

CHAPTER 2011-245

House Bill No. 629

An act for the relief of the Estate of Cesar Solomon by the Jacksonville Transportation Authority; providing for an appropriation to compensate the Estate of Cesar Solomon for Mr. Solomon's death, which was the result of negligence by a bus driver of the Jacksonville Transportation Authority; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, on March 25, 2008, Cesar Solomon, in the course of his employment by the City of Jacksonville, was standing in the bucket of an aerial lift truck while changing a traffic signal bulb at the intersection of Commonwealth and Melson Avenues, and

WHEREAS, at the same time Gwendolyn Wells Mordecai, while in the course and scope of her employment, was driving a bus owned and operated by the Jacksonville Transportation Authority and crashed the bus into the aerial lift truck, knocking Cesar Solomon out of the bucket to his death, and

WHEREAS, the Estate of Cesar Solomon filed a lawsuit against the Jacksonville Transportation Authority, Gwendolyn Wells Mordecai, and Jax Transit Management for negligence, and

WHEREAS, the Jacksonville Transportation Authority and Jax Transit Management acknowledged that Gwendolyn Wells Mordecai was responsible for the accident and that Cesar Solomon was not comparatively negligent, and

WHEREAS, the Jacksonville Transportation Authority entered into a stipulated judgment in favor of the Estate of Cesar Solomon for \$1.25 million and acknowledged that a jury likely would have entered a multi-million-dollar verdict if the lawsuit had proceeded to trial, and

WHEREAS, the Jacksonville Transportation Authority has paid \$200,000 to the Estate of Cesar Solomon, the maximum amount authorized under s. 768.28, Florida Statutes, and

WHEREAS, the Jacksonville Transportation Authority has agreed to remain neutral and not take any action adverse to the pursuit of a claim bill by the Estate of Cesar Solomon to authorize and direct the Jacksonville Transportation Authority to pay the remaining \$1.05 million pursuant to the stipulated judgment, NOW, THEREFORE,

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

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

Section 2. The Jacksonville Transportation Authority is authorized and directed to appropriate from funds of the authority not otherwise appropriated and to draw warrants to pay \$1.05 million to the Estate of Cesar Solomon as compensation for the death of Cesar Solomon. Each warrant shall be in the amount of \$350,000 and shall be paid annually for 3 years.

Section 3. The amount paid by the Jacksonville Transportation Authority pursuant to s. 768.28, Florida Statutes, and this award are intended to provide compensation for all present and future claims arising out of the factual situation that resulted in the death of Cesar Solomon as described in this act. The total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 25 percent of the amount awarded under this act.

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

Approved by the Governor June 21, 2011.

Filed in Office Secretary of State June 21, 2011.