

**RESOLUTION NO. 11-941**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM FERNANDO ALPERN TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2005-0036 AND C2010-0893; 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. C2005-0036 (“Citation”) to Felina Paloma Qureshi (“Previous Owner”); and

**WHEREAS**, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2010-0893 (“Citation”) to IM 775 LLC. (“New Owner”); and

**WHEREAS**, the Citations were issued and the violations were subsequently corrected by Fernando Alpern (IM 775 LLC.) (“New Owner”); and

**WHEREAS**, the New Owner has incurred a total fine of \$23,500.71; and

**WHEREAS**, the New 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 57% reduction of the fine of \$13,500.71, leaving a balance to be paid in the amount of \$10,000.00; 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. C2005-0036 and C2010-0893 are reduced to ~~\$2,618.26~~ 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.

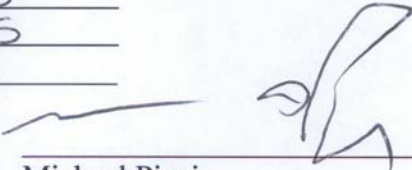
**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 11 day of October, 2011.

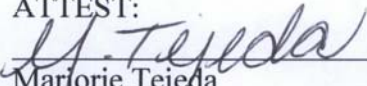
Motion to adopt by Michael Pizzi, second by Tim Daubert.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>YES</u>
Vice Mayor Nick Perdomo	<u>YES</u>
Councilmember Mary Collins	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Nelson Hernandez	<u>YES</u>
Councilmember Ceasar Mestre	<u>YES</u>
Councilmember Richard Pulido	<u>No</u>

  
\_\_\_\_\_  
Michael Pizzi  
MAYOR

ATTEST:

  
\_\_\_\_\_  
Marjorie Tejada  
TOWN CLERK

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

  
\_\_\_\_\_  
TOWN ATTORNEY