

RESOLUTION NO. 26-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AMENDING RESOLUTION NO. 26-039, WHICH APPROVED THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF KEY WEST AND KATHYANN WANCIK IN HER WORKERS' COMPENSATION CASE IN THE AMOUNT OF \$490,000.00 INCREASING THE TOTAL SETTLEMENT AMOUNT BY \$100,000.00, FOR A NEW TOTAL SETTLEMENT AMOUNT OF \$590,000.00, TO COVER THE MEDICARE SET-ASIDE FOR FUTURE MEDICAL CARE RELATED TO THE AUGUST 21, 2015 DATE OF ACCIDENT; APPROVING THE AMENDED SETTLEMENT AGREEMENT IN A TOTAL AMOUNT OF \$590,000.00, INCLUSIVE OF ATTORNEYS FEES AND COSTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL SETTLEMENT DOCUMENTS UPON THE ADVICE AND CONSENT OF THE CITY ATTORNEY'S OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 11, 2026, the City Commission of the City of Key West adopted Resolution No. 26-039, approving a settlement agreement between the City of Key West and Kathyann Wanciak in her workers' compensation case in the amount of \$490,000.00; and

WHEREAS, following the approval of Resolution No. 26-039, a Medicare Set-Aside allocation in the amount of \$100,000.00 was obtained for future medical care related to the claimant's August 21, 2015 date of accident; and

WHEREAS, the additional \$100,000.00 is necessary to fully protect Medicare's interests and to resolve both of the claimant's workers' compensation claims, for a new total settlement amount of \$590,000.00; and

WHEREAS, the City will be reimbursed 100% of the settlement amount by the Excess Workers' Compensation carrier; and

WHEREAS, the City Commission, having reviewed all of the documents, summaries, and recommendations associated with the above workers' compensation claims, hereby resolves that executing an amended settlement agreement in the increased amount is in the City's best financial interests;

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

Section 1: That Resolution No. 26-039 is hereby amended to increase the total settlement amount approved therein from \$490,000.00 to \$590,000.00, an increase of \$100,000.00, to cover the Medicare Set-Aside for future medical care related to the August 21, 2015, date of accident, as more particularly described in the attached memorandum.

Section 2: That the amended settlement agreement between the City of Key West and Kathyann Wanciak, in the total amount of \$590,000.00, inclusive of costs and attorneys' fees, and including a General Release and Separation Agreement, is hereby approved.

Section 3: The City Manager is hereby authorized to execute all settlement documents upon the advice and consent of the City Attorney's Office.

Section 4: Except as expressly amended herein, all other terms and provisions of Resolution No. 26-039 shall remain in full force and effect.

Section 5: 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.

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Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2026.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2026.

Filed with the Clerk on _____, 2026.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Sam Kaufman	_____
Commissioner Greg Veliz	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK