



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, City Attorney *Rafael Paz for*

DATE: September 28, 2022

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SETTLEMENT BETWEEN KHALID VAUGHN AND THE CITY OF MIAMI BEACH, FLORIDA, IN THE AMOUNT OF \$119,000.00; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF.

RECOMMENDATION

For the reasons outlined in this Memorandum, the Administration and the City Attorney's Office recommend that the Mayor and City Commission approve the settlement between Khalid Vaughn and the City of Miami Beach, Florida, in the amount of \$119,000.00; and authorize the City Manager and City Attorney to take the necessary and appropriate steps for the implementation thereof.

BACKGROUND

On July 26, 2021, Khalid Vaughn, a 28-year-old visitor, was arrested and alleges, *inter alia*, false arrest, battery and excessive force during and following detainment.

Mr. Vaughn is currently represented by counsel in a litigation against the City of Miami Beach, Florida, in the United States District Court, Southern District of Florida, Case No. 22-cv-21109-CMA, commenced on April 11, 2022, alleging violation of state and federal law relating to the incident on July 26, 2021.

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. The parties have reached a full and final compromise and settlement of all matters, causes of action, claims and contentions between them, which is contingent upon approval of the Mayor and City Commission. The City Manager and the City Attorney recommend that the Mayor and City Commission authorize the settlement payment in the amount of \$119,000.00 from the City's Risk Management Fund.

FISCAL IMPACT

Pursuant to Section 2-12 of the City Code, the proposed resolution will not result in an anticipated increase in budgeted revenues or expenditures of the City in this fiscal year, or in the next fiscal year.

RAP//RR/ag