

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

3G-2

AGENDA ITEM SUMMARY

Meeting Date: December 6, 2016  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 \$5,546 for the full satisfaction of a Code Enforcement Lien that was entered against Robert Swedenjelm on March 16, 2016.

**Summary:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 2, 2015 on property owned by Robert Swedenjelm giving him until January 31, 2016 to bring the property located at 16912 68<sup>th</sup> Street North, Loxahatchee into full Code Compliance. The property had been cited for the installation of two (2) sheds without permits and change of electrical service for a generator plug in and security lights without permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Robert Swedenjelm on March 16, 2016. Code Enforcement issued an Affidavit of Compliance for the property stating that as of September 19, 2016 the code violations had been corrected. The total accrued lien amount through September 23, 2016, the date on which settlement discussions first began, totaled \$13,744.42, of which Robert Swedenjelm has agreed to pay the County \$5,546 for full settlement of his outstanding Code Enforcement Lien. District 6 (PM).

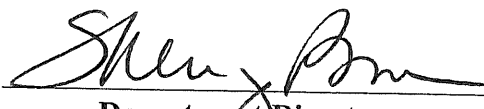
**Background and Policy Issues:** The initial violations that gave rise to this Code Enforcement Lien were for the installation of two (2) sheds without permits and change of electrical service for a generator plug in and security lights without permits. The Special Magistrate gave Robert Swedenjelm until January 31, 2016 to bring the property into full code compliance or a fine of \$50.00 per day would begin to accrue. A follow-up inspection by Code Enforcement on February 9, 2016 confirmed that the property was still not in compliance. A code lien was then entered against Robert Swedenjelm on March 16, 2016. Code Enforcement issued an Affidavit of Compliance for the property stating that as of September 19, 2016 the code violations had been corrected and the property was in full compliance with the CESM's Order. The Collections Section of OFMB (Collections) was first contacted by Vivian Swedenjelm on September 23, 2016 to discuss the outstanding code case and lien balance. Collections, after extensive review, evaluation, and discussions with Vivian Swedenjelm and Code Enforcement, has agreed to present a proposed settlement offer in the amount of \$5,546.00 to the Board for approval which is 40% of the total lien.

During the time of the violation period, the Swedenjelm family encountered a series of tragedies and medical issues which delayed Mr. Swedenjelm's ability to obtain full code compliance in a timely manner. The home is the Swedenjelm's homestead property and the only property they own. The home was recently sold as they needed to downsize as a result of Mr. Swedenjelm's medical issues.

(continued on page 3)

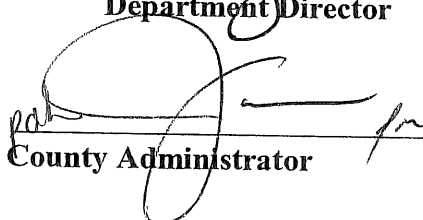
Attachments: none

Recommended by:

  
Department Director

11/22/16  
Date

Approved by:

  
County Administrator

11-30-16  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$5,546.00)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$5,546.00)	_____	_____	_____	_____

# ADDITIONAL FTE  
POSITIONS (Cumulative)

Is Item Included In Current Budget?    Yes X    No \_\_\_\_\_  
Budget Account No.:    Fund 0001    Department 600    Unit 6241    Object 5900

Reporting Category \_\_\_\_\_

**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:**

*Jr* 11/22/16  
*[Signature]* 11/23/16  
 OFMB  
*Rat* 11/22/16  
 ET 11/23/16  
 M.S. 11/23/16

\_\_\_\_\_  
N/A  
Contract Dev. and Control

**B. Legal Sufficiency:**

*[Signature]*  
\_\_\_\_\_  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
N/A  
Department Director

**Background and Policy Issues Continued**

**Page 3**

An Affidavit of Compliance was issued by Code Enforcement stating that the cited code violations were fully corrected as of September 19, 2016 and that the property was in full compliance with the CESM's Order. Further, the cited violations did not involve any health/safety issues.

In light of the above stated circumstances, Staff believes that the proposed settlement is fair and in the best interest of Palm Beach County.

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