

City of Palm Coast, Florida Agenda Item

Agenda Date: August 19, 2026

Agenda Item: E.1

Department Division	CITY ATTORNEY	Amount Org/Account #
Subject:	RESOLUTION 2026-XX SETTLEMENT AGREEMENT WITH PALM COAST HOLDINGS	
Presenter:	Marcus Duffy, City Attorney	
Attachments:	1. Resolution 2. Settlement Agreement	
Background:	The City Attorney and City Administration recommend approval of the Settlement Agreement, finding that the terms are fair, reasonable, and are in the best interest of the City. Approval by the City Council will finalize the settlement and will resolve the litigation in this matter against all parties.	
Recommended Action:	ADOPT RESOLUTION 2026-XX SETTLEMENT AGREEMENT WITH PALM COAST HOLDINGS	

RESOLUTION 2026-____
APPROVAL OF SETTLEMENT AGREEMENT
WITH PALM COAST HOLDINGS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE PURCHASE AND SALE AGREEMENT/SETTLEMENT AGREEMENT AND MUTUAL RELEASES TO THE SETTLING PARTIES RELATING TO CASE NO. 2025 CA 000670 IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUITS IN AND FOR FLAGLER COUNTY, FLORIDA; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO NEGOTIATE, FINALIZE AND EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR FUTURE AMENDMENTS, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about October 2025, the Palm Coast Holdings, Inc., Florida Landmark Communities, LLC, and Palm Coast Land, LLC (“Palm Coast Holdings”) collectively filed a civil action in the Seventh Judicial Circuit in and for Flagler County, Florida, designated as Case No. 2025-CA-000670 (“Litigation”), against City of Palm Coast (“City”); and

WHEREAS, the City and Palm Coast Holdings wish to resolve the above dispute between them in accordance with the terms and conditions of the Purchase and Sale Agreement/Settlement Agreement, attached hereto as Exhibit A; and

WHEREAS, the City Attorney recommend approval of the Purchase and Sale agreement/Settlement Agreement attached here as Exhibit A and incorporated herein as being in the best interest of the City as it will resolve further litigation in this matter; and

WHEREAS, the City Council finds that the terms of the proposed Purchase and Sale Agreement/Settlement Agreement is fair, reasonable, and in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the findings of the City Council of the City of Palm Coast.

SECTION 2. APPROVAL OF AGREEMENT. The City Council of the City of Palm Coast hereby approves the terms and conditions of the Purchase and Sale Agreement/Settlement Agreement with Palm Coast Holdings in the above litigation as attached hereto and incorporated herein by reference as Exhibit “A.”

SECTION 3. AUTHORIZATION TO NEGOTIATE, FINALIZE, AND EXECUTE. The City Manager, or designee, is hereby authorized to negotiate, finalize, and execute the necessary documents.

SECTION 4. SCRIVENERS ERROR. To the extent that there are scriveners, typographical, or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the City Council.

SECTION 5. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 6. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast,
Florida, on this 19th day of August 2026.

ATTEST:

CITY OF PALM COAST

KALEY COOK, CITY CLERK

MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY

MARCUS DUFFY, CITY ATTORNEY

Attachment: Exhibit “A” – Purchase and Sale Agreement

Exhibit “A”
Purchase and Sale Agreement