

By Representatives Lawson and Turnbull

1 A bill to be entitled
2 An act relating to the City of Tallahassee and
3 the Leon County School Board; providing for the
4 relief of Dena Sheryl Steels; providing for an
5 appropriation by the City of Tallahassee and
6 the Leon County School Board to compensate her
7 for the wrongful death of Kenneth Michael
8 Pyles, her son, resulting from the negligence
9 of the City of Tallahassee and the Leon County
10 School Board; providing an effective date.

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12 WHEREAS, on June 12, 1992, while playing at the Belle
13 Vue Middle School, Kenneth Michael Pyles was attracted to and
14 entered an area of standing water near a stormwater drainage
15 culvert on the school's property that was not covered by a
16 steel grate or otherwise protected, and

17 WHEREAS, Kenneth Michael Pyles was sucked by the force
18 of water into this stormwater drainage culvert and drowned,
19 and

20 WHEREAS, the City of Tallahassee and the Leon County
21 School Board were negligent in their operation of the
22 stormwater drainage culvert by removing the steel grate that
23 previously covered the culvert, and the City of Tallahassee
24 and the Leon County School Board were further negligent for
25 failing to warn the decedent of the dangerous condition
26 created by the uncovered stormwater drainage culvert, and

27 WHEREAS, Dena Sheryl Steels, as Personal Representative
28 of the Estate of Kenneth Michael Pyles, on behalf of the
29 Estate and the survivors, filed a complaint in Leon County,
30 Case Number 93-584, seeking damages against the City of
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1 Tallahassee and the Leon County School Board for the wrongful
2 death of Kenneth Michael Pyles, and

3 WHEREAS, after court-ordered mediation, the parties
4 agreed to a settlement of the claim in which the City of
5 Tallahassee and the Leon County School Board agreed to enter
6 into a confession of judgment in the amount of \$400,000, and

7 WHEREAS, the City of Tallahassee and the Leon County
8 School Board have each paid the amount of \$100,000, for a
9 total of \$200,000, pursuant to the settlement agreement in
10 partial satisfaction of said judgment, and

11 WHEREAS, in accordance with the settlement agreement,
12 \$50,000 of those funds has been paid to Norman Kenneth Pyles,
13 the deceased's father, in full satisfaction of his claim, and
14 \$150,000 of those funds has been paid to Dena Sheryl Steels,
15 the decedent's mother, in partial satisfaction of her claim,
16 and

17 WHEREAS, Dena Sheryl Steels is the only known survivor
18 and beneficiary of any additional recovery for the wrongful
19 death of her son, Kenneth Michael Pyles, and

20 WHEREAS, Dena Sheryl Steels has suffered mental pain
21 and anguish, loss of Kenneth Michael Pyles' earnings or
22 potential earnings ability as a result of the wrongful death
23 of her son caused by the negligence of the City of Tallahassee
24 and the Leon County School Board, and

25 WHEREAS, these losses are permanent and continuing and
26 Dena Sheryl Steels will continue to suffer the loss of love
27 and enjoyment of her son, Kenneth Michael Pyles, NOW,
28 THEREFORE,

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

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

3 Section 2. The City of Tallahassee is authorized and
4 directed to appropriate from funds of the city not otherwise
5 appropriated and to draw a warrant in the sum of \$100,000
6 payable to Dena Sheryl Steels to compensate her for losses
7 sustained from an accident which caused the death of Kenneth
8 Michael Pyles, her son, as a result of the negligence of the
9 City of Tallahassee.

10 Section 3. The Leon County School Board is authorized
11 and directed to appropriate from funds of the school board not
12 otherwise appropriated and to draw a warrant in the sum of
13 \$100,000 payable to Dena Sheryl Steels to compensate her for
14 losses sustained from an accident which caused the death of
15 Kenneth Michael Pyles, her son, as a result of the negligence
16 of the Leon County School Board.

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

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