

RESOLUTION NO. 14-1245

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ACCEPTING A REQUEST FROM OSVALDO SUAREZ AND JEANNIE OLIVA TO REDUCE PREVIOUSLY ASSESSED BUILDING CODE COMPLIANCE FINES FOR CASE NO. C2009-0971; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 22, 2014, the Town of Miami Lakes, Florida (the "Town") through its Code Compliance Department, issued Citation No. C2009-0971 ("Citation") to Osvaldo Suarez and Jeannie Oliva ("Owners"); and

WHEREAS, an Order Imposing Civil Penalties was entered on July 19, 2010; and

WHEREAS, the Owners have incurred a total fine of \$15,991.79; and

HEREAS, the Owners have now corrected the violations; and

WHEREAS, the Owners have requested that the Town reduce the fines and the Town Manager, having reviewed the file, recommends that the Town Council approve a reduction of the fine from \$15,991.79 to \$777.75 (which is equal to one days' fine and the costs incurred by the Town to process the case); and

WHEREAS, the Owners have 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 No. C2009-0971 are reduced to \$777.75 subject to the Owners 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 Owner for any and all claims relating to the Citation and this reduction.

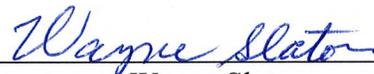
Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 9th day of September, 2014.

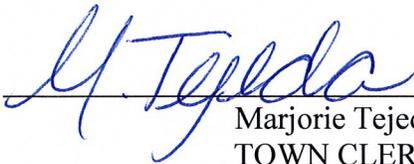
The foregoing resolution was offered by Councilman Lama who moved its adoption. The motion was seconded by Councilman Mestre and upon being put to a vote, the vote was as follows:

| | |
|--------------------------------|----------------|
| 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>Recused</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