



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
8/5/2020	<input checked="" type="checkbox"/> Resolution	Ordinance Reading	N/A	N/A
File No.:	<input type="checkbox"/> Ordinance	Public Hearing	<input type="checkbox"/>	<input type="checkbox"/>
20-250	<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input type="checkbox"/>
		Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
\$42,500	\$391,884.72	570 1810 545030	N/A	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	Jennifer Merino, City Attorney	Office of the City Attorney	
Strategic Plan Focus Areas:				
<input checked="" type="checkbox"/> Financial	<input type="checkbox"/> Organizational Capacity	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline				
Estimated Start Date: 8/5/2020 Estimated End Date: 9/30/2020				

Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE PROPOSED SETTLEMENT IN THE MATTER OF RODGER SKIPPER AND THE GREATER DAYTON HOLDING COMPANIES, INC., D/B/A SOUTH FLORIDA PADDLE BOARDS AND WATERSPORTS ASSOCIATION, A FLORIDA CORPORATION, V. THE CITY OF HALLANDALE BEACH, CATHIE SCHANZ, DANIEL ROSEMOND, AND KEVEN KLOPP, CASE NO: CACE 15-013243 (12) 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.

Staff Summary:

BACKGROUND:

Mr. Skipper filed suit against the City *et al* on or about July 27, 2015, alleging that he suffered deprivation of due process, economic damages due to conversion of property as result of the City's removal of his business beach chairs which were left overnight onto the City's public beaches. The events which gave rise to Plaintiff's suit originate from the City's code enforcement of Plaintiff's noncompliance of the terms of his home-based business tax receipt which precluded Plaintiff from storing business equipment onto the City's beaches. The parties seek to settle the litigation in the amount of forty-two thousand five hundred dollars and no cents (\$42, 500.00) in exchange for the execution of the appropriate release.

The City Attorney requests authorization to ratify the negotiated settlement amount of forty-two thousand five hundred dollars and no cents (\$42,500.00). This amount will be remitted in exchange for the execution of the appropriate release. The City Attorney further recommends authorization to execute any and all necessary documents to effectuate the settlement of the case.

WHY ACTION IS NECESSARY:

Pursuant to Section 24-3 (d), of the City of Hallandale Beach, Code of Ordinances, proposed settlements in excess of \$20,000.00 shall be submitted to the city commission for its decision. This settlement exceeds the authority amount given to the City Manager, and City Attorney to settle claims, which require City Commission for approval.

FISCAL IMPACT:

\$42,500.00.

Proposed Action:

Consideration and approval of the attached resolution.

Attachment(s):

Exhibit 1 – Resolution