



City of Gainesville Agenda Item Report

File Number: 2025-44

Agenda Date: January 16, 2025

Department: Office of the City Attorney

Title: 2025-44 Sara Decide v. City of Gainesville; Case No. 2023-CA-1484 (NB)

Department: City Attorney

Description: On June 26, 2021, Ms. Decide, the Plaintiff in this matter, was driving south on Main Street and was near the Popeye's Chicken in the vicinity of North 14th Avenue. If this matter were to proceed to trial, her attorneys would argue that, at that time and place, she was rear-ended by a City of Gainesville Public Works dump truck, and that this collision did major damage to her vehicle and resulted in permanent injuries. Following this collision, she underwent chiropractic care and pain management, including epidural steroid injections and nerve ablations, and was diagnosed with bulging discs in her spine. Should the matter proceed to trial, her attorneys would urge that she has sustained \$73,758.48 in past medical damages, and that she would furthermore be entitled to damages for future medical costs as well as past and future pain and suffering.

The City's liability limit is \$200,000 per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes. As a result of settlement negotiations reached as a result of court-ordered mediation, Plaintiff has agreed to accept \$100,000.00 in full and final settlement of the claim. Should the matter proceed to trial, a jury would likely be able to consider the cost of Ms. Decide's past medical expenses, along with her claims of future medical expenses, as well as past and future pain and suffering. It is the recommendation of the City Attorney's Office and the Risk Management Department that the City settle the claim for \$100,000.00 and avoid the risk of greater liability at trial.

Fiscal Note: Funds are available in the City's General Insurance Fund.

Recommendation: The City Commission 1) approve the terms of the settlement reached at court-ordered mediation; and 2) authorize the City Attorney to settle the claim of *Sara Decide v. City of Gainesville*; Case No. 2023-CA-1484; Eighth Judicial Circuit, in and for Alachua County, Florida.