RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE CASE OF DEBBIE ANN SMITH, AS LEGAL GUARDIAN OF T.S., A MINOR V. THE CITY OF RIVIERA BEACH, CASE NO.: 502017CA008806XXXXMB; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE AMOUNT OF $35,184 AS COMPLETE SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Debbie Ann Smith, as legal guardian of T.S., a minor, brought suit against the City of Riviera Beach for injuries T.S. sustained from an accident at Barracuda Bay Aquatic Complex ("Barracuda Bay"), Riviera Beach, FL., on June 15, 2016; and

WHEREAS, on August 7, 2017, Ms. Smith filed a lawsuit against the City, Case No. 502017CA008806XXXXMB, alleging that the City was negligent in its maintenance of a water slide at Barracuda Bay; and

WHEREAS, on April 23, 2019, Counsel for Ms. Smith negotiated and mediated on the matter with Counsel for the City, Risk Management, and representatives of Gallagher Bassett, to settle the case for $35,184, inclusive of costs and attorney's fees, subject to City Council approval; and

WHEREAS, the City finds authorizing payment of $35,184 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 *Debbie Ann Smith, as legal guardian for T.S., a minor v. City of Riviera Beach, Case No. 502017CA008806XXXXMB* is hereby approved in the total amount of $35,148, which includes attorney's fees and costs.

SECTION 2. That Gallagher Bassett Services, Inc., is authorized to make payment on behalf of the City, after receiving appropriate releases from Ms. Smith.

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

PASSED and APPROVED this _____ day of May, 2019.

APPROVED:

RONNIE L. FELDER
MAYOR

KASHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY,
CERTIFIED MUNICIPAL CLERK
CITY CLERK

JULIA A. BOTEL, Ed.D
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY: ____

K. MILLER-ANDERSON: ____

S. LANIER: ____

J. BOTEL: ____

D. LAWSON: ____

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN S. WYNN, CITY ATTORNEY