



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.:				
21-316				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
\$55,000	\$507,806.09	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 FAITH PREVILON, A MINOR, BY AND THROUGH HER MOTHER AND NATURAL GUARDIAN, NERILANDA DESTAVE, VS. THE CITY OF HALLANDALE BEACH, IN CASE NO: CACE 21-005062 (18) 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. Nerilanda Destave the mother and natural guardian of Faith Previlon filed suit against the City alleging that on March 15, 2017, her daughter sustained personal injuries to her front two teeth resulting in permanent nerve damage and the loss of the front teeth. At the time of the accident minor Faith Previlon was a participant in the City's Aftercare Enrichment Tutorial Program at OB Johnson Park and it is alleged that she sustained injuries due to negligent supervision. Minor, Faith Previlon was treated and underwent surgery at Nova Southeastern Dental School. The parties seek to settle the litigation in the amount of fifty-five thousand dollars (\$55,000.00) 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:

\$55, 000.

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