



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0193

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Thomas J. Ansbro, City Attorney

DATE: February 6, 2024

TITLE: Resolution Approving a Settlement Agreement and Release with Florida Power & Light Company, et al., to Receive Settlement Payment in the Amount of \$400,000.00 - **(Commission Districts 1, 2, 3, and 4)**

Recommendation

The City Attorney recommends the City Commission adopt a resolution authorizing the City Manager to execute the attached Settlement Agreement and Release with Florida Power & Light Company (“FPL”), Infratech Corporation, Florida Communication Concepts, Inc., and Geo & Yus Corporation, in substantially the form attached, and to receive a settlement payment in the amount of \$400,000.00.

Background

On July 17, 2019, FPL, through its subcontractors, was performing construction work near the Fort Lauderdale Executive Airport, and in the course of their work drilled a hole into the City’s water main, causing damages. The City, on July 13, 2020, filed a lawsuit against FPL and its subcontractors Infratech Corporation, Florida Communication Concepts, Inc., and Geo & Yus Corporation (collectively “Defendants”) to recover damages. The City participated in mediation with the Defendants and they offered to pay the City \$400,000.00 in full settlement of the City’s claims in Case No. CACE 20-011186. During an executive session on September 9, 2021, the City Commission gave direction to negotiate a settlement agreement to accept the Defendant’s offer.

Through negotiations, a proposed settlement was reached in the amount of \$400,000.00, subject to the approval of the City Commission.

Resource Impact

This action will result in a positive fiscal impact to the City in the amount of \$400,000.00.

Attachments

Exhibit 1 – Settlement Agreement and Release
Exhibit 2 – Resolution

Prepared by: Eric W. Abend, Assistant City Attorney

Charter Officer: Thomas J. Ansbro, City Attorney