



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**Regular Meeting**

**#12-2534**

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

**FROM:** Lee Feldman, City Manager

**DATE:** December 4, 2012

**TITLE:** MOTION - Motion to Approve Settlement of Workers' Compensation File  
#WC-09-13871, WC-10-14199, WC-11-14392 (Girvan Coley) - \$45,000

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**Recommendation**

Staff recommends settlement, and as provided in the City Charter, this settlement has been evaluated by the proper City officials and all concur that a settlement of \$45,000 to Mr. Coley is in the City's best interest.

**Background**

Mr. Coley was working as a Municipal Maintenance Worker III in the Public Works Department and had four injuries while working at the City. He sustained these work related injuries while operating a City tractor on 7/10/2009, while putting gas into a City vehicle on 6/07/2010, while assisting in a police search on 12/15/2010, and while walking at City Hall on 2/24/2011. The February 2011 claim became a part of the December 2010 claim as it was causally related.

Mr. Coley has received medical care and lost wages due to all of the above injuries, and after working at the City for 27 years retired in March 2012. Of importance, he recently injured himself again during another fall which occurred after his retirement. The City has not afforded any medical care or lost wages for the most recent fall at this time. However, in order to limit our continued exposure to claims, given his injury history, a settlement of all claims was explored. To date the City has paid out a total of \$113,421 in workers' compensation benefits for the four injuries.

A tentative settlement has been reached with Mr. Coley's attorney that would relieve the City of all future medical and indemnity exposure for a payment of \$45,000 inclusive of attorney fees.

This settlement was discussed at the November 19<sup>th</sup>, 2012 executive closed-door session of the City Commission.

**Resource Impact**

There is a fiscal impact to the City in the amount of \$45,000.

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FISCAL YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2013	543	01	City Insurance	INS010101	Self Insurance Claims	5125	Work Comp Claims	45,000.00
					<b>TOTAL</b>			45,000.00

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Prepared By: Kathleen Thorpe

Department Director: Averill Dorsett