

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 JANET AND MICHAEL SCHULES IN THE AMOUNT OF \$75,000.00.

WHEREAS, in 2014, Janet Schules and Michael Schules filed a civil action against the City of Hollywood, Florida, for damages arising out of an accident that allegedly occurred on or about November 23, 2012; and

WHEREAS, in their civil action, Mr. and Mrs. Schules allege that she tripped and fell as a direct result of the City's failure to maintain the sidewalk at North 53rd Avenue near 5331 Taylor Street; and

WHEREAS, Mrs. Schules' claim is for personal injuries, while Mr. Schules' claim is for loss of consortium (the right of association and companionship with his wife); and

WHEREAS, the City Commission held an executive session regarding this case and pursuant to the consensus reached by the City Commission, the City's attorney and the Schules' attorney have negotiated a settlement in the amount of \$75,000.00; 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, 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 above-described settlement is hereby approved, payable from the City's self-insurance fund.

Section 2: That the appropriate City officials are hereby authorized to take all necessary steps to implement the settlement.

RESOLUTION APPROVING SETTLEMENT WITH JANET AND MICHAEL SCHULES

Section 3: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

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

ALAN FALLIK, ACTING CITY ATTORNEY