



# *City of South Pasadena*

7047 SUNSET DRIVE SOUTH  
SOUTH PASADENA, FLORIDA 33707  
PH: (727) 347-4171 FAX: (727) 345-0518  
WWW.MYSOUTHPASADENA.COM

## **AGENDA**

ADMINISTRATIVE WORKSHOP  
SOUTH PASADENA, FLORIDA

TUESDAY, MARCH 4, 2025  
FOLLOWING THE AGENDA MEETING  
(APPROXIMATELY 9:05 A.M.)

CALL TO ORDER  
ROLL CALL

### DISCUSSION ITEMS

- Hurricane Recovery Update
- House Bill 301 RE: Sovereign Immunity Cap

ADJOURN

*Carley Lewis*

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Carley Lewis, City Clerk

This meeting is open to the public. Ordinances may be inspected by the public in the office of the City Clerk at City Hall from 8:00 a.m. to 4:00 p.m. Monday through Friday with the exception of holidays. Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of South Pasadena is committed to providing reasonable accommodation for access for the disabled. In accordance with the Americans with Disabilities Act and F.S. 286.26, anyone needing assistance with regard to this meeting should contact the City Clerk's Office in writing at least 48 hours prior to the meeting. For more information or assistance please contact the City Clerk's office at 727-347-4171.



26 163.01(3)(h) and (15)(k), 190.043, 213.015(13),  
 27 252.51, 252.89, 252.944, 260.0125(2), 284.31, 284.38,  
 28 322.13(1)(b), 337.19(1), 341.302(17), 351.03(4)(c),  
 29 373.1395(6), 375.251(3)(a), 381.0056(9), 393.075(3),  
 30 394.9085(7), 395.1055(10)(g), 403.706(17)(c),  
 31 409.175(15)(b), s. 409.993(1)(a) and (b), (2)(a), and  
 32 (3)(a), 420.504(8), 455.221(3), 455.32(5), 456.009(3),  
 33 456.076(15)(a), 471.038(3), 472.006(11)(b),  
 34 497.167(7), 513.118(2), 548.046(1), s. 556.106(8),  
 35 589.19(4)(e), 627.7491(3) and (4), 723.0611(2)(c),  
 36 760.11(5), 766.1115(4), 766.112(2), 768.1355(3),  
 37 768.1382(7), 768.295(4), 946.5026, 946.514(3),  
 38 961.06(5), (6)(a), and (7), 1002.33(12)(h),  
 39 1002.333(6)(b), 1002.34(17), 1002.351(3)(c),  
 40 1002.37(2), 1002.55(3)(1), 1002.83(10), 1002.88(1)(p),  
 41 1006.24(1), and 1006.261(2)(b), F.S., relating to  
 42 offers of settlement, volunteer benefits, payment of  
 43 judgments or settlements against certain public  
 44 officers or employees, office of the sheriff, the  
 45 Florida Interlocal Cooperation Act of 1969, suits  
 46 against community development districts, taxpayer  
 47 rights, liability, tort liability, tort liability,  
 48 limitation on liability of private landowners whose  
 49 property is designated as part of the statewide system  
 50 of greenways and trail, scope and types of coverages,

51 waiver of sovereign immunity, driver license  
52 examiners, suits by and against the Department of  
53 Transportation, rail program, railroad-highway grade-  
54 crossing warning signs and signals, limitation on  
55 liability of water management district with respect to  
56 areas made available to the public for recreational  
57 purposes without charge, limitation on liability of  
58 persons making available to public certain areas for  
59 recreational purposes without charge, school health  
60 services program, general liability coverage,  
61 behavioral provider liability, rules and enforcement,  
62 local government solid waste responsibilities,  
63 licensure of family foster homes, residential child-  
64 caring agencies, and child-placing agencies, lead  
65 agencies and subcontractor liability, the Florida  
66 Housing Finance Corporation, legal and investigative  
67 services, the Management Privatization Act, legal and  
68 investigative services, impaired practitioner  
69 programs, the Florida Engineers Management  
70 Corporation, the Department of Agriculture and  
71 Consumer Services, administrative matters, conduct on  
72 premises; refusal of service, physician's attendance  
73 at match, liability of the member operator, excavator,  
74 and system, creation of certain state forests; naming  
75 of certain state forests; Operation Outdoor Freedom

76 Program, official law enforcement vehicles; motor  
 77 vehicle insurance requirements, the Florida Mobile  
 78 Home Relocation Corporation, administrative and civil  
 79 remedies; construction, health care providers;  
 80 creation of agency relationship with governmental  
 81 contractors, comparative fault, the Florida Volunteer  
 82 Protection Act, streetlights, security lights, and  
 83 other similar illumination, Strategic Lawsuits Against  
 84 Public Participation (SLAPP), sovereign immunity in  
 85 tort actions, inmates not state employees,  
 86 compensation for wrongful incarceration, charter  
 87 schools, persistently low-performing schools, charter  
 88 technical career centers, the Florida School for  
 89 Competitive Academics, the Florida Virtual School,  
 90 school-year prekindergarten program delivered by  
 91 private prekindergarten providers, Early learning  
 92 coalitions, school readiness program provider  
 93 standards, tort liability; liability insurance, and  
 94 use of school buses for public purposes, respectively,  
 95 to incorporate changes made by the act; providing an  
 96 effective date.

97  
 98 Be It Enacted by the Legislature of the State of Florida:

99  
 100 **Section 1. Subsection (5), paragraphs (a) and (d) of**

101 **subsection (6), and subsection (14) of section 768.28, Florida**  
102 **Statutes, are amended to read:**

103 768.28 Waiver of sovereign immunity in tort actions;  
104 recovery limits; civil liability for damages caused during a  
105 riot; limitation on attorney fees; statute of limitations;  
106 exclusions; indemnification; risk management programs.—

107 (5) (a) The state and its agencies and subdivisions shall  
108 be liable for tort claims in the same manner and to the same  
109 extent as a private individual under like circumstances, but  
110 liability shall not include punitive damages or interest for the  
111 period before judgment. Neither the state nor its agencies or  
112 subdivisions shall be liable to pay a claim or a judgment that  
113 ~~by any one person which~~ exceeds the limits in paragraph (b).

114 (b)1. If the cause of action accrued before October 1,  
115 2025, the limitations are as follows:

116 a. For a claim or judgment by any one person, \$200,000.

117 b. For multiple claims or judgments, or portions thereof,  
118 which arise out of the same incident or occurrence, a total of  
119 \$300,000.

120 2. If the cause of action accrued on or after October 1,  
121 2025, but before October 1, 2030, the limitations are as  
122 follows:

123 a. For a claim or judgment by any one person, \$1 million.

124 b. For multiple claims or judgments, or portions thereof,  
125 which arise out of the same incident or occurrence, a total of

126 \$3 million.

127 3. If the cause of action accrued on or after October 1,  
 128 2030, the limitations are as follows:

129 a. For a claim or judgment by any one person, \$1.1  
 130 million.

131 b. For multiple claims or judgments, or portions thereof,  
 132 which arise out of the same incident or occurrence, a total of  
 133 \$3.2 million ~~sum of \$200,000 or any claim or judgment, or~~  
 134 ~~portions thereof, which, when totaled with all other claims or~~  
 135 ~~judgments paid by the state or its agencies or subdivisions~~  
 136 ~~arising out of the same incident or occurrence, exceeds the sum~~  
 137 ~~of \$300,000.~~

138 (c) However, a judgment or judgments may be claimed and  
 139 rendered in excess of these amounts ~~and may be settled~~ and paid  
 140 pursuant to this act up to the limitations provided under  
 141 paragraph (b) \$200,000 or \$300,000, as the case may be; and that  
 142 portion of the judgment that exceeds these amounts may be  
 143 reported to the Legislature, and ~~but~~ may be paid in part or in  
 144 whole ~~only~~ by further act of the Legislature.

145 (d) Notwithstanding the limited waiver of sovereign  
 146 immunity provided in paragraphs (a) and (b):

147 1. herein, The state or an agency ~~or subdivision~~ thereof  
 148 may agree, within the limits of insurance coverage provided, to  
 149 settle a claim made or a judgment rendered against it in excess  
 150 of the waiver provided in paragraph (b) without further action

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151 by the Legislature.

152 2. A subdivision of the state may agree to settle a claim  
153 made or a judgment rendered against it in excess of the waiver  
154 provided in paragraph (b) without further action by the  
155 Legislature.

156  
157 However, but the state or an agency or subdivision thereof shall  
158 not be deemed to have waived any defense of sovereign immunity  
159 or to have increased the limits of its liability as a result of  
160 its obtaining insurance coverage for tortious acts in excess of  
161 the ~~\$200,000 or \$300,000~~ waiver provided in paragraph (b).  
162 Beginning October 1, 2025, an insurance policy may not be  
163 delivered or issued for delivery to the state or any agency or  
164 subdivision thereof with a provision that conditions liability  
165 coverage or the payment of insurance benefits, in whole or in  
166 part, on the enactment of a claim bill. Any such provision is  
167 null and void above.

168 (e) The limitations of liability set forth in this  
169 subsection ~~shall~~ apply to the state and its agencies and  
170 subdivisions whether or not the state or its agencies or  
171 subdivisions possessed sovereign immunity before July 1, 1974.

172 (f) ~~(b)~~ A municipality has a duty to allow the municipal  
173 law enforcement agency to respond appropriately to protect  
174 persons and property during a riot or an unlawful assembly based  
175 on the availability of adequate equipment to its municipal law

176 enforcement officers and relevant state and federal laws. If the  
177 governing body of a municipality or a person authorized by the  
178 governing body of the municipality breaches that duty, the  
179 municipality is civilly liable for any damages, including  
180 damages arising from personal injury, wrongful death, or  
181 property damages proximately caused by the municipality's breach  
182 of duty. The sovereign immunity recovery limits in paragraph (b)  
183 ~~(a)~~ do not apply to an action under this paragraph.

184 (g) When determining liability limits for a claim, the  
185 limitations of liability in effect on the date the claim accrues  
186 shall apply to the claim.

187 (6) (a) An action may not be instituted on a claim against  
188 the state or one of its agencies or subdivisions unless the  
189 claimant presents the claim in writing to the appropriate  
190 agency, and also, except as to any claim against a municipality,  
191 county, or the Florida Space Authority, presents such claim in  
192 writing to the Department of Financial Services, within 18  
193 months ~~3 years~~ after such claim accrues and the Department of  
194 Financial Services or the appropriate agency denies the claim in  
195 writing; except that, if:

196 1. Such claim is for contribution pursuant to s. 768.31,  
197 it must be so presented within 6 months after the judgment  
198 against the tortfeasor seeking contribution has become final by  
199 lapse of time for appeal or after appellate review or, if there  
200 is no such judgment, within 6 months after the tortfeasor