

By Senator Diaz de la Portilla

36-40-03

1                                   A bill to be entitled  
2           An act relating to the City of Hialeah;  
3           providing for the relief of Asbel Llerena and  
4           Wendy Guzman; authorizing and directing the  
5           City of Hialeah to compensate them for the  
6           death of Maria de Jesus Llerena, due to the  
7           negligence of a City of Hialeah employee;  
8           providing an effective date.  
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10           WHEREAS, on July 11, 1999, Maria de Jesus Llerena was a  
11           passenger in a car driven by Asbel Llerena, her husband,  
12           heading west on West 29th Street in Hialeah, and  
13           WHEREAS, at the same time, a City of Hialeah rookie  
14           police officer, Alexis Casteneda, was driving south on West  
15           8th Avenue in Hialeah in response to a call, and  
16           WHEREAS, there was a collision at the intersection  
17           where many witnesses indicated that Officer Castaneda had a  
18           red light and failed to yield the right-of-way to Mr. Llerena  
19           who was driving through the intersection with a green light,  
20           and  
21           WHEREAS, the incident has been litigated and the  
22           parties have reached an amicable resolution in which the City  
23           of Hialeah agreed to a settlement of \$400,000, and  
24           WHEREAS, the city has paid \$200,000 to the claimants,  
25           leaving an unpaid settlement amount of \$200,000, NOW,  
26           THEREFORE,  
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28           Be It Enacted by the Legislature of the State of Florida:  
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30           Section 1. The facts stated in the preamble to this  
31           act are found and declared to be true.

1           Section 2. The City of Hialeah is authorized and  
2 directed to appropriate from funds of the city not otherwise  
3 appropriated and to draw a warrant in the amount of \$200,000,  
4 payable to Asbel Llerena, husband of Maria de Jesus Llerena,  
5 and Wendy Guzman, daughter of Maria de Jesus Llerena, as  
6 compensation for the death of Maria de Jesus Llerena, due to  
7 the negligence of an employee of the City of Hialeah.

8           Section 3. This act shall take effect upon becoming a  
9 law.

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