

By Senator Hill

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1 A bill to be entitled
2 An act for the relief of the Estate of Cesar Solomon
3 by the Jacksonville Transportation Authority;
4 providing for an appropriation to compensate the
5 Estate of Cesar Solomon for Mr. Solomon's death, which
6 was the result of negligence by a bus driver of the
7 Jacksonville Transportation Authority; providing a
8 limitation on the payment of fees and costs; providing
9 an effective date.

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11 WHEREAS, on March 25, 2008, Cesar Solomon, in the course of
12 his employment by the City of Jacksonville, was standing in the
13 bucket of an aerial lift truck while changing a traffic signal
14 bulb at the intersection of Commonwealth and Melson Avenues, and

15 WHEREAS, at the same time Gwendolyn Wells Mordecai, while
16 in the course and scope of her employment, was driving a bus
17 owned and operated by the Jacksonville Transportation Authority
18 and crashed the bus into the aerial lift truck, knocking Cesar
19 Solomon out of the bucket to his death, and

20 WHEREAS, the Estate of Cesar Solomon filed a lawsuit
21 against the Jacksonville Transportation Authority, Gwendolyn
22 Wells Mordecai, and Jax Transit Management for negligence, and

23 WHEREAS, the Jacksonville Transportation Authority and Jax
24 Transit Management acknowledged that Gwendolyn Wells Mordecai
25 was responsible for the accident and that Cesar Solomon was not
26 comparatively negligent, and

27 WHEREAS, the Jacksonville Transportation Authority entered
28 into a stipulated judgment in favor of the Estate of Cesar
29 Solomon for \$1.25 million and acknowledged that a jury likely

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30 would have entered a multi-million-dollar verdict if the lawsuit
31 had proceeded to trial, and

32 WHEREAS, the Jacksonville Transportation Authority has paid
33 \$200,000 to the Estate of Cesar Solomon, the maximum amount
34 authorized under s. 768.28, Florida Statutes, and

35 WHEREAS, the Jacksonville Transportation Authority has
36 agreed to remain neutral and not take any action adverse to the
37 pursuit of a claim bill by the Estate of Cesar Solomon to
38 authorize and direct the Jacksonville Transportation Authority
39 to pay the remaining \$1.05 million pursuant to the stipulated
40 judgment, NOW, THEREFORE,

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

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

46 Section 2. The Jacksonville Transportation Authority is
47 authorized and directed to appropriate from funds of the
48 authority not otherwise appropriated and to draw warrants to pay
49 \$1.05 million to the Estate of Cesar Solomon as compensation for
50 the death of Cesar Solomon. Each warrant shall be in the amount
51 of \$350,000 and shall be paid annually for 3 years.

52 Section 3. The amount paid by the Jacksonville
53 Transportation Authority pursuant to s. 768.28, Florida
54 Statutes, and this award are intended to provide compensation
55 for all present and future claims arising out of the factual
56 situation that resulted in the death of Cesar Solomon as
57 described in this act. The total amount paid for attorney's
58 fees, lobbying fees, costs, and other similar expenses relating

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59 to this claim may not exceed 25 percent of the amount awarded
60 under this act.

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