

ENROLLED  
HB 629

2011 Legislature

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

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

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

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

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

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

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

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

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

40

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

42

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

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

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

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57 | fees, lobbying fees, costs, and other similar expenses relating  
58 | to this claim may not exceed 25 percent of the amount awarded  
59 | under this act.

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