

RESOLUTION NO. 113-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT OF ATTORNEY'S FEES AND COSTS IN CASE NO. 9:18-CV-81285, LADI MARCH GOLDWIRE V. CITY OF RIVIERA BEACH; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE AMOUNT OF TWO HUNDRED FIFTY FIVE THOUSAND DOLLARS (\$255,000.00) AS FULL AND FINAL SETTLEMENT OF ATTORNEY'S FEES AND COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 5, 2021, a trial commenced in the United States District Court Southern District of Florida, Case No. 9:18-CV-81285, *Ladi March Goldwire* (hereinafter "Plaintiff") v. *The City of Riviera Beach*; and

WHEREAS, on August 16, 2021, a Jury returned a Verdict in favor of the Plaintiff in the amount of Sixty Thousand Dollars (\$60,000.00) as to Count III of the Second Amended Complaint, and the Court subsequently entered a Final Judgment in the Plaintiff's favor on Count III; and

WHEREAS, on September 11, 2021, the parties negotiated and agreed to settle all of Plaintiff's attorney's fees and costs in the sum of Two Hundred Fifty Five Thousand Dollars (\$255,000.00); and

WHEREAS, counsel for the City, representatives from the City's insurance carrier and excess carrier, and Risk Management concur that settlement of the Plaintiff's attorney's fees and costs in the amount of Two Hundred Fifty Five Thousand Dollars (\$255,000.00) 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 of attorney's fees and costs in the case of *Ladi March Goldwire v. The City of Riviera Beach*, Case No.: 9:18-CV-81285 is hereby approved in the total amount of \$255,000.00.

SECTION 2. That the City's insurance carrier, Gallagher Bassett, is authorized to make payment on behalf of the City after receiving the Joint Stipulation for Entry of Order Deeming Defendant As Having Satisfied All of Plaintiff's Attorney's Fees and Costs.

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

PASSED and APPROVED this _____ day of SEPTEMBER, 2021.

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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: _____