



Legislation Text

File #: 210821., **Version:** 1

Dondrea Meeks v. City of Gainesville; Case No. 2020-CA-1452; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

The City Commission 1) approve the terms of the negotiated settlement agreement; and 2) authorize the City Attorney to settle the claim of Dondrea Meeks, arising from an accident that occurred on or about December 8, 2017.

On December 8, 2017, Mr. Meeks was the driver of a vehicle that was involved in an automobile accident with a City vehicle on SW 8th Avenue near 1250 SW 8th Avenue, in Gainesville. The City employee transit operator was acting in the course and scope of employment when the bus he was operating rear-ended the vehicle driven by Mr. Meeks. The employee received progressive discipline and is no longer employed by the City.

Plaintiff sought treatment for injuries to his lower back. While treatment consisted mostly of physical therapy, Plaintiff has continued that treatment for the past four years and claims to continue to suffer pain due to the accident. At trial, the plaintiff's attorneys were prepared to offer evidence of over \$25,000 in past medical expenses. They argued that he would additionally suffer future medical expenses along with damages related to pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life.

The City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of this lawsuit in conjunction with the Regional Transit System. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000 per person, and \$300,000 per incident. The City Attorney's Office was able to negotiate a settlement with Plaintiff's attorneys. Representatives for the City agreed to recommend a settlement in the amount of \$27,500, subject to the approval of the City Commission of the City of Gainesville, and, in exchange, the plaintiff will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

Fiscal Impact: Funds are available in the City's General Insurance Fund.