

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, PROVIDING FOR THE APPROVAL OF THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE BY AND AMONG GIANCARLO SCHWARZ AND DIANA SCHWARZ, AS PARENTS AND NATURAL GUARDIANS OF G.S., A MINOR, AND THE CITY OF NORTH MIAMI BEACH; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a lawsuit was filed against the City of North Miami Beach, in the matter styled *Giancarlo Schwarz and Diana Schwarz, as parents and natural guardians of G.S., a minor* (“Schwarz”) v. *City of North Miami Beach* (“City”), in the Eleventh Judicial Circuit in and for Miami-Dade County, Case No. 2025-001578-CA-01(the “Lawsuit”); and

WHEREAS, the parties now wish to settle fully and finally all disputes, claims, and causes of action that have been or could have been brought by the Schwarz against the Releasee arising out of the facts and circumstances alleged in the Lawsuit; and

WHEREAS, the Mayor and City Commission hereby find the Settlement Agreement and Mutual Release in the amount of One Hundred Forty-Two Thousand One Hundred Eighty-One Dollars and 88/100 (\$142,181.88) between Schwarz and the City, attached hereto as Exhibit “A”, and made a part of this Resolution, to be in the best interest of the City and Schwarz.

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

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. The Mayor and the City Commission hereby approve the Settlement Agreement and Mutual Release in the amount of One Hundred Forty-Two Thousand One Hundred Eighty-One Dollars and 88/100 (\$142,181.88) between Schwarz and the City, in substantially the form attached hereto as Exhibit “A”.

Section 3. The City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 4. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given affect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 7. This Resolution shall take effect immediately upon adoption.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **21st day of July 2026**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH ONLY:

GREENSPOON MARDER LLP

By: _____
CITY ATTORNEYS

Sponsored by: City Attorney's Office