

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AND IMPLEMENT THE ATTACHED WORKERS' COMPENSATION SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE CITY OF HOLLYWOOD AND STEVEN MARTIN IN THE AMOUNT OF \$439,000.00.

WHEREAS, the City of Hollywood (the "City") has reached a proposed settlement of Steven Martin's (the "Claimant") workers' compensation claims relating to injuries that occurred on July 3, 1989 and on April 1, 1993 (collectively referred to as the "Claims") while he was a City firefighter; and

WHEREAS, the Claims were found to be compensable under Florida's workers' compensation laws and since the latter accident the Claimant has treated consistently with several specialists; and

WHEREAS, to date more than \$440,000.00 has been paid out on the Claims in medical and indemnity benefits;

WHEREAS, because the amount paid out on these Claims exceeds the City's self-insurance retention level (\$300,000.00), the City's excess workers' compensation insurance carrier (i.e., the Florida League of Cities) reimburses the City for all costs above \$300,000.00 and must also approve the settlement of the Claims; and

WHEREAS, based on the Claimant's life expectancy, injuries and payout history, the Claims have a future exposure exceeding \$1.1 million; and

WHEREAS, mediation on this matter was held on September 2, 2015, and a settlement of \$439,000.00 was reached, which has been approved by the City's excess workers' compensation insurance carrier, and is contingent upon receiving appropriate City approvals; and

WHEREAS, the proposed settlement agreement and release is attached hereto as Exhibit 1; and

WHEREAS, funding has been identified and will be available in the Fiscal Year 2015 budget in the City's Self Insurance Fund (Fund 58) and the City's excess workers' compensation insurance carrier will reimburse the City for the settlement amount;

A RESOLUTION AUTHORIZING THE WORKERS' COMPENSATION SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE CITY OF HOLLYWOOD AND STEVEN MARTIN.

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

Section 1: That it hereby approves and authorizes the execution and implementation, by the appropriate City officials, of the attached workers' compensation settlement agreement and release between the City of Hollywood and Steven Martin in the amount of \$439,000.00, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
PETER BOBER, 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.

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JEFFREY P. SHEFFEL, CITY ATTORNEY