

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED AMENDMENT TO AGREEMENT BETWEEN THE HOLLYWOOD OCEAN GROUP, LLC, THE VILLAS OF POSITANO CONDOMINIUM ASSOCIATION, INC., THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF HOLLYWOOD RELATING TO MAINTENANCE OF PUBLIC IMPROVEMENTS, INCLUDING THE STREETEND FOUNTAIN AND DOLPHIN STATUE.

WHEREAS, the Hollywood Ocean Group, Inc. (the "Developer") and the City of Hollywood entered into a Maintenance Agreement dated June 6, 2007 by which the Developer assumed the obligation to maintain certain public improvements in the public right-of-way known as Thomas Street, however the streetend fountain and dolphin statue located within the public right-of-way was specifically excluded from the obligation assumed by the Developer; and

WHEREAS, the Developer and the City of Hollywood , along with The Villas of Positano Condominium Association, Inc. (the "Association") and the Hollywood, Florida Community Redevelopment Agency (the "CRA") have negotiated an Amendment to Agreement adding the Association and the CRA as parties and clarifying the obligations of the parties with respect to the public improvements; and

WHEREAS, as part of the Amendment, the Developer is conveying the "Bottlenose Dolphins of the Atlantic" statue to the City of Hollywood;

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

Section 1: That it hereby approves and authorizes the execution, by the appropriate City officials, of the attached Amendment to Agreement between the Developer, the Association, the CRA and the City of Hollywood, together with such nonmaterial changes as may be subsequently agreed to by the City Manager and approved as form and legality by the City Attorney.

Section 2: That it hereby accepts ownership of the "Bottlenose Dolphins of the Atlantic" statue.

RESOLUTION AMENDING MAINTENANCE AGREEMENT WITH THE HOLLYWOOD OCEAN GROUP, LLC; ADDING THE VILLAS OF POSITANO CONDOMINIUM ASSOCIATION, INC. AND CRA AS PARTIES; CLARIFYING MAINTENANCE OBLIGATIONS REGARDING STREETEND FOUNTAIN AND DOLPHIN STATUE

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 & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

JEFFREY P. SHEFFEL, CITY ATTORNEY