

RESOLUTION NO. 38-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE CASE OF JERMAINE MYLES V. THE CITY OF RIVIERA BEACH AND TERRANCE S. GOLDWIRE, CASE NO.: 502019CA001312XXXXXMB; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) AS FULL AND FINAL SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 31, 2019, Jermaine Myles (hereinafter “Plaintiff”) filed a lawsuit in the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, Case No. 502019CA001312XXXXXMB, against the City of Riviera Beach and Terrance S. Goldwire, former City employee, for personal injuries he sustained in a motor vehicle incident in Riviera Beach, Palm Beach County, Florida; and

WHEREAS, on or about October 13, 2017, the Plaintiff alleged that the City’s employee, Goldwire, was negligent in the operation of his motor vehicle when a piece of unsecured debris fell from a City owned vehicle operated by Goldwire while in the course and scope of his employment; and

WHEREAS, Plaintiff alleged that the debris caused the Plaintiff to be injured; and

WHEREAS, counsel for the Plaintiff and counsel for the City negotiated and mediated this matter on November 16, 2020, and thereafter; and

WHEREAS, counsel for the City, Risk Management and representatives of Gallagher Bassett concur that settlement in the amount of Fifty Thousand Dollars (\$50,00.00), inclusive of all attorneys’ fees and costs, is in the City’s best interest, subject to City Council approval.

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 Jermaine Myles v. The City of Riviera Beach and Terrance S. Goldwire, Case No.: 50-2019-CA-001312-XXXX-MB is hereby approved in the total amount of \$50,000.00, inclusive of attorney’s fees and costs.

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

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

PASSED and APPROVED this _____ day of APRIL, 2021.

APPROVED:

RONNIE L. FELDER
MAYOR

SHIRLEY D. LANIER,
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY,
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

JULIA A. BOTEL, Ed.D
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

MOTIONED BY: _____

REVIEWED AS TO LEGAL SUFFICIENCY

SECONDED BY: _____

T. MCCOY: _____

DAWN S. WYNN, CITY ATTORNEY

K. MILLER-ANDERSON: _____

S. LANIER: _____

J. BOTEL: _____

D. LAWSON: _____