

RESOLUTION NO. 2024-39

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE SETTLEMENT AGREEMENT WITH EDWARD NAPOLI FOR CODE ENFORCEMENT LIENS AT 533 BROWARD AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ed Napoli is the owner of the real property located at 533 Broward Avenue in the City of Greenacres (“Property”); and

WHEREAS, the City has imposed liens against the Property for code enforcement violations which liens have accrued to an amount in excess of \$1 Million and the Property remains in a state of non-compliance; and

WHEREAS, on March 18, 2024, the City Council authorized the City Attorney’s Office to move forward with a foreclosure of the Property due to the liens and state of non-compliance; and

WHEREAS, on May 29, 2024 at a code enforcement hearing in which Mr. Napoli was present, the City requested authorization from the City’s Code Enforcement Magistrate to foreclose; and

WHEREAS, based on the City Council’s and the Special Magistrate’s authorization to foreclosure, Mr. Napoli requested the parties instead enter a settlement agreement to avoid foreclosure litigation;

WHEREAS, based on the City’s settlement discussions with Mr. Napoli, the City and Mr. Napoli tentatively agreed to the attached Settlement Agreement, which is subject to City Council approval; and

WHEREAS, the City Council is authorized by the City’s Code to offer an amnesty period by resolution in order to encourage compliance; and

WHEREAS, the proposed Settlement Agreement (as a signed application) will require Mr. Napoli to bring the Property into compliance by demolishing the structure on the Property and clearing all weeds and undergrown, removal of all unauthorized vehicles, pay all outstanding solid waste liens, and pay the City \$10,000 within 60-days of the City Council’s approval; and

WHEREAS, the Settlement Agreement provides an opportunity to the City to have the Property brought into compliance and recover funds towards the lien amounts without the need for litigation; and

WHEREAS, the City Council finds the Settlement Agreement is in the best interests of the City consistent with the authorization in the City Code for amnesty relief from code enforcement liens; and

WHEREAS, the City finds approving the Settlement Agreement with Mr. Napoli serves a valid public purpose.

Settlement Agreement for 533 Broward Avenue

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

SECTION 1. The foregoing recitals are incorporated into this Resolution as true and correct findings of the City Council.

SECTION 2. The City Council hereby approves the Settlement Agreement with Edward Napoli for 533 Broward Avenue, Greenacres, Florida, which Settlement Agreement is attached hereto and incorporated by reference.

SECTION 3. The City Council hereby authorizes the appropriate City officials to execute the Settlement Agreement and take any actions necessary to effectuate its terms.

SECTION 4. This Resolution shall become effective upon adoption.

RESOLVED AND ADOPTED this _____ of day of _____, 2024

Chuck Shaw, Mayor

Voted:
Judith Dugo, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
John Tharp, Council Member *District I*

Voted:
Peter Noble, Council Member, *District II*

Settlement Agreement for 533 Broward Avenue

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney