



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

**#21-0769**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** August 17, 2021

**TITLE:** Motion Authorizing Settlement of General Liability Claim in the Matter of  
James Smith v. City of Fort Lauderdale, et al. Case No. CACE 19-004547  
(03) - \$157,500 - **(Commission Districts 1, 2, 3 and 4)**

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**Recommendation**

Staff recommends the City Commission approve the settlement of the general liability claim in the matter of James Smith v. City of Fort Lauderdale, et al. Case No. CACE 19-004547 (03) in the amount of \$157,500.

**Background**

James Smith filed a general liability claim and lawsuit against the City resulting from an injury on January 31, 2018. This injury occurred from his motorcycle striking a roadway depression caused by a City pipe failure near Cypress Creek Road (NW 62<sup>nd</sup> Street) and NW 21<sup>st</sup> Avenue. Litigation of this claim commenced on February 28, 2019 and after evaluation of the potential financial exposure to the City it was determined that a settlement would provide the most cost-effective outcome.

Through negotiations, a settlement was reached in the amount of \$157,500 subject to the approval of the City Commission.

**Resource Impact**

There will be a fiscal impact to the City in the amount of \$157,500.

<i>Funds available as of July 23, 2021</i>			
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMOUNT
543-INS010101-5113	Self-Insurance Claims	Non-Operating Expenses /General Liability Claims	\$157,500
<b>TOTAL AMOUNT ►</b>			<b>\$157,500</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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