

PUBLIC NUISANCE ABATEMENT BOARD QUASI-JUDICIAL MEETING MINUTES

Proceedings before the City of Jacksonville's Public Nuisance Abatement Board taken on
Thursday, August 25, 2022, at 3:00 P.M.
Ed Ball Building, 214 N Hogan Street, 1st Floor, Jacksonville, FL 32202
Jacksonville, Duval County, Florida

I. Call Meeting to Order

Vice-Chair Josh Cockrell, chairing, called the meeting to order at 3:02 P.M., introduced and welcomed new Board Member, JSO Assistant Chief, Jaime Eason.

II. Roll Call

Members Present

Josh Cockrell, Vice Chair

Mansel Carter

Adam Edgecombe, Esq.

Assistant Chief Jaime Eason, JSO

Assistant Chief Richard A. Reichard, JFRD

Scott Turner

Members Absent

Bryan Mosier, Chair

Paul Thomas

Board Staff Present:

Trisha Bowles, OGC

Julie Ann Rivera, Board Clerk

Interested Parties Present:

Ravi Katta, Property Owner, FLKNARRS, LLC., 888 Franklin Street, Jacksonville, Florida 32202

Gaby Young, Office of General Counsel, City of Jacksonville

Coreylyn Brown, Office of General Counsel, City of Jacksonville

In Attendance:

Public attendees recorded on the sign-in sheets

III. Welcome & Agenda Review

Board Clerk, Julie Ann Rivera, indicated there were no adjustments or changes to the agenda. Vice-Chair Cockrell informed attendees there will be no public comments; opportunity to be heard does not apply to a ministerial or quasi-judicial meeting.

IV. Review and Approval of Minutes

1. Thursday, April 28, 2022, Board Meeting

V. New Business:

All present, having business before the Board, were sworn in by the Board Clerk.

The Vice-Chair called the case:

1. Case No: PNAB-2022-001

Owner(s) / Operator(s):

FLKNARRS, LLC

Place/Premises Address:

Franklin Arms Apartments,

**a/k/a Downtown East Apartments
888 Franklin Street,
Jacksonville, Florida 32206
Section 893.13, Florida Statutes
Chapter 672, Jacksonville Ordinance Code**

Statute / Ordinance:

Representing the City of Jacksonville, Petitioner:

- Gaby Young, Office of General Counsel, representing the Jacksonville Sheriff's Office (JSO)
- Coreilyn Brown, Office of General Counsel, representing the Jacksonville Sheriff's Office (JSO)

Witnesses on behalf of the City of Jacksonville, Petitioner:

- Brian Kee, Chief of Investigations, JSO
- Andre Ayoub, Chief of Patrol Support, JSO

Representing the Property, Respondent:

- Ravi Katta, Property Owner, FLKNARRS, LLC.

Witnesses on behalf of the Property, Respondent:

- Ravi Katta, Property Owner, FLKNARRS, LLC.

The City called the two witnesses which, as delineated in section 672.04, described the following seven forcible felonies, evidence provided to the Board by the City as composite exhibit of records, which occurred at 888 Franklin Street:

- A. On or about February 20, 2022 - a homicide where a deceased male had been shot by unknown assailant. This is currently an active criminal investigation. CCR: 2022-0103710.
- B. On or about March 12, 2022 - a report of a person shot at the Premises. CCR: 2022-147728.
- C. On or about April 11, 2022 - a burglary to dwelling that had just occurred on the Premises. CCR: 2022-210755.
- D. On or about May 2, 2022 - an aggravated assault with a firearm. CCR 2022-0255747.
- E. On or about May 4, 2022 - a person shot while at the Premises. CCR: 2022-0259763.
- F. On or about June 11, 2022 - a burglary into an apartment at the Premises. CCR: 2022-0341504.
- G. On or about June 25 through July 1, 2022 - a report of a burglary into an apartment at the Premises. CCR 2022-0383930.

City witnesses offered the recommendations for property 888 Franklin Street for remedies to be considered in the order.

The City's evidence related to the testimony was added to the clerk's file including the record of costs and fees associated with the case.

The Property Owner provided the board, as evidence, the following items:

- Exhibit 1 – JSO payments from April to August 2022
- Exhibit 2 – Picture of the security camera system
- Exhibit 3 – Downtown East Apartment eviction list
- Exhibit 4 – Picture of posting of building rules
- Exhibit 5 – Pictures of posting of building rules
- Exhibit 6 – Downtown East Apartments resident application criteria

Following all evidence and testimony presented, the Board Members through motions, seconds and majority votes found the following facts were established:

- Motion to approve the evidence submitted been brought forward is pursuant to pursuant Chapter 672, Jacksonville Ordinance Code (Public Nuisance Abatement Ordinance) and Florida Statute Section 893.138. Moved by Board Member Edgecombe and seconded by Board Member Carter. The motion carried with six in favor and zero against.
- Motion to accept as fact that the Respondent, FLKNARRS LLC, owns the following described real property located at 888 Franklin Street, Jacksonville, FL 32206; also known as Parcel Number: 122486-0000, in Duval County, City of Jacksonville, Florida. Herein referenced as the "Premises". Moved by Board Member Edgecombe and seconded by Board Member Scott Turner. The motion carried with six in favor and zero against.
- Motion to accept as fact that said ownership is evidenced by a copy of the Deed. Moved by Board Member Edgecombe and seconded by Board Member Richard Reichard. The motion carried with six in favor and zero against.
- Motion to accept as fact that the above-described premises is a nuisance in that it has been used on more than two occasions within a six-month period as the site of a forcible felony as described in Section 776.08, Florida Statutes:
 - A. CCR: 2022-0103710
 - B. CCR: 2022-147728
 - C. CCR: 2022-210755
 - D. CCR 2022-0255747
 - E. CCR: 2022-0259763
 - F. CCR: 2022-0341504
 - G. CCR 2022-0383930
 - H. Based on the aforementioned occurrences within the last six months, the Premises meets the requirements to be declared a public nuisance under section 672.04, Jacksonville Ordinance Code.

Moved by Board Member Edgecombe and seconded by Board Member Carter.

The motions carried with six in favor and zero against.

There were no additional facts that the Board wished to add or change regarding this matter.

Motion to approve the finding of facts was moved by Board Member Edgecombe and seconded by Board Member Reichard. With no further discussion, the motion carried with six in favor and zero against.

Following the approval of facts, a motion for the finding of facts to be adopted and accepted was moved by Board Member Edgecombe and seconded by Board Member Carter. With no further discussion, the motion carried with six in favor and zero against. By the vote of the Board approving the facts, the Board has determined the premises is a public nuisance.

The City presented a list of potential remedies for the Board to consider.

1. Non-residents be prohibited from loitering on the premises upon the issuance of this order.
2. No Trespassing and No Loitering signs be prominently posted within a specified time.

3. The Property Manager will advise all loitering individuals to immediately leave the premises, or they will be trespassed from the property.
4. All leases or written agreements provide the Rules of Conduct related to criminal activity at the place or premises, state a violation of this conduct shall be grounds of eviction, and provide the tenants a copy of this order while the order is in place.
5. They maintain contact and cooperation with the JSO Sheriff's Office Apartment Watch Coordinator in Zone 1 in carrying the provision of this Boards order.
6. At the request of JSO, to allow for a Crime Prevention Thru Environmental Design (CPTED) survey be made within the premises within 60 days of the order and to implement the recommendations reasonably related to eliminate the factors of criminal conduct.
7. The Property and Business Owner will check in with tenants at least once a month at the beginning, within a certain benchmark every month for the next four months, as it progresses provide a lesser amount for the Owner to check in with the property, beginning within 30 days of this order.
8. Screening of future tenants for drugs and violent offenses be done and only rent to tenants without such offenses on their records, beginning from the date of this order.
9. Abstain from leasing to future tenants without a lease agreement signed by all parties from living in the apartment. If there are folks living, or staying for a period of time, they are to be on the lease.
10. Provide a copy of all leases or allow JSO to inspect all leases withing 48 hours of their request by JSO.
11. Immediately notify JSO of any illegal activity, including the unlawful use, possession, sale or delivery of control substances or illegal possession of weapons by any patrons upon the property.
12. Ensure the premises is monitored with fully operational video recording system which records all activities on the premises 24 hours a day and an upgrade from the existing surveillance. The surveillance footage be retained for 30 days from the date of this order or specify time to allow the owner to purchase such surveillance system.
13. Cooperate with JSO in ongoing criminal investigations, provide immediate access to the property public areas, and provide all videos at the request of JSO.
14. Provide necessary personnel and Property Manager contact information to JSO to ensure someone will respond to the premises within one-hour; specially if there is a homicide.
15. Owner signs a trespass authorization form to allow the Zone 1 area and any other officers to be able to issue trespass warnings on the property, especially if there are folks that are loitering, within 15 days of this order.
16. Operational license plate reader for the parking lot and allow access to JSO to be able to identify any type of activity going on in the area and parking lot. Request a time frame as it may take time to research, JSO will be willing to do this, and ask for a benchmark of 60 days.
17. Install fencing around the entire perimeter of the premises to deter unnecessary foot traffic, especially for the first-floor tenants. The benchmark of three to four months would be requested due to supply and demand.
18. Installation of a gated fence around the parking lot, require control access for vehicles to enter the parking lot, and access only be granted to residents of the premises.
19. Control access for all interior gates, have only one ingress and egress, and add a particular timeframe. Controlled access can be a key or card and be completed within the next 45 days.
20. Participate in the Sheriff's Watch Program and satisfactorily complete all required tasks withing the program to reach all gold level status by the end of the term of this order.
21. Look to the expertise of any other remediation that the Board thinks will be helpful.
22. Request the fees, as far the investigative costs for JSO of \$1,000, the attorneys' fees for the amount \$7,265, and fines for the seven violations that occurred on this property.

23. Supervise the property for a year and during that year if any other crimes occur, they can be subject to an additional \$500 per incident per day.

Vice-Chair Cockrell asked if the Board had any additional recommendations or changes to what was presented by the City?

24. Board Member Jaime Eason recommended the bushes and trees be trimmed to have window ingress and egress visible and lighting be continuously monitored to ensure adequate lighting and not foster criminal activity.
25. Board Member Edgecombe indicated, to the extent possible, the shrubbery extending over the property at issue, be trimmed back and the property owner be responsible for this.
26. Board Member Edgecombe recommended spring loaded gates, which would eliminate the open-door issue.
27. Board Member Eason recommended fire door alarms not be connected to the Fire Department. The City added the property maintenance crew can routinely check all the doors and gates.

Motion to recommend the property owner start with the CPTED study, gate control efforts, trimming of the trees, increased lighting, locks, fire door alarms, patrol of the property by maintenance personnel, and a good faith effort by the Property Owner. The Board will come back and re-visit these items and set a timeframe for completion based on the results of the study. Motion made by Board Member Carter and seconded by Board Member Edgecombe. With no further discussion, the motion carried with six in favor and zero against.

Poll was taken and all Board Members are available to attend a continuation of this meeting to be scheduled for Thursday, September 22, 2022, at the Ed Ball Building, 214 North Hogan Street, 1st Floor, Jacksonville, FL 32202 during which the Board can review the CPTED study results and finalize the remedies in the order.

Motion to approve the fines per Section 672.08 (c), City and JSO costs be paid. Motion made by Board Member Edgecombe and seconded by Board Member Cartel. Board Member Edgecombe offered the amendment that the Board award the City and JSO costs for a total of \$8,265. Seconded by Board Member Carter and with no further discussion, the amended motion carried with six in favor and zero against.

Motion by Board Member Edgecombe to impose fines of a total of \$1,750, pursuant to Section 672.08 (c) 1, but suspend them pending satisfactory completion of the recommended remedies. Seconded by Board Member Carter and with no further discussion, the motion carried with six in favor and zero against.

VI. Other New Business

No other new business.

VII. Old Business

No old business.

VIII. Next Board Meeting

The next meeting is scheduled for Thursday, September 22, 2022, at the Ed Ball Building, 214 North Hogan Street, 1st Floor, Conference Room 1002, Jacksonville, FL 32202.

IX. Adjourn

Vice-Chair Cockrell adjourned the meeting at 5:45 P.M

CERTIFICATION

Recorded and transcribed by:

Julie Ann Rivera – September 22, 2022
Julie Ann Rivera, Board Clerk
Public Nuisance Abatement Board Support

Approved by:

Josh Cockrell – September 22, 2022
Josh Cockrell, Vice-Chair
Public Nuisance Abatement Board

ⁱ F.S. 286.0114(3)(b) & (d) – Opportunity to be heard does not apply to ministerial or quasi-judicial only meetings.