

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE STIPULATED FINAL JUDGEMENT IN THE CASE OF TRADRICK MCCOY. V. THE CITY OF RIVIERA BEACH, ET AL, CASE NO.: 50-2018-CA-015244; AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$1,000 AND PAYMENT FOR THE TOTAL COST OF MEDIATION AS COMPLETE SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tradrick McCoy., brought suit against the City of Riviera Beach and Lynne Hubbard, in her official capacity as City Councilperson for the City of Riviera Beach; Claudene Anthony, as City Clerk and Custodian of Records, and

WHEREAS, Tradrick McCoy, as Plaintiff, alleged that the City violated Article I, Section 24 of the Florida Constitution and the Public Records Act and Chapter 119, Florida Statutes, by failing to respond to his requests in a timely fashion; and

WHEREAS, on February 6, 2019, members of the City Council attended a closed door executive session with Counsel for the City to discuss potential settlement of this case; and

WHEREAS, the Counsel for the City has negotiated and proposed a settlement agreement on the matter with Mr. McCoy, to settle the case for all documented costs, not to exceed \$1,000, and the total costs of mediation, subject to City Council approval; and

WHEREAS, the City finds approving the Settlement Agreement, which is attached hereto and incorporated herein as Exhibit "A", and authorizing payment of \$1,000 and the cost of mediation is in the best interests of the City and serves a valid public purpose.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

SECTION 1. That settlement in the matter of *Tradrick McCoy v. City of Riviera Beach, Lynne Hubbard, in her official capacity as City Councilperson for the City of Riviera Beach, and Claudene Anthony, City Clerk, Case No. 50-2018-CA-015244*, is hereby approved in the amount of \$1,000, plus the costs of mediation.

SECTION 2. That the City approves the Settlement Agreement and authorizes payment in accordance with the same.

SECTION 3. That this resolution shall take effect immediately upon its passage and approval by the City Council.

PASSED and APPROVED this _____ day of February, 2019.

RESOLUTION NO.: _____
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APPROVED:

THOMAS A. MASTERS
MAYOR

TONYA DAVIS JOHNSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

LYNNE L. HUBBARD
CHAIR PRO TEM

JULIA BOTEL
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS-JOHNSON _____

J. BOTEL _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

Dawn S. Wynn
CITY ATTORNEY

DATE: _____

Tradrick McCoy,

Case No. 50-2018-CA015244XXXXMB

Plaintiff

v.

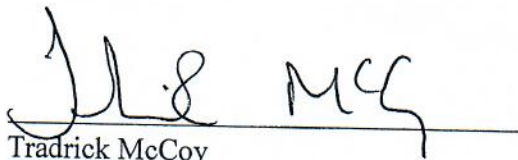
City of Riviera Beach, Et al.

Defendants.

Settlement Agreement

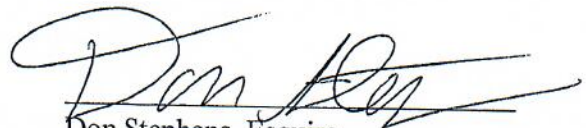
The parties agree to as follows:

1. Pursuant to Article I, Sec. 24 of the Florida Constitution and the Public Records Act and Chapter 119, Florida Statutes, Mr. McCoy submitted numerous public records requests to the City.
2. The City acknowledged receipt of the requests and attempted to fulfill those requests accordingly.
3. However, a select number of public records were untimely fulfilled or fulfilled prior to the initiation of this suit.
4. Subsequent to the filing of this action, the public records requests were fulfilled.
5. Because these certain records were not provided prior to this action, the City agrees to reimburse Mr. McCoy for all documented costs not to exceed \$1,000.00.
6. The City also agrees to pay the total cost of mediation.
7. Mr. McCoy agrees to dismiss his suit in its entirety with prejudice.
8. This Settlement Agreement is subject to the approval of the City Council of Riviera Beach.



Tradrick McCoy
Plaintiff, Pro Se

1/14/19
Dated



Don Stephens, Esquire
Counsel for the Defendants

1/14/2019
Dated