

C7AY A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO A SETTLEMENT OF CIVIL RIGHTS & TORT CLAIMS FILED BY JOHNATHAN HALL AGAINST THE CITY OF MIAMI BEACH, AND PAYING \$500,000.00 FROM THE CITY'S RISK MANAGEMENT CLAIMS FUND; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS AND/OR AGREEMENTS, AS REQUIRED, TO EFFECTUATE THE TERMS OF THE SETTLEMENT.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: February 3, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO A SETTLEMENT OF CIVIL RIGHTS & TORT CLAIMS FILED BY JOHNATHAN HALL AGAINST THE CITY OF MIAMI BEACH, AND PAYING \$500,000.00 FROM THE CITY'S RISK MANAGEMENT CLAIMS FUND; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS AND/OR AGREEMENTS, AS REQUIRED, TO EFFECTUATE THE TERMS OF THE SETTLEMENT.

RECOMMENDATION

For the reasons outlined in this Memorandum, the City Attorney's Office and the Administration have recommended that the Mayor and City Commission approve the settlement between Johnathan Hall, the City of Miami Beach, and certain officers of the Miami Beach Police Department ("MBPD"), in the amount of \$500,000.00; and authorize said amount to be paid from the City's Risk Management Claims Fund; and further authorize the Office of the City Attorney to execute any documents and/or agreements, as required to effectuate the terms of the settlement.

BACKGROUND/HISTORY

Johnathan Hall is currently represented by counsel in a litigation against the City of Miami Beach and certain MBPD officers, in the United States District Court, Southern District of Florida, Case No. 24-cv-20980-DPG, commenced on March 13, 2024, alleging violation of state and federal law relating to an incident on March 14, 2020.

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. In connection with Court-mandated mediation, the parties have reached a full and final compromise and settlement of all matters, cause of action, claims and contentions as to all parties, 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 \$500,000.00 from the City's Risk Management Fund.

ANALYSIS

FISCAL IMPACT STATEMENT

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.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

City Attorney

Co-sponsor(s)

Condensed Title

Approve Hall Settlement Agreement (CAO) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO A SETTLEMENT OF CIVIL RIGHTS & TORT CLAIMS FILED BY JOHNATHAN HALL AGAINST THE CITY OF MIAMI BEACH, AND PAYING \$500,000.00 FROM THE CITY'S RISK MANAGEMENT CLAIMS FUND; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS AND/OR AGREEMENTS, AS REQUIRED, TO EFFECTUATE THE TERMS OF THE SETTLEMENT

WHEREAS, Johnathan Hall is currently represented by counsel in a litigation against the City of Miami Beach and certain Miami Beach Police Department ("MBPD") officers, in the United States District Court, Southern District of Florida, Case No. 24-cv-20980-DPG, commenced on March 13, 2024, alleging violation of state and federal law relating to an incident on March 14, 2020; 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, in connection with Court-mandated mediation, the parties have reached a full and final compromise and settlement of all matters, cause of action, claims and contentions as to all parties, 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 \$500,000.00 from the City's Risk Management Claims 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 of the City of Miami Beach, Florida, consent to a settlement of the civil rights and tort claims filed by Johnathan Hall against the City of Miami Beach and the named defendant MBPD officers and paying \$500,000.00 from the City's Risk Management Claims Fund; and authorize the City Manager and City Attorney to take the necessary and appropriate steps for the implementation thereof; and further authorizing the Mayor and City Clerk to execute any documents and/or agreements, as required to effectuate the terms of the settlement.

PASSED and ADOPTED this 3rd day of February, 2025.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1/29/2025

Date