

1 EXHIBIT 1
2 RESOLUTION NO. 2018-
3

4 A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF
5 HALLANDALE BEACH, FLORIDA, APPROVING THE FOURTH
6 AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE
7 DIPLOMAT HOTEL AND COUNTRY CLUB; AUTHORIZING THE
8 CITY MANAGER TO EXECUTE THE AMENDED
9 DEVELOPMENT AGREEMENT; AND PROVIDING AN
10 EFFECTIVE DATE.

11 WHEREAS, The Development Agreement, as approved by the City Commission in 2016,
12 contained a clause --Section 29 -- requiring a payment to the City if the project was sold to a new
13 developer; and

14 WHEREAS, Section 29 of the Development Agreement required that the developer pay
15 the City \$2,000,000 if its entire interest in the project was sold to an unrelated party. The language
16 does allow the original developer to sell the majority of the project while maintaining a small
17 interest in it and thereby avoid having to make the agreed upon payment; and

18 WHEREAS, the Diplomat Golf Course Venture, LLC, the buyer, Maltese Diplomat Owner,
19 LLC and the City administration have negotiated a potential settlement of this issue which would
20 result in payment to the City of five hundred thousand (\$500,000), without requiring the seller to
21 retain an interest in the project; and
22

23 WHEREAS, the proposed amendment is attached as Exhibit A; and
24

25 WHEREAS, the Mayor and City Commission have determined that based on the
26 substantial competent evidence presented at a public hearing, approving the Fourth Amendment
27 to the Development Agreement is in the best interest of the City, consistent with the City's
28 Comprehensive Plan, and will not adversely affect the public health, safety, and welfare of the
29 City and its residents.

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

32 **SECTION 1. Approval and City Manager Authorization.** The Mayor and the City
33 Commission hereby approve the Fourth Amendment to the Development Agreement between the
34 City of Hallandale Beach and Diplomat Golf Course Venture, LLC, and Maltese Diplomat Owner,

LLC, for the Diplomat Golf and Tennis Club Project, in substantially the same form as attached hereto as Exhibit A, and authorize the City Manager to execute all necessary documents to effectuate the agreement.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on 1st reading on _____, 2018.

PASSED AND ADOPTED on 2nd reading on _____, 2018.

KEITH S LONDON
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

JENORGEN M. GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY