

RESOLUTION NO. 12-1039

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM MARK F. CIRELLI TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-0077; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2012-0077 (“Citation”) to Fannie Mae (“Previous Owner”); and

WHEREAS, the Citation was issued and the violations were subsequently corrected by Mark F. Cirelli (“New Owner”); and

WHEREAS, Mark F. Cirelli (“New Owner”) has incurred a total fine of \$5,582.97; 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 \$5,582.97 to \$508.71, which is equal to the costs incurred by the Town to process the Code case and one day’s fine, for a total reduction of \$5,074.26; 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 Case No. C2012-0077 are reduced to \$508.71, 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 re-instated 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 11th day of December, 2012.

Motion to adopt by Mayor Pizzi, second by Councilmember Hernandez.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>Yes</u>
Vice Mayor Ceasar Mestre	<u>Yes</u>
Councilmember Manny Cid	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Tony Lama	<u>Yes</u>
Councilmember Nelson Rodriguez	<u>Yes</u>




Michael Pizzi
MAYOR

ATTEST:



Marjorie Tejeda
TOWN CLERK

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



Joseph S. Geller
Greenspoon Marder, PA
TOWN ATTORNEY