

CITY OF DAYTONA BEACH

MINUTES – Red Light
Camera Violations

SPECIAL
MAGISTRATE
HEARING

September 9, 2014
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida

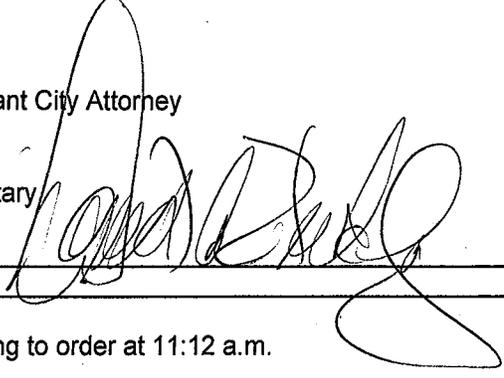
10:30 AM

ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney
Tiffany Enborg
Ofc. Gary Sault
Ms. Aimee Hampton, Secretary

Approval of Minutes by:  _____ Special Magistrate

Mr. Vukelja called the Hearing to order at 11:12 a.m.

Mr. Vukelja approved the July 8, 2014 and August 12, 2014 Red Light Camera Proceeding Minutes.

Mr. Vukelja asked if there were any announcements.

Ms. Hampton stated there were no announcements.

Ms. Hampton swore in members of staff that would be testifying.

Hearing of Cases

Case 1

CITATION NO. 0160161933 - Kylie M. Allocco 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. Kylie Allocco came forward and was sworn.

The video was reviewed.

Mr. Allocco stated she was not the driver but was the passenger during the time.

Mr. Vukelja asked if Ms. Allocco submitted a transfer of liability to the driver.

Ms. Allocco stated she did not because she did not know the driver's date of birth or address.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 2

CITATION NO. 0160161585 - Julia L. Dixon 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 the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 3

CITATION NO. 0160161743 - Shanita Brown 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. Shanita Brown came forward and was sworn.

The video was reviewed.

Ms. Brown stated during the time of the violation she was at Midas getting her brakes fixed and believes it was an employee that ran the light.

Mr. Vukelja inquired if Ms. Brown submitted the affidavit of defense.

Ms. Brown stated she does not have the information and from her understanding the employee is incarcerated and in prison. Ms. Brown stated she has a receipt but she cannot find it at the moment.

Mr. Jackson stated the process is that Ms. Brown would have to go back to Midas and have them provide the information for the driver.

Ms. Hampton provided the affidavit to Ms. Brown.

Ruling

Mr. Vukelja ordered the case be continued to the October 14, 2014 Agenda and stated Ms. Brown needs to return to the City with a properly completed affidavit of transfer and he will consider dismissing the case, however if she cannot get the information than she may be found liable.

Case 4

CITATION NO. 0160161862 - Marlene C. Ackerman 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. Ackerman was present earlier but had to leave because of the timing of the meeting.

Ms. Enborg stated Ms. Ackerman stated she was going to come back with a money order.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 5

CITATION NO. 0160162613 - Safia R. Baker 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. Jackson stated the City was requesting the case be dismissed based upon negotiations with the attorney.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 6

CITATION NO. 0160162181 - Samantha Beckett 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. Samantha Beckett came forward and was sworn.

The video was reviewed.

Ms. Beckett stated she was not driving at the time.

Mr. Vukelja reviewed the letter submitted by Ms. Beckett and inquired if Ms. Beckett submitted an affidavit.

Ms. Beckett stated she completed the paperwork but did not say who was driving as she believes she did not have to because of the 5th amendment.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Ms. Beckett asked what the point of amendments are if they are not allowed to have them heard. Ms. Beckett also stated she requested the maintenance records and she did not receive them.

Mr. Vukelja stated she had the right to challenge the order.

Case 7

CITATION NO. 0160162509 - Trenesha L. Brown 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. Trenesha Brown came forward and was sworn. Ms. Brown stipulated to the violations.

The video was reviewed.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 8

CITATION NO. 0160162694 - Trenesha L. Brown 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. Trenesha Brown came forward and was sworn. Ms. Brown stipulated to the violations.

The video was reviewed.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 9

CITATION NO. 0160163098 - Ann L. Fortier-Dunn 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. Ann Fortier-Dunn came forward and was sworn. Ms. Dunn stated she believed the light was yellow.

The video was reviewed.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 10

CITATION NO. 0160163606 - Hartley C. French 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. Hartley French came forward and was sworn.

The video was reviewed.

Mr. French stated he was not driving as it was a commercial van for his business but he was unable to complete the affidavit for one of his employees.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 11

CITATION NO. 0160162507 - Ginette N. Goutier 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.

The video was reviewed.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 12

CITATION NO. 0160162373 - Jacqueline C. Hayman 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. Jacqueline Hayman came forward and was sworn.

The video was reviewed.

Ms. Haymen stated she was out of town during the time and there could be three individuals who had access to her car at the time, and unfortunately no one would admit to the violation.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 13

CITATION NO. 0160160858 - Joe Morris 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. Joe Morris came forward and was sworn. Mr. Morris stated he was not driving, it was not his car and someone transferred the violation to him.

The video was reviewed.

Discussions were held between Mr. Jackson, Mr. Vukelja and staff regarding dismissing the citation against Mr. Morris and re-issuing it to the owner of the vehicle, Rosemary Dinicola.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 14

CITATION NO. 0160162496 - Latrice D. Salter 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.

The video was reviewed.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 15

CITATION NO. 0160161502 - Debora A. Speer 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. Debora A. Speer came forward and was sworn. Ms. Speer stated her car sits very low and a large truck was in front of her where she could not see the light.

The video was reviewed.

Mr. Jackson stated he believed that was not a defense to the violation.

Officer Sault stated you are supposed to follow a vehicle far enough away to be able to see the light.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 16

CITATION NO. 0160161913 - Robert L. Tatum 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. Robert Tatum came forward and was sworn.

The video was reviewed.

Mr. Tatum stated he does not know who was driving but the vehicle applied the brakes but kept going. The brakes did go out on his son but he does not know if that was the day or not.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 17

CITATION NO. 0160162633 - Daniel P. Vidal 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. Daniel Vidal came forward and was sworn.

The video was reviewed.

Mr. Vidal stated he acknowledged he was the driver and it is his vehicle, however his car is old and around that time his car needed repairs and has issues.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Case 18

CITATION NO. 0160163615 - Terrence L. Watson 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. Terrence Watson came forward and was sworn.

The video was reviewed.

Mr. Watson stated agreed with the violations.

Ruling

Mr. Vukelja found the respondent liable and imposed the \$158 fine plus \$50 administrative fee payable in 30 days.

Miscellaneous Business

1. Ms. Shaquita Barrs stated she thought she was on the Agenda.

Ms. Hampton advised Ms. Barrs her case was dismissed based upon her submittal of her affidavit and police report of her vehicle being stolen. Ms. Hampton further stated she mailed her a letter last week advising the case was dismissed.

2. There was no miscellaneous business.

Adjournment

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