

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 WITH JEFFREY CULLING FOR A WORKERS' COMPENSATION CLAIM IN THE AMOUNT OF \$350,000.00.

WHEREAS, the City has reached a settlement with Jeffrey Culling ("Claimant") regarding a workers' compensation claim filed on June 2, 2006; and

WHEREAS, on June 2, 2006, the Claimant, a former Police Officer, strained his back when he engaged in an altercation with a mentally ill patient while working at an off-duty detail at Memorial Regional Hospital; and

WHEREAS, the injuries were found to be compensable; and

WHEREAS, the Claimant was accepted as permanently and totally disabled ("PTD") by the workers' compensation carrier on July 10, 2008, and has been receiving PTD payments since that date; and

WHEREAS, the Claimant received treatment and was granted a duty disability by the Hollywood Police Officers' Retirement System on July 25, 2008; and

WHEREAS, the value of future PTD payments is estimated to be \$404,591.42, which does not include future medical and/or legal costs; and

WHEREAS, petitions for benefits have been filed, and the total paid on the Claim to date is \$1,893,151.71; and

WHEREAS, because the amount paid out on this claim exceeds the City's self-insurance retention level at the time of the injury (\$400,000.00), the excess carrier, AmeriTrust, has been reimbursing the City for all costs above \$400,000.00; and

WHEREAS, AmeriTrust has authorized a settlement in the amount of \$350,000.00, for which the City will be reimbursed; and

WHEREAS, authorization of this settlement would resolve the claim; and

WHEREAS, funding for the settlement has been identified and will be available in the Fiscal Year 2024 budget in account number 558.112006.51900.591930.000000.000.000.

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

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

Section 2: That the settlement agreement with Jeffrey Culling in the amount of \$350,000.00 to resolve the claim is approved, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

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

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES  
CITY ATTORNEY