

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO IMPLEMENT A SETTLEMENT BETWEEN THE CITY OF HOLLYWOOD AND GLOBETEC CONSTRUCTION, LLC IN THE AMOUNT OF \$800,000.00.

WHEREAS, in 2010, the City entered into an agreement with GlobeTec Construction, LLC for the construction of the McKinley Street Interceptor between 14<sup>th</sup> Avenue and 24<sup>th</sup> Avenue along McKinley Street; and

WHEREAS, on November 16, 2011, a sewer force main break occurred at Taft Street and North 31<sup>st</sup> Road, causing substantial flooding and extensive raw sewage spillage; and

WHEREAS, the damages suffered by the City total approximately \$850,000.00; and

WHEREAS, the City determined that the break resulted from GlobeTec's negligent construction of the McKinley Street Interceptor; and

WHEREAS, in 2013, the City Commission adopted Resolution Nos. R-2013-176 and R-2013-288, which authorized the City Attorney to file a civil action against GlobeTec and any other potentially liable party to recover the damages suffered by the City; and

WHEREAS, a civil action was subsequently filed against GlobeTec and two insurance companies; and

WHEREAS, the City Attorney's Office and the defendants' attorney(s) have negotiated a settlement in the amount of \$800,000.00; and

WHEREAS, the City Attorney recommends that the City Commission approve the negotiated settlement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the above-described settlement is hereby approved.

RESOLUTION APPROVING SETTLEMENT WITH GLOBETEC

Section 2: That the appropriate City officials are hereby authorized to take all necessary steps to implement the settlement.

Section 3: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY