

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 12, 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 \$24,000 for the full satisfaction of a code enforcement lien entered against Arlene J. Lynch on February 2, 2011.

Summary: On September 1, 2010, a Code Enforcement Special Magistrate (CESM) issued an order giving Arlene J. Lynch until October 31, 2010 to bring her property located at 3233 Atlantic Road, Palm Beach Gardens, FL into full code compliance. A notice of violation was issued on May 6, 2010 for installation of a fence and a shed without obtaining a permit. A permit for the fence was obtained; however, the shed remained unresolved. Full 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 Arlene J. Lynch on February 2, 2011.



The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on March 23, 2018. Settlement discussions began on December 21, 2023 when the total accrued fine amounted to \$135,212.84. Ms. Lynch's daughter, Christine Zamperini, and her legal representative, Dylan J. Brandenburg, Esq., have agreed to pay Palm Beach County \$24,000 (18%) for full settlement of the outstanding code enforcement lien. The settlement will be paid in monthly installment payments. **District 1 (SF).**

Background and Justification: Ms. Arlene Lynch acquired the property in March 1999. In February 2010, an anonymous complaint was filed with Code Enforcement concerning unpermitted shed and fence at the property. A permit was obtained for the fence but not for the shed. Ms. Lynch was unable to attend the CESM hearing due to health issues. Between 2010 and 2014, Code Enforcement conducted five inspections at the property.

According to her daughter, Ms. Lynch was very ill and was unable to remedy the violations. She recently passed away and her daughter, Christine Zamperini, inherited the property. Mrs. Zamperini took immediate action to correct the violation. Mr. Dylan Brandenburg, Esq. contacted the Office of Financial Management and Budget on November 29, 2023 to discuss settlement of the code lien. This is 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	2/20/2024 _____ Date
Approved by:	 _____ County Administrator	3/4/2024 _____ 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	(24,000)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(24,000)				
#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:

2/14
 OFMB

msf
2/14/24

 N/A
 Contract Dev. and Control

B. Legal Sufficiency:

 Assistant County Attorney

C. Other Department Review:

 N/A
 Department Director