

RESOLUTION NO. 2018-R-102

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY RATIFYING THE EXECUTION OF SETTLEMENT AGREEMENT IN THE LITIGATION MATTER OF LATIN AMERICAN DEVELOPERS, LLC., V. CITY OF NORTH MIAMI, CASE NO.: 12-49015 CA (05), FOR THE FULL AND FINAL SETTLEMENT OF ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on December 18, 2012, Latin American Developers, LLC, filed a lawsuit against the City of North Miami, styled as *Latin American Developers, LLC. v. The City of North Miami*, Case No. 12-49015 CA (05); and

WHEREAS, on March 24, 2015, the City of North Miami filed a counter lawsuit against Latin American Developers, LLC styled as *The City of North Miami v. Latin American Developers, LLC and Dev-Con Urban Partners, LLC*, Case No. 12-49015 CA (05); and

WHEREAS, the parties were directed to court-ordered mediation and, as a result of successful negotiations, resolved all outstanding issues in the litigation; and

WHEREAS, after being fully advised of the legal and related issues, the Mayor and City Council believe it is in the best interest of the City to ratify the Settlement Agreement with Latin American Developers, LLC for the full resolution of the outstanding claims.

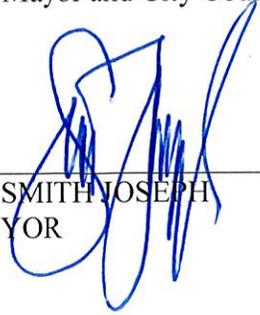
**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.** **Recitals.** The recitals set forth above are adopted by the Mayor and City Council of the City of North Miami, Florida and are incorporated herein.

**Section 2.** **Ratification of Settlement Agreement.** The Settlement Agreement between Latin American Developers, LLC and the City of North Miami, attached hereto as Exhibit "A" is hereby ratified.

**Section 3.** **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 4th day of September, 2018.

  
\_\_\_\_\_  
DR. SMITH JOSEPH  
MAYOR

ATTEST:

  
\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ATTORNEY

Moved by: Galvin

Seconded by: Bien-Aime

**Vote:**

Mayor Smith Joseph, D.O., Pharm.D.  
Vice Mayor Carol Keys, Esq.  
Councilman Scott Galvin  
Councilman Philippe Bien-Aime  
Councilwoman Alix Desulme

<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
_____	(Yes)	<u>X</u>	(No)