

CITY OF DAYTONA BEACH

MINUTES – Red Light  
Camera Violations

**SPECIAL  
MAGISTRATE  
HEARING**

January 14, 2014  
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  
Tiffany Enborg  
Mallory Taylor

Ms. Aimee Hampton, Secretary

Approval of Minutes by: \_\_\_\_\_

Special Magistrate

Mr. Vukelja called the Hearing to order at 11:05 a.m.

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

Mr. Vukelja asked if there were any announcements.

Ms. Hampton stated there were no announcements.

Mr. Vukelja explained the hearing process to the audience members.

**Hearing of Cases:**

Case 1

**CITATION NO. 0160153264 - Hsieh, Charles** 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. Charles Hsieh came forward and was sworn. Mr. Hsieh stated he proceeded carefully and was at an intersection that allowed right hand turns.

Ofc. Sault provided the video footage.

Mr. Vukelja reviewed that showed a right hand turn on red.

**Ruling**

Mr. Vukelja found Mr. Hsieh not liable.

Case 2

**CITATION NO. 0160153833 - BR Daytona, Inc.** 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. Alan Thompson came forward and was sworn. Mr. Thompson stated he was appearing on behalf of BR Daytona, Inc. Mr. Thompson reviewed the video and stated he runs a rental bike shop and he did not believe that was one of his scooters.

Mallory Taylor stated tag was clear when reviewing the violations and the City believed the license plate was the Respondent's.

**Ruling**

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

Case 20

**CITATION NO. 0160151854 - Porcelli, Anthony J.** 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. Anthony Porcelli came forward and was sworn. Mr. Porcelli reviewed the video and stated he was in the process of selling the vehicle and the person who was driving was test driving the car. Additionally he believed the right hand turn was careful.

Mr. Jackson stated the intersection did allow right hand turns on red.

**Ruling**

Mr. Vukelja found Mr. Porcelli not liable.

Case 3

**CITATION NO. 0160151372 - Jones, Bobbie** 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. Bobbie Jones came forward and was sworn. Mr. Jones stipulated to the violations.

**Ruling**

Mr. Vukelja found Mr. Jones 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. 0160152315 - Morris, Jazelle D.** 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. Morris liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 5

**CITATION NO. 0160149712 - Boisvert, Lee** 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. Lee Boisvert and Kathleen Boisvert came forward and were sworn. Mr. Boisvert stated it was not him and was not his motorcycle. Mr. Boisvert stated he lives in Spring Hill Florida and was in Hernando County, Florida that day.

Tiffany Enborg stated the City believed it was him because of the tag registration.

Mr. Boisvert stated the tag they are showing he turned in the year 2005 and it was destroyed.

Ms. Boisvert stated their motorcycle was yellow.

Mr. Jackson stated he was concerned that there may be something Mr. Boisvert needed to do something with the tag office to make sure the issues gets corrected.

**Ruling**

Mr. Vukelja found Mr. Boisvert not liable.

Case 6

**CITATION NO. 0160150644 - Breeding, Samantha** 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. Breeding liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 7

**CITATION NO. 0160152730 - Campbell, Tevon 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 Tevon A. Campbell liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 8

**CITATION NO. 0160151733 - Cortez, Jennifer** 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. Jennifer Cortez came forward and was sworn. Ms. Cortez reviewed the video and stated she turned right on red at an intersection where right hand turns are permitted and there was no pedestrian or bicyclist.

**Ruling**

Mr. Vukelja found Ms. Cortez not liable.

Case 9

**CITATION NO. 0160150791 - Floyd-Carter, Quennedda T.** 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. Quennedda Floyd-Carter came forward and was sworn. Ms. Carter stated she was out of town and the person who was driving her car was a football player who was with her son who was bit by a shark at the beach and the friend was following the Ambulance to the hospital. Ms. Carter stated the right hand turn was made in a careful and prudent manner.

**Ruling**

Mr. Vukelja found Ms. Floyd-Carter not liable.

Case 10

**CITATION NO. 0160151798 - Fream, Suzanne** 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. Suzanne Fream came forward and was sworn. Ms. Fream reviewed the video and stated she was making a right hand turn on red at an intersection that was allowed and the turn was made in a safe and careful manner.

**Ruling**

Mr. Vukelja found Ms. Fream not liable.

Case 11

**CITATION NO. 0160153595 - Gonzalez, Orlando** 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. Orlando Gonzalez came forward and was sworn. Mr. Gonzalez stated he was making a right hand turn and did slow down carefully to make the turn.

**Ruling**

Mr. Vukelja found Mr. Gonzalez not liable.

Case 12

**CITATION NO. 0160150366 - Gorman, Kimberly** 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. Kimberly Gorman came forward and was sworn. Ms. Gorman stated she made a right hand turn in careful and prudent manner where right hand turns are allowed.

**Ruling**

Mr. Vukelja found Ms Gorman not liable.

Case 13

**CITATION NO. 0160149226 - Khemlani, Narain S.** 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. Navin Khemlani came forward and was sworn. Mr. Khemlani stated he was driving the car and made a right hand turn at an intersection where they are allowed and he did slow down and turning carefully.

**Ruling**

Mr. Vukelja found Ms. Khemlani not liable.

**Case 14**

**CITATION NO. 0160151189 - King, Gloria** 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.

Ms. Hampton advised Ms. King sent in a letter regarding being unable to attend the meeting.

Mr. Vukelja reviewed the letter.

**Ruling**

Mr. Vukelja found Ms. King 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. 0160151456 - Massood, Karim S.** 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. Massood liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

**Case 16**

**CITATION NO. 0160153241 - McGrane, Heather** 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. Heather McGrane came forward and was sworn. Ms. McGrane reviewed the video and stated she made a careful right hand turn in a lane that is a dedicated right hand turning lane.

**Ruling**

Mr. Vukelja found Ms. McGrane not liable.

**Case 17**

**CITATION NO. 0160153534 - Agledor, Almette Miller** 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. Agledor liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 18

**CITATION NO. 0160150068 - O'Neill, Mark D.** 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. Mark O'Neill came forward and was sworn. Mr. O'Neill reviewed the video and stated the vehicle was not in possession of his vehicle at the time the turn was made. Mr. O'Neill stated his vehicle has been impounded and someone from the towing company was driving because he was in Key Largo at the time this occurred. Mr. O'Neill stated he was still in litigation to get his vehicle back and his attorney was William Gambert.

Mr. Vukelja reviewed the paperwork submitted by Mr. O'Neill.

Mr. Jackson stated that because the affidavit was incomplete as he did not know who was driving the car, it was referred for hearing.

**Ruling**

Mr. Vukelja found Mr. O'Neill not liable.

Case 19

**CITATION NO. 0160153076 - Palesh, Christopher** 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. Christopher Palesh came forward and was sworn. Mr. Palesh reviewed the video and stated he made a right hand turn safely and at an intersection where right hand turns are permitted.

Mr. Jackson stated he believed the speed was not performing safe and prudent.

**Ruling**

Mr. Vukelja found Mr. Palesh not liable.

Case 21

**CITATION NO. 0160151890 - Rice, Monika** 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. Rice liable for the violation and ordered the fine amount of \$158.00 plus \$100.00 administrative costs payable within 30 days.

Case 22

**CITATION NO. 0160149640 - Talbot, Sandra 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**

Ms. Sandra Talbot came forward and was sworn. Ms. Talbot reviewed the video and stated she made a right hand turn safely and at a location where right hand turns are allowed.

**Ruling**

Mr. Vukelja found Ms. Talbot not liable.

Case 23

**CITATION NO. 0160150086 - Utter, Sharon K.** 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. Sharon Utter came forward and was sworn. Ms. Utter reviewed the video and stated she made a right hand turn safely and at a location where right hand turns are allowed.

**Ruling**

Mr. Vukelja found Ms. Utter not liable.

Case 24

**CITATION NO. 0160150655 - Welch, Susan K.** 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. Susan Welch came forward and was sworn. Ms. Welch reviewed the video and stated she made a right hand turn safely and at a location where right hand turns are allowed.

**Ruling**

Mr. Vukelja found Ms. Welch not liable.

Case 25

**CITATION NO. 0160149596 - Wright, Sabrina** 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. Sabrina Wright came forward and was sworn. Ms. Wright reviewed the video and stated she made a right hand turn safely and at a location where right hand turns are allowed.

**Ruling**

Mr. Vukelja found Ms. Wright not liable.

**Miscellaneous Business**

There was no miscellaneous business.

**Adjournment**

The meeting was adjourned at 12:00 p.m.