



RESOLUTION # 2012-23

RESOLUTION OF THE MAYOR AND CITY COMMISSION TO ACCEPT AN OFFER OF SETTLEMENT IN THE LAWSUIT FILED BY YANKO GONZALEZ VS. THE CITY OF WEST MIAMI AND CERTIFIED AS A CLASS ACTION; THE SETTLEMENT HAS BEEN RECOMMENDED BY JOHNSON, ANSELMO, MURDOCH, BURKE, PIPER AND HOCHMAN, P.A., ATTORNEYS FOR THE CITY OF WEST MIAMI APPOINTED BY THE LEAGUE OF CITIES TO REPRESENT THE CITY OF WEST MIAMI; UNDER THE SETTLEMENT, THE CITY OF WEST MIAMI WILL PAY THE TOTAL SUM OF FIFTY-ONE THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS AND NINETEEN CENTS (\$51,425.19) TO THE CLASS AND AMERICAN TRAFFIC SOLUTIONS (ATS) WILL PAY SEVEN THOUSAND THREE HUNDRED NINETY-EIGHT DOLLARS AND FORTY-FIVE CENTS (\$ 7,398.45) TO YANKO R. GONZALEZ REPRESENTING THE CLASS IN CASE NUMBER 10-38126 CA 25 UNDER THE RED LIGHT CAMERA ORDINANCE 2009-01 ENACTED BY THE CITY OF WEST MIAMI PRIOR TO JULY 1, 2010.

WHEREAS, Yanko Gonzalez filed a lawsuit against the City of West Miami, Florida which was certified as a class action lawsuit; and

WHEREAS, attorneys Johnson, Anselmo, Murdoch, Burke, Piper and Hochman, P.A., were appointed by the League of Cities to represent the City of West Miami in this matter; and

WHEREAS, an offer of settlement has been offered which had been recommended by the attorneys for the City of West Miami.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI THAT:

SECTION 1. The City Commission hereby authorizes the City Manager to accept the recommendation by Johnson, Anselmo, Murdoch, Burke, Piper and Hochman, P.A. , attorneys for the City of West Miami to accept the settlement in the case of Yanko Gonzalez vs. City of West Miami.

SECTION 2. The amount to be paid by the City of West Miami to settle this case in full is \$51,425.19 and the amount to be paid by American Traffic Solutions is an additional \$7,398.45.

SECTION 3. This Resolution shall take effect immediately upon passage by the City Commission and signature of the Mayor.

PASSED AND ADOPTED this 27th day of June 2012.

APPROVED:


EDUARDO H. MUÑINA, MAYOR

ATTEST:


ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:


JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUÑINA	<u>Y</u>
VICE-MAYOR LUCIANO L. SUAREZ	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>ABSENT</u>
COMMISSIONER ELSA J. VAZQUEZ	<u>Y</u>