

RESOLUTION NO. _____

A RESOLUTION OF THE HOLLYWOOD, FLORIDA,
COMMUNITY REDEVELOPMENT AGENCY ("CRA"),
CONSIDERING A CONSENT DECREE SETTLEMENT
WITH GREENBRIAR APARTMENT/MOTEL, INC.

WHEREAS, Greenbriar Apartment/Motel, Inc. ("Greenbriar") owns properties located east and west of South Surf Road between Hyacinth Terrace and Greenbriar Terrace ("Greenbriar Property"); and

WHEREAS, Dupont Hollywood Partnership, Inc. ("Dupont") owns the properties located east of South Surf Road between Crocus Terrace and Bougainvillea Terrace ("Casa la Playa Property"); and

WHEREAS, on or about April 10, 2006, Dupont filed a five count complaint against the City and the Hollywood Community Redevelopment Agency ("CRA") asserting among other things that the City's Ordinance No. 2002-20 that limited the height, setback and other controls for property in the RM-25 Zoning District caused a diminution of property value, and as a result, the impacted property owners were required to be compensated in accordance with The Bert J. Harris, Jr. Private Property Rights Protection Act ("Litigation"); and

WHEREAS, on or about January 7, 2007, Greenbriar intervened in the Litigation alleging the same damages; and

WHEREAS, in or around 2012, Dupont entered into a Settlement Agreement with the City and CRA, but Greenbriar did not; and

WHEREAS, in hopes of settling this matter, Greenbriar informally presented a development plan to the City and CRA; and

WHEREAS, in addition, and to avoid future legal action, Greenbriar and other related owners presented to the City and CRA plans to re-develop the Casa La Playa Property; and

WHEREAS, Greenbriar has proposed the attached Consent Decree Settlement for consideration by the City Commission; and

WHEREAS, on November 7, 2018, the City Commission considered Resolution No. R-2018-_____, in which City staff recommended that the City Commission deny the negotiated settlement, and the City Commission approved/denied said Resolution; and

WHEREAS, as the CRA was named as a Defendant in the lawsuit, it is necessary for the CRA Board to consider the attached Consent Decree, of which CRA staff is recommending denial.

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY:

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 consent decree settlement is approved/denied.

Section 3: That if the consent decree settlement is approved, the appropriate CRA 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.

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, CHAIR

ATTEST:

PHYLLIS LEWIS, SECRETARY

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

DOUGLAS R. GONZALES, GENERAL COUNSEL