

1                                   A bill to be entitled  
2           An act for the relief of Verlin C. Weaver by  
3           the City of Fernandina Beach; providing for an  
4           appropriation to compensate him for injuries  
5           sustained as a result of the negligence of an  
6           employee of the City of Fernandina Beach;  
7           providing for attorney's fees, lobbyist's fees,  
8           and costs; providing an effective date.

9  
10           WHEREAS, on November 11, 2002, Verlin C. Weaver was  
11 seriously injured when a garbage truck owned by the City of  
12 Fernandina Beach and operated by one of the city's employees  
13 rolled over Mr. Weaver's pickup truck, and

14           WHEREAS, after the accident, the Florida Highway Patrol  
15 issued a citation for careless driving to the city employee  
16 who was driving the garbage truck, and

17           WHEREAS, as a result of the accident, Verlin C. Weaver  
18 suffered multiple fractured bones, and

19           WHEREAS, after the collision, Verlin C. Weaver spent a  
20 month in the hospital, during which time he was in and out of  
21 consciousness; he lost his spleen, spent 2 months in  
22 rehabilitation, and suffered hearing loss; and he can no  
23 longer work full-time, and

24           WHEREAS, Verlin C. Weaver's medical expenses to date  
25 total more than \$400,000, and

26           WHEREAS, Verlin C. Weaver filed suit against the City  
27 of Fernandina Beach (Case No. 03-251-CA-A) in the Circuit  
28 Court of the Fourth Judicial Circuit in and for Nassau County,  
29 and

30           WHEREAS, subsequently, the parties agreed to settle the  
31 case, and, on June 1, 2004, they entered into a consent final

1 judgment in which the City of Fernandina Beach agreed to pay  
2 to Verlin C. Weaver the sum of \$500,000, including a payment  
3 to be made out of insurance proceeds in the amount of  
4 \$100,000, the limit payable under section 768.28, Florida  
5 Statutes, and an additional \$400,000 upon the Legislature's  
6 passage of a claim bill, which the city agreed to actively  
7 support, and

8 WHEREAS, this claim bill is being filed in accordance  
9 with the consent final judgment in this matter, NOW,  
10 THEREFORE,

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. The facts stated in the preamble to this  
15 act are found and declared to be true.

16 Section 2. The City of Fernandina Beach is authorized  
17 and directed to appropriate from funds of the city not  
18 otherwise encumbered the amount of \$400,000 payable to Verlin  
19 C. Weaver as compensation for injuries and damages suffered as  
20 a result of the negligence of a former employee of the city.  
21 Furthermore, in accordance with the release and settlement,  
22 Verlin C. Weaver is responsible for all expenses, including,  
23 but not limited to, attorney's fees, associated with the  
24 legislative claim bill process.

25 Section 3. Payment for the combined total of  
26 professional services and costs incurred by attorneys,  
27 lobbyists, and agents or representatives of attorneys or  
28 lobbyists shall not exceed \$60,000.

29 Section 4. This act shall take effect upon becoming a  
30 law.

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