

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 MELVIN SMITH IN THE AMOUNT OF \$225,000.00.

WHEREAS, in 2018, Melvin Smith ("claimant") filed a civil action against the City of Hollywood for damages arising out of an incident that allegedly occurred on or about April 8, 2015; and

WHEREAS, in his civil action, claimant alleges that he was subjected to a false arrest and unnecessary force; 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 \$225,000.00; 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 does not in any manner admit the allegations set forth by claimant, but rather, settlement is a business decision that provides certainty that a jury verdict cannot provide; 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 appropriate City officials are authorized to take all necessary steps to implement the settlement.

RESOLUTION APPROVING SETTLEMENT WITH MELVIN SMITH

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

PASSED AND ADOPTED this _____ day of _____, 2019.

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