

HB 243

2013

1                   A bill to be entitled  
2           An act for the relief of Mark T. Sawicki and his wife,  
3           Sharon L. Sawicki, individually, by the City of  
4           Tallahassee; providing for an appropriation to  
5           compensate them for injuries sustained by Mark T.  
6           Sawicki as a result of the negligence of the City of  
7           Tallahassee; providing a limitation on the payment of  
8           fees and costs; providing an effective date.

9  
10           WHEREAS, on the morning of October 2, 2009, Mark T. Sawicki  
11           was riding his bicycle on his way to Florida State University in  
12           Tallahassee, where he works as an engineer, and

13           WHEREAS, at the time of the accident, Mr. Sawicki was  
14           stopped at the intersection of Call Street and North Monroe  
15           Street while waiting to cross the street, and

16           WHEREAS, a solid waste collection vehicle owned by the City  
17           of Tallahassee and operated by a city employee who was making a  
18           right-hand turn knocked Mr. Sawicki over, and

19           WHEREAS, as a result of the foregoing incident, Mr. Sawicki  
20           sustained multiple fractures, including, but not limited to,  
21           fractures to his right and left pelvic region, right femur,  
22           right acetabulum pubic ramus, and sacrum; a torn urethra;  
23           multiple abrasions and lacerations to his right thigh and upper  
24           and lower extremities; and neurological damage to his right  
25           lower extremities, resulting in a dropped foot, and

26           WHEREAS, on June 7, 2010, a complaint was filed on behalf  
27           of Mr. Sawicki and his wife, Sharon L. Sawicki, against the City  
28           of Tallahassee in the Circuit Court for Leon County, Case No.

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29 | 2010-CA-1984, and

30 |       WHEREAS, the City of Tallahassee, Mr. Sawicki, and his  
31 | wife, Sharon L. Sawicki, have reached a settlement that includes  
32 | a lump-sum payment in the amount of \$900,000, and

33 |       WHEREAS, the City of Tallahassee has already paid \$200,000  
34 | under the statutory limits of liability set forth in s. 768.28,  
35 | Florida Statutes, and

36 |       WHEREAS, the City of Tallahassee fully supports the passage  
37 | of this claim bill, NOW, THEREFORE,

38 |

39 | Be It Enacted by the Legislature of the State of Florida:

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41 |       Section 1. The facts stated in the preamble to this act  
42 | are found and declared to be true.

43 |       Section 2. The City of Tallahassee is authorized and  
44 | directed to appropriate from funds of the city not otherwise  
45 | appropriated and to draw a warrant, payable to Mark T. Sawicki  
46 | and his wife, Sharon L. Sawicki, for the total amount of  
47 | \$700,000 as compensation for injuries and damages sustained as a  
48 | result of the negligence of an employee of the City of  
49 | Tallahassee.

50 |       Section 3. The total amount paid for attorney fees,  
51 | lobbying fees, costs, and other similar expenses relating to  
52 | this claim may not exceed 25 percent of the amount awarded under  
53 | this act.

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