

RESOLUTION NO. 2018- R-60

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO INITIATE LITIGATION FOR THE FORECLOSURE OF CERTAIN CODE ENFORCEMENT LIENS AND FOR MONEY JUDGMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, In January 2018, the City of North Miami (“City”) established a Clean City Task Force (the “Task Force”) to respond to the concerns of both residents and elected officials regarding the general cleanliness of the City; and

WHEREAS, the task force is aggressively pursuing foreclosure litigation for properties that are in severe disrepair constituting a blight on the community with substantial outstanding code enforcement liens; and

WHEREAS, section 21-66 of the Code of Ordinance provides that the Mayor and City Council may authorize the City Attorney to initiate litigation to foreclose on code enforcement liens and to file litigation seeking a money judgment; and

WHEREAS, the Task Force has identified several properties in the City with substantial outstanding code enforcement liens that they recommend foreclosure litigation be filed against. Said properties are set forth in “Exhibit 1”; and

WHEREAS, the Mayor and City Council, after being fully advised, have determined that it is in the best interest of the City and its residents to proceed to litigation against the recommended three (3) properties.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Authorization to City Attorney. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Attorney to initiate litigation for foreclosure of code enforcement liens and money judgment against the properties set forth in “Exhibit 1”.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-0 Vote of the Mayor and City Council of the City of North Miami, Florida, this 22nd day of May, 2018.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Galvin

Seconded by: Mayor Joseph

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Carol Keys, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilman Philippe Bien-Aime	<u>X</u>	(Yes)	_____	(No)
Councilman Alix Desulme	_____	(Yes)	_____	(No) Absent

EXHIBIT 1

Property 1:

1270 NW 123 Street

Owner: Julie Ann Luterman

The City has liens totaling \$289,804.00. The property is assessed at approximately \$76,000 and has no mortgage.

Property 2:

1935 NE 124 Street

Owner: Rafael Alcantara

The City has liens which total \$727,257.21. The property is assessed at approximately \$278,000.00 with \$5,843.00 in federal tax liens and no mortgage.

Property 3:

13895 NE 11 Avenue

Owner: Crusito Geraldo

The City has liens totaling \$353,945.90. The property is assessed at approximately \$151,000 with a mortgage in the amount of \$330,000.00.