

By Senator Baker

20-114-07

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A bill to be entitled

An act relating to the City of Lake Worth; providing for the relief of Lisa Freeman-Salazar and Andy Salazar, individually and as co-personal representatives of the estate of Alexandria Salazar, deceased, for the death of Alexandria Salazar due to the negligence of the City of Lake Worth; providing for an appropriation; providing for the use of such funds; providing for attorney's fees and costs; providing an effective date.

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

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

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

1 WHEREAS, both vehicles collided with such force that
2 each vehicle was redirected by the impact of the collision,
3 and

4 WHEREAS, Mrs. Salazar was able to get out of her
5 vehicle and remove her unconscious daughter from the vehicle
6 before the Lake Worth Fire Rescue Department was summoned, and

7 WHEREAS, the Lake Worth Police Department responded to
8 the collision and Alexandria was transported to Delray
9 Community Hospital, where she was pronounced dead shortly
10 thereafter, and

11 WHEREAS, the southwest corner of the intersection of
12 Seventh Avenue South and South H Street normally has a stop
13 sign of standard size, color, and height posted atop a metal
14 pole; however, at the time of the collision that claimed
15 Alexandria's life, the stop sign was missing, and

16 WHEREAS, the City of Lake Worth was aware that the stop
17 sign was missing from that intersection because two other cars
18 collided at that same intersection the day before Alexandria's
19 death, and the Lake Worth Police Department informed the
20 city's Public Works Department that the missing stop sign
21 needed to be replaced, and

22 WHEREAS, as a result of a lawsuit filed following the
23 incident, the City of Lake Worth agreed to a settlement in the
24 amount of \$500,000, of which \$157,792 was paid within 20 days
25 after the date of the settlement agreement and \$342,208 shall
26 be submitted pursuant to a claim bill to be presented to the
27 Legislature in the amount of \$342,208, which the City of Lake
28 Worth has agreed to support and approve, NOW, THEREFORE,

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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. The facts stated in the preamble to this
2 act are found and declared to be true.

3 Section 2. The City of Lake Worth is authorized and
4 directed to appropriate from funds not otherwise appropriated
5 and draw a warrant in the amount of \$342,208 pursuant to the
6 settlement agreement to be paid to Lisa Freeman-Salazar and
7 Andy Salazar, individually and as co-personal representatives
8 of the estate of Alexandria Salazar, deceased, which is
9 inclusive of costs and attorney's fees as limited in
10 accordance with s. 768.28, Florida Statutes.

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