

CITY OF DAYTONA BEACH

MINUTES – Red Light  
Camera Violations

SPECIAL  
MAGISTRATE  
HEARING

November 12, 2013  
City Commission Chambers  
301 South Ridgewood Avenue,  
Daytona Beach, Florida

10:30 AM

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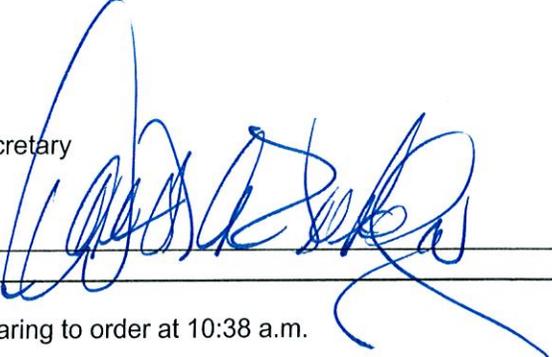
ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney  
Gary Sault  
Nicholas Sault  
Eric Ryan  
Tiffany Enborg  
Mallory Taylor

Ms. Aimee Hampton, Secretary

Approval of Minutes by:  Special Magistrate

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Mr. Vukelja called the Hearing to order at 10:38 a.m.

Ms. Hampton swore in members of staff who would be testifying during the proceeding.

Mr. Vukelja explained the costs and procedure of the red light camera proceedings to the audience.

Mr. Vukelja approved the Minutes of the October 8, 2013 Red Light Camera Proceeding.

Mr. Vukelja asked if there were any announcements.

Ms. Hampton stated there were no announcements.

**Hearing of Cases:**

Case 1

**CITATION NO. 0160149673 - Buffalohorn, Troy A.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal.

Respondent was not present.

**Ruling**

Mr. Vukelja found Mr. Buffalohorn liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 2

**CITATION NO. 0160147990 - Arzon, Carmen R.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Carmen Arzon came forward and was sworn. Ms. Arzon stated she would like to plea to the violations.

Mr. Jackson provided the video for Ms. Arzon to review.

**Ruling**

Mr. Vukelja found Ms. Arzon liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 3

**CITATION NO. 0160149856 – Avila, Sofia** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera – Failure to Stop at Steady Red Signal

Mr. Julian Avila came forward and was sworn. Mr. Avila stated Sofia was his wife but he was the one who was driving the vehicle. Mr. Avila stated he would plead to the violations.

**Ruling**

Mr. Vukelja found Mr. McMahon liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 4

**CITATION NO. 0160147940 - Findley, David G.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Mr. David G. Findley came forward and was sworn. Mr. Findley viewed the video and stated the court stated he needed to request a no contest plea so this ticket did not affect his CDL License.

Mr. Jackson stated as long as the ticket is paid it would not affect his license as it would not be transferred to the Court.

**Ruling**

Mr. Vukelja found Mr. Findley liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 5

**CITATION NO. 0160147932 – Radyvonyuk, Tatyana** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera – Failure to Stop at Steady Red Signal

Mr. Michael Smith came forward and was sworn.

Ms. Tatyana Radyvonyuk came forward and was sworn.

Mr. Smith stated he was there to pay for the citation for Ms. Radyvonyuk and agreed to plead to the violations.

**Ruling**

Mr. Vukelja found Ms. Radyvonyuk liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

**Case 6**

**CITATION NO. 0160149572 - Davidson, William** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Mr. Williams Davidson came forward and was sworn. Mr. Davidson stated he was not driving and it was his wife's vehicle but he they were separated.

Mr. Jackson clarified the initial citation was issued to Tammy Davison and Ms. Davidson submitted an Affidavit of Defense stating Mr. Davidson was operating her vehicle at the time of the violation. Mr. Jackson provided the statutory language regarding Affidavits of Defense and the process of re-issuing the citations against the person whom the Affidavit states.

Mr. Davidson stated he was in Polk County with his father during the time of the citation and he has been separated since July 2013.

Mr. Jackson stated a possible suggestion for clarification would be to summons Mrs. Davidson so she can provide testimony.

**Ruling**

Mr. Vukelja continued the case to the December 10, 2013 meeting to subpoena Tammy Davidson.

**Case 7**

**CITATION NO. 0160150135 - Desforjes, Junior** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Mr. Junior Desforjes came forward and was sworn. Mr. Desforjes viewed the video and plead to the violations.

**Ruling**

Mr. Vukelja found Mr. Desforjes liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

**Case 8**

**CITATION NO. 0160148181 - Hoague, Rachel A.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Rachel A. Hoague came forward and was sworn. Ms. Hoague reviewed the video and agreed to plea to the violation.

**Ruling**

Mr. Vukelja found Ms. Hoague liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 9

**CITATION NO. 0160147796 - Lassiter, Kaynah P.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Respondent was not present.

**Ruling**

Mr. Vukelja found Ms. Lassiter liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 10

**CITATION NO. 0160150364 - Le, Khanh Q.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Mr. Khanh Le came forward and was sworn. Mr. Le reviewed the video and agreed to plead to the violation.

**Ruling**

Mr. Vukelja found Mr. Le liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 11

**CITATION NO. 0160148502 - Mitchell, Kim G.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Kim Mitchell came forward and was sworn. Ms. Mitchell reviewed the video and agreed to plead to the violation.

**Ruling**

Mr. Vukelja found Ms. Mitchell liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 12

**CITATION NO. 0160150531 - Morriss, Jaclyn E.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Jaclyn Morriss came forward and was sworn. Ms. Morriss reviewed the video and agreed to plead to the violation.

**Ruling**

Mr. Vukelja found Ms. Morriss liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 13

**CITATION NO. 0160150015 - Rice, Monika A.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Rice came forward and was sworn. Ms. Rice stated she would like to contest the violation and that she was from California and in California she was permitted to turn right on right without stopping.

Mr. Jackson stated the State of California does have red light camera's but said he agreed they may not have them in the City she resided in.

**Ruling**

Mr. Vukelja found Ms. Rice liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 14

**CITATION NO. 0160147744 – Smith, Cleon L.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera – Failure to Stop at Steady Red Signal

Respondent was not present.

**Ruling**

Mr. Vukelja found Mr. Smith liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 15

**CITATION NO. 0160151662 - Turner, Brandy N.** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Ms. Brandy Turner came forward and was sworn. Ms. Turner reviewed the video and agreed to plead to the violations.

**Ruling**

Mr. Vukelja found Ms. Turner liable for the violation and ordered the fine amount of \$158.00 plus \$50.00 administrative costs payable within 30 days.

Case 16

**CITATION NO. 0160150507 - U.S. Transportation Leasing Co., LLC** is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - Photo/Camera - Failure to Stop at Steady Red Signal

Attorney Random Burnett appeared on behalf of U.S. Transportation Leasing, Co., LLC.

Mr. James C. France came forward and was sworn.

Mr. Burnett provided argument regarding the driver making a right hand turn in a safe and prudent manner as provided in the statute.

Mr. Jackson provided argument that the statutory language provides for motorists to stop before making a right hand turn.

**Ruling**

Mr. Vukelja reviewed the statute and heard argument of counsel and further provided the parties submit memorandums of their position within 10 days and he would issue a written order after his review of what is submitted.

**Miscellaneous Business**

There was no miscellaneous business.

**Adjournment**

The meeting was adjourned at 11:45 a.m.