



Broward County

Legislation Text

File #: 21-1114, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO AUTHORIZE County Administrator to negotiate and execute, on behalf of the County, subject to approval as to legal sufficiency by the County Attorney's Office, an agreement to resolve the County's pending disputes with the City of Hollywood regarding certain affordable housing funding and the placement of an emergency communications tower in West Lake Park; and to take any necessary budgetary and administrative actions to effectuate same.

Why Action is Necessary

Necessary to authorize entry into the referenced agreement.

What Action Accomplishes

Delegates authority to enter into the referenced agreement.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On May 4, 2021, based upon the City of Hollywood's expressed willingness to accept a 16th emergency communications tower site at West Lake Park, the Board directed the County Attorney's Office to draft a proposed settlement agreement that would (1) settle a dispute regarding certain CRA-related affordable housing funding, with the County retaining \$500,000 and paying \$3,021,636 of the disputed funds to the City to be expended on specified uses; and (2) provide the City with a setoff of \$500,000 from any claim asserted by the County for additional costs incurred in connection with the installation of the tower at West Lake Park, which additional costs result from delays the County asserts were caused by the City. As directed, the County Attorney's Office prepared and shared with the City Attorney the document attached as Exhibit 1 hereto.

The City appears unwilling to enter into an agreement that could subject the City to significant liability for the additional installation costs apart from the referenced \$500,000 setoff. The County Attorney and the City Attorney have discussed the City's potential willingness to withdraw its prior demand that the County pave the road that will be used to access the West Lake Park tower site. While some road work would still be required, removing the obligation to pave the access road could save the County considerable money by allowing it to remain a pervious surface, which is more consistent with

the surrounding area.

The County Administrator is considering this proposal while she awaits further information from Motorola on the potentially increased West Lake Park installation costs.

In order to enable a potential resolution to be achieved over the summer, this item would delegate authority to the County Administrator to settle the ongoing dispute over certain CRA-related affordable housing funding and the West Lake Park site on terms and conditions she determines to be in the best interest of the County.

Source of Additional Information

Deputy County Attorneys Rene D. Harrod and Annika E. Ashton, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Not determined at this time.