

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 a limitation on  
10 attorney's fees, lobbying fees, costs, and other similar  
11 expenses relating to the claim; providing an effective  
12 date.

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

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

27 WHEREAS, because there was nothing to require Mrs. Salazar  
28 to stop, she drove her vehicle through the intersection, and

HB 765

2008

29 Reyna Moreno, who was driving north on South H Street,  
30 simultaneously entered the same intersection, and

31 WHEREAS, both vehicles collided with such force that each  
32 vehicle was redirected by the impact of the collision, and

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

36 WHEREAS, the Lake Worth Police Department responded to the  
37 collision and Alexandria Salazar was transported to Delray  
38 Community Hospital, where she was pronounced dead shortly  
39 thereafter, and

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

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

51 WHEREAS, as a result of a lawsuit filed following the  
52 incident, the City of Lake Worth agreed to a settlement in the  
53 amount of \$500,000, of which \$157,792 was paid within 20 days  
54 after the date of the settlement agreement and \$342,208 is  
55 sought through the submission of a claim bill to the

HB 765

2008

56 Legislature, which the City of Lake Worth has agreed to support  
 57 and approve, NOW, THEREFORE,

58

59 Be It Enacted by the Legislature of the State of Florida:

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

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

74 Section 3. Any amount awarded under this act pursuant to  
 75 the waiver of sovereign immunity permitted under s. 768.28,  
 76 Florida Statutes, and this award is intended to provide the sole  
 77 compensation for all present and future claims arising out of  
 78 the factual situation described in the preamble to this act  
 79 which resulted in the death of Alexandria Salazar. The total  
 80 amount paid for attorney's fees, lobbying fees, costs, and other  
 81 similar expenses relating to this claim may not exceed 25  
 82 percent of the amount awarded under section 2.

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