

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: November 16, 2021

DEPARTMENT: City Attorney

TITLE:

Settlement Agreement with Umdasch Real Estate USA, LTD. Corp. (Doka Development)

SUMMARY:

The proposed settlement agreement is to resolve the pending litigation filed by Umdasch Real Estate USA, LTD. Corp., regarding the development at 2209 7th Avenue North, Lake Worth Beach (commonly known as the Doka Development).

BACKGROUND AND JUSTIFICATION:

In June 2021, Umdasch Real Estate USA, LTD. Corp., commenced two (2) litigation cases against the City (15th Judicial Circuit Court Case No. 2021-CA-007798 and Case No. 2021-CA-007649). Both cases arise out of the Doka Development, which the City Commission remanded to the Planning and Zoning Board for a re-hearing after the Planning and Zoning Board's January 2021 approval was appealed to the City Commission.

The proposed settlement agreement would add additional conditions of approval to the Planning and Zoning Board's January 2021 approval in order for the development to move forward. In exchange, both litigation cases will be dismissed with prejudice.

The City Commission has held two (2) closed executive sessions to discuss the cases and potential settlement. At this time, no other party has intervened in either pending litigation case.

The proposed settlement agreement will be posted to the City's website as soon as it is finalized.

MOTION:

Move to approve/not approve the Settlement Agreement with Umdasch Real Estate USA, LTD. Corp. (Doka Development).

ATTACHMENT(S):

Fiscal Impact Analysis – N/A