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From the Office of Corporation Counsel requesting approval of a resolution authorizing a settlement of the Dynamis Properties LLC, et al. v. Milwaukee County litigation, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Dynamis Properties, LLC (Dynamis) owned a restaurant, and leased from Milwaukee County (the County) a nearby parking lot for restaurant customer parking, for which the lease was first assumed in 2006, and renewed in 2008; and

WHEREAS, beginning in 2012, leased spaces in the parking lot were occupied by construction equipment, and the equipment remained in certain leased spaces for over three years, which made those spaces unavailable for restaurant customers; and

WHEREAS, in 2016, Dynamis filed suit against the County in Circuit Court, *Dynamis Properties, LLC, et al. v. Milwaukee County*, Case No. 2016-CV-1379, alleging breach of the parking lot lease and lost business; and

WHEREAS, the County and Dynamis have diligently pursued through mediation a settlement of all disputes related to the lease contract; and

WHEREAS, the parties have come to an agreement, whereby the County and Dynamis compromised the claims in the amount of \$49,000; and

WHEREAS, Corporation Counsel, Office of Corporation Counsel, recommends this settlement; and

WHEREAS, the Committee on Judiciary, Safety, and General Services, at its meeting of December 5, 2019, recommended adoption of File No. 19-934 (vote 4-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby approves the \$49,000 settlement with Dynamis Properties, LLC (Dynamis), consistent with the report and fiscal note contained in this file; and

BE IT FURTHER RESOLVED, the County Board hereby authorizes the County Executive, Office of the Comptroller, County Clerk, Office of Corporation Counsel, and any other Milwaukee County official deemed necessary to prepare and execute all documents, instruments, agreements or otherwise, and to perform all actions necessary to complete the settlement with Dynamis.