



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:		Item Type:	1 st Reading	2 nd Reading
9/28/2022		<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	N/A
			Public Hearing	<input type="checkbox"/>
			Advertising Required	<input type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>
Fiscal Impact (\$):		Account Balance (\$):	Funding Source:	Project Number:
\$23,320		\$146,464	570-1810-545030	N/A
Contract/P.O. Required		RFP/RFQ/Bid Number:	Sponsor Name:	Department:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	N/A	Jim Buschman Risk Manager	Human Resources/Risk Management
Strategic Plan Focus Areas:				
<input checked="" type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity		<input type="checkbox"/> Infrastructure/Projects
Implementation Timeline:				
Estimated Start Date: 9/28/2022 Estimated End Date: 10/31/2022				

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE PRE-LITIGATION SETTLEMENT WITH TRACY ANN JONES/AMERICAN CREDIT ACCEPTANCE IN RISK MANAGEMENT CLAIM NO: 22-165, FOR PROPERTY DAMAGE, IN EXCHANGE FOR THE EXECUTION OF THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY:

SUMMARY:

Staff seeks City Commission approval to authorize the City Manager and City Attorney to settle the pre-litigation property damage portion of the Tracy Ann Jones/American Credit Acceptance Risk Management Claim No: 22-165 for the total sum of \$23,320, in exchange for the appropriate release.

BACKGROUND:

Employee Juan Morales was attempting to make a left hand turn in a city vehicle at the intersection of Old Federal Highway and SE Third Street. Traffic was backed up due to the red light and Mr. Morales was attempting to inch his way into westbound traffic at the advice of a motorist who had stopped to let him through. The claimant, Tracy Ann Jones was traveling eastbound on SE Third Street. As a result of both drivers unable to see each other, both vehicles collided. Mr. Morales was determined to be at fault for failing to yield the right-of-way for this accident. The claimant's vehicle is a 2018 BMW and was a total loss.

WHY ACTION IS NECESSARY:

Pursuant to Chapter 24-3 (d), of the City of Hallandale Beach, Code of Ordinances, proposed settlements in excess of \$20,000 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 the City Commission approval.

COST BENEFIT:

Staff believes settling the property damage portion of this claim for \$23,320 to avoid litigation is in the City's best interest.

PROPOSED ACTION:

The City Commission consider the attached Resolution.

ATTACHMENT(S):

Exhibit 1 – Resolution

Prepared By: Jim Buschman
Jim Buschman
Risk Manager

Reviewed By: Radu Dodea
Radu Dodea
Human Resources/Risk Management Director

Reviewed By: Noemy Sandoval
Noemy Sandoval
Assistant City Manager