



"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 THE WORKERS’
COMPENSATION CLAIM OF DAVID NAPIER**

DATE: FEBRUARY 3, 2021

CC: GENERAL PUBLIC

Background:

David Napier (“Claimant”) filed a new petition for benefits on workers’ compensation claim 93-004706GJJ on September 9, 2019, for injuries sustained in a motor vehicle accident that occurred on May 21, 1993 during the course and scope of his employment with the City of Riviera Beach (“the City”) against the City, as Employer, and Gallagher Bassett Services, Inc. (“GB”), as Carrier. The parties have agreed to settle the claim, including current and past attorney’s fees and costs and all previous liens attached thereto, for a total sum of Ninety-Eight Thousand Five Hundred One Dollars and Fourteen Cents (\$98,501.14), subject to City Council approval.

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:

\$98,501.14



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. Resolution Number 11-21
2. Proposed Washout Settlement Agreement and Release between David Napier, the City, and Gallagher Bassett Services, Inc.
3. Proposed Stipulation of Past Attorney's Fees

