

RESOLUTION NO. 15- 134

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE WRITE-OFF OF CERTAIN FALSE ALARM FEES AND/OR FINES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the “Town”) has issued fines and is owed fees from residents and business owners in the Town pursuant to Ordinance 02-16, as amended by Ordinance 14-179 (the Town’s Burglar Alarm Ordinance); and

**WHEREAS**, since June 2012, the Town has used the services of AOT Public Safety Corporation d/b/a Public Safety Corporation or CryWolf False Alarm Solutions (“Crywolf”) to oversee the Town’s burglar alarm registration, registration renewal process, billing and collection of registration-related fees (which fees are no longer a requirement under the Town’s Burglar Alarm Ordinance), and the invoicing and collection of fees for billable false alarms; and

**WHEREAS**, in addition to Crywolf’s services, the Town uses the services of a collection agency that assists the Town in collecting fees and fines; and

**WHEREAS**, there are several years worth of fees and fines that have originated from the Town that appear on Crywolf’s inventory of fees and fines to collect on behalf of the Town; and

**WHEREAS**, the Town’s current collection agency, Penn Credit Corporation, has determined that there are several fees and fines where the cost of collection efforts are significantly outweighed by the benefit of collection and therefore are, for practical purposes, uncollectable; and

**WHEREAS**, in order to allocate more resources towards the collection of those fees and fines that have a higher chance of collection, it is recommended that the Town write-off those fees and fines that are worth \$50.00 or less; that were issued to former Town residents and businesses; that were issued to a governmental agency (e.g., a public school located within the Town); that are older than three (3) years; and/or that are deemed uncollectable by the Town’s collection agency; and

**WHEREAS**, the Town Council hereby approves the write-off of certain fees and fines incurred and/or issued pursuant to Ordinance 02-16, as amended by Ordinance 14-179 (the Town's Burglar Alarm Program).

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

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

**Section 2. Write-Offs.** The Town Manager is authorized to write-off fees and/or fines which were incurred and/or issued pursuant to Ordinance 02-16, as amended by Ordinance 14-179, as may be amended from time to time (the Town's Burglar Alarm Program) and which in the Town Manager's discretion are deemed uncollectable, and which fall within one or more of the following categories:

- Category 1: Those fees and/or fines up to \$50.00;
- Category 2: Those fees and/or fines that were issued to former Town residents and businesses;
- Category 3: Those fees and/or fines that were issued to a governmental agency;
- Category 4: Those fees and/or fines that are older than three (3) years; and/or
- Category 5: Those fees and/or fines that are deemed uncollectable by the Town's collection agency.

**Section 3. Authorization of Town Manager.** The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Resolution.

**Section 4. Severability.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution


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

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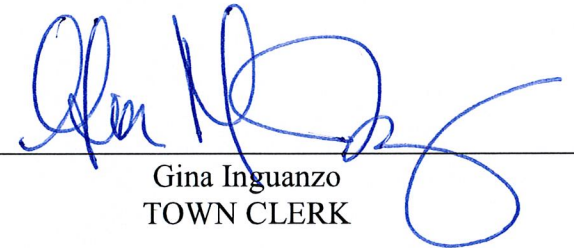
**PASSED AND ADOPTED** this 1<sup>st</sup> day of December, 2015.

The foregoing resolution was moved for adoption by Mestre. The motion was seconded by Rodriguez and upon being put to a vote, the vote was as follows:


Mayor Michael A. Pizzi, Jr.	<u>YES</u>
Vice Mayor Tim Daubert	<u>YES</u>
Councilmember Manny Cid	<u>NO</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>

  
\_\_\_\_\_  
Michael A. Pizzi, Jr.  
MAYOR

Attest:

  
\_\_\_\_\_  
Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

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