

RESOLUTION NO. 14-1214

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM JESUS A. VARGAS TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-0617, C2011-2183 AND C2009-0966; 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 Citations No. C2012-0617, C2011-2183 and Citation No. C2009-0966 ("Citation") to Jesus A. Vargas ("Owner"); and

WHEREAS, the Citations were issued and the violations were subsequently corrected by Jesus A. Vargas ("Owner"); and

WEHERAS, on December 12, 2013 the Town received a request for reduction of the fine from the Owner: and

WHEREAS, on January 14, 2014 the Town Council approved Resolution 14-1164 reducing the fines from \$14,161.47 to \$1,950.94 subject to the Owner paying the reduced amount no later than 60 days from the effective date of the Resolution;

WHEREAS, on March 15, 2014 the 60 days as provided in Resolution 14-1164 expired and therefore the penalties were re-instated as provided by the Resolution; and

WHEREAS, the Owner has submitted a second request for a fine reduction; and

WHEREAS, the Owner has incurred total fines and costs of \$14,807.40; and

WHEREAS, the 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 fine from \$14,807.40 to \$2,250.94 (which is equal to one days' fine for each case, costs incurred by the Town to process the three cases and the additional cost of re-processing for re-submittal of request); and

WHEREAS, the 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. C2012-0617, C2011-2183 and C2009-0966 are reduced to \$250.94 subject to the 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 Owner 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 13 day of May, 2014.

Motion to adopt by Tony Lama, second by Nelson Rodriguez

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. Tejada
Marjorie Tejada
TOWN CLERK

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

[Signature]
TOWN ATTORNEY