

STATEMENT OF BUDGET IMPACT
(Policy Number 94-45)
Budgetary Review of Proposed Resolution &
Ordinances with Financial Implication.

Date: May 16, 2016

File: BIS 16 – 184

File: TMP-2016-248

Proposed Legislation:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO APPROVE A SETTLEMENT OF A WORKERS' COMPENSATION LIEN BETWEEN THE CITY HOLLYWOOD AND PAUL INGRAM IN THE AMOUNT OF \$9,000.

Statement of Budget Impact:

1. No Budget Impact associated with this action;
2. Sufficient budgetary resources identified/available;
3. Budgetary resources not identified/unavailable;
4. Potential Revenue is possible with this action;
5. Will not increase the cost of Housing;
6. May increase the cost of Housing; (CDAB review required)

Explanation:

This Resolution seeks authorization for the appropriate City officials to settle a workers' compensation lien between the City and Paul Ingram, a City employee. While on duty, Mr. Ingram was injured in an automobile accident and has filed a workers' compensation claim with the City as well as filing a cause of action against the other party involved in the automobile accident. The City has paid workers' compensation claims to Mr. Ingram in the amount of \$38,046.16. Pursuant to state law, the City enjoys a lien in that amount paid to Mr. Ingram by the City from any amounts recovered by Mr. Ingram against the other party to the accident. Subsequently, Mr. Ingram has settled the cause of action with the other party for an amount less than the full amount of damages sought in the cause of action. In this situation, Florida courts have determined that in spite of the technical amount of an employer's workers' compensation lien, the amount to which the employer is actually entitled to receive from the recipient of the workers' compensation payments is to be reduced proportionately if the injured employee settles for less than the full amount of the damages sought. In this instance,

the City's workers' compensation attorney has negotiated a lien settlement with the injured City employee in the amount of \$9,000.00 to be paid to the City. §38.76(D)(20) of the Code of Ordinances requires that when a City lien, other than a code enforcement lien, is being waived , in whole or in part, and the amount being waived exceeds \$25,000.00, the City Commission is required to approve the waiver.

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