

LEGISTAR #

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**CITY OF GAINESVILLE**  
Office of the City Attorney

**MEMORANDUM**

334-5011/FAX 334-2229

Box No. 46

**TO:** Mayor and City Commission

December 14, 1998

**FROM:** City Attorney

**PUBLIC HEARING**

**SUBJECT: Proposed Settlement of Notice of Claim by Nona Norris**

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Recommendation: The City Commission: 1) hold a public hearing; 2) approve the terms of the settlement; and 3) authorize the City Manager and the City Attorney to settle the case.

Nona Norris served the City of Gainesville with a notice of claim on August 3, 1998. The notice states that on August 19, 1996, while visiting Bivens Arm Park, Ms. Norris stepped on some algae on the boardwalk which caused her to slip. Because there was no railing on the boardwalk, Ms. Norris slipped off the boardwalk and down onto some cypress knees. She landed on her elbow which was fractured into three major pieces. Ms. Norris has suffered orthopedic and nerve damage, has undergone several surgeries, and is likely to undergo additional therapy.

The City and Nona Norris, through their respective counsel, have negotiated a settlement to include:

1. The City will pay Ms. Norris \$30,000.00 for future medical expenses and therapy, potential home care, compensatory damages, and attorney's fees
2. The City has already paid approximately \$26,519.41 in medical expenses incurred by Ms. Norris.


In exchange, Ms. Norris will execute a Settlement Agreement and General Release releasing the City of all claims.

It is the recommendation of Risk Management and the City Attorney that the claim be settled pursuant to the terms of the settlement set forth above.

Prepared by:

  
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Submitted by:

  
Marion J. Radson, City Attorney