

1 EXHIBIT 1

2
3 RESOLUTION NO. 2017 -

4
5 A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE
6 CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE
7 SETTLEMENT WITH DEBRA MOLINA V. CITY OF HALLANDALE
8 BEACH, IN CASE NO: CACE 15-004341 (12) IN THE CIRCUIT COURT
9 OF THE SEVENTEENTH JUDICIAL CIRCUIT, BROWARD COUNTY,
10 FLORIDA AND AUTHORIZING THE CITY MANAGER AND CITY
11 ATTORNEY TO ENTER INTO SETTLEMENT, FOR PERSONAL
12 INJURIES SHE SUSTAINED, IN EXCHANGE FOR THE EXECUTION OF
13 THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE
14 DATE.
15

16
17 **WHEREAS**, Debra Molina brought litigation against the City of Hallandale Beach
18 for alleged injuries she sustained to her hand on January 28, 2013, when she fell through
19 a hollow portion of land that gave way causing her to fall in a hole; and
20

21 **WHEREAS**, the City was installing a water main in the location of NE 1st Street &
22 NE 8th Avenue at the time.
23

24 **WHEREAS**, Ms. Molina did subsequently have surgery on her hand; and
25

26 **WHEREAS**, the City Attorney's office has provided the defense of the City in the
27 litigation and participated in discovery in preparation for trial; and
28

29 **WHEREAS**, the City Attorney request authorization to ratify the negotiated
30 settlement amount of forty thousand seven hundred seventy-four dollars and no cents
31 (\$40,774.00). This amount will be remitted in the form of U.S. currency in the amount of
32 forty thousand dollars (\$40,000.00), and an adjustment to the seven hundred seventy-four
33 dollar (\$774.00) balance owed to Hallandale Beach Fire Rescue Emergency Transport
34 Services, bringing the total amount owed by Plaintiff to zero dollars (\$0.00); and
35

36 **WHEREAS**, the Mayor and City Commission, being fully advised on the facts of
37 this matter, believe it is in the best interest of the City to resolve this litigation in lieu of
38 proceeding to trial and accepts the recommendation of the City Attorney.

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

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42 **SECTION 1. Ratify Settlement.** The Mayor and City Commission hereby ratify
43 the negotiated settlement in the matter of Debra Molina v. City of Hallandale Beach.

44
45 **SECTION 1. City Manager and City Attorney Authorization.** The Mayor and
46 City Commission hereby authorize the City Manager and City Attorney to settle litigation
47 styled Debra Molina v. City of Hallandale Beach, Case No.: CACE 15-004341 (12) in the
48 Circuit Court of the Seventeenth Judicial Circuit, Broward County for the total sum of forty
49 thousand seven hundred seventy-four dollars and no cents (\$40,774.00). This amount
50 will be remitted in the form of U.S. currency in the amount of forty thousand dollars
51 (\$40,000.00), and an adjustment to the seven hundred seventy-four dollar (\$774.00)
52 balance owed to Hallandale Beach Fire Rescue Emergency Transport Services, bringing
53 the total amount owed by Plaintiff to zero dollars (\$0.00), in exchange for the appropriate
54 release executed by the Plaintiff.

55
56 **SECTION 2. Effective Date.** This Resolution shall take effect immediately upon
57 its passage and adoption.

58
59 APPROVED AND ADOPTED this ____ day of June, 2017.

60
61
62 _____
63 JOY F. COOPER
64 MAYOR

65 SPONSORED BY: CITY ATTORNEY

66 ATTEST:

67
68 _____
69 MARIO BATAILLE, CMC
70 CITY CLERK

71 APPROVED AS TO LEGAL SUFFICIENCY
72 AND FORM

73
74
75 _____
76 JENNIFER MERINO
77 CITY ATTORNEY