

RESOLUTION NO. 13-1116

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM THOMAS R. UGARTE AND MARY C. SAMUEL TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2005-0931; 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. C2005-0931 (“Citation”) to Thomas Ugarte and Mary C. Samuel (“Owners”); and

WHEREAS, the Citation was issued and was subsequently corrected by Thomas Ugarte and Mary C. Samuel (“Owner”); and

WHEREAS, the Owner has incurred a total fine of \$18,165.56; and

WHEREAS, the Owner had paid the initial fine of \$500 and the administrative fee of \$75; and

WHEREAS, the 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 \$18,165.56 to \$799.23, (which is equal to one days’ fine and the cost incurred by the Town to process the case); 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. C2005-0931 are reduced to \$799.23, 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.

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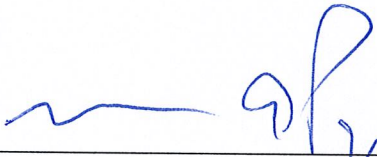
Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 30 day of July, 2013.

Motion to adopt by Mayor Pizzi, second by Vice Mayor Mestre.


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>



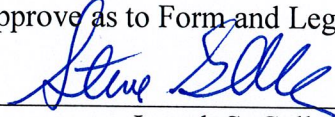
Michael Pizzi
MAYOR

Attest:



Marjorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency



Joseph S. Geller
Greenspoon Marder PA
TOWN ATTORNEY