



"The Best Waterfront City in Which to Live, Work and Play."

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 FULLY SETTLE BOTH WORKERS' COMPENSATION CLAIMS OF KENNETH C. THOMAS**

DATE: January 20, 2020

CC: GENERAL PUBLIC

Background:

Kenneth C. Thomas ("Claimant") filed workers' compensation claim 14-023877CJS on October 14, 2014, for injuries sustained to his neck and back in a motor vehicle accident that occurred on August 2, 2013 during the course and scope of his employment with the City of Riviera Beach Police Department. On March 26, 2015, he filed workers' compensation claim 15-00681CJS for injuries sustained to his head, neck, and back in a motor vehicle accident that occurred on May 8, 2014 during the course and scope of his employment with the City of Riviera Beach Police Department. Both claims were filed against the City, as Employer, and Gallagher Bassett Services, Inc. ("GB"), as Carrier.

The parties have agreed to settle both claims, including a Medicare Set Aside of One Hundred Twenty-Five Thousand, Five Hundred and Two Dollars (\$125,502), attorney's fees, and costs for a total sum of Three Hundred Thirty-Two Thousand Dollars (\$332,000). Settlement is subject to City Council approval. Upon execution of the settlement agreement and release, both claims will be dismissed with prejudice.

Citywide Goal:

To provide quality, timely, cost-efficient, professional legal services and advice to support the goals and objectives of the City Council, the City Manager, and the City departments,



and to advocate and defend the interests of the City within the bounds of the law.

Budget/Fiscal Impact:

\$332,000.

Recommendation(s):

The Office of the City Attorney recommends it is in the best interests of the City to settle this claim.

Attachment(s):

1. Proposed Settlement Agreement between Kenneth C. Thomas, the City, and Gallagher Bassett Services, Inc., and
2. Proposed general release to be executed by Kenneth C. Thomas

