

RESOLUTION NO. 14-1173

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM SEAGIS PALMETTO 14240 LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0538; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2006-0538 (“Citation”) to ARM Property Investment (“Previous Owner”); and

**WHEREAS**, the Citation was issued and the violation was subsequently corrected by ARM Property Investment (“Previous Owner”); and

**WHEREAS**, the Previous Owner has incurred a total fine and costs of \$10,239.21; and

**WHEREAS**, the Property was sold to Seagis Palmetto 14240 LLC (“Current Owner”); and

**WHEREAS**, the Current Owner has requested that the Town reduce the fines and the Town Manager having reviewed the file has recommended to the Town Council approval of a reduction of the fines and costs from \$10,239.21 to \$2,559.80 (which is equal to 25% of the total fines and costs incurred by the Town); and

**WHEREAS**, on December 30, 2013, the Current Owner submitted a partial payment of \$10,000 payment for the lien, and the Owner is seeking to a refund of \$7,440.20; and

**WHEREAS**, the Current Owner has agreed to sign a release of the Town from any claims relating to the Citation as a condition of the reduction.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Reduction of Fine.** The civil penalties/fines for Code Compliance Cases No. C2006-0538 is reduced to \$2559.80 subject to the Current Owner paying the reduced amount no later than 60 days from the effective date of this Resolution. The Town Manager is authorized to execute appropriate documents, including a release and waiver by the Owners for any and all claims relating to the Citation and this reduction.

**Section 3. Conditions.** In the event the reduced fine is not paid within sixty (60) days of the effective date of this Resolution, the original fine amount shall be reinstated and continue to accrue interest as if this Resolution had not existed.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 11 day of February, 2014.

Motion to adopt by Tony Lama, second by Ceasar Mestre.

**FINAL VOTE AT ADOPTION**

Mayor Wayne Slaton	<u>YES</u>
Vice Mayor Manny Cid	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Tony Lama	<u>YES</u>
Councilmember Ceasar Mestre	<u>YES</u>
Councilmember Frank Mingo	<u>YES</u>
Councilmember Nelson Rodriguez	<u>YES</u>

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:  
M. Tejeda  
Marjorie Tejeda

TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:



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TOWN ATTORNEY