



City of Hallandale Beach City Commission Agenda Cover Memo

Hallandale Beach
PROGRESS. INNOVATION. OPPORTUNITY.

Meeting Date:	June 20, 2018		Item Type: <i>(Enter X in box)</i>	Resolution X	Ordinance	Other
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1 st Reading		2 nd Reading
	X			Public Hearing: <i>(Enter X in box)</i>	Yes	No
Funding Source:	General Liability 570-1810-545030		Advertising Requirement: <i>(Enter X in box)</i>		Yes	
Account Balance:			Quasi Judicial: <i>(Enter X in box)</i>	Yes		No
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A		
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: <i>(Enter X in box)</i>			
			Safety	<input checked="" type="checkbox"/>		
			Quality	<input type="checkbox"/>		
			Vibrant Appeal	<input type="checkbox"/>		
Sponsor Name:	Jennifer Merino, City Attorney		Department: City Attorney's office	Jennifer Merino, City Attorney		

Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF BOWE SR., ET AL., V. CITY OF HALLANDALE BEACH, ET AL., CASE NO. 16-CV-60993-WPD IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ENTER INTO A SETTLEMENT FOR ALL CLAIMS IN EXCHANGE FOR THE EXECUTION OF THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

BACKGROUND:

On June 15, 2016, Plaintiffs filed action alleging that on May 8, 2014, their rights were violated during the execution of a search warrant by the City's SWAT team on the home of the decedent, Howard Bowe Jr., which resulted in the shooting death of Bowe Jr. and the detainment of Bowe Jr.'s son, Howard Bowe III. The cause of action is not subject to sovereign immunity caps. The City retained outside counsel to represent the individual officers and separate outside counsel for the City. The City Attorney requests authorization to ratify the negotiated settlement amount of four hundred and twenty five thousand dollars (\$425,000.00) dollars and no cents. in exchange for the appropriate release(s) by the Plaintiff. The proposed settlement agreement encompasses all defendants. The City Attorney further recommends authorization to execute any and all necessary documents to effectuate the settlement of the case.

WHY ACTION IS NECESSARY:

Pursuant to Section 24-3 (d), of the City of Hallandale Beach, Code of Ordinances, proposed settlements in excess of \$20,000.00 shall be submitted to the city commission for its decision. This settlement exceeds the authority amount given to the City Manager, and City Attorney to settle claims, which require City Commission approval.

FISCAL IMPACT:

\$425,000.00.

Proposed Action:

Motion To Consider and Approve: A Resolution Of The Mayor And City Commission Of The City Of Hallandale Beach, Florida, authorizing the City Manager and City Attorney to enter into a settlement agreement encompassing all defendants in the above-referenced matter for the total sum of four hundred twenty five thousand dollars (\$425,000.00) in exchange for the appropriate release executed by the Plaintiffs.

Attachment(s):

Exhibit 1 – Resolution