

1 A bill to be entitled

2 An act for the relief of Claude Tunc, Martine Tunc, and  
3 Sandrine Tunc by the City of Miami Beach; providing for  
4 the relief of Claude Tunc and Martine Tunc, individually  
5 and as personal representatives of the estate of Stephanie  
6 Tunc, deceased, and Sandrine Tunc, sister of Stephanie  
7 Tunc, deceased, for the death of Stephanie Tunc and  
8 injuries and damages sustained by Sandrine Tunc due to the  
9 negligence of the City of Miami Beach; providing for an  
10 appropriation; providing for attorney's fees and costs;  
11 providing an effective date.

12  
13 WHEREAS, on February 22, 2003, 27-year-old Sandrine Tunc  
14 and her 26-year-old sister, Stephanie Tunc, were sunbathing on  
15 the soft sand of Miami Beach on a sunny afternoon, and

16 WHEREAS, Officer George Varon, a police officer employed by  
17 the City of Miami Beach Police Department, while in the course  
18 and scope of his duties as a City of Miami Beach police officer,  
19 drove a Miami Beach police vehicle on the soft sand of Miami  
20 Beach and negligently drove through an area of sunbathers near a  
21 lifeguard station, and in fact did drive over Stephanie Tunc and  
22 Sandrine Tunc with his police vehicle, proximately causing the  
23 death of Stephanie Tunc and serious permanent injuries to  
24 Sandrine Tunc, and

25 WHEREAS, Stephanie Tunc was crushed to death by the vehicle  
26 and died shortly after the incident, and Sandrine Tunc survived  
27 the accident and was transferred to the Ryder Trauma Center at  
28 the Jackson Memorial Hospital, and

29 WHEREAS, the parents of Stephanie Tunc, Claude Tunc and  
30 Martine Tunc, seek to recover damages for their mental pain and  
31 suffering, as well as future loss of support of services based  
32 on the death of their daughter, and

33 WHEREAS, Sandrine Tunc seeks damages for past pain and  
34 suffering, disability, impairment, disfigurement, mental  
35 anguish, inconvenience, and lost capacity to enjoy life; future  
36 pain and suffering, disability, impairment, disfigurement,  
37 mental anguish, inconvenience, and lost capacity to enjoy life;  
38 loss of future earning capacity; and future medical and  
39 psychiatric care and rehabilitation, and

40 WHEREAS, Sandrine Tunc was hospitalized from February 22,  
41 2003, through February 28, 2003, at the Jackson Memorial  
42 Hospital for a lacerated liver, fractured ribs, punctured lung,  
43 contusions, and hematomas, and

44 WHEREAS, also as a result of the injuries incurred on  
45 February 22, 2003, Sandrine Tunc has disfiguring scars as well  
46 as a permanent hardened cyst-like hematoma in her lower left  
47 groin area, and

48 WHEREAS, Sandrine Tunc incurred medical expenses of  
49 \$37,624.20 for her treatment at the Jackson Memorial Hospital  
50 Ryder Trauma Center, and the decedent, Stephanie Tunc, incurred  
51 medical expenses of \$45,030.24 at the Jackson Memorial Hospital  
52 Ryder Trauma Center, and

53 WHEREAS, Sandrine Tunc is receiving continuous medical and  
54 psychiatric care due to the above injuries as well as the  
55 emotional trauma of watching her sister being crushed to death  
56 by the police vehicle while they were lying side-by-side on the

57 | beach, and

58 |       WHEREAS, as a result of a suit filed following the  
 59 | incident, the City Commission of the City of Miami Beach  
 60 | voluntarily agreed to a settlement of this cause in the amount  
 61 | of \$1,500,000, of which \$200,000 will be paid by the City of  
 62 | Miami Beach, and

63 |       WHEREAS, the remaining \$1,300,000 is to be paid subject to  
 64 | the passage of a claim bill introduced in the Legislature, and

65 |       WHEREAS, the City of Miami Beach has agreed to support this  
 66 | claim bill, NOW, THEREFORE,

67 |

68 | Be It Enacted by the Legislature of the State of Florida:

69 |

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

72 |       Section 2. The City of Miami Beach is authorized and  
 73 | directed to appropriate from funds not otherwise appropriated  
 74 | and to draw a warrant payable to Claude Tunc and Martine Tunc,  
 75 | individually and as personal representatives of the estate of  
 76 | Stephanie Tunc, deceased, and Sandrine Tunc, sister of Stephanie  
 77 | Tunc, deceased, for the total amount of \$1,300,000, which amount  
 78 | is inclusive of costs and attorney's fees as limited by s.  
 79 | 768.28(8), Florida Statutes, as compensation for injuries and  
 80 | damages sustained due to the negligence of the City of Miami  
 81 | Beach.

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