



## AGENDA ITEM SUMMARY SHEET CITY COUNCIL REGULAR

**MEETING DATE:** February 3, 2020  
**WARD:** All

**AGENDA ITEM NO.** 8.2  
**QUASI-JUDICIAL:** No

### CITY ATTORNEY'S ITEMS

<b>MOTION:</b> Approve separation agreement and release between the City of Fort Myers and Mari Ricco.	<b>MANAGEMENT RECOMMENDATION:</b> Approve.
<b>FUNDING SOURCE:</b>	Risk Management 521-2101-513-4501
<b>FISCAL IMPACT (\$):</b>	\$25,225.00
<b>One-Time Cost:</b>	Yes
<b>Budget Year:</b>	2020
<b>Budgeted Item:</b>	N/A

**Person Initiating Request:** Grant W. Alley, City Attorney

**Department:** City Attorney

### BACKGROUND INFORMATION:

On May 16, 2019, Mari Ricco with the Fort Myers Police Department, filed a Charge of Discrimination against the Fort Myers Police Department alleging gender discrimination in relation to hiring and promotional opportunities with the City. On that same date the City received a Notice of Intent to Initiate Litigation letter from Benjamin H. Yormak, Esq. on behalf of Ms. Ricco. On July 12, 2019, Ms. Ricco filed an Amended Charge of Discrimination against the Fort Myers Police Department adding the charge of retaliation. The parties have reached an agreement to settle the dispute and the City Attorney's Office has obtained a Separation Agreement and Release of Claims for Council approval.

Pursuant to the terms of the Separation Agreement, the parties have agreed that Ms. Ricco will withdraw her EEOC Complaint, fully release the City from any and all legal or equitable claims, resign her current position with the City, and agree that she is not eligible for rehire with the City. While continuing to deny any liability or violation of law, the City has agreed to pay Ms. Ricco the sum of \$25,225.00. The parties feel that this settlement is in the best interest of both parties. The City Manager and the Police Chief both recommend approval of this settlement.

### ATTACHMENTS:

