

Temp. Reso. No. 7530
10/6/21

**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 CHRISTINE M. PERRIER AND MARCUS S. PERRIER VS. CITY OF MIRAMAR, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about January 4, 2019, Plaintiffs initiated litigation against the City of Miramar in the Seventeenth Judicial Circuit in and for Broward County, Florida, in a case styled Christine M. Perrier and Marcus S. Perrier v. City of Miramar, Case No. CACE19-000250 (the "Lawsuit"); and

WHEREAS, on or about September 30, 2021, the Parties agreed to settle all issues involved with this Lawsuit whereby it was alleged that Plaintiff, Christine M. Perrier, tripped and fell at the Ansin Sport Complex on December 26, 2016; 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 Agreement, set forth as Exhibit "A"; and

Reso. No. _____

Temp. Reso. No. 7530
10/6/21

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

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 settlement agreement between the Plaintiffs, Christine M. Perrier and Marcus S. Perrier and the City of Miramar, consistent with the Agreement attached hereto as Exhibit "A"; 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. 7530
10/6/21

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 Winston F. Barnes
Commissioner Maxwell B. Chambers
Vice Mayor Yvette Colbourne
Commissioner Alexandra P. Davis
Mayor Wayne M. Messam

Voted

Reso. No. _____

EXHIBIT A

FOR CASE STYLED
CHRISTINE M. PERRIER AND MARCUS
S. PERRIER V. CITY OF MIRAMAR
CASE NO. CACE19-000250
IS PART OF A CLOSED EXECUTIVE
SESSION AND WILL NOT BE PUBLISHED
TO THE PUBLIC