

STAFF REPORT REGULAR MEETING

AGENDA DATE: February 7, 2023

DEPARTMENT: City Attorney

TITLE:

Proposed Settlement of Pending Personal Injury Litigation with Roberta Jackson

SUMMARY:

The proposed settlement will conclude the pending litigation with Roberta Jackson regarding a personal injury claim for \$30,000 in exchange for a general release of the City

BACKGROUND AND JUSTIFICATION:

The proposed settlement is to conclude the pending personal injury litigation filed against the City by the Plaintiff, Roberta Jackson. The case arose out of a trip and fall that occurred on November 27, 2017 outside the City Hall annex when the Plaintiff and her daughter went to pay a utility bill. The Plaintiff claimed that the walkway was uneven and she tripped and fell. The City confirmed that the walkway was uneven at that time. As a result, the Plaintiff claimed she injured or exacerbated prior injuries to her left knee, left ankle, and back. The Plaintiff was transported from the scene by fire rescue to JFK Medical Center. Following that visit, the Plaintiff underwent chiropractic care, pain management care, and received recommendations for further medical treatments. The bills for treatment totaled approximately \$47,000 as of December 2022.

While the Plaintiff has a documented history of falls and related medical issues and injuries, the City's attempts to settle the litigation for less than \$30,000 did not resolve the case. In reviewing the costs and attorney's fees that the City would incur to take the case to trial and the uncertainty of trial, the City was able to final reach a tentative settlement with the Plaintiff for \$30,000 (inclusive of the Plaintiff's attorneys fees) to resolve the case. The settlement is contingent upon City Commission approval. If approved, the City will obtain a general release from the Plaintiff.

MOTION:

Motion to approve / disapprove Settlement of Pending Personal Injury Litigation with Roberta Jackson for \$30,000 in exchange for a general release of the City.

ATTACHMENT(S):

Fiscal Impact Analysis

FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Inflows					
Current Appropriation	0	0	0	0	0
Program Income	0	0	0	0	0
Grants	0	0	0	0	0
In Kind	0	0	0	0	0
Outflows					
Operating	\$30,000	0	0	0	0
Capital	0	0	0	0	0
Net Fiscal Impact	(\$30,000)	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

Contract Award - Existing Appropriation	
	Expenditure
Department	
Division	
GL Description	Self-Insurance Fund
GL Account Number	520-1331-513.45-60
Project Number	
Requested Funds	