

February 8, 2023

WHEREAS, a lawsuit styled Hamilton Atmos LP and CitySquare Housing v. City of Dallas, Cause No. CC-19-05721-A, was filed by plaintiffs, Hamilton Atmos LP and CitySquare Housing, seeking compensation from the City of Dallas for alleged breach of a development agreement by delaying payment of tax increment financing amounts when due, accrued interest, and attorneys' fees; and

WHEREAS, the plaintiffs have agreed to a proposed settlement of their claims whereby the City will pay Hamilton Atmos LP and CitySquare Housing, Sheils Winnubst, PC, and all other persons having an interest in the settlement proceeds, the total amount of \$300,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposed settlement of the lawsuit styled Hamilton Atmos LP and CitySquare Housing v. City of Dallas, Cause No. CC-19-05721-A, in an amount not to exceed \$300,000.00, is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Hamilton Atmos LP and CitySquare Housing, Sheils Winnubst, PC, and all other persons having an interest in the settlement proceeds, the total amount of \$300,000.00 from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.