

City of Port St. Lucie

Special Magistrate Hearing

Meeting Minutes - Draft

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

Wednesday, March 13, 2024

9:00 AM

City Hall, Council Chambers

Addition of Item 13A

1. Meeting Called to Order

A SPECIAL MAGISTRATE HEARING of the City of Port St. Lucie was called to order by Special Magistrate Keith Davis on March 13, 2023, at 9:00 a.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Present:

Keith Davis, Special Magistrate

Sara Brown, Project Coordinator

Wesley Armstrong, Code Compliance Manager

Jason McElveen, Code Compliance Supervisor

Spencer Scott, Deputy City Attorney

Camille Wallace, Deputy Director of Neighborhood Services Department

Daniel Robinson, Planner, Planning and Zoning

Rachel Knaggs, Code Compliance Officer

Steve Owens, Code Compliance Officer

Matthew Williams, Code Compliance Officer

Michael Dickerson, Code Compliance Officer

Melissa Huckstable, Code Compliance Officer

Evelyn Rojas, Finance

Daisy Ruiz, Deputy City Clerk

2. Pledge of Allegiance

The Special Magistrate led the assembly in reciting 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

There were no minutes scheduled for approval.

5. Late Abatements and/or Postponements

Project Coordinator Sara Brown announced case number 22-08027 had been postponed. She announced that the following cases were late abatements:

22-17751, 23-18540, and 23-17917.

6. Approval of Agenda

The Special Magistrate approved the agenda as submitted.

(Clerk's Note: At this time Special Magistrate announced he would be calling Item 13.a Hear Modification Requests Cases and Approve the Staff Recommendation.)

7. Introduction of Cases

8. Code Violations Cases

8.a Hear Code Violations Cases and Approve the Staff Recommendation

2024-223

(Clerk's Note: This Item was heard after Item 13.a Hear Modification Requests Cases and Approve the Staff Recommendation.)

KNAGGS 23-18510 1042 SW HALEYBERRY AVENUE

Code Specialist Rachel Knaggs, previously sworn, read the case presentation and staff's recommendation into the record. She presented the photos that were taken of the inspection showing the subject property and provided an explanation of her investigation findings.

The Special Magistrate inquired if the Respondent would be complying if she were to reinstate the State Certification, to which Ms. Knagg's responded in the affirmative.

The Deputy City Clerk swore in the Respondent, Felicia Porter. Ms. Porter provided her explanation regarding the case and advised the Special Magistrate that she and another client reside in her home as the second client had passed away.

The Special Magistrate asked the Respondent if it was possible that she would seek to be reinstated by the State of Florida as an Assisted Living Facility, to which she responded in the negative.

The Special Magistrate stated he did not find any wrongdoing or inappropriateness regarding the actions taken by Specialist Knaggs. He inquired if Ms. Porter would be complying based on her explanation, to which Specialist Knaggs responded in the affirmative and indicated it would have to be verified by the City.

Ms. Porter asked for an explanation of how she did not follow the law, to

which Special Magistrate Davis explained the definition of a Single-Family home in the City of Port St. Lucie.

The Special Magistrate found that proper notice was achieved, and that the property remained in violation. He accepted the City's Recommendation and required compliance by March 20, 2024. He explained to Ms. Porter that before March 20, 2024 she would need to allow the City to reinspect the property and verify the occupancy status and confirm there were only two unrelated people living in the home. The Special Magistrate extended the compliance date to March 20, 2024, if not in compliance by that date a fine in the amount of \$25/day would be due every day the violation continued, not to exceed \$2,500 along with the administrative cost of \$411.

The Special Magistrate noted that was the only case with a Respondent present.

9. Code Violations Special Requests Cases

9.a Hear Code Violations Special Requests Cases and Approve the Staff Recommendation

[2024-224](#)

WILLIAMS 24-02773 202 SW CHERRY HILL ROAD

Code Specialist Matthew Williams, previously sown, read the case presentation and staff's recommendations into the record. He presented the photos that were taken at the time of the inspection showing the subject property and violations.

The Special Magistrate inquired if the property was occupied, to which Mr. Williams responded in the negative and confirmed vacancy. He asked if this was a case with a previous maxed out lien, to which Mr. Williams stated there was an active lien already on the property for maintenance violations regarding the building.

The Special Magistrate noted the Respondent was not present, he found that proper notice was achieved. The Special Magistrate stated that the property remained in violation and ordered that the Respondent comply by March 20, 2024, if not in compliance by that date a fine in the amount of \$50/day would be due every day the violation continued, not to exceed \$5,000 along with the administrative costs of \$411. He authorized the City to enter the property to abate the violation and assess the costs.

Ms. Brown indicated this was the only case with a special request.

(Clerk's Note: The Special Magistrate requested we move to Item 14. How

parties are notified.)

10. Vacant Lot Violations Specials Requests Cases

10.a Hear Vacant Lot Violations Cases and Approve the Staff Recommendation [2024-225](#)

There were no cases heard under this portion of the Agenda.

11. Certification of Fines Cases

11.a Hear Certification of Fines Cases and Approve the Staff Recommendation [2024-226](#)

There were no cases heard under this portion of the Agenda.

12. Solid Waste Certification of Fines Cases

12.a Hear Solid Waste Certification of Fines Cases and Approve the Staff Recommendation [2024-227](#)

There were no cases heard under this portion of the Agenda.

13. Modification Requests Cases

13.a Hear Modification Requests Cases and Approve the Staff Recommendation [2024-268](#)

ROJAS 22-30086BL 321 NW PEACOCK BLVD UNIT #315

Evelyn Rojas, Lien Services Department, stated that the Modification request on today's agenda, Item No. 15 was heard as a matter of City Policy and mandated by Florida Statute. She explained that the City Council held the lien and were considered assets of the City. Ms. Rojas indicated that per the City Ordinance the Special Magistrate had authority to modify the lien. The Special Magistrate stated he would approve the modification and sign the appropriate modification order.

(Clerk's Note: The Special Magistrate announced he would hear Item 8.a Hear Code Violation Cases and Approve the Staff Recommendation.)

14. How Parties are Notified

(Clerk's Note: This Item was heard after Item 9.a Hear Code Violations Special Requests Cases and Approve the Staff Recommendations.)

Ms. Brown stated that 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.

15. Introduction of Cases Without Parties Present

Code Violations:

23-18327 1720 W Gatlin Blvd.
23-18986 2190 SW Hayworth Ave.
23-15125 965 NW Bayshore Blvd.
23-18660 119 SE Cashmere Blvd.
24-00636 10585 S US Highway 1

Vacant Lot Violations:

24-01002 788 SW Hillsboro Cir.
24-01308 1966 SW Del Rio Blvd.
24-01583 6261 NW Topez Way
24-01656 832 SE Sweetbay Ave.

The Special Magistrate indicated he would sign the appropriate orders for the above cases.

16. Public to be Heard

There were no comments from the public.

17. Adjourn

There being no further business, the meeting was adjourned at 9:34 a.m.

Daisy Ruiz, Deputy City Clerk