

EXHIBIT 1
RESOLUTION NO. 2017 -

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE JURY VERDICT AWARD AND NEGOTIATED STATUTORY ALLOWABLE TAXABLE COSTS RESULTING FROM THE JURY TRIAL IN THE CASE OF MIGUEL CHARUN V. CITY OF HALLANDALE BEACH, CASE NO: CACE 13-020737 (18) IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, BROWARD COUNTY, FLORIDA; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ENTER INTO SETTLEMENT IN EXCHANGE FOR THE EXECUTION OF THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 24, 2013, Plaintiff filed suit against the City alleging that on May 30, 2012, a city employee, negligently operated a City vehicle to cause a collision with Plaintiff's vehicle. Plaintiff claimed to have suffered personal injuries as a result of the accident; and

WHEREAS, in October, 2017, the case was tried before a jury in which the jury awarded Plaintiff \$60,000.00 dollars for past medical damages and \$45,000.00 for pain and suffering, for a total jury award of \$105,000.00 dollars; and

WHEREAS, pursuant to Florida law, Plaintiff is allowed to tax certain costs incurred as a result of trial. These costs include but are not limited to, expert fees, transcripts, court reporter fees, etc.; and

WHEREAS, Plaintiff sought approximately \$10,000.00 dollars in taxable costs. However, following negotiations with the City, Plaintiff has accepted the City's negotiated offer of \$5,000.00 in full satisfaction of his taxable costs. This amount, if ratified, will bring the total sum to be paid to the Plaintiff inclusive of the jury verdict award and the negotiated statutory taxable costs to \$110,000.00 dollars; and

WHEREAS, after full consideration of the facts of this post-verdict claim and the City's exposure of having to pay a greater amount in taxable costs which arise from entry of a jury verdict in favor of Plaintiff, the City Manager and City Attorney recommend City Commission ratify the jury verdict award and negotiated statutory allowable taxable costs

in the total amount of One Hundred and Ten Thousand (\$110,000.00) dollars and no cents; and

WHEREAS, the Mayor and City Commission being fully advised on the facts of this matter, believe it is in the best interest of the City to resolve this post-jury verdict matter in lieu of proceeding to a hearing and risking a court enter an order for a higher dollar amount for Plaintiff's taxable costs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. City Manager and City Attorney Authorization. The Mayor and City Commission hereby authorize the City Manager and City Attorney to settle the jury verdict award and negotiated statutory allowable taxable costs resulting from the jury trial in the case of Miguel Charun v. City of Hallandale Beach, Case No: CACE 13-020737 (18) for One Hundred and Ten Thousand (\$110,000.00) dollars and no cents, inclusive of attorney fees, in exchange for the appropriate release executed by the Mr. Charun.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this ____ day of December, 2017.

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

MARIO BATAILLE, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

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JENNIFER MERINO, CITY ATTORNEY