

1                   A bill to be entitled  
2           An act for the relief of Mark T. Sawicki and his wife,  
3           Sharon L. Sawicki, by the City of Tallahassee;  
4           providing for an appropriation to compensate them for  
5           injuries sustained by Mr. Sawicki as a result of the  
6           negligence of an employee of the City of Tallahassee;  
7           providing a limitation on the payment of fees and  
8           costs; providing that certain payments and the  
9           appropriation satisfy all present and future claims  
10          related to the negligent act; providing an effective  
11          date.

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

16          WHEREAS, Mark T. Sawicki was stopped at a red light at the  
17          intersection of Call Street and North Monroe Street while  
18          waiting to cross the street, and

19          WHEREAS, a solid waste collection vehicle, owned by the  
20          City of Tallahassee and operated by a city employee, was making  
21          a right-hand turn and ran over Mark T. Sawicki, and

22          WHEREAS, as a result of the foregoing incident, Mark T.  
23          Sawicki sustained multiple fractures, including, but not limited  
24          to, fractures to his right and left pelvic region, right femur,  
25          right acetabulum pubic ramus, and sacrum; a torn urethra;  
26          multiple abrasions and lacerations to his right thigh and upper

27 and lower extremities; and neurological damage to his right  
 28 lower extremities, resulting in a dropped foot, and

29 WHEREAS, on June 7, 2010, a complaint was filed on behalf  
 30 of Mark T. Sawicki and his wife, Sharon L. Sawicki, against the  
 31 City of Tallahassee in the Circuit Court for Leon County, Case  
 32 No. 2010-CA-1984, to recover damages for the injuries sustained  
 33 by Mark T. Sawicki as a result of the negligence of the City of  
 34 Tallahassee employee, and

35 WHEREAS, the City of Tallahassee, Mark T. Sawicki, and his  
 36 wife, Sharon L. Sawicki, reached a settlement of the case that  
 37 includes a lump-sum payment in the amount of \$900,000, and

38 WHEREAS, the City of Tallahassee paid \$200,000 of the  
 39 settlement pursuant to the statutory limits of liability set  
 40 forth in s. 768.28, Florida Statutes, and

41 WHEREAS, the City of Tallahassee fully supports the passage  
 42 of this claim bill, NOW, THEREFORE,

43

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

45

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

48 Section 2. The City of Tallahassee is authorized and  
 49 directed to appropriate from funds of the city not otherwise  
 50 appropriated and to draw a warrant, payable to Mark T. Sawicki  
 51 and his wife, Sharon L. Sawicki, for the total amount of  
 52 \$700,000 as compensation for injuries and damages sustained as a

53 result of the negligence of an employee of the City of  
54 Tallahassee.

55 Section 3. The total amount paid for attorney fees,  
56 lobbying fees, costs, and other similar expenses relating to  
57 this claim may not exceed 25 percent of the amount awarded under  
58 this act.

59 Section 4. The amount paid by the City of Tallahassee  
60 pursuant to s. 768.28, Florida Statutes, and the amount awarded  
61 under this act is intended to provide the sole compensation for  
62 all present and future claims arising out of the factual  
63 situation described in this act which resulted in the injuries  
64 to Mark T. Sawicki.

65 Section 5. This act shall take effect upon becoming a law.