

RESOLUTION NO. 2018-044

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AGREEMENT FOR CODE ENFORCEMENT LIEN REDUCTION BETWEEN THE CITY OF COCONUT CREEK AND THOMAS COTTON; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Thomas Cotton is the owner of the property described as 5390 NW 41 Way, Coconut Creek, Florida; and

WHEREAS, the Property was found to be in violation of the City's Code of Ordinances in City Code Enforcement Proceeding Case No. C14090258, and a Final Order of the Special Magistrate for the City was entered in such case and recorded in the Public Records of Broward County, Florida on October 22, 2015, under Instrument #113302651 ("Case #1"); and

WHEREAS, the Property was found to be in violation of the City's Code of Ordinances in City Code Enforcement Proceeding Case No. C15040479, and a Final Order of the Special Magistrate for the City was entered in such case and recorded in the Public Records of Broward County, Florida on November 10, 2015, under Instrument #113340405 ("Case #2"); and

WHEREAS, fines were stopped when each case was brought into compliance, and the fines that accrued under the referenced Orders in the amount of eighteen thousand seven hundred seventy-five dollars (\$18,775) for Case #1 and thirteen thousand twenty-five dollars (\$13,025) for Case #2, were recorded under Instrument numbers #113938632 (Case #1) and Instrument # 113938633 (Case #2) in the Public Records of Broward County, Florida (collectively, the "Liens"); and

WHEREAS, the Code Fine Reduction Committee, at Thomas Cotton's request and consent, considered the request for lien reduction for both Case #1 and Case #2 simultaneously, and accepted of the terms under which the Committee would recommend

a lien reduction and payment plan, a motion was made and passed by the Code Fine Reduction Committee recommending the reduction of the Liens for Case #1 and Case #2 to a combined total of fourteen thousand three hundred fifty dollars (\$14,350) with an administrative fee of fifty dollars (\$50) for a total amount due of fourteen thousand four hundred dollars (\$14,400); and

WHEREAS, the Code Fine Reduction Committee, at Thomas Cotton's request, considered and recommended a payment plan outlined in the Code Enforcement Lien Reduction Agreement (Agreement); and

WHEREAS, the Agreement, attached as Exhibit A, memorializes this payment plan and the conditions thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All Exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached Code Enforcement Lien Reduction Agreement between the City of Coconut Creek and Thomas Cotton.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Code Enforcement Lien Reduction Agreement between the City of Coconut Creek and Thomas Cotton.

Section 4: That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

Section 5: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 22nd day of February __, 2018.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

| | |
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| Tooley | <u>Aye</u> |
| Rydell | <u>Aye</u> |
| Sarbone | <u>Aye</u> |
| Belvedere | <u>Aye</u> |
| Welch | <u>Aye</u> |

SR;jw;ae

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