

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 RUBEN ORTIZ IN THE AMOUNT OF \$175,000.00.

WHEREAS, on November 26, 2019, Ruben Ortiz ("Claimant") filed a civil action against the City for damages arising out of an accident that occurred on April 2, 2018 (Broward County Circuit Court Case Number CACE-19-024524); and

WHEREAS, Claimant alleges that he was injured when a park bench collapsed from underneath him at Garfield Park; and

WHEREAS, Claimant's claim is for personal injuries; and

WHEREAS, the City Attorney and Claimant's attorney have negotiated a settlement in the amount of \$175,000.00; 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, by entering into the proposed settlement, the City does not admit liability for the Claimant's alleged injuries, but desires to resolve the claim to avoid the cost and uncertainty of a jury trial; 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 foregoing "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.

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

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
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.

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DOUGLAS R. GONZALES  
CITY ATTORNEY