



City of Hollywood

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Legislation Details (With Text)

File #: R-2020-212 **Version:** 1 **Name:** Settlement - Donald
Type: Resolution **Status:** Passed
File created: 9/1/2020 **In control:** Office of the City Attorney
On agenda: 9/16/2020 **Final action:** 9/16/2020
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RESOFORM (Donald), 2. 3HG7289-Proposed Settlement Agreement and Exhibits Thereto v.8-31-20.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------------|--------|--------|
| 9/16/2020 | 1 | Regular City Commission Meeting | adopt | Pass |

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.

Financial Management & Administration

Staff Recommends: Approval of the attached Resolution.

Explanation:

In 2019, Karen Donald and Peter Donald filed a civil action against the City of Hollywood, for damages arising out of an alleged taking of property that occurred in or about April, 2016. In this civil action, it is alleged by Karen Donald and Peter Donald that they sustained damages when the City of Hollywood installed a sidewalk on their private property located at or near 2400 N. 65th Way, Hollywood, Florida 33024. Karen Donald and Peter Donald's claims are for Inverse Condemnation, Trespass, and Ejectment. Counsel for the City of Hollywood and the Plaintiff's attorney have negotiated a settlement in the amount of \$77,500.00. The settlement is not an admission of liability by the City of Hollywood, but rather a business decision which is being made in the best interest of the City.

The City Attorney recommends that the City Commission approve the negotiated settlement.

Fiscal Impact:

Funding is available in the FY 2020 Operating Budget account number 001.020101.51400.531220.00000.000.000.

The settlement reduces the City's cost and attorney's fees associated with continued litigation while reducing its exposure to a higher damages award.

Recommended for inclusion on the agenda by:
John Wien, Chief Litigation Counsel
Douglas R. Gonzales, City Attorney