

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SETTLEMENT BETWEEN CODY WADE AND THE CITY OF MIAMI BEACH, FLORIDA, IN THE AMOUNT OF \$130,000.00; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF.**

**WHEREAS**, on July 22, 2021, Cody Wade initiated litigation against the City of Miami Beach, Florida, in the United States District Court, Southern District of Florida, Case No. 21-22619-RNS, alleging violation of state and federal law relating to the use of force by Miami Beach Police Department officers during an incident on or about June 28, 2019; and

**WHEREAS**, the parties desire to avoid incurring further costs of litigation, and seek to resolve all matters in controversy, disputes, and causes of action between the parties in an amicable fashion; and

**WHEREAS**, the parties have reached a full and final compromise and settlement of all matters, causes of action, and claims and contentions between them, which is contingent upon approval of the Mayor and City Commission; and

**WHEREAS**, the City Manager and the City Attorney recommended that the Mayor and City Commission authorize the settlement payment in the amount of \$130,000 from the City's Risk Management Fund.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:** that the Mayor and City Commission hereby approve the settlement between Cody Wade and the City of Miami Beach, Florida, in the amount of \$130,000.00; and authorize the City Manager and City Attorney to take the necessary and appropriate steps for the implementation thereof.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTEST:**

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

\_\_\_\_\_  
Rafael E. Granada, City Clerk

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

*RA Rafael*  
\_\_\_\_\_  
City Attorney *RAAF*

*9/19/22*