



TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: October 16, 2012

TITLE: Settlement Agreement between Housing Authority for the City of Fort Lauderdale and the City of Fort Lauderdale Concerning the Zoning of Parcels "A" and "B" of Sunnyland Homes, No. 2

Recommendation

The City Commission adopt the attached resolution approving the Settlement Agreement with the Housing Authority for the City of Fort Lauderdale concerning the zoning of parcels "A" and "B" of Sunnyland Homes, No. 2.

Background

On November 18, 2011, the Housing Authority for the City of Fort Lauderdale initiated litigation and conflict resolution proceedings under Chapter 164, Florida Statutes concerning the zoning of properties owned by the Housing Authority. The substance of the dispute related to the designation of zoning of the parcels at the time of the 1989 remapping of zoning districts performed in conjunction with the re-write of the Uniform Land Development Regulations. The City contends the zoning is "Park, Recreation, and Open Space" while the Housing Authority contends the zoning is "Residential Low-Rise Multi-Family/Medium Density District (RM-15)".

In an effort to amicably resolve the dispute, the City and the Housing Authority have reached a settlement. The settlement agreement calls for the City to purchase the properties in dispute for \$400,000, subject to a release from the Declaration of Trust previously recorded on the property and certain due diligence conducted by the City. The Housing Authority has expressed its intent to use the proceeds from the settlement agreement to acquire two (2) multi-family residential properties which have been chronic nuisances to the City and surrounding neighbors.

Funds for the settlement agreement will come from the CRA's 2004B Bonds which provides funds for the purchase and rehabilitation of properties in the CRA. This settlement agreement shall be contingent upon the CRA Board of Directors' approval of \$405,000 for property purchase and associated closing costs.

Resource Impact

FROM:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
322	01	TAX INCR REV CONST 2004 AMT	FD322.01	TAX INCR REV CONST 2004 AMT		ANTICIPATED YEAR END FUND BALANCE	405,000.00
TOTAL							405,000.00

TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
322	01	TAX INCR REV CONST 2004 AMT	FD322.01	SUNNYLAND HOMES SETTLEMENT	6504	LAND ACQUISITION	405,000.00
TOTAL							405,000.00

Attachments:

Exhibit 1 Resolution

Prepared By: Lee R. Feldman, City Manager
 Department Director: Lee R. Feldman, City Manager