

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

March 13, 2023 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Matthew McConnell, Assistant City Attorney
Michelle Gonzalez, Community Development Director
Ginny Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
Patrick Hawk, Code Enforcement Officer

Special Magistrate Augello called the hearing to order at 10:00 AM and swore in all those present who would be testifying.

2. Changes to the Agenda – Code Enforcement Manager Peyt Dewar requested the addition of a lien appeal for Case No.20220685, 562 71st Ave., to the agenda. He also requested a continuation of Case No. 20230105, 102 13th Ave., to the April hearing, and reported that the property for Case. No. 20230106, 7606 Gulf Blvd. in now compliant.

3. Cases Complied or Continued –

A. Case No.20220648 City of St. Pete Beach v. Josias Guzman Alcantara
Address: 131 72nd Ave St. Pete Beach FL 33706

Code Enforcement Officer Patrick Hawk testified that this case was continued for a status update; the Respondent has decided to obtain a variance for the pergola on the property.

Respondent Josias Alcantara appeared and testified that he has obtained a variance application. Special Magistrate Augello continued the case to the April 10th hearing and specified that the application and payment must be submitted prior to that time.

4. New Cases – None.

5. Old Cases – None.

6. Repeat Violations –

A. Case No. 20230105 City of St. Pete Beach v. Dasani, Nehal and Dasani, Gita
Address: 102 13th Ave. Pete Beach FL 33706

Special Magistrate Augello continued this case until April 10th.

B. Case No. 20230106 City of St. Pete Beach v. Tarantini, Rafael and Tarantini, Melis
Address: 7606 Gulf Blvd. St. Pete Beach FL 33706

Mr. Dewar reported that this property is now compliant.

Special Magistrate Augello recessed the meeting briefly at 10:09 AM.

The meeting reconvened at 10:12 AM.

C. Case No. 20230107 City of St. Pete Beach v. Arroyo, Randall and Arroyo, Shanel
Address: 2692 W Vina Del Mar Blvd. St. Pete Beach FL 33706

Mr. Dewar reported that this case is related to Case No. 20210559 and is therefore a repeat violation. He displayed the Magistrate's order from December of 2021. He continued to present the case summary and evidence for the City

No one was present for the Respondent.

Special Magistrate Augello found that based upon the evidence, the property was in repeat violation from 2/23 through 2/26/23 and imposed fines of \$500 per day plus administrative costs.

7. Lien Appeal (Added) – Case No. 20220685 City of St. Pete Beach v. Myna Investments, LLC Address: 562 71st Ave. St. Pete Beach FL 33706

Mr. Dewar presented the Special Magistrate's February 16th order.

Mr. McConnell stated that the appeal is pursuant to Section 22-279(a) in which "... a consideration is limited to only such new findings necessary to impose an appropriate fine and create a lien" and confirmed that the appeal was filed within 20 days of the order. Mr. McConnell asked that the Manager of the LLC waive any due process argument since the City accommodated his request and added him last minute to the agenda.

Jason Matthews, Principal of Myna Investments, LLC declined to waive due process and indicated that he is waiting for a public records request, has some conflicting information, was unable to secure a court reporter for today's hearing, and therefore would like more time to gather data. Mr. Matthews testified that he understood that the appeal with the City is regarding the imposition of fines.

Special Magistrate Augello continued the case to the April 10th hearing.

8. Lien Reductions –

9. Next Meeting – April 10, 2023.

8. There being no further business, the hearing was adjourned at 10:27 AM.

Attest:



Amber LaRowe, City Clerk