

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 WITH KAREN DONALD AND PETER DONALD IN THE AMOUNT OF \$77,500.00.

WHEREAS, in 2019, Karen Donald and Peter Donald filed a civil action against the City for damages arising out of an alleged taking of property that occurred in or about April 2016; and

WHEREAS, in the civil action, it is alleged by Karen and Peter Donald that they sustained damages when the City installed a sidewalk on their private property located at or near 2400 N. 65th Way, Hollywood, Florida; and

WHEREAS, Karen Donald and Peter Donald's claims are for Inverse Condemnation, Trespass, and Ejectment; and

WHEREAS, counsel for the City and the Plaintiff's attorney have negotiated a settlement in the amount of \$77,500.00; and

WHEREAS, the settlement is not an admission of liability by the City, but rather, a business decision that is being made in the best interest of the City, and

WHEREAS, funding is available in the FY 2020 budget in Account Number 001.020101.51400.531220.00000.000.000.

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 foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That the above-described settlement is approved, payable from the City's self-insurance fund.

Section 3: That appropriate City officials are authorized to take all necessary steps to implement the settlement.

RESOLUTION APPROVING SETTLEMENT WITH KAREN DONALD AND PETER DONALD.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida only:

DOUGLAS GONZALES
CITY ATTORNEY