A bill to be entitled 1 2 An act for the relief of Ronnie Lopez and Robert 3 Guzman, as co-personal representatives of the Estate 4 of Ana-Yency Velasquez, deceased, and for Ronnie 5 Lopez, Jr., Ashley Lorena Lopez-Velasquez, and Steven 6 Robert Guzman, minor children of Ana-Yency Velasquez, 7 by Miami-Dade County; providing for an appropriation 8 to compensate the estate and the minor children for the death of Ana-Yency Velasquez as a result of the 9 10 negligence of an employee of Miami-Dade County; 11 providing a limitation on the payment of fees and costs; providing an effective date. 12 13 14 WHEREAS, Ronnie Lopez, co-personal representative of the 15 Estate of Ana-Yency Velasquez, deceased, is the father of Ronnie 16 Lopez, Jr., age 5, and Ashley Lorena Lopez-Velasquez, age 4, and 17 Ana-Yency Velasquez, deceased, was the mother of Ronnie Lopez, Jr., and Ashley Lorena Lopez-Velasquez, and 18 19 WHEREAS, Robert Guzman, co-personal representative of the Estate of Ana-Yency Velasquez, deceased, is the father of minor 20 21 child, Steven Robert Guzman, age 9, and Ana-Yency Velasquez, 22 deceased, was the mother of Steven Robert Guzman, and 23 WHEREAS, on February 23, 2009, a Miami-Dade County Police 24 Officer, when driving his marked police unit through an intersection, failed to obey a posted stop sign and also did not 25 26 engage his lights or sirens, and 27 WHEREAS, protocol for the Miami-Dade County Police 28 Department requires that lights and sirens be engaged whenever Page 1 of 4

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29 any police vehicle is in pursuit of another vehicle, and 30 WHEREAS, s. 316.271, Florida Statutes, requires that sirens 31 be engaged whenever an authorized emergency vehicle is 32 responding to an emergency or in immediate pursuit of an actual 33 or suspected violator of the law, and 34 WHEREAS, the vehicle driven by the Miami-Dade County police 35 unit was in pursuit of a phantom speeding vehicle at the time of 36 the collision, and WHEREAS, the Miami-Dade County police cruiser crashed into 37 38 and broadsided the vehicle operated by Ana-Yency Velasquez, then 39 23 years of age and the mother of three minor children, at the intersection of N.W. 112th St. and N.W. 12th Ave., and 40 WHEREAS, the Miami-Dade County police cruiser operated by 41 42 the officer struck the vehicle driven by Ana-Yency Velasquez with such force that her automobile crashed into the bedroom of 43 44 a nearby residence, throwing debris from the automobile onto the roof of the residence, and 45 WHEREAS, Ana-Yency Velasquez was killed as a result of the 46 47 negligence of an employee of Miami-Dade County, Florida, and WHEREAS, mediation of the claims of this matter was held on 48 49 November 17, 2010, and 50 WHEREAS, at mediation, Miami-Dade County acknowledged that 51 the damages far exceeded the statutory limit of \$200,000 established under s. 768.28, Florida Statutes, and the 52 53 representatives of Miami-Dade County agreed and entered into a 54 Mediation Settlement Agreement, and 55 WHEREAS, Miami-Dade County has paid \$150,000 to the co-56 personal representatives of the Estate of Ana-Yency Velasquez

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57 under the statutory limits of liability set forth in s. 768.28, 58 Florida Statutes, and WHEREAS, Miami-Dade County has agreed in the Mediation 59 60 Settlement Agreement to actively support the passage of a claim bill in the amount of \$1,010,000, NOW, THEREFORE, 61 62 63 Be It Enacted by the Legislature of the State of Florida: 64 65 Section 1. The facts stated in the preamble to this act 66 are found and declared to be true. 67 Section 2. Miami-Dade County is authorized and directed to 68 appropriate from funds of the county not otherwise appropriated and to draw a warrant in the sum of \$1,010,000, payable to 69 70 Ronnie Lopez and Robert Guzman, as co-personal representatives of the Estate of Ana-Yency Velasquez, deceased, for the benefit 71 72 of Ronnie Lopez, Jr., Ashley Lorena Lopez-Velasquez, and Steven Robert Guzman, minor children of Ana-Yency Velasquez, as 73 compensation for the death of Ana-Yency Velasquez as a result of 74 75 the negligence of an employee of Miami-Dade County. 76 Section 3. The amount paid by Miami-Dade County pursuant 77 to s. 768.28, Florida Statutes, and the amount awarded under 78 this act are intended to provide the sole compensation for all 79 present and future claims arising out of the factual situation 80 described in the preamble to this act which resulted in the death of Ana-Yency Velasquez. The total amount paid for 81 attorney's fees, lobbying fees, costs, and similar expenses 82 83 relating to this claim may not exceed 15 percent of the first 84 \$1,000,000 awarded under this act and 10 percent of the

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85 remainder awarded under this act, for a total of \$151,000.

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

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