

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 2, 2024

Consent

Regular

Workshop

Public Hearing

Department: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve a negotiated settlement offer in the amount of \$12,184 for the full satisfaction of a code enforcement lien entered against Dianitza M. and Victor L. Lopez on April 7, 2021.

Summary: On March 6, 2020, a Code Enforcement Special Magistrate (CESM) issued an order giving Dianitza and Victor Lopez (the "Lopezes") until July 2, 2020 to bring their property located at 11890 68th Street North, West Palm Beach into full code compliance. Violations included open storage of trash and debris, fill and/or excavation on the property, and installation of a fence and accessory structure without permits. Compliance with the CESM's order was not timely achieved and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against the Lopezes on April 7, 2021.

The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property stating compliance was achieved as of November 1, 2023. Settlement discussions began on April 15, 2024; total accrued fines amounted to \$60,921.20. Gabrielle D'Agostino, Esq., the real estate representative for the Lopezes, has agreed to pay Palm Beach County \$12,184 (20%) for full settlement of the outstanding code enforcement lien. **District 6 (SF)**.

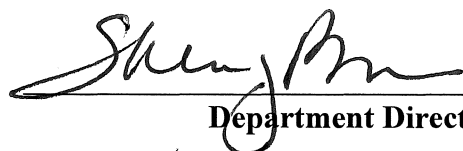
Background and Justification: The Lopezes acquired the property in December 2018. A year later, a site inspection conducted by Code Enforcement revealed the property owners were performing construction work without permits and stored trash and debris in the yard. Mr. Lopez attempted to resolve the violations and remained in communication with Code Enforcement. He attended the code enforcement hearing and was given 120 days to comply. Between November 2019 and November 2023, Code Enforcement made eight site visits to inspect the property.

Due to personal matters, the Lopezes sold the property in June 2023. The total amount of the lien is currently held in an escrow account. Ms. D'Agostino, the legal representative for Mr. Lopez, submitted a proposed settlement of \$12,184 (20%). This was not a homestead property.

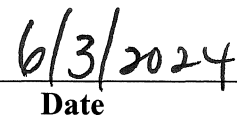
Settlement offers that reduce any debt amount due to Palm Beach County by more than \$2,500 require the approval of Board, per Countywide PPM CW-F-048.

Attachments: none

Recommended by:



Department Director

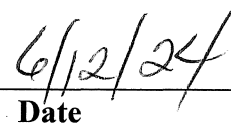


Date

Approved by:



County Administrator



Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures					
Operating Costs					
External Revenues	(12,184)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(12,184)				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget? Yes No
 Does this item include the use of federal funds? Yes No
 Is this item using State Funds? Yes No

Budget Account No.: Fund 0001 Department 600 Unit 6241 Object 5900

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Handwritten Signature] *6/14/24*
(RX) *6/14/24* OFMB

 N/A
 Contract Dev. and Control

B. Legal Sufficiency: *6/14/24* *myj*

[Handwritten Signature]

 Assistant County Attorney

C. Other Department Review:

 N/A
 Department Director

(This summary is not to be used as a basis for payment)