

AN ORDINANCE 2015-11-19-0969

**AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED  
RICHARD SOZA v. OFFICER SEAN GRAHAM, ET AL, CIVIL ACTION  
NUMBER 5:14-CV-01058-HLH; IN THE UNITED STATES DISTRICT  
COURT FOR THE WESTERN DISTRICT OF TEXAS, FOR PAYMENT  
IN THE AMOUNT OF \$85,000.00.**

\* \* \* \* \*

**WHEREAS**, on November 5, 2013, San Antonio police officers responded to a call at the residence of Richard Soza; and

**WHEREAS**, Mr. Soza has claimed that he sustained wrist injuries arising from the call to his residence; and

**WHEREAS**, although the City of San Antonio has vigorously contested liability in this matter, 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 mutual agreement to settle all plaintiffs' claims for the amount of \$85,000.00 payable from the Self-Insurance Liability Fund, contingent upon Council approval, to resolve all contested claims; **NOW THEREFORE:**

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

**SECTION 1.** Payment in the amount of \$85,000.00 is authorized to be made payable to Richard Soza and his attorney as settlement of civil cause number 5:14-cv-01058-HLH, styled: Richard Soza v. Officer Sean Graham, et al.

**SECTION 2.** The amount of \$85,000.00 is authorized to be paid from Fund 75001000, General Ledger 5402530 and Cost Center 1009020001, and is authorized to be made payable as follows: \$85,000.00 will be paid to Richard Soza and his attorney as settlement of civil cause number 5:14-cv-01058-HLH, styled: Richard Soza v. Officer Sean Graham, et al.

**SECTION 3.** 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.

EFG/eg  
11/19/2015  
Item #17

**SECTION 4.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this 19<sup>th</sup> day of November, 2015.



M A Y O R

Ivy R. Taylor

**ATTEST:**



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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



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Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	17 ( in consent vote: 5, 6, 7, 8, 9A, 9B, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26A, 26B )
<b>Date:</b>	11/19/2015
<b>Time:</b>	09:11:03 AM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	An Ordinance authorizing the settlement of a lawsuit styled Richard Soza v. Office Sean Graham, et al, Civil Action Number 5:14-CV-01058-HLH pending in the United States District Court for the Western District of Texas, San Antonio Division for an amount up to \$85,000.00. [Martha G. Sepeda, Acting City Attorney]
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x			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				