



CITY OF RIVIERA BEACH – MEMORANDUM

TO: HON. MAYOR, CHAIRPERSON AND CITY COUNCIL

THROUGH: JONATHAN EVANS, CITY MANAGER, MPA, MBA, ICMA-CM

FROM: DAWN S. WYNN, CITY ATTORNEY

SUBJECT: **RESOLUTION TO SETTLE CLAIM OF ATTORNEY’S FEES
AND COSTS IN WORKERS COMPENSATION CLAIM OF
ROBERT AYLSWORTH**

DATE: SEPTEMBER 2, 2020

CC: GENERAL PUBLIC

Background:

Robert Aylsworth (“Claimant”) made a workers’ compensation claim on February 5, 2019, for mold exposure, while employed with the City of Riviera Beach (“City”), Department of Fire Rescue, against the City, as Employer, and Gallagher Bassett Services (“GB”), as the City’s Insurance Carrier.

On August 23, 2019, the City and GB stipulated to compensability of an exacerbation of the Claimant’s allergic rhinitis and agreed to provide worker’s compensation benefits to treat the Claimant’s exacerbation of allergic rhinitis for so long as the industrial accident remains the major contributing cause of the need for medical treatment.

After negotiation, the parties have reached an agreement over the claim of attorney’s fees and costs for a total sum of \$33,005.21, subject to City Council approval.

Upon the City Council’s approval of this settlement, the Court’s Order approving a joint stipulation and the City’s payment thereof, all claims for attorney’s fees and costs from the Claimant against the City and GB through August 3, 2020, shall be dismissed with prejudice.



Citywide Goal:

To Enhance Government Stewardship

Budget/Fiscal Impact:

\$33,055.21.

Recommendation(s):

The Office of the City Attorney recommends it is in the best interests of the City to settle this claim for attorney's fees and costs.

Attachment(s):

1. Resolution Number 74-20
2. Proposed Joint Stipulation on Employer/Carrier-Paid Attorney's Fees and Costs