

RESOLUTION NO. _____

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 WITH ANDREAS PANTALOUKAS IN THE AMOUNT OF \$6,951.41.

WHEREAS, on August 30, 2017, Police Officer Andreas Pantaloukas ("Claimant") was injured in an automobile accident while on duty; and

WHEREAS, in addition to making claims for workers' compensation benefits, Claimant asserted claims against the party who allegedly caused the accident; and

WHEREAS, as a result of this accident, the City has provided workers' compensation benefits to Claimant in the amount of \$46,342.74, and by state law, the City has a lien in that amount against any monies recovered by Claimant from his third party claim; and

WHEREAS, Claimant settled his third party claim for \$50,000.00, though he continues to receive treatment for his injuries; and

WHEREAS, the City's Third Party Administrator ("TPA") for workers' compensation has received a lien settlement offer in the amount of \$6,951.41, which is 15% of the costs paid for this claim; and

WHEREAS, the City's TPA has advised that the industry standard for such recoveries is 12% of the lien amount, and recommends accepting the \$6,951.41; and

WHEREAS, under Section 38.76 (D) (20), City Code, 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, City Commission approval is required; 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.

RESOLUTION APPROVING LIEN SETTLEMENT WITH ANDREAS PANTALOUKAS

Section 2: That the above-described settlement of the City's lien arising out of Claimant's motor vehicle accident is approved.

Section 3: That the 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 _____, 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