

By Senator Lynn

7-96-05

1 A bill to be entitled
2 An act relating to the City of Tallahassee;
3 providing for the relief of Sheryl D. Allen and
4 George F. Allen, her husband; providing for an
5 appropriation to compensate them for injuries
6 and damages sustained as a result of a
7 trailer/float accident involving Sheryl D.
8 Allen and employees of the City of Tallahassee;
9 providing an effective date.

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11 WHEREAS, on December 8, 2001, Sheryl D. Allen was in
12 Tallahassee chaperoning her daughter's Keystone Heights High
13 School band as they participated in the city's 2001 Winter
14 Festival parade, and

15 WHEREAS, Sheryl D. Allen was hit by a large
16 trailer/float owned by the City of Tallahassee and driven by a
17 City of Tallahassee employee when the trailer swung wide,
18 leaving the parade disembarkment area, and

19 WHEREAS, the contact with the trailer knocked Sheryl D.
20 Allen to the ground, resulting in a skull fracture and
21 significant closed-head injury, and

22 WHEREAS, the accident of December 8, 2001, formed the
23 basis of a negligence action filed against the City of
24 Tallahassee in 2002, and

25 WHEREAS, the city, after extensive discovery in the
26 litigation, admitted liability, and

27 WHEREAS, on April 7, 2004, the City of Tallahassee and
28 Sheryl D. Allen and George F. Allen mediated the case prior to
29 trial and reached an agreement whereby the city agreed to pay
30 Sheryl D. Allen and George F. Allen \$200,000, pursuant to the
31 statutory limits on waiver of sovereign immunity, and to

1 support the passage of a claims bill in the Florida
2 Legislature for an additional payment of \$775,000, and
3 WHEREAS, the Tallahassee City Commission and the
4 Circuit Court in and for the Second Judicial Circuit approved
5 the settlement agreement reached at mediation, and the city
6 has paid \$200,000 to Sheryl D. Allen, George F. Allen, and
7 their attorneys, and

8 WHEREAS, the City of Tallahassee has agreed to support
9 the filing and passage of this bill and has agreed that, if
10 this act becomes law, the City of Tallahassee, within 30 days
11 after the effective date of the act, will pay an additional
12 \$775,000 to Sheryl D. Allen and George F. Allen, NOW,
13 THEREFORE,

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

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17 Section 1. The facts contained in the preamble to this
18 act are found and declared to be true.

19 Section 2. The City of Tallahassee is authorized and
20 directed to appropriate from funds of the city not otherwise
21 appropriated and to draw a warrant in the amount of \$775,000,
22 payable to Sheryl D. Allen and George F. Allen as compensation
23 for injuries and damages sustained due to the negligence of
24 employees of the city.

25 Section 3. This act shall take effect upon becoming a
26 law.

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