



400 South Federal Hwy
Hallandale Beach, FL 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
8/4/2021	<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.:				
21-308				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
\$69,500	N/A	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: 8/4/2021 Estimated End Date: 8/30/2021				

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE SETTLEMENT WITH ERNESTINA MARUCCI V. THE CITY OF HALLANDALE BEACH, IN CASE NO: CACE 20-021010 (13) 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:

Ms. Marucci filed suit against the City alleging that on December 14, 2020, alleging she sustained personal injuries to her shoulder. At the time of the accident Ms. Marucci was a pedestrian walking along on city owned sidewalk located at 180 NE 12th Avenue, when she alleges she tripped and fell on uneven sidewalk. Ms. Marucci was treated at Aventura Hospital and underwent surgery at Total MD for her shoulder. The parties seek to settle the litigation in the amount of sixty-nine-thousand five hundred dollars (\$69,500.00) 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:

\$69, 500.00.

Cost Benefit:

The parties have determined that the resolution of their differences in a manner favorable to their respective interests are best obtained through a settlement of the issues as opposed to protracted trial, which will require the expenditure of significant funds and resources to both parties.

PROPOSED ACTION:

The City Commission consider the attached Resolution

ATTACHMENT(S):

Exhibit 1 –Resolution