



**City Attorney's Communication #2023-421**

February 9, 2023

**TO:** Scott Reale, Senior Planner

**FROM:** Fawn Powers, Assistant City Attorney

**RE:** *City of Pompano Beach v. O'Connor Holdings, LLC, et al.*  
Case No. CACE 20-003904 (12)

This provides background on the foreclosure the City filed in March 2020 against the subject 10-acre industrial property ("Property") that resolved last December pursuant to a Settlement Agreement between its former owner, O'Connor Holdings, LLC; Gold Coast Plat Property Owners Association, Inc., a Florida not-for profit corporation ("Association") made up of several adjacent property owner who purchased the Property last November for drainage; Broward County and the City.

The litigation was not contentious but rather a cooperative effort (albeit very challenging). Since the only legal use that can be made of the Property is to provide drainage for other properties, the parties' focus after attending Court-ordered mediation last March has been to work together to problem solve, iron-out differences and develop a comprehensive, mutually acceptable compliance strategy, consistent with the Final Orders on Broward County NOV17-0019, Broward County Surface Management License issued on Application L2002-107 and Borrow Pit Reclamation License issued on Application SW-BP16659-22.

The Association has already made a significant investment in the Property and been actively working with City and County staff, consultants and contractors to "hit the ground running" towards compliance subject to the ZBA approving its request for a Major Temporary Use Permit ("MTUP") to dredge the lake.

Should you have any further questions, please do not hesitate to contact me.

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FAWN POWERS

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