

HB 1619

2007

1 A bill to be entitled

2 An act for the relief of Lisa Freeman-Salazar and Andy
3 Salazar, individually and as co-personal representatives
4 of the estate of Alexandria Salazar, deceased minor child
5 of Lisa Freeman-Salazar and Andy Salazar, by the City of
6 Lake Worth; providing for an appropriation to compensate
7 them for the death of Alexandria Salazar due to the
8 negligence of the City of Lake Worth; providing for
9 attorney's fees and costs; providing an effective date.

10
11 WHEREAS, on October 26, 2004, Lisa Freeman-Salazar picked
12 up her 5-year-old daughter, Alexandria Salazar, from an after-
13 school program at South Grade Elementary School in Lake Worth,
14 Palm Beach County, Florida, and proceeded to travel to their
15 home, and

16 WHEREAS, Mrs. Salazar normally traveled home from
17 Alexandria's school on Sixth Avenue South, but on this
18 particular day a portion of Sixth Avenue South was closed due to
19 construction; thus, Mrs. Salazar took an unfamiliar, alternative
20 route home and traveled west on Seventh Avenue and approached
21 the intersection of South H Street which did not have any
22 traffic devices, stop signs, or painted stop bars on the road to
23 indicate which vehicle had the right-of-way, and

24 WHEREAS, because there was nothing to require Mrs. Salazar
25 to stop, she drove her vehicle through the intersection, and
26 Reyna Moreno, who was driving north on South H Street,
27 simultaneously entered the same intersection, and

28 WHEREAS, both vehicles collided with such force that each

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29 | vehicle was redirected by the impact of the collision, and
 30 | WHEREAS, Mrs. Salazar was able to get out of her vehicle
 31 | and remove her unconscious daughter from the vehicle before the
 32 | Lake Worth Fire Rescue Department was summoned, and

33 | WHEREAS, the Lake Worth Police Department responded to the
 34 | collision and Alexandria Salazar was transported to Delray
 35 | Community Hospital, where she was pronounced dead shortly
 36 | thereafter, and

37 | WHEREAS, the southwest corner of the intersection of
 38 | Seventh Avenue South and South H Street normally has a stop sign
 39 | of standard size, color, and height posted atop a metal pole;
 40 | however, at the time of the collision that claimed Alexandria
 41 | Salazar's life, the stop sign was missing, and

42 | WHEREAS, the City of Lake Worth was aware that the stop
 43 | sign was missing from that intersection because two other cars
 44 | collided at that same intersection the day before Alexandria
 45 | Salazar's death, and the Lake Worth Police Department informed
 46 | the city's public works department that the missing stop sign
 47 | needed to be replaced, and

48 | WHEREAS, as a result of a lawsuit filed following the
 49 | incident, the City of Lake Worth agreed to a settlement in the
 50 | amount of \$500,000, of which \$157,792 was paid within 20 days
 51 | after the date of the settlement agreement and \$342,208 is to be
 52 | sought through the submission of a claim bill to the
 53 | Legislature, which the City of Lake Worth has agreed to support
 54 | and approve, NOW, THEREFORE,

55 |
 56 | Be It Enacted by the Legislature of the State of Florida:

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

60 Section 2. The City of Lake Worth is authorized and
61 directed to appropriate from funds not otherwise appropriated
62 and to draw a warrant payable to Lisa Freeman-Salazar and Andy
63 Salazar, individually and as co-personal representatives of the
64 estate of Alexandria Salazar, deceased minor child of Lisa
65 Freeman-Salazar and Andy Salazar, for the total amount of
66 \$342,208, pursuant to the settlement agreement, which is
67 inclusive of costs and attorney's fees as limited in accordance
68 with s. 768.28, Florida Statutes, as compensation for the death
69 of Alexandria Salazar due to the negligence of the City of Lake
70 Worth.

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