



# Broward County

## Legislation Text

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File #: 24-226, Version: 1

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### **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.

#### **Goal Related Icon(s)**

- ☐ County Commission
- ☐ Go Green
- ☐ MAP Broward

#### **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.