

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO IMPLEMENT A SETTLEMENT BETWEEN THE CITY OF HOLLYWOOD AND JOAN MATTHIAS AND THE ESTATE OF EARL MATTHIAS IN THE AMOUNT OF \$125,000.00.

WHEREAS, in 2016, Joan Matthias and the Estate of Earl Matthias filed a civil action against the City of Hollywood seeking damages arising out of an accident that allegedly occurred on or about August 18, 2015; and

WHEREAS, in their civil action, it is alleged that Earl Matthias tripped and fell as a result of the City's failure to maintain proper lighting at the Fred Lippman Shuffleboard Complex Clubhouse, 2030 Polk Street, Hollywood, Florida 33020; and

WHEREAS, the Estate of Earl Matthias' claim is for personal injuries, while Joan Matthias' claim is for loss of consortium (the right of association and companionship with her husband); and

WHEREAS, the City Attorney and the Plaintiffs' attorney have negotiated a settlement in the amount of \$125,000.00; and

WHEREAS, the City does not admit liability in this matter but finds that settlement is in its best interest to avoid unnecessary litigation; and

WHEREAS, if this settlement is approved by the City Commission, the monies will be paid from the City's self-insurance fund; and

WHEREAS, the City Attorney recommends that the City Commission approve the negotiated settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the forgoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That the above-described settlement is approved, payable from the City's self-insurance fund.

RESOLUTION APPROVING SETTLEMENT WITH JOAN MATTHIAS AND THE
ESTATE OF EARL MATTHIAS

Section 3: That the appropriate City officials are authorized to take all necessary steps to implement the settlement as set forth above.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance of
the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY