

**RESOLUTION NO. 13-1094**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM PAUL PINEYRO OF CACOPHONY GROUP, LLC, AS REPRESENTATIVE, ON BEHALF OF FANNIE MAE, TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-0230; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2012-0230 (“Citation”) liens against the property located at 14562 NW 88 Place (“Property”); and

**WHEREAS**, FNMA “Fannie Mae” took title of the Property in December 2012, and subsequently brought the property into compliance soon after taking title; and

**WHEREAS**, the Property incurred a total fine of \$11,766.90; and

**WHEREAS** Fannie Mae, through their representative Paul Pineyro of Cacophony Group, LLC, 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 \$11,766.90 to \$2,291.95, (which is equal to four days’ fine and the cost incurred by the Town to process the case); and

**WHEREAS**, the representative Paul Pineyro, acting on behalf of Fannie Mae, 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 Town Council approved a reduction of the fine from \$ 11,766.90 to \$6,471.79, which is equal to a 55% reduction. The civil penalties/fines for Code Compliance Cases No. C2012-0230 are reduced to subject to Fannie Mae or its representative Paul Pineyro of Cacophony Group, LLC, 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 Fannie Mae or its representative 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.

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

PASSED AND ADOPTED this 11 day of June, 2013.

Motion to adopt by Manny Cid, second by Michael Pizzi.

FINAL VOTE AT ADOPTION

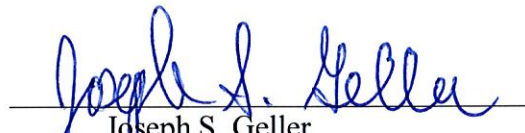
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

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

Attest:

Approve as to Form and Legal Sufficiency

  
\_\_\_\_\_  
Marjorie Tejeda  
TOWN CLERK

  
\_\_\_\_\_  
Joseph S. Geller  
Greenspoon Marder PA  
TOWN ATTORNEY