

391

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 9, 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 \$20,050 for the full satisfaction of a code enforcement lien entered against Nicole Ventress Barr on July 10, 2019.

**Summary:** On November 9, 2018, a Code Enforcement Special Magistrate (CESM) issued an order giving Nicole Ventress Barr until February 5, 2019 to bring her property located at 12391 Bimini Ave, Palm Beach Gardens into full code compliance. Violations imposed against the property included overgrown vegetation, expired permits, shutters on the windows, and no numerical address designation posted on the premises. 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 Ms. Barr on July 10, 2019.

The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on February 2, 2024. Settlement discussions began on February 2, 2024, when the total accrued fines amounted to \$91,149.65. Mr. Dominic DeCesare, the legal representative for Ms. Barr's estate, has agreed to pay Palm Beach County \$20,052 (22%) for full settlement of the outstanding code enforcement lien. **District 1 (SF).**

**Background and Justification:** Ms. Barr acquired the property in April 2003 and made improvements to the property. Permits were obtained but never closed. In June 2018, Code Enforcement received an anonymous complaint and inspected the property. The property had overgrown grass, openly stored trash and debris, shutters on the windows, and the numerical address designation was missing from the premises. Upon further research, the property also had three expired permits. While Ms. Barr cured some violations, all were not timely achieved.

Ms. Barr died in October 2020. The heirs' legal representative, Dominic DeCesare, Esq., contacted the Office of Financial Management and Budget to discuss settlement of the lien as the house was under contract to be sold. On March 7, 2024, the heirs of Ms. Barr agreed to pay Palm Beach County \$20,050 (22%). This was a non-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: Sherry P... 3/13/2024  
Department Director Date

Approved by: CBaker 3/19/24  
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	(20,052)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(20,052)				
#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:**

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**III. REVIEW COMMENTS**

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

*Lisa Mant* 3/13/2024  
 (R) 3/12/29 OFMB 0513977 3/13

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

**B. Legal Sufficiency:**

*WJF*  
 3/10/24

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

**C. Other Department Review:**

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