



Broward County

Legislation Details (With Text)

File #: 22-1395 **Version:** 1

Status: Agenda Ready

In control: County Attorney

On agenda: 9/8/2022 **Final action:** 9/8/2022

Title: MOTION TO DISCUSS and provide the County Attorney with required direction regarding the Proposal for Settlement made by Archer Western Construction, LLC, in the action titled Archer Western Construction, LLC v. Broward County, Case No. CACE-20-010939 (17th Jud. Cir. Ct.).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Proposal for Settlement, 2. Additional Material - Information

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO DISCUSS and provide the County Attorney with required direction regarding the Proposal for Settlement made by Archer Western Construction, LLC, in the action titled *Archer Western Construction, LLC v. Broward County*, Case No. CACE-20-010939 (17th Jud. Cir. Ct.).

Why Action is Necessary

Required to permit Board discussion and provide the referenced direction.

What Action Accomplishes

Permits Board discussion and provides the referenced direction.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On August 19, 2022, Archer Western Construction, LLC, served a Proposal for Settlement in the action titled *Archer Western Construction, LLC v. Broward County*, Case No. CACE-20-010939 (17th Jud. Cir. Ct.). A Proposal for Settlement is a procedural tool that enables a party to, under certain circumstances, obtain an award of attorneys' fees if the party prevails in the litigation. Under applicable rules, Broward County is required to accept or reject the proposal within 30 days.

This item would provide Board direction to the County Attorney regarding the acceptance or rejection of the Proposal for Settlement. The Office of the County Attorney (CAO) is currently analyzing the proposal and discussing this matter with the Aviation Department Director. Upon the completion of that analysis and discussion, the County Attorney will issue a confidential memorandum to the Board addressing the proposal, and will further discuss the proposal during individual agenda briefings. If determined necessary, the CAO will submit a supplemental agenda item enabling a closed attorney-client (SHADE) meeting to discuss the proposed settlement.

Source of Additional Information

Alexander J. Williams, Senior Assistant County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The fiscal impact will be addressed in the CAO's memorandum.