



Legislation Details (With Text)

File #: 23-305 **Version:** 1 **Name:**

Type: CONSENT AGENDA **Status:** Approved

File created: 1/11/2023 **In control:** City Attorney's Office

On agenda: 2/8/2023 **Final action:**

Title: Authorize settlement of the lawsuit styled CLH20, LLC v. The City of Dallas, The City of Dallas Building Inspection Advisory Examining and Appeals Board, and 1529 Sullivan Street Condo Owners Association, Cause No. DC-22-05368 - Not to exceed \$60,000.00 - Financing: Dallas Water Utilities

Sponsors:

Indexes: 300

Code sections:

Attachments: 1. Resolution

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: February 8, 2023

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize settlement of the lawsuit styled CLH20, LLC v. The City of Dallas, The City of Dallas Building Inspection Advisory Examining and Appeals Board, and 1529 Sullivan Street Condo Owners Association, Cause No. DC-22-05368 - Not to exceed \$60,000.00 - Financing: Dallas Water Utilities

BACKGROUND

Plaintiff CLH20, LLC filed a lawsuit against The City of Dallas, The City of Dallas Building Inspection Advisory Examining and Appeals Board, and 1529 Sullivan Street Condo Owners Association, seeking compensation for alleged inverse condemnation/regulatory taking and declaratory relief against the city defendants and for trespass and negligence against the condo association, relating to a private wastewater lateral line that crosses part of Plaintiff's property but services property owned by the condo association. The parties have reached a proposed settlement subject to City Council approval that includes payment from the City to Plaintiff not to exceed \$60,000.00, and Plaintiff dedicating an easement for the wastewater lateral line to the City. Plaintiff is represented by Novak & Stauch, PLLC, and the condo association is represented by Stromberg Stock.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

A confidential memorandum regarding this matter will be provided to the City Council on February 3, 2023.

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
Dallas Water Utilities	\$60,000.00	\$0.00	\$0.00