

**RESOLUTION NO. 14-1244**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ACCEPTING A REQUEST FROM JUCATEL REALTY LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NOS. C2014-0940, C2011-1063, AND C2010-1322; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes, Florida (the “Town”) through its Code Compliance Department, issued Citation No. C2014-0940 to Jucatel Realty LLC (“Current Owner”) and Citation Nos. C2011-1063 and C2010-1322 to Bank of New York TRS (“Previous Owner”); and

**WHEREAS**, the Citations were issued and the violations were subsequently corrected by the Previous Owner and the Current Owner;

**WHEREAS**, the Current Owner has incurred total fines and associated costs of \$8,838.97; 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 \$8,838.97 to \$2,209.75 (which is equal to 25% of the fines and the costs incurred by the Town to process the three cases)

**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 FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

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

**Section 2. Reduction of Fine.** The civil penalties/fines for Code Compliance Case Nos. C2014-0940, C2011-1063 and C2010-1322 (“Citations”) are reduced to \$2,209.75 subject to the Current Owner paying the reduced amount no later than sixty (60) days from the effective date of this Resolution.

**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 re-instated and continue to accrue interest as if this Resolution had not existed.

**Section 4. Authorization of Town Manager.** The Town Manager and/or his designee is authorized to execute appropriate documents, including a satisfaction and discharge of lien, and release and waiver by the Current Owners for any and all claims relating to the Citations and this reduction.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 9<sup>th</sup> day of September, 2014.

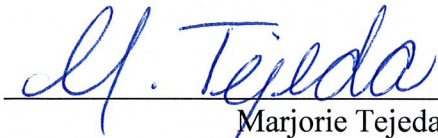
The foregoing resolution was offered by Councilman Lama who moved its adoption. The motion was seconded by Councilman Mestre and upon being put to a vote, the vote was as follows:

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  
MAYOR

Attest:



Marjorie Tejada  
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY