



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

**#14-0439**

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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** April 15, 2014

**TITLE:** MOTION - Authorizing Settlement of Police Liability Claim PP L 11-889  
(Anthony Munden) for \$45,000.

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**Recommendation**

Staff recommends settlement of this police liability claim in the amount of \$45,000 to Anthony Munden.

**Background**

The plaintiff, Anthony Munden, was arrested for possession of a concealed weapon and issued two traffic citations, which were later dismissed, for running two separate stop signs from an incident that took place on June 10, 2011. Fort Lauderdale Police Officers first became aware of the plaintiff when they observed him run a stop sign at the intersection of NW 8<sup>th</sup> Avenue and NW 4<sup>th</sup> Street. They subsequently made their traffic stop after witnessing the plaintiff run a second stop sign near the intersection of Powerline Road and NW 5<sup>th</sup> Street. Additionally, the officers witnessed the plaintiff placing a weapon in the glove compartment when they initiated the traffic stop.

The plaintiff was ordered out of his vehicle and the officers initiated a search, wherein they discovered that the glove compartment was locked. The plaintiff was in possession of the key and he surrendered it to the officers. He also advised the officers that there was a gun in the glove compartment, and produced a Florida Concealed Weapon or Firearm License. The officers ran a teletype report on the license but it came back as permit denied, after which the plaintiff was arrested and spent approximately 10 hours in jail before he posted bond and was released.

A subsequent review of the transmission between the officer and the teletype operator determined that the officer did not convey the correct concealed weapon permit number assigned to the plaintiff. Since the plaintiff did actually have a valid permit, the State Attorney's Office filed a declination of prosecution on July 20, 2011.

As this claim is in Federal Court, exposure to the City from an adverse verdict is not limited to the Florida statutory cap. Additionally, the plaintiff's attorney would be entitled to fees and costs if a jury were to award a verdict of at least \$1.

The plaintiff has agreed to a settlement in exchange for payment of the \$45,000, subject to the approval of the City Commission.

**Resource Impact**

<i>Funds available as of March 20, 2014</i>			
ACCOUNT NUMBER	INDEX NAME (Program)	OBJECT CODE/ SUB-OBJECT NAME	PAYMENT AMOUNT
543-INS010101-5119	Self-Insurance Claims	Non-Operating Expenses /Police Professional Liability Claims	\$45,000
<b>PAYMENT TOTAL ►</b>			\$45,000

**Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Internal Support Cylinder of Excellence**, specifically advancing:

- **Goal 12:** Be a leading government organization, managing our resources wisely and sustainably.
- **Objective 1:** Ensure sound fiscal management.

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

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Prepared by: James Kelly, Senior Claims Adjuster

Department Director: Averill Dorsett, Director of Human Resources