BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: July 20, 2005 - KW Division: County Attorney

Bulk Item: Yes __ No __X__ Staff Contact Person: Pedro Mercado

---

AGENDA ITEM WORDING:
Consideration of Settlement Offer by Blair and Althea Mooney.

ITEM BACKGROUND: On 9/6/03, the Code Enforcement Special Master imposed a daily fine of $500.00 against the Blair and Althea Mooney property on Summerland Key for engaging in commercial expansion by adding outside seating, decking, fencing, awning, screening and electrical without planning department approval. The property was brought into compliance on June 23, 2004. On 8/25/04 the Special Master authorized the initiation of collection proceedings of the fine and costs which total $146,100.00. Attorney Theodore Herzog, who has been retained by the Mooney's, is seeking a settlement of the fine in an amount less than what has been proposed by the County. The County has offered to settle the outstanding lien for $14,610, (ten percent of the original fine). The County has not agreed to a lesser amount due to the length of time it has taken to bring the property into compliance.

PREVIOUS RELEVANT BOCC ACTION:
The BOCC authorized collection at the November BOCC meeting.

CONTRACT/AGREEMENT CHANGES:
N/A

STAFF RECOMMENDATIONS:
Settle the outstanding lien at the recommended amount of $14,610.

TOTAL COST: N/A **BUDGETED:** Yes ___ No ___

COST TO COUNTY: N/A **SOURCE OF FUNDS:** N/A

REVENUE PRODUCING: Yes XX No ___ **AMOUNT PER MONTH**____ **Year** ____

APPROVED BY: County Atty XX OMB/Purchasing ____ Risk Management ____

DIVISION DIRECTOR APPROVAL: John R Collins 07/05/05
JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included _____ Not Required XX

DISPOSITION:_____ **AGENDA ITEM #**_____

Revised 2/05