

RESOLUTION NO. 14-1180

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM EVELYN BIANCO (AKA EVELYN PENA) TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-1764; 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. C2012-1764 (“Citation”) to Evelyn Pena (“Owner”); and

WHEREAS, the Citation was issued and was subsequently corrected by Evelyn Pena (“Owner”); and

WHEREAS, on April 26, 2013 the Town received a request for reduction of the fines from the Owner; and

WHEREAS, on June 11, 2013 the Town Council approved Resolution 13-1095 reducing the fines from \$5,379.88 to \$536.86 subject to the Owner paying the reduced amount no later than 60 days from the effective date of the Resolution; and

WHEREAS, on August 10, 2013 the 60 days as provided in Resolution 13-1095 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 \$6,134.05; 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 \$6,134.05 to \$536.86 (which is equal to one days’ fine and the cost incurred by the Town to process the case); 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. C2012-1764 is reduced to \$530.00 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 11th day of March, 2014.

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

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>absent</u>
Vice Mayor Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Nelson Rodriguez	<u>yes</u>

Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:
Marjorie Tejada
Marjorie Tejada

TOWN CLERK

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

TOWN ATTORNEY

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to consist of several overlapping loops and strokes, making it difficult to decipher. It is positioned above the text 'TOWN ATTORNEY'.