



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
5/5/2021	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	N/A	N/A
		Public Hearing	<input type="checkbox"/>	<input type="checkbox"/>
		Advertising Required	<input type="checkbox"/>	<input type="checkbox"/>
		Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
File No.:				
21-176				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
\$50,000.00	\$604,420.05	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	Jennifer Merino, City Attorney	Office of the City Attorney	
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: 5/6/2021 Estimated End Date: 5/28/2021				

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE SETTLEMENT WITH GEORGE NICA V. THE CITY OF HALLANDALE BEACH, IN CASE NO: CACE 18-022497 (21) IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, BROWARD COUNTY, FLORIDA AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ENTER INTO SETTLEMENT TO RESOLVE ALL CLAIMS, IN EXCHANGE FOR THE EXECUTION OF THE APPROPRIATE RELEASE; AND PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY:

BACKGROUND:

Mr. George Nica filed suit against the City alleging that on August 8, 2017, he sustained personal injuries to his shoulder, hand, neck, arm, and knee. At the time of the accident Mr. Nica was a pedestrian walking along on city owned sidewalk located at 1000 NE 14th avenue, when he tripped and fell on uneven sidewalk, he alleges. Mr. Nica was treated at Aventura Hospital and underwent

surgery and orthopedic rehabilitative treatment at South Florida Surgery and Hand Care for his fractured hand. Mr. Nica declined at the time to have shoulder surgery as was recommended. The parties seek to settle the litigation in the amount of fifty-thousand dollars (\$50,000.00) and no cents in exchange for the execution of the appropriate release(s) and dismissal of this case. 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 for approval.

FISCAL IMPACT:

\$50,000.00.

PROPOSED ACTION:

Motion To Consider and Approve: A Resolution Of The Mayor and City Commission Of The City Of Hallandale Beach, Florida, Ratifying The Settlement With George Nica v. The City Of Hallandale Beach, In Case No: CACE 18-022497 (21) In The Circuit Court of The Seventeenth Judicial Circuit, Broward County, Florida And Authorizing The City Manager And City Attorney To Enter Into Settlement To Resolve All Claims, In Exchange For The Execution Of The Appropriate Release(s). Further authorizing the City Manager and City Attorney to execute any and all necessary documents to effectuate the settlement of the case

ATTACHMENT(S):

Exhibit 1 – Resolution