

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, VESTING IN THE CITY MANAGER AND CITY ATTORNEY OF MIAMI BEACH, FLORIDA, OR THEIR RESPECTIVE DESIGNEE(S), AUTHORITY TO SETTLE ALL CLAIMS (LIABILITY AND WORKERS COMPENSATION) FOR AMOUNTS UP TO AND INCLUDING \$200,000.00 PER CLAIMANT FILED AGAINST THE CITY OF MIAMI BEACH SELF INSURANCE FUND.**

**WHEREAS**, pursuant to Section 4.02(k) of the Miami Beach City Charter, the City Manager is authorized to perform duties prescribed by the City Commission via Resolution; and.

**WHEREAS**, as of December 11, 1985, the City of Miami Beach became fully self-insured in the area of liability claims and as of December 1, 1986 became self-insured in the area of workers compensation; and.

**WHEREAS**, review of these insurance claims has been handled in-house since February of 1986 via the passage of City of Miami Beach Resolution No. 86-18387; and

**WHEREAS**, via the passage of City of Miami Beach Resolution No. 90-19982, the City Manager and the City Attorney of the City of Miami Beach or their respective designees are presently vested with the authority to authorize settlements for all self-insurance claims (liability and workers compensation) for amounts up to and including \$100,000.00 filed against the City of Miami Beach Self Insurance Fund; and

**WHEREAS**, via the passage and enactment of Florida Senate Bill 2060 (2010), effective October 1, 2011, the sovereign immunity cap in section 768.28 of the Florida Statutes was increased from \$100,000.00 per claimant to \$200,000.00 per claimant (among other modifications), thereby warranting an updated dollar amount in the settlement authority authorized via the passage of City of Miami Beach Resolution No. 90-19982; and

**WHEREAS**, for purposes of ensuring expedition of case settlements, including but not limited to cases brought pursuant to section 768.28 of the Florida Statutes, the settlement authority vested in the City Manager and the City Attorney of the City of Miami Beach or their respective designee(s) should be modified to grant the authority to authorize settlements for all self-insurance claims (liability and workers compensation) for amounts up to and including \$200,000.00 per claimant.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that: the City Manager and the City Attorney of the City of Miami Beach or their respective designee(s) are vested with the authority to authorize settlements for all self-insurance claims (liability and workers compensation) for amounts up to and including \$200,000.00 per claimant filed against the City of Miami Beach Self Insurance Fund.

**PASSED and ADOPTED** this 28<sup>th</sup> day of September, 2022.


**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granada, City Clerk

(Sponsored by Mayor Dan Gelber)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney  
for RHP

9/20/22  
\_\_\_\_\_  
Date