

EXHIBIT 1
RESOLUTION NO. 2022-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING SETTLEMENT IN THE MATTER OF NANCY DEZA AND LUIS DEZA VS. CITY OF HALLANDALE BEACH, CASE NO. CACE 20-008003 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, BROWARD COUNTY, FLORIDA AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ENTER INTO SETTLEMENT TO RESOLVE ALL CLAIMS, IN EXCHANGE FOR THE EXECUTION OF THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mr. and Mrs. Deza are property owners at 212 SW 7th St, Hallandale Beach. They filed suit against the City as it relates to the building of a pump station on the canal property adjacent to the plaintiff's property; and

WHEREAS, the Plaintiffs alleged unlawful taking and trespass and public nuisance during the construction. The Plaintiffs also previously filed suit against the construction company contracted by the City and the engineering firm that designed the project; and

WHEREAS, the City has engaged in a precise strategic defense, including discovery and fact-finding investigative preparation for trial; and

WHEREAS, the parties met at court-mandated mediation and reach a settlement agreement, subject to commission approval, at the amount of forty-nine thousand five hundred dollars (\$49,500.00) as to Plaintiff's claims against the City; and

WHEREAS, the Mayor and City Commission, being fully advised of the facts of this matter, believe it is in the best interest of the City to resolve this litigation in lieu of proceeding to trial and accepts the proposal for settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are confirmed as true and incorporated herein.

SECTION 2. Approve Settlement. The Mayor and City Commission hereby authorize the City Manager and City Attorney to settle litigation styled Nancy and Luis Deza v. City of Hallandale Beach in Case No: CACE 20-008003 in the Circuit Court of The Seventeenth Judicial Circuit, Broward County, Florida for the total sum of forty-nine thousand five hundred dollars (\$49,500.00) in exchange for the execution of the appropriate release by Plaintiff and dismissal of this case. Further authorizing the City Manager and City Attorney to execute any and all necessary documents to effectuate the settlement of the case.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this 10th day of August, 2022.

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ATTORNEY

ATTEST:

JENORGEN GUILLEN, CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY