

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: September 19, 2023

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 \$12,582 for the full satisfaction of a code enforcement lien entered against Wilner and Yvonne Auguste on August 3, 2016.

Summary: The Code Enforcement Special Magistrate (CESM) issued an order on May 4, 2016 for the property owned by Wilner and Yvonne Auguste, giving them until July 3, 2016 to bring their property located at 6548 Athena Drive, Lake Worth, FL into full code compliance. The citation included nine different violations including construction without permits, exterior structure disrepair, overgrown vegetation, and openly stored trash and debris.

Notice of violation was issued on August 24, 2015 with a compliance date of November 2, 2015. A site visit completed on February 5, 2016 revealed that the property remained as cited and building permits remained inactive. A magistrate hearing was scheduled for May 4, 2016. Wilner and Yvonne Auguste were not present at the hearing. The CESM gave Mr. and Mrs. Auguste until July 3, 2016 to bring the property into full code compliance or a fine of \$50 per day would begin to accrue. On July 5, 2016, a site inspection revealed the property remained in violation. Compliance with the CESM's order was not achieved, and the CESM executed an order imposing a code lien against Wilner and Yvonne Auguste on August 3, 2016.

The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on May 23, 2023, and the daily fines stopped. The total accrued fines on on June 6, 2023 was \$125,818.67, the date on which settlement discussions began. Yvonne Auguste has agreed to pay Palm Beach County \$12,582 (10%) for full settlement of the outstanding code enforcement lien. **District 2 (SF)**

Background and Justification: Yvonne Auguste reported that the dissolution of her marriage resulted in a financial hardship. She was awarded the property but did not have the financial means to correct the violations. It took her seven years to reach compliance. During that time, Code Enforcement made six visits to the property to follow up and provide assistance. Ms. Auguste wants to sell the property and contacted the Office of Financial Management and Budget on June 6, 2023 to discuss the settlement of the lien. This is her homestead property and the only property she owns.

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

Attachments: None

Recommended by:



Department Director

8/24/2023

Date

Approved by:



County Administrator

8/28/23

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues	(12,582)				
Program Income (County)					
In-Kind Match(County)					
NET FISCAL IMPACT	(12,582)				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget? Yes No

Does this item include the use of federal 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:

ASDULL 8/24/23
 (P) 8/24/23 OFMB 9/8/23
 CB 8/24/23 8/24/23

N/A

 Contract Dev. and Control

B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

N/A

 Department Director

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