

RESOLUTION NO. 10-188

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF BATTLE & KEEN TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2005-0458; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Miami Lakes (the "Town"), through its Code Compliance Department, issued Citation No. C2005-0458 to Battle & Keen (the "Violators"); and

WHEREAS, the Violators were issued a Citation, the violation was subsequently corrected and the Violators has incurred a fine of \$19,224.76; and

WHEREAS, the Violators have requested that the Town reduce the fine and the Town Manager having reviewed the file has recommended to the Town Council approval of a reduction of the fine to \$9,612.38.

WHEREAS, the Violator 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 penalty/fine for Code Compliance Case No. C2005-0458 is reduced to \$9,612.38. The Town Manager is authorized to execute appropriate documents, including a release and waiver by the Violators for any and all

claims relating to the citation and this reduction, to facilitate the return of the balance of already paid fines to the Violators.

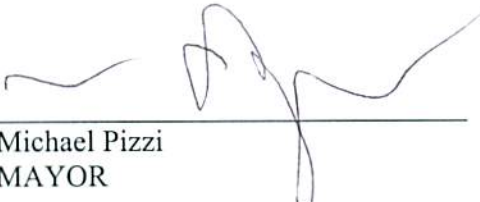
**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 12 day of January, 2010.

Motion to adopt by Collins, second by Meador.

FINAL VOTE AT ADOPTION

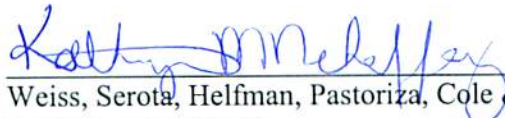
Mayor Michael Pizzi	<u>Yes</u>
Vice Mayor Nick Perdomo	<u>Yes</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember George Lopez	<u>Yes</u>
Councilmember Robert Meador II	<u>Yes</u>
Councilmember Richard Pulido	<u>Yes</u>
Councilmember Nancy Simon	<u>Yes</u>

  
\_\_\_\_\_  
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:

  
\_\_\_\_\_  
Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A.  
TOWN ATTORNEY