

AN ORDINANCE 2014 - 06 - 12 - 0436

**AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED
SILVERADO BROTHERS CONST. CO. v. CITY OF SAN ANTONIO, ET AL,
CAUSE NUMBER 2010-CI-02197 IN THE 407TH DISTRICT COURT,
BEXAR COUNTY, TEXAS FOR PAYMENT IN THE AMOUNT OF
\$277,000.00 FROM THE SELF-INSURANCE LIABILITY FUND**

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WHEREAS, the City of San Antonio contracted with Silverado Brothers Construction Company to perform construction along Lockhill Selma from West Avenue to NW Military Highway; and

WHEREAS, Silverado Brothers Construction Company completed performance of the project but suffered delays totaling approximately 168 days due to underground cables that were not identified before the project plans were bid; and

WHEREAS, Silverado Brothers Construction Company has filed suit to recover monies for work performed; and

WHEREAS, Silverado Brothers Construction Company and the City have agreed to resolve the claims for the amount of \$277,000.00; **NOW THEREFORE:**

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

SECTION 1: The amount of \$277,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 0709020010 TPA Claims, and is authorized to be made payable as follows: \$277,000.00 will be paid to plaintiff Silverado Brothers Construction Company and their attorney as settlement of Cause No. 2010-CI-02197 styled *Silverado Brothers Const. Co v. City of San Antonio, et al.*

SECTION 2: The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

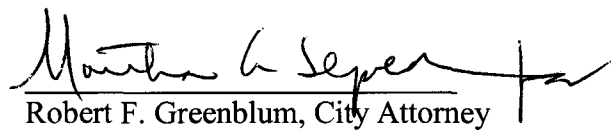
PASSED AND APPROVED this 12th day of June, 2014.


MAYOR
Julián Castro

ATTEST:


Leticia M. Vasek, City Clerk

APPROVED AS TO FORM:


Robert F. Greenblum, City Attorney

| Agenda Item: | 33 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41) | | | | | | |
|---------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| Date: | 06/12/2014 | | | | | | |
| Time: | 09:30:08 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance authorizing the settlement of a lawsuit styled Silverado Brothers Const. Co. v. City of San Antonio, et al, Cause Number 2010-CI-02197 in the 407th District Court, Bexar County, Texas for payment in the amount of \$277,000.00 from the Self-Insurance Liability Fund. [Robert F. Greenblum, City Attorney] [Robert F. Greenblum, City Attorney] | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julián Castro | Mayor | x | | | | | |
| Diego Bernal | District 1 | | x | | | x | |
| Ivy R. Taylor | District 2 | | x | | | | |
| Rebecca Viagran | District 3 | | x | | | | x |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Cris Medina | District 7 | | x | | | | |
| Ron Nirenberg | District 8 | x | | | | | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | | |