

RESOLUTION NO. 05-338

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF BANK OF AMERICA TO REDUCE A PREVIOUSLY ASSESSED CODE ENFORCEMENT FINE FOR CASE NO. C2004-0687; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”), through its Code Enforcement Department, issued Citation No. C2004-0687 to Bank of America (the “Violator”); and

WHEREAS, the violation was subsequently corrected and the Violator paid the Town the fine of \$10,901.65; and

WHEREAS, the Violator has requested that the Town reduce the fine and the Town Manager having reviewed the file has recommended to the Town Council approval of a reduction of the fine to \$8,176.24.

WHEREAS, the Violator has agreed to sign a release of the Town from any claims relating to the Citation as a condition of any 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 penalty/fine for Code Enforcement Case No. C2004-0687 is reduced to \$8,176.24, subject to receipt by the Town of a properly executed release from the Violator. The Town Manager is authorized to execute appropriate documents to facilitate the return of the balance of already paid fines to the Violator.

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13 day of December, 2005.

Motion to adopt by Mary Collins, second by Nancy Simon.

FINAL VOTE AT ADOPTION

| | |
|------------------------------|------------|
| Mayor Wayne Slaton | <u>yes</u> |
| Vice Mayor Robert Meador | <u>yes</u> |
| Councilmember Roberto Alonso | <u>yes</u> |
| Councilmember Mary Collins | <u>yes</u> |
| Councilmember Michael Pizzi | <u>yes</u> |
| Councilmember Nancy Simon | <u>yes</u> |
| Councilmember Peter Thomson | <u>yes</u> |

Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:

Debra E. Eastman
Debra E. Eastman, MMC
TOWN CLERK

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

Weiss, Serota, Helfman, Pastoriza, Guedes, Cole & Boniske, P.A.
Weiss, Serota, Helfman, Pastoriza, Guedes, Cole & Boniske, P.A.
TOWN ATTORNEY