

RESOLUTION NO. 13-1143

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM PIONEER INVESTMENT ENTERPRISES TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-2075, C2011-2004, C2010-1129, AND C2006-0664 / C2007-1149; 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. C2011-2075, C2011-2004, C2010-1129, and C2006-0664 / C2007-1149 to Angel Suarez and Angel M. Suarez (“Previous Owners”); and

WHEREAS, the Citations were issued and the violations were corrected by Pioneer Investment Enterprises (“New Owner”); and

WHEREAS, the Previous Owners have incurred a total fine of \$38,522.65; and

WHEREAS, Pioneer Investment Enterprises (“New 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 \$38,522.65 to \$9,630.66 (which is equal to a 75% reduction of the combined fines); and

WHEREAS, Pioneer Investment Enterprises (“New 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. C2011-2075, C2011-2004, C2010-1129, and C2006-0664 / C2007-1149 are reduced to \$9,630.00 subject to Pioneer Investment Enterprises ("New 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.

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

PASSED AND ADOPTED this 8th day of October, 2013.

Motion to adopt by Cesar Mestre, second by Manny Cid.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>YES</u>
Vice Mayor Manny Cid	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Tony Lama	<u>YES</u>
Councilmember Cesar Mestre	<u>YES</u>
Councilmember Frank Mingo	<u>YES</u>
Councilmember Nelson Rodriguez	<u>YES</u>

Wayne Slaton
Wayne Slaton
MAYOR

Attest:

M. Tejada
Marjorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency

Joseph S. Geller
Joseph S. Geller
Greenspoon Marder PA