimously.**

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

**Discussion**

The Board ratified the hearing dates for the upcoming year of 2009.

Mr. Loader requested that the packages be emailed instead of mailed.

Ms. Riley and Mr. Starkweather informed the Board that they will be out in January.

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

**Prepared by:** \_\_\_\_\_  
**Recording Secretary**

\_\_\_\_\_  
**Chairperson**

**Date:** \_\_\_\_\_