

RESOLUTION NO. 12-1022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM SELECT PORTFOLIO SERVICING, INC. ON BEHALF OF U.S. BANK NATIONAL ASSOCIATION TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-1013 AND C2004-0258; 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. C2011-1013 and Citation No. C2004-0258 (“Citation”) to Alicia Cook (“Previous Owner”); and

WHEREAS, the Citations were issued and the violations were subsequently corrected by both Alicia Cook and U. S. Bank National Association (“New Owner”); and

WHEREAS, the New Owner has incurred a total fine of \$20,204.01; 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 reduction of the fine from \$20,204.01 to \$15,153.01, which is equal to a 25% reduction; and

WHEREAS, the New 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. C2011-1013 and C2004-0258 are reduced to \$15,153.01 subject to the New

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 New 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 9 day of October, 2012.

Motion to adopt by Michael Pizzi, second by Cesar Mestre.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>YES</u>
Vice Mayor Cesar Mestre	<u>YES</u>
Councilmember Mary Collins	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Nelson Hernandez	<u>YES</u>
Councilmember Nick Perdomo	<u>YES</u>
Councilmember Richard Pulido	<u>YES</u>

Michael Pizzi
MAYOR

ATTEST:
Marjorie Tejada
Marjorie Tejada
TOWN CLERK

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

Joseph J. Miller
TOWN ATTORNEY