

AN ORDINANCE 2011-04-07-0273

AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *SYLVIA PAEZ, ET AL. VS. CITY OF SAN ANTONIO*, IN THE 131ST JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS, CAUSE NO. 2010-CI-05382, FOR THE AMOUNT OF \$218,750.00

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WHEREAS, on March 7, 2010, a City vehicle collided with the vehicle occupied by Rosita Davila, driver, and Maria Rodriguez; and

WHEREAS, Rosita Davila suffered fatal injuries and Maria Rodriguez alleges injuries resulting from the collision; and

WHEREAS, although the City of San Antonio has vigorously contested liability in this matter, it feels it is in its best interest to settle this matter to avoid the uncertainty and risks associated with further litigation; and

WHEREAS, the parties have reached a settlement agreement for the amount of \$218,750.00, contingent upon City Council approval; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The amount of \$218,750.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530, General Liability Claims, Cost Center 1009020001, Risk Management-Liability, and is authorized to be made payable as follows: \$218,750.00 will be paid to plaintiff Sylvia Paez and her attorney as settlement of Cause No. 2010-CI-05382 styled plaintiff vs. *The City of San Antonio*.

SECTION 2: The financial allocations in this ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts, cost centers, or fund numbers as necessary to carry out the purpose of this ordinance.

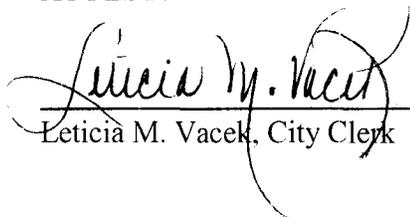
SECTION 3. This ordinance shall be effective on the tenth (10th) day after passage hereof.

PASSED and APPROVED this 7th day of April, 2011.



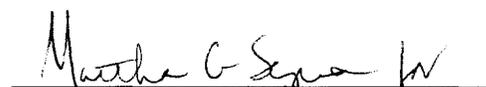
M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

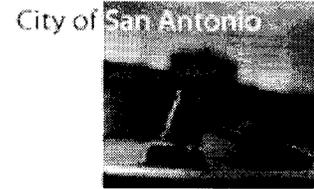
APPROVED AS TO FORM:



Michael Bernard, City Attorney



Request for
COUNCIL
ACTION



Agenda Voting Results - 24

Name:	7, 9, 10, 11, 15A, 15B, 16, 24, 25, 27, 28, 29, 31, 32, 33						
Date:	04/07/2011						
Time:	11:04:30 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the settlement of a lawsuit styled Sylvia Paez, et al. vs. City of San Antonio , in the 131st Judicial District Court, Bexar County, Texas, Cause No. 2010-CI-05382, for the amount of \$218,750.00, paid from the Self-Insurance Liability Fund. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x			x	
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				x
John G. Clamp	District 10		x				