



ITEM SUMMARY

MEETING DATE: July 15, 2024

FROM: Christy Goddeau, City Attorney's Office

SUBJECT: Resolution Approving Settlement Agreement with Edward Napoli for Code Enforcement Liens at 533 Broward Avenue

BACKGROUND

At the March 18, 2024 City Council meeting, the City Council authorized the City Attorney's Office to move forward with the potential foreclosure of three (3) properties with significant code compliance liens (533 Broward Avenue; 333 Jackson Avenue; and, 453 Jennings Avenue).

For the property at 533 Broward Avenue, the City Attorney's Office set the case before the City's Special Magistrate for an authorization to foreclose (which is required if such authorization was not previously granted by the Special Magistrate). At the hearing on May 29, 2024, the property owner, Edward Napoli, appeared and proposed a potential settlement with the City to resolve the pending liens. The City's attorney Christy Goddeau and Denise Malone, Director of Development and Neighborhood Services, spoke with Mr. Napoli about potential settlement options. Based on that discussion, the City provided the attached settlement agreement to Mr. Napoli. The attached settlement agreement proposes to settle the pending code enforcement liens on Mr. Napoli's property at 533 Broward with the following conditions:

1. Mr. Napoli and then the City Council must approve the Settlement Agreement.
2. If the Settlement Agreement is approved by City Council, within 60 days thereof, Mr. Napoli must:
 - a. Pay the City for his outstanding garbage collection liens (\$716.39);
 - b. Obtain a permit to demolish the structure on the property;
 - c. Demolish the structure on the property and remove all weeds, undergrowth, and remove all unauthorized vehicles from the property; and,
 - d. Pay the City \$10,000.
3. If all of the above is timely accomplished, the City will record a release of the City's code enforcement liens.

ANALYSIS

The above described settlement is believed to be in the best interests of the City and avoids the necessity of filing a foreclosure of the same.

FINANCIAL INFORMATION

Not applicable at this time.

LEGAL

City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

STAFF RECOMMENDATION

Staff is recommending approval of the Resolution.