

**RESOLUTION NO. 2017-004**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AUTHORIZING THE INSURANCE COMMITTEE TO REVIEW AND AUTHORIZE SETTLEMENT OF CLAIMS, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS, IN ORDER TO MORE EFFICIENTLY ADMINISTER THE SELF-INSURANCE PROGRAM OF THE CITY OF HIALEAH.

**WHEREAS**, pursuant to Hialeah Code Section 2-781, the City Council may delegate its authority to approve expenditures for the settlement of litigation or settlement in contemplation of litigation for liability, property damage, labor, worker's compensation claims or similar demands to the administration or a designated insurance committee; and

**WHEREAS**, the City of Hialeah established an Insurance Committee, pursuant to Hialeah, Fla., Resolution 77-49 (Oct. 25, 1977), to administer the self-insurance program for the City, including Medical Insurance, Workers' Compensation, Liability Claims, and Property Insurance; and

**WHEREAS**, the Insurance Committee's authority to settle claims was limited to \$100,000.00 in keeping with the statutory cap for negligence cases set by the State of Florida; and

**WHEREAS**, the cap on damages for negligence claims against municipalities under Fla. Stat. 768.28(5) was increased to \$200,000.00 per claim and \$300,000.00 per occurrence; and

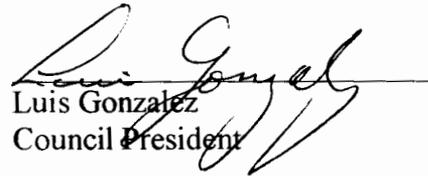
**WHEREAS**, the Insurance Committee's fiscal authority to settle all claims within should be raised to reflect the increase to the cap on negligence claims in order to enable the Insurance Committee to continue to dispose of claims efficiently; and

**WHEREAS**, negligence claims in excess of these amounts may only be paid through further act of the Legislature of the State of Florida and settlement of all other claims in excess of the Committee's authority, not involving negligence, would require Council approval;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

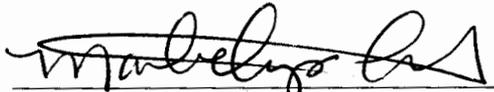
**Section 1:** The City of Hialeah, Florida hereby authorizes the Insurance Committee to review and authorize settlement of all claims within its authority, in an amount not to exceed three hundred thousand (\$300,000.00) dollars, in order to more efficiently administer the Self-Insurance Program of the City of Hialeah.

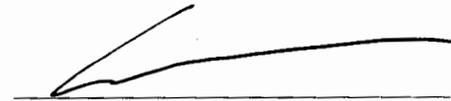
PASSED AND ADOPTED this 24 day of January, 2017.

  
Luis Gonzalez  
Council President

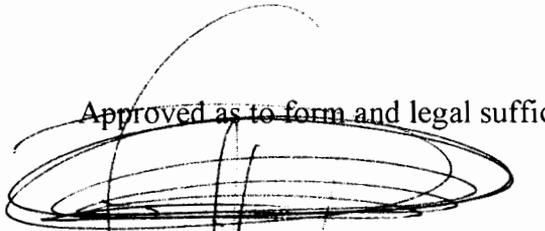
Attest:

Approved on this 6 day of February, 2017.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

~~Approved as to form and legal sufficiency:~~

  
Lorena Brayo, City Attorney

Resolution was adopted by a (6-0-1) vote with Councilmembers, Caragol, Cue-Fuente, Hernandez, Lozano, Gonzalez and Casals-Muñoz voting "Yes". Council member Garcia-Martinez absent.