

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MICHAEL COPPOLA, THROUGH HIS REPRESENTATIVE ATTORNEY ROBERT CINTRON, AS FORMER PROPERTY OWNER OF 1109 FLEMING STREET, PERMITTING A RELEASE OF LIEN UPON PAYMENT BY THE OWNERS OF THE MITIGATED AMOUNT OF [\$35,000.00]; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a property lien in the total amount of \$281,100.00, resulting from fines accrued in Code Compliance Case No. 02-1032, was promulgated upon then-owner of record, Michael Coppola; and

WHEREAS, on November 19, 2004, compliance was achieved, and daily fines were discontinued, however, the fine amount had accumulated to Two Hundred and Eighty-One Thousand and One Hundred Dollars (\$281,100.00). The property owner filed an appeal to Special Magistrate's Ruling to Circuit Court, and the Appeal was dismissed on January 19, 2007; and

WHEREAS, a lien was filed with the Monroe County Clerk of Courts in Book number 2184, Page number 125 on February 2, 2006; and

WHEREAS, in March 2015, the property owner went through legal proceedings, including foreclosure, unrelated to the code compliance case. In Resolution 15-012, the City Commission approved a partial release of lien, upon payment in the amount of

\$50,000.00 by PNC Mortgage. The partial release of lien, recorded in Book number 2725, Page number 2080 on 2/20/2015 and in Book number 2950, Page Number 1050 on 2/25/19, did not affect the lien as it applies to other real property owned by Mr. Coppola; and

WHEREAS, the applicant's current request to pay a mitigated amount of \$35,000.00, when combined with the prior partial payment of \$50,000.00, represents approximately 33% (one-third) of the total lien amount if approved by the City Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Manager, upon the advice and consent of the City Attorney, is authorized to enter into an agreement with Michael Coppola, through his representative Attorney Robert Cintron, as the former owner of the property known as 1109 Fleming Street, to allow the City's release of lien upon payment of a mitigated amount of \$35,000.00.

Section 2: That the property owner shall pay the reduced lien amount of [\$35,000.00] [on or before April 15, 2022, or within thirty (30) days of the date of this Resolution, whichever is sooner,] as a condition precedent to the release of the \$281,100.00 lien.

Section 3: City staff is directed to provide the property owner/representative with a Release of Lien for recording with the Monroe County Clerk of Courts upon receipt of full payment of the lien mitigation amount.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2022.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2022.

Filed with the Clerk on _____, 2022.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK