



**CITY OF OKEECHOBEE CODE ENFORCEMENT
DECEMBER 8, 2020 SPECIAL MAGISTRATE HEARING
OFFICIAL MINUTES**

I. CALL TO ORDER

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, December 8, 2020, at 6:30 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The Pledge of Allegiance was led by Magistrate Azcona.

II. ATTENDANCE

City Clerk Lane Gamiotea called the roll. Special Magistrate Roger Azcona, Esquire, City Attorney Carlyn Kowalsky, Police Lieutenant Justin Bernst, and Code Officer Fred Sterling were present.

III. CHANGES TO AGENDA

A. Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; City Attorney Kowalsky deferred Items VI.A., VI.B, VI.C, VI.E, and VI.F.

IV. APPROVAL OF MINUTES

A. Special Magistrate Azcona approved the September 8, 2020, and October 21, 2020, Hearing minutes.

B. This being a Quasi-Judicial proceeding, City Clerk Gamiotea collectively administered an Oath to Code Officer Fred Sterling, Mr. Benjamin Purvis, and Mr. Jose Cruz; all affirmed. Code Officer Sterling advised all events occurred within the corporate limits of the City of Okeechobee. The Officer's notes, testimony, photographs, and support documents were all entered as part of the official record.

V. CONTINUED CASES

A. Case Number 190411010; Kemp Properties of Okeechobee, 909 South Parrott Avenue, Okeechobee. Violation of City Code of Ordinances Chapter 30, Sections 30-43 Public Nuisance, and 30-44 General Cleaning and Beautification.

Officer Sterling testified that an inspection was performed prior to the meeting, and progress has been made. **Special Magistrate Azcona granted an extension of 30-days from today for the property to become compliant. Mr. Purvis was further instructed that he did not have to wait the entire extension, and to notify Code Officer Sterling when he had completed the clean up to inspect the property in order to stop the fine from accruing.** He could then move forward with a fine reduction request.

VI. NEW CASES

A. Case Number 200824009 was deferred.

B. Case Number 190723008 was deferred.

C. Case Number 200824014 was deferred.

D. Case Number 200318009; Daniel Meara, 905 Southwest 3rd Avenue, Okeechobee [Legal Description: Lot 9 of Block 5, SOUTH OKEECHOBEE, Plat Book 1, Page 12, Okeechobee County Public Records]. Violation of City Code of Ordinances Chapter 30, Section 30-41 Disabled Vehicle (no tag).

Officer Sterling testified there were two vehicles parked on the property without tags. On September 21, 2020, a Notice of Violation/Notice of Hearing was mailed and received by Krystall Cafer on September 25, 2020. The Notice of Violation/Notice of Hearing was posted on the property November 17, 2020.

VI. NEW CASES CONTINUED

ITEM D CONTINUED: **Special Magistrate Azcona found the property to be in violation of City Code of Ordinances Chapter 30, Section 30-41 Disabled Vehicle (no tag). A fine of \$25.00 per day plus an administrative fee of \$50.00 will begin to accrue 14-days after proper notification.**

E. Case Number 200609010 was deferred.

F. Case Number 200916028 was deferred.

VII. FINE REDUCTION REQUESTS

A. Case Number 190917011; Manuel Serrana Pineda, 1124 Southwest 8th Street, Okeechobee [Legal Description: South 50.5-feet of Lot 11 and West 33-feet of the South 50.5-feet of Lot 12, in Block 15, SOUTHWEST ADDITION TO OKEECHOBEE, Plat Book 2, Page 7, Okeechobee County public records and the abandoned portion of First Street lying south of and contiguous to said Lot 11 and the aforementioned West 33-feet of Lot 12 of said Block 15]. The property owner is requesting a Fine Reduction from \$9,350.00 to \$935.00 plus a \$50.00 Administrative Fee.

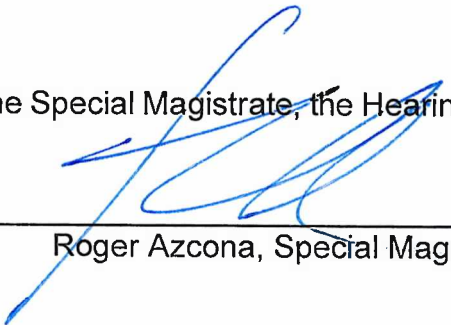
After a brief testimony from Code Officer Sterling and Mr. Jose Cruz, representing the property owner, **Special Magistrate Azcona recommended approval of the request for Fine Reduction from \$9,350.00 to \$935.00 plus a \$50.00 Administrative Fee and to allow payments to be made; half to be paid in January and the balance by February 10. The recommendation will be forwarded to the City Council for final action.**

B. Case Number 190718010; Fortex Holdings, LLC, 501 East North Park Street, Okeechobee. Requesting reduction from \$8,450.00 to \$50.00 Administration Fee.

Code Officer Sterling testified the building has been painted, the property cleaned, and is currently in compliance. He recommended a Fine Reduction of 10 percent of the accrued amount, which is \$845.00 plus a \$50.00 Administration Fee. **Special Magistrate Azcona agreed with the recommendation of a Fine Reduction from \$8,450.00 to \$845.00 plus a \$50.00 Administrative Fee. The recommendation will be forwarded to the City Council for final action.**


VIII. ADJOURN MEETING

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 7:05 P.M.



Roger Azcona, Special Magistrate

ATTEST:



Lane Gamiotea, CMC, City Clerk

Please take notice and be advised that when a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.