

City of Port St. Lucie

Special Magistrate Hearing

Meeting Minutes

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Wednesday, September 4, 2024

9:00 AM

City Hall, Council Chambers

1. Meeting Called to Order

A SPECIAL MAGISTRATE HEARING of the City of Port St. Lucie was called to order by Special Magistrate Claudette Pelletier, Esq. on September 4, 2024, at 9:05 a.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Present:

Claudette Pelletier Esq., Special Magistrate
Sara Brown, Project Coordinator
Mariama Lindo, Code Compliance Standards Associate
Camille Wallace, Neighborhood Services Deputy Director
Aaron Biehl, Code Compliance Supervisor
Anastasia Diaz, Code Compliance Specialist
Charles Cerami, Code Compliance Specialist
Roque Gomez, Code Compliance Specialist
Nicolette Capp, Code Compliance Specialist
Spencer Scott, Deputy City Attorney
Jasmin De Freese, Deputy City Clerk

2. Pledge of Allegiance

The Special Magistrate led the assembly in the Pledge of Allegiance.

3. Swearing in Code Specialist and/or Building Investigators

The Deputy City Clerk administered the Oath of Testimony to the Code Specialists.

4. Approval of Minutes

4.a Hear Approval of Minutes for 7/10/2024 Cases and Approve
the Staff Recommendation

[2024-846](#)

The Special Magistrate approved the July 10, 2024, meeting minutes as submitted.

5. Late Abatements and/or Postponements

Administrative Assistant Lindo stated that case 24-02818 was postponed and cases 24-10624 and 24-11501 were abated.

6. Approval of Agenda

The Special Magistrate approved the agenda, as published.

7. Introduction of Cases

8. Code Violations

8.a Hear Code Violations Cases and Approve the Staff Recommendation[2024-847](#)

3. DIAZ / CASE NO. 24-09069 / 1102 SW COLEMAN AVE

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations.

The Deputy City Clerk swore in Respondent Katherine Zack, who requested an extension to be able to get the lights and get the vehicle registered. The City did not oppose to an extension.

The Special Magistrate granted a 90-day extension.

4. DIAZ / CASE NO. 24-11492 / 1054 SW CALIFORNIA BLVD

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations.

The Deputy City Clerk swore in Respondent Jose Morales, who advised that the case was in litigation. (Clerk's Note: Exhibits were provided to the Special Magistrate at this time and the exhibits were given back to the Respondent.) The City stated that they were in favor of a 6-month extension. Camille Wallace, Neighborhood Services Deputy Director, requested that this item be rescheduled to Special Magistrate Claudette Pelletier's hearing date in 6 months so that she may be the one to hear the case.

The Special Magistrate granted a 6-month extension.

9. Code Violations Special Requests

9.a Hear Code Violations Special Requests Cases and Approve the Staff Recommendation[2024-848](#)

13. CERAMI / CASE NO. 24-10930 / 311 FELDMAN AVE

Code Compliance Specialist Cerami read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation as cited and ordered a compliance deadline by September 11, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$25 for every day the violation continues after the compliance deadline, not to exceed \$2,500, as well as the City's administrative cost in the amount of \$411. The Special Magistrate authorized the City, per Section 162.08(5) of the Florida Statutes, to enter the property to maintain the high grass and weeds.

10. Certification of Fines

10.a Hear Certification of Fines Cases and Approve the Staff Recommendation

[2024-849](#)

17. DIAZ / CASE NO. 24-03295 / 1965 SW BELLEVUE AVE

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. She noted that Public Works confirmed that the culvert was crushed.

The Deputy City Clerk swore in Jean Claude Alcime who appeared on behalf of the Respondent. He explained that they were working on fixing the issue, but that they were still looking to find a decent price. The Special Magistrate noted that the whole house was not required to be painted, and Specialist Diaz reiterated that the culvert must be repaired. Code Compliance Supervisor Aaron Biehl listed the notices and dates that were provided to the Respondent, noting that they were aware of the violations since May. Mr. Alcime stated that he would speak to his brother and make calls for the repairs.

The Special Magistrate found that based on the testimony and evidence, she found that the property remains in violation. She certified the fine and ordered a fine in the amount of \$50/day up to a maximum of \$5,000 and \$411 in administrative costs.

19. GOMEZ / CASE NO. 24-06135 / 1632 SW CEFALU CIR

Code Compliance Specialist Gomez read the case presentation and Staff's recommendations into the record and presented photos that were taken at

the time of the inspections showing the subject property and violations. He noted that this was the third case from Neighborhood Services

The Deputy City Clerk swore in Respondent Joan B. Scott, who informed that she had problems with the insurance company, but they had finally paid off the house and provided her the difference in 2022. She stated that she then got a contractor, of whom had passed away, so she got a new contractor in 2023, but he disappeared after 2 months. She also stated that she paid someone to cut the yard, but he only cut the front, not the back, and she got someone to clean the inside of the house, but they only did half the job. Ms. Scott stated that she went to court and was given back some of the money, and she now has a new contractor and engineer, as well as blueprints.

The Deputy City Clerk swore in Ms. Scott's contractor Michael C., who explained how Ms. Scott had been trying to rectify the problems and stated that he would be meeting with the owner of the engineering company, in which if an agreement was reached, he could apply for a permit immediately. He then requested an extension. Code Compliance Supervisor Aaron Biehl noted that no one was present for the Violation Hearing where they could have requested an extension, and that this house has sat since 2020. He recommended that they move forward with the Certification of Fine. Ms. Scott stated that she did not receive a notice, and Specialist Gomez provided information on the posting of all notices.

Based on the testimony and evidence presented, the Special Magistrate found that the Respondent had failed to comply with the deadline set forth in the Violation Hearing. She certified the fine in the amount of \$225/day, up to a maximum of \$22,500, in addition to the administrative costs of \$411.

11. Certification of Fines Special Request

- 11.a** Hear Certification of Fines Special Request Cases and
Approve the Staff Recommendation

[2024-850](#)

21. CAPP / CASE NO. 24-05830 / 1825 SW OAKWOOD RD

Code Compliance Specialist Capp read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

Based on the testimony and evidence presented, the Special Magistrate found that the Respondent had failed to comply with the deadline set forth in the Violation Hearing. She certified the fine in the amount of \$100/day,

up to a maximum of \$10,000, in addition to the administrative costs of \$411, and a \$400 repair cost as previously authorized. The Special Magistrate authorized the City, per Section 162.08(5) of the Florida Statutes, to enter the property to maintain the high grass and weeds.

22. GOMEZ / CASE NO. 23-10512 / 3449 SW ROSSER BLVD

Code Compliance Specialist Gomez read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

Based on the testimony and evidence presented, the Special Magistrate found that the Respondent had failed to comply with the deadline set forth in the Violation Hearing. She certified the fine in the amount of \$50/day, up to a maximum of \$5,000, in addition to the administrative costs of \$411 and a \$1,500 repair cost as previously authorized. The Special Magistrate authorized the City, per Section 162.08(5) of the Florida Statutes, to enter the property to maintain the high grass and weeds.

23. GOMEZ / CASE NO. 24-07757 / 1387 SW CHASE RD

Code Compliance Specialist Gomez read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

Based on the testimony and evidence presented, the Special Magistrate found that the Respondent had failed to comply with the deadline set forth in the Violation Hearing. He certified the fine in the amount of \$100/day, up to a maximum of \$10,000, in addition to the administrative costs of \$411. The Special Magistrate authorized the City, per Section 162.08(5) of the Florida Statutes, to enter the property to maintain the high grass and weeds.

12. How Parties are Notified

Administrative Assistant Lindo read the following into the record: A Notice of Hearing or Notice of the Certification of Fine was sent to the violator by Certified Mail Return Receipt Requested to the address listed in the Tax Collector's Office for tax notices or to the address listed in the County Property Appraiser's Database. If the green card was returned, it was placed in the file and was either signed, unsigned or unclaimed. Ten days before the hearing, an agenda was posted on the bulletin board in the lobby of Port St. Lucie City Hall. Also, a Notice of Hearing was posted on the property in question, along with an Affidavit of Posting, which included a copy of the notice posted and the date and places of

its posting. If the certification card was not returned to the Neighborhood Services Department, then within ten days before the Hearing, posting was completed in the same manner as if the card was returned unclaimed as stated above. The photos shown at the hearing were kept and maintained as public records of the City of Port St. Lucie's Neighborhood Services Department. The Administrative Assistant requested that the Clerk enter the cases into the record and asked the Special Magistrate if she had any questions about any cases with no parties present, to which she responded in the negative.

13. Introduction of Cases Without Parties Present

The cases without parties present were read into the record by the Administrative Assistant.

14. Public to be Heard

There were no public comments to be heard.

15. Adjourn

There being no further business, the meeting was adjourned at 10:05 a.m.

Jasmin De Freese, Deputy City Clerk