

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "GENERAL RELEASE AND SETTLEMENT" IN THE CASE OF RAYMOND BERTHIAUME V. DAVID SMITH AND CITY OF KEY WEST (CASE NO.: USDC 15-CV-10001-KING/TORRES) IN THE AMOUNT OF \$100,000.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT, UPON THE ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West is a Defendant in the matter styled Raymond Berthiaume v. David Smith and City of Key West, Case Number 15-CV-10001-KING/TORRES; and

WHEREAS, the City Commission has been fully informed regarding the circumstances and recommendations pertaining to the lawsuit referred to herein; and

WHEREAS, the City Commission desires to execute a settlement agreement in order to further the financial interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached General Release and Settlement in the case of RAYMOND BERTHIAUME V. DAVID SMITH AND CITY OF KEY WEST (Case No. USDC 15-CV-10001-KING/TORRES) is hereby approved in the amount of \$100,000.00.

Section 2: That the City Manager is authorized and directed to execute and deliver all settlement documents associated with the settlement of Case No. USDC 15-CV-10001-KING/TORRES consistent with this Resolution, upon the advice and consent of the City Attorney.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2018.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2018.

Filed with the Clerk on _____, 2018.

Mayor Craig Cates	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK