



## Legislation Details (With Text)

**File #:** R-2016-230    **Version:** 1    **Name:** Reso Approve Rspnse Valdivia Bert J. Harris Claim  
**Type:** Resolution    **Status:** Passed  
**File created:** 8/10/2016    **In control:** Office of the City Attorney  
**On agenda:** 8/31/2016    **Final action:** 8/31/2016

**Title:** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Mayor To Sign the Attached Response To the Claim Of George Valdivia and Luis Valdivia Under The Bert J. Harris Private Property Rights Protection Act Regarding The Development Located Just North Of Farragut Street Between N 74 Ave And N 72 Ave.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. rresponsevaldiviabertjharris.pdf, 2. lvaldiviaclaimharris.pdf, 3. responsevaldiviaharrisclaim.pdf

Date	Ver.	Action By	Action	Result
8/31/2016	1	Regular City Commission Meeting	adopt	Pass

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Mayor To Sign the Attached Response To the Claim Of George Valdivia and Luis Valdivia Under The Bert J. Harris Private Property Rights Protection Act Regarding The Development Located Just North Of Farragut Street Between N 74 Ave And N 72 Ave.

Staff Recommends: Approval of the Resolution.

**Explanation:**

On or about April 12, 2016, George Valdivia and Luis Valdivia submitted the attached claim against the City, the Central Broward Water Control District, and the County under the Bert J. Harris, Jr., Private Property Rights Protection Act (the "Act"). This claim arose out of the Valdivia's efforts to develop the property located just north of Farragut Street between N. 74<sup>th</sup> Ave and N. 72<sup>nd</sup> Ave. The total amount of the claim is \$2,756,934.00. The City Attorney believes that the claim is without merit.

Under the Act, the City is required to make a written settlement offer within 180 days of the date the claim was presented in writing. One option made available by the Act is to make a settlement offer that offers "no changes to the action of the governmental entity." Therefore, the City Attorney recommends that the City Commission authorize the Mayor to sign the attached response.

Recommended for inclusion on the agenda by:

Jeffrey P. Sheffel, City Attorney

Dr. Wazir A. Ishmael, City Manager

Gus Zambrano, Assistant City Manager/ Sustainable Development