

HB 0007

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A bill to be entitled
 An act for the relief of Sheryl D. Allen and George F. Allen by the City of Tallahassee; providing for an appropriation to compensate Sheryl D. Allen and George F. Allen for injuries and damages sustained as a result of an accident involving Sheryl D. Allen and an employee of the City of Tallahassee; providing an effective date.

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

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

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

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

WHEREAS, the city, after extensive discovery during the litigation, admitted liability, and

WHEREAS, on April 7, 2004, the City of Tallahassee and Sheryl D. Allen and George F. Allen, husband of Sheryl D. Allen, mediated the case prior to trial and reached an agreement whereby the city agreed to pay Sheryl D. Allen and George F. Allen \$200,000, pursuant to the limits of liability set forth in

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 s. 768.28, Florida Statutes, and to support the passage of a
 31 claims bill in the Legislature for an additional payment of
 32 \$775,000, and

33 WHEREAS, the Tallahassee City Commission and the Circuit
 34 Court in and for the Second Judicial Circuit approved the
 35 settlement agreement reached at mediation, and the city has paid
 36 \$200,000 to Sheryl D. Allen, George F. Allen, and their
 37 attorneys, and

38 WHEREAS, the City of Tallahassee has agreed to support the
 39 filing and passage of this bill and has agreed that, if this act
 40 becomes law, the City of Tallahassee, within 30 days after the
 41 effective date of this act, will pay an additional \$775,000 to
 42 Sheryl D. Allen and George F. Allen, NOW, THEREFORE,

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

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

48 Section 2. The City of Tallahassee is authorized and
 49 directed to appropriate from funds of the city not otherwise
 50 appropriated and to draw a warrant in the sum of \$775,000
 51 payable to Sheryl D. Allen and George F. Allen as compensation
 52 for injuries and damages sustained due to the negligence of an
 53 employee of the city.

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