

By Senator Lynn

7-146-06

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A bill to be entitled

An act relating to the City of Tallahassee;  
providing for the relief of Sheryl D. Allen and  
George F. Allen, her husband; providing for an  
appropriation to compensate them for injuries  
and damages sustained as a result of a  
trailer/float accident involving Sheryl D.  
Allen and employees 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 in the  
litigation, admitted liability, and

WHEREAS, on April 7, 2004, the City of Tallahassee and  
Sheryl D. Allen and George F. 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  
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,

14  
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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