

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED RIGHT-OF-WAY LICENSE AGREEMENT, BETWEEN HOLLYWOOD DIAGNOSTIC CENTER, LTD (LICENSEE) AND THE CITY OF HOLLYWOOD (LICENSOR), FOR USE OF THE PUBLIC RIGHT-OF-WAY FOR PARKING AT 4224 HOLLYWOOD BOULEVARD, BASED ON A FOUR YEAR TERM AND FIRST YEAR ANNUAL FEE OF \$3,640.46, PAYABLE QUARTERLY IN ADVANCE, AND INCLUDES AN ANNUAL ESCALATION IN THE AMOUNT OF THE LICENSE PLUS AN INCREASE OF THREE PERCENT (3%).

WHEREAS, Hollywood Diagnostic Center, Ltd operates a medical diagnostic testing facility at 4224 Hollywood Boulevard and has maintained a Right-of-Way License Agreement (License) with the City since 1988 for use of the right-of-way to provide parking for its employees and patients; and

WHEREAS, the subject right-of-way consists of nine parking spaces along a portion of South Circle Drive adjacent to their facility; and

WHEREAS, the existing agreement expired on May 20, 2016 and Hollywood Diagnostic Center, Ltd has requested a new License for the continued use of the right-of-way; and

WHEREAS, the attached agreement provides for a four (4) year term based on a first year annual fee of \$3,640.46 (nine spaces at \$31.80/space/month plus six percent tax), payable annually in advance, and includes an annual escalation in the amount of the license plus an increase of three percent (3%); and

WHEREAS, the attached license agreement contains the required liability insurance coverage and indemnification for the City;

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 Right-of-Way License Agreement between Hollywood Diagnostic Center, Ltd. and the City of Hollywood, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

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Section 2: That this resolution shall be in full and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, 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.

JEFFREY P. SHEFFEL, CITY ATTORNEY