



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#23-0913**

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Greg Chavarria, City Manager

**DATE:** October 3, 2023

**TITLE:** Motion Authorizing Settlement of General Liability Claim in *Allan J. Mayers v. City of Fort Lauderdale*, Case No. CACE 20-013481 (09) - \$150,000 -  
**(Commission Districts 1, 2, 3 and 4)**

**Recommendation**

Staff recommends the City Commission approve the settlement of the general liability claim in *Allan J. Mayers v. City of Fort Lauderdale*, Case No. CACE 20-013481 (09), by paying the amount of \$150,000.

**Background**

Allan J. Mayers claimed inverse condemnation arising from a City wastewater project, and filed litigation against the City on August 18, 2020, for damages arising on or about June 8, 2020, at or near 549 NE 11<sup>th</sup> Avenue, Fort Lauderdale, Florida. The Court found that the City's project resulted in the temporary taking of the right of access to his property during a 10-month period.

Staff and defense counsel's evaluation of the potential financial exposure to the City determined that a settlement would provide the most cost-effective outcome. Through negotiations, a settlement was reached in the amount of \$150,000, subject to the approval of the City Commission.

**Resource Impact**

There will be a fiscal impact to the City in the amount of \$150,000.

<i>Funds available as of October 3, 2023</i>			
ACCOUNT NUMBER	COST CENTER NAME (Program)	CHARACTER/ ACCOUNT NAME	AMOUNT
10-543-9050-519-50- 5113	Self-Insurance Claims	Non-Operating Expenses/General Liability Claims	\$150,000
<b>TOTAL AMOUNT ►</b>			<b>\$150,000</b>

### **Strategic Connections**

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Internal Support Focus Area
- Goal 8: Build a leading government organization that manages all resources wisely and sustainably.
- Objective: Maintain financial integrity through sound budgeting practices, prudent fiscal management, cost effective operations, and long-term planning.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are United.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan, specifically advancing:

- The Internal Support Focus Area
- Implementation Element
- Goal 1: The Fort Lauderdale Comprehensive Plan shall accomplish the City's *Fast Forward Fort Lauderdale 2035* Vision Plan regarding the City's future growth and the six Cylinders of Excellence and shall be the City's primary policy document to guide all of its activities and development.

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Prepared by: Matthew Cobb, Assistant Risk Manager, Human Resources

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