



Broward County

Legislation Text

File #: 24-226, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO APPROVE settlement, including costs and attorneys' fees, in the case titled *Elenina Leonard, as Personal Representative of the Estate of Maria A. Zevallos vs. Broward County*, 17th Judicial Circuit Court Case No. CACE23-006937 (14).

Why Action is Necessary

Board approval is necessary to resolve this pending lawsuit.

What Action Accomplishes

Settlement of pending litigation.

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Previous Action Taken

Summary Explanation/Background

This matter is a wrongful death action. Maria A. Zevallos was struck by a Broward County Transit bus while walking between the bus bays inside the Central Bus Terminal. The complaint alleges that the bus operator was negligent in several ways including, most notably, the failure to operate the bus at a safe and reasonable speed. As a result of the incident, Mrs. Zevallos suffered traumatic injuries that resulted in her death on June 30, 2022.

The personal representative has agreed to release Broward County from all estate and individual claims arising from the incident in exchange for \$223,648, inclusive of costs and attorneys' fees, subject to Board approval. The current sovereign immunity damages cap for this matter is \$300,000.

The Risk Management Division and the Transit Division recommend approval of this settlement.

Source of Additional Information

Robert D. Yates, Senior Assistant County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The source of funds is the County's general liability self-insurance fund. Agencies of the County pay annual premiums into the fund based upon the number of their employees and five-year claims history.