

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-23

A RESOLUTION AUTHORIZING SETTLEMENT OF ANY AND ALL CLAIMS BROUGHT OR WHICH COULD HAVE BEEN BROUGHT IN CONNECTION WITH THE CASE OF FERNANDO MENOYO AND ALMERIA ROW, LLC V. CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the Settlement Agreement (Agreement) between the Fernando Menoyo and Almeria Row, LLC v. City of Coral Gables, is hereby approved subject to the following:

- A. That the City accepts Fernando Menoyo and Almeria Row, LLC's offer to settle the Bert J. Harris Act claim, as it is in the best interests of the citizens of Coral Gables.
- B. Said settlement is by way of a text amendment to the City's Zoning Code, attached hereto as Exhibit "A".
- C. That each party shall bear its own attorney's fees and costs.

SECTION 2. That the City Manager is hereby authorized to execute the settlement agreement.

SECTION 3. That the resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF JANUARY, A.D., 2009.

(Moved: Kerdyk / Seconded: Anderson)
(Yea: Anderson, Cabrera, Kerdyk, Withers, Slesnick)
(Unanimous: 5-0 Vote)
(Agenda Item: I-2)

APPROVED:



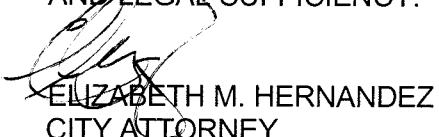
DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY