

1                                   A bill to be entitled  
2           An act for the relief of Claude Tunc, Martine  
3           Tunc, and Sandrine Tunc by the City of Miami  
4           Beach; providing for the relief of Claude Tunc  
5           and Martine Tunc, individually and as  
6           co-personal representatives of the estate of  
7           Stephanie Tunc, deceased, and Sandrine Tunc,  
8           sister of Stephanie Tunc, for the death of  
9           Stephanie Tunc and injuries and damages  
10          sustained by Sandrine Tunc due to the  
11          negligence of the City of Miami Beach;  
12          providing for an appropriation; providing for  
13          attorney's fees, lobbyist's fees, and costs;  
14          providing an effective date.

15  
16           WHEREAS, on February 22, 2003, 27-year-old Sandrine  
17          Tunc and her 26-year-old sister, Stephanie Tunc, were  
18          sunbathing on the soft sand of Miami Beach on a sunny  
19          afternoon, and

20           WHEREAS, Officer George Varon, a police officer  
21          employed by the City of Miami Beach Police Department, while  
22          in the course and scope of his duties as a City of Miami Beach  
23          police officer, drove a Miami Beach police vehicle on the soft  
24          sand of Miami Beach and negligently drove through an area of  
25          sunbathers near a lifeguard station, and in fact did drive  
26          over Stephanie Tunc and Sandrine Tunc with his police vehicle,  
27          proximately causing the death of Stephanie Tunc and serious  
28          permanent injuries to Sandrine Tunc, and

29           WHEREAS, Stephanie Tunc was crushed to death by the  
30          vehicle and died shortly after the incident, and Sandrine Tunc  
31

1 survived the accident and was transferred to the Ryder Trauma  
2 Center at the Jackson Memorial Hospital, and

3 WHEREAS, the parents of Stephanie Tunc, Claude Tunc and  
4 Martine Tunc, seek to recover damages for their mental pain  
5 and suffering, as well as future loss of support of services  
6 based on the death of their daughter, and

7 WHEREAS, Sandrine Tunc seeks damages for past pain and  
8 suffering, disability, impairment, disfigurement, mental  
9 anguish, inconvenience, and lost capacity to enjoy life;

10 future pain and suffering, disability, impairment,  
11 disfigurement, mental anguish, inconvenience, and lost  
12 capacity to enjoy life; loss of future earning capacity; and  
13 future medical and psychiatric care and rehabilitation, and

14 WHEREAS, Sandrine Tunc was hospitalized from February  
15 22, 2003, through February 28, 2003, at the Jackson Memorial  
16 Hospital for a lacerated liver, fractured ribs, punctured  
17 lung, contusions, and hematomas, and

18 WHEREAS, also as a result of the injuries incurred on  
19 February 22, 2003, Sandrine Tunc has disfiguring scars as well  
20 as a permanent hardened cyst-like hematoma in her lower left  
21 groin area, and

22 WHEREAS, Sandrine Tunc incurred medical expenses of  
23 \$37,624.20 for her treatment at the Jackson Memorial Hospital  
24 Ryder Trauma Center, and the decedent, Stephanie Tunc,  
25 incurred medical expenses of \$45,030.24 at the Jackson  
26 Memorial Hospital Ryder Trauma Center, and

27 WHEREAS, Sandrine Tunc is receiving continuous medical  
28 and psychiatric care due to the above injuries as well as the  
29 emotional trauma of watching her sister being crushed to death  
30 by the police vehicle while they were lying side-by-side on  
31 the beach, and

1           WHEREAS, as a result of a suit filed following the  
2 incident, the City Commission of the City of Miami Beach  
3 voluntarily agreed to a settlement of this cause in the amount  
4 of \$1,500,000, of which \$200,000 will be paid by the City of  
5 Miami Beach, and

6           WHEREAS, the remaining \$1,300,000 is to be paid subject  
7 to the passage of a claim bill introduced in the Legislature,  
8 and

9           WHEREAS, the City of Miami Beach has agreed to support  
10 this claim bill, NOW, 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 Miami Beach is authorized and  
17 directed to appropriate from funds not otherwise appropriated  
18 and to draw warrants in the amount of \$325,000 to be paid to  
19 Claude Tunc and Martine Tunc, individually and as co-personal  
20 representatives of the estate of Stephanie Tunc, deceased, and  
21 in the amount of \$975,000 to Sandrine Tunc, which amount is  
22 inclusive of costs and attorney's fees as limited by this act,  
23 as compensation for injuries and damages sustained due to the  
24 negligence of the City of Miami Beach.

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 \$280,000.

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

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