

**RESOLUTION NUMBER 11-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT OF THE WORKERS' COMPENSATION CLAIM OF DAVID NAPIER V. CITY OF RIVIERA BEACH, OJCC CLAIM NO.: 93-004706GJJ; AUTHORIZING GALLAGHER BASSETT SERVICES, INC. TO MAKE PAYMENT IN THE AMOUNT OF NINETY-EIGHT THOUSAND FIVE HUNDRED ONE DOLLARS AND FOURTEEN CENTS (\$98,501.14) AS FULL AND COMPLETE SETTLEMENT OF THE CLAIM; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 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; and

**WHEREAS**, the parties have agreed to settle the claim, including all former and current 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; and

**WHEREAS**, upon the City Council's approval of this settlement and the City's payment thereof, the workers' compensation claim from the Claimant against the City and GB shall be dismissed with prejudice; and

**WHEREAS**, upon the City Council's approval of this settlement, Claimant shall discharge and release the City from any and all claims or causes of action, including attorney fees and costs, whether known or unknown, arising out of, or in any way relating to any injuries resulting from any work-related accident including the May 21, 1993 accident; and

**WHEREAS**, it is in the best interests of the City to fully settle these claims.

**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 of the matter of *David Napier v. City of Riviera Beach and Gallagher Bassett Services, Inc. OJCC Claim No. 93-004706GJJ* is hereby approved in the total amount of Ninety-Eight Thousand Five Hundred One Dollars and Fourteen Cents (\$98,501.14).

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**SECTION 2.** That GB is authorized to make payment on behalf of the City, after receiving the appropriate approval and releases from the Claimant.

**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 2021.

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**APPROVED:**

\_\_\_\_\_  
**RONNIE L. FELDER  
MAYOR**

\_\_\_\_\_  
**JULIA A. BOTEL, Ed.D  
CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK**

\_\_\_\_\_  
**DOUGLAS A. LAWSON  
CHAIR PRO TEM**

\_\_\_\_\_  
**TRADRICK MCCOY  
COUNCILPERSON**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON  
COUNCILPERSON**

\_\_\_\_\_  
**SHIRLEY D. LANIER  
COUNCILPERSON**

**MOTIONED BY:** \_\_\_\_\_

**REVIEWED AS TO LEGAL SUFFICIENCY**

**SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
**DAWN S. WYNN, CITY ATTORNEY**

**T. MCCOY:** \_\_\_\_\_

**K. MILLER-ANDERSON:** \_\_\_\_\_

**S. LANIER:** \_\_\_\_\_

\_\_\_\_\_  
**Date**

**J. BOTEL:** \_\_\_\_\_

**D. LAWSON:** \_\_\_\_\_