

By Senator Montford

3-00012-13

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1 A bill to be entitled

2 An act for the relief of Mark T. Sawicki and his wife,
3 Sharon L. Sawicki, individually, by the City of
4 Tallahassee; providing for an appropriation to
5 compensate them for injuries sustained by Mark T.
6 Sawicki as a result of the negligence of the City of
7 Tallahassee; providing a limitation on the payment of
8 fees and costs; providing an effective date.

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10 WHEREAS, on the morning of October 7, 2009, Mark T. Sawicki
11 was riding his bicycle on his way to Florida State University in
12 Tallahassee, where he works as an engineer, and

13 WHEREAS, at the time of the accident, Mr. Sawicki was
14 stopped at the intersection of Call Street and North Monroe
15 Street while waiting to cross the street, and

16 WHEREAS, a solid waste collection vehicle owned by the City
17 of Tallahassee and operated by a city employee who was making a
18 right-hand turn knocked Mr. Sawicki over, and

19 WHEREAS, as a result of the foregoing incident, Mr. Sawicki
20 sustained multiple fractures, including, but not limited to,
21 fractures to his right and left pelvic region, right femur,
22 right acetabulum pubic ramus, and sacrum; a torn urethra;
23 multiple abrasions and lacerations to his right thigh and upper
24 and lower extremities; and neurological damage to his right
25 lower extremities, resulting in a dropped foot, and

26 WHEREAS, on June 7, 2010, a complaint was filed on behalf
27 of Mr. Sawicki and his wife, Sharon L. Sawicki, against the City
28 of Tallahassee in the Circuit Court for Leon County, Case No.
29 2010-CA-1984, and

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30 WHEREAS, the City of Tallahassee, Mr. Sawicki, and his
31 wife, Sharon L. Sawicki, have reached a settlement that includes
32 a lump-sum payment in the amount of \$900,000, and

33 WHEREAS, the City of Tallahassee has already paid \$200,000
34 under the statutory limits of liability set forth in s. 768.28,
35 Florida Statutes, and

36 WHEREAS, the City of Tallahassee fully supports the passage
37 of this claim bill, NOW, THEREFORE,

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39 Be It Enacted by the Legislature of the State of Florida:

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41 Section 1. The facts stated in the preamble to this act are
42 found and declared to be true.

43 Section 2. The City of Tallahassee is authorized and
44 directed to appropriate from funds of the city not otherwise
45 appropriated and to draw a warrant, payable to Mark T. Sawicki
46 and his wife, Sharon L. Sawicki, for the total amount of
47 \$700,000 as compensation for injuries and damages sustained as a
48 result of the negligence of an employee of the City of
49 Tallahassee.

50 Section 3. The total amount paid for attorney fees,
51 lobbying fees, costs, and other similar expenses relating to
52 this claim may not exceed 25 percent of the amount awarded under
53 this act.

54 Section 4. This act shall take effect upon becoming a law.