

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 DEAN LUTRARIO IN THE AMOUNT OF \$100,000.00.

WHEREAS, on May 2, 2023, Dean Lutrario (“Claimant”) filed a civil action against the City seeking damages arising out of a claim that the City had enforced against Lutrario certain “Charitable Solicitation” and “Panhandling, Begging and Solicitation” ordinances (Lutrario v. City of Hollywood, Florida, Case No. 23-CV-60806-CMA (S.D. Fla.)); and

WHEREAS, Claimant alleges that he was damaged as a result of the City’s actions; and

WHEREAS, the City Attorney and Claimant’s attorney have negotiated a settlement in the amount of \$100,000.00; and

WHEREAS, if this settlement is approved by the City Commission, the monies will be paid from the City’s self-insurance fund; and

WHEREAS, by entering into this settlement, the City does not in any manner admit liability, but rather, settlement is a business decision to avoid the inherent risk of a jury trial, and thus, 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.

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

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PASSED AND ADOPTED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY