

1 A bill to be entitled
2 An act for the relief of Donna Sofka by Polk County;
3 providing for an appropriation to compensate her for
4 injuries and damages sustained due to the negligence of
5 Polk County; providing an effective date.

6
7 WHEREAS, on December 28, 1988, Donna Sofka was involved in
8 a vehicular accident that left her a quadriplegic, and

9 WHEREAS, on that date, Ms. Sofka was driving her car
10 westward on East Lamp Post Lane north of Lakeland, where East
11 Post Lane meets Old Polk City Road at the crest of a small hill,
12 and

13 WHEREAS, East Lamp Post Lane had recently been extended
14 past Old Polk City Road into a relatively new road named West
15 Lamp Post Lane, but there was no stop sign or other marking
16 denoting the intersection, and

17 WHEREAS, despite Polk County's knowledge that recent
18 construction in the area had created a four-way intersection and
19 essentially a "through" street, traffic-control devices had not
20 been installed at the time of the accident, and

21 WHEREAS, suit was filed against various defendants,
22 including Polk County, and, at trial, unrebutted testimony
23 established that the creation of the four-way intersection
24 created a dangerous condition, and

25 WHEREAS, Polk County's own traffic-sign foreman concurred
26 that the intersection was dangerous, and the manual used by the
27 county clearly indicated that traffic control devices were
28 needed at the intersection, and

29 WHEREAS, the jury agreed and awarded Donna Sofka \$6.5
 30 million in damages, in accordance with the degree of
 31 responsibility for the accident attributed to the county, which
 32 was 77 percent, and

33 WHEREAS, after years of appeals and a new trial, a
 34 Stipulated Final Judgment in the amount of \$600,000 against the
 35 county was entered into by the parties, NOW, THEREFORE,

36
 37 Be It Enacted by the Legislature of the State of Florida:

38
 39 Section 1. The facts stated in the preamble to this act
 40 are found and declared to be true.

41 Section 2. The Board of County Commissioners of Polk
 42 County is authorized and directed to appropriate from funds of
 43 the county not otherwise appropriated and to draw a warrant in
 44 the amount of \$600,000 payable to Donna Sofka as compensation
 45 for injuries and damages sustained as a result of the negligence
 46 of Polk County.

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