

RESOLUTION NO. 2019-R-51

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE APPROVAL OF THE SETTLEMENT OF RISK MANAGEMENT CASE, RONA SCOTT VS. CITY OF NORTH MIAMI, CASE NUMBER 17-027155-CA-01, UPON THE EXECUTION OF A GENERAL RELEASE, DISCHARGING THE CITY OF NORTH MIAMI, ITS OFFICERS, AGENTS AND SERVANTS AGAINST ANY AND ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION, IN THE AMOUNT OF ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on December 13, 2016, Mr. Rona Scott allegedly suffered injuries and damages in a rear-end collision involving a North Miami police vehicle that was functioning within the course and scope of employment; and

WHEREAS, litigation commenced in December 2017 and discovery ensued; and

WHEREAS, the case went to mediation on February 21, 2019 and due to the extent of medicals and the sum demanded by the plaintiff, the case remained unresolved and as negotiations continued, the claimant was amenable to the above stated settlement in lieu of a jury trial; and

WHEREAS, an Executive Session attended by the Mayor and City Council Members, City Manager and Defense Counsels, was held on March 26, 2019 to discuss the settlement negotiations and strategies related to the case, which concluded with authorization extended to settle this case in the amount of \$135,000.00.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authorization of City Staff. The City Manager to authorize the approval of the settlement of Risk Management Case Rona Scott vs. City of North Miami, Case Number 17-027155-CA-01, upon the execution of a general release, discharging the City of North Miami, its officers, agents and servants against any and all claims and demands in connection with this action, in the amount of One Hundred Thirty-Five Thousand Dollars (\$135,000.00).

Section 2. Effective Date. This Resolution shall become effective immediately upon

adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 23rd day of April, 2019.



DR. SMITH JOSEPH
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Desulme

Seconded by: Keys

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Philippe Bien-Aime	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilwoman Carol Keys, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Alix Desulme	<u>X</u>	(Yes)	_____	(No)