

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

July 9, 2020

9:00 AM

Virtual via Zoom

Special Magistrate Hearing

Jefferson M. Braswell (Special Magistrate)

Under the Americans with Disabilities Act, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 201 E. University Avenue, Room 414A, Gainesville, FL 32601 at (352) 337-6237 at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711. Any person desiring to appeal any decision with respect to any matter considered at these hearings will need a record of the proceedings, and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

PLEDGE TO THE FLAG

ADMINISTRATION OF OATH OF OFFICERS (Oath will be administered to Defendants/Witnesses as individual cases are heard)

REDUCTION/RESCISSION REQUESTS

[200106.](#) [SM 2014-010/CE-14-01919; CHESTNUT, CHARLES S III c/o GAIL MCCRAY](#)

ADMIN FEES PAID FINES REDUCED TO ZERO AS LONG AS CLOSING OCCURS
WITHIN 60-DAYS CLOSING ATTORNEY NEEDS TO PREPARE RELEASE OF LIEN TO BE EXECUTED BY THE CITY ON A SINGLE PARCEL ON THIS ADDRESS ONLY IF CLOSING OCCURS WITHIN 60 DAYS
THEN RELEASE TAKES EFFECT // IF CLOSING DOES NOT OCCUR WITHIN 60 DAYS THEN THE LEIN IS REESTABLISHED

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

After hearing from CEM Peter Backhaus and the Buyer Gail McCray. SM, Jefferson Braswell, ruled that the title company needs to supply Ms. McCray with a letter recommending severance of 3440 SE 21 Ave from parcel 12342-005-000. The City will then supply an order to sever the property from the lien. He wants the closing to happen within 60 days of July 9th 2020.

CASES TO BE HEARD

200084. **SM 2020-082/CE-20-00233; HERITAGE PARK ACADEMY INC C/O
BARBARA HARPE**

ADJ GUILTY \$132.40 ADMIN FEE
15 DAYS TO COMPLY
IF NOT BROUGHT INTO COMPLIANCE \$50 DAILY FINE AND ANY
AMOUNT OF ABATEMENT AND ALL OTHER COSTS IF APPLICABLE

RECOMMENDATION *The Special Magistrate hears case and takes action deemed
as necessary.*

**After hearing from CEO Podolsky and viewing the presentation, SM Jefferson
Braswell, ruled as follows: Guilty, 15 days to comply, \$50 per day there after,
and the payment of the administrative cost of \$132.40 plus any and all cost of
abatement.**

200102. **SM 2020-083/CE--00552; MCCLUNEY, WARREN**

MAGISTRATE TO TAKE THIS CASE UNDER CONSIDERATION
MAGISTRATE TO READ BROADER ORDINANCE AND CONSIDER
THE LAW MORE IN DEPTH BEFORE MAKING A FINAL RULING AND
ORDER ON THE CASE

RECOMMENDATION *The Special Magistrate hears case and takes action deemed
as necessary.*

**After the hearing from CEO Norris, Arborist David Conser, Respondent
McCluney, and CEM Peter Backhaus, SM Jefferson Braswell will not be making
any ruling as of now until reviewing all of the support documents from the CEO
and the Arborist as well as House Bill number 1159.**

200026. **SM 2020-073/CE-20-00535; HIR UNIVERSITY INVESTORS LLC**

ADJ GUILTY
10 DAYS TO COMPLY
\$50 DAILY FINES
ADMIN FEES OF \$157.45

RECOMMENDATION *The Special Magistrate hears case and takes action deemed
as necessary.*

**After hearing from CEO Gates and viewing the presentation, SM Jefferson
Braswell ruled as follows: Guilty, 10 days to comply, \$50 per day there after,
and the payment of the administrative cost of \$157.45 plus any and all cost of
abatement**

CONTINUANCE REQUESTS

[200104.](#) **[SM 2020-085/CE-20-00674; MERCER, RUSSELL](#)**

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

CONTINUED

[191171.](#) **[SM 2020-046/CE-20-00040; SCOTT, ALENE S LIFE ESTATE](#)**

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

CONTINUED

[200105.](#) **[SM 2020-084/CE-20-00864; YUM, HEE JO](#)**

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Continued

[200101.](#) **[SM 2020-086/CE-20-00060; TSENG FU-MEI CHIANG](#)**

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Continued

COMPLIANCE/DISMISSAL

[200081.](#) **[SM 2020-079/CE-20-00984; SOUTHEASTERN CONFERENCE
ASSOCIATION OF 7 DAY ADVENTIST INC](#)**

DISMISSED NOW IN COMPLIANCE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Approved as Recommended

200083.

SM 2020-081/CE-20-00745; VILLAR, CANDIDA BAEZ

DISMISSED NOW IN COMPLIANCE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Approved as Recommended

200082.

SM 2020-080/CE-20-00513; CY GATORS LLC

DISMISSED NOW IN COMPLIANCE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Approved as Recommended

ADJOURNMENT

Adjourned at 10:01a