

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF MIRAMAR, FLORIDA, APPROVING A SETTLEMENT
AGREEMENT IN THE CASE OF CHRISTOPHER DANIEL
SMITH VS. CITY OF MIRAMAR; AUTHORIZING THE CITY
MANAGER TO TAKE NECESSARY ACTION; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on or about September 23, 2024, Claimant, Christopher Daniel Smith, initiated a worker's compensation claim against the City of Miramar with the State of Florida, Division of Administrative Hearings, Office of Judge of Compensation Claims, in case styled Christopher Daniel Smith v. City of Miramar and Gallagher Bassett Services, Inc., OJCC Case No. 25-002740IF; and

WHEREAS, the parties have agreed to settle all issues involved with the Claimant's lawsuit alleging claims for workers compensation; and

WHEREAS, neither party admits liability in this matter; however, in an effort to resolve the pending controversy, all parties desire to amicably and expeditiously resolve all claims and avoid continued litigation; and

WHEREAS, the City Commission hereby accepts the recommendation of the City's Risk Management Department to settle this matter consistent with the Mediation Settlement Agreement, attached to this Resolution as Exhibit "A," along with draft Settlement Agreement and Release as Exhibit "B" (to be finalized and signed for submission to Judge of Compensation Claims for Approval by Order); and

WHEREAS, the parties desire to enter into a Mediation Agreement followed by a Settlement Agreement and Release with the intended purpose of resolving all claims as set forth in Exhibit "A" and Exhibit "B."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Approval of Settlement Agreement. The City Commission of the City of Miramar hereby approves the agreement between the Claimant, Christopher Daniel Smith, and the City of Miramar, consistent with the Mediation Settlement Agreement attached hereto as Exhibit "A," and draft Settlement Agreement and Release (to be finalized and signed by the parties to submit to Judge of Compensation Claims for approval by Order) as Exhibit "B," and further authorizes the City Manager to take all necessary action consistent with this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption hereof.

Temp. Reso. No. 8468

7/1/25

7/2/25

PASSED AND ADOPTED this _____ day of _____, _____.

Mayor, Wayne M. Messam

Vice Mayor, Yvette Colbourne

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this RESOLUTION as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

Requested by Administration

Commissioner Maxwell B. Chambers

Commissioner Avril Cherasard

Vice Mayor Yvette Colbourne

Commissioner Carson Edwards

Mayor Wayne M. Messam

Voted
