

To: The Honorable Mayor & Members of the City Commission
From: Steven Alexander, City Manager
Date: March 5, 2019

Subject: **A Resolution authorizing and instructing the City Manager to settle the case of Gonzalez versus the City of South Miami d/b/a Fuchs Park, Case Number 1:18-cv-23488 and instructing the City Manager to take the necessary steps to comply with the settlement terms and to pay the settlement amount.**

Background: Gonzalez filed an action against the City Gonzalez v. The City of South Miami d/b/a Fuchs Parks (Case No: 1:18-cv-23488), in the United States District Court in the Southern District of Florida. The Parties, without any admission or representation as to liability, wish to resolve their differences.

Part of the settlement included the following requirements. Within (6) months from the date of execution of this agreement, the City will create an ADA Transition Plan for all fourteen (14) parks located in the City. The ADA Transition Plan, at a minimum, will identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities. Within (48) months from completion of the ADA Transition Plan, the City will put it into effect. Furthermore, the City shall pay to Gonzalez the total sum of \$10,000, in exchange for a voluntary dismissal of the case Gonzalez versus the City of South Miami d/b/a Fuchs Park.

Amount: An amount not to exceed \$10,000.

Account: 001.1500.514.3410, City Attorney Outside Cost.

Attachments: Resolution for approval
Settlement agreement and release