

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**APPROVING THE SETTLEMENT OF A LAWSUIT STYLED RAUL
CHAMPION VS. JOHN AGUERO AND CITY OF SAN ANTONIO,
CAUSE NUMBER 388742, PENDING IN COUNTY COURT AT LAW NO.
10, BEXAR COUNTY, TEXAS IN THE AMOUNT OF \$120,000.00.**

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WHEREAS, an auto accident occurred on July 30, 2012 at the intersection of Nueva Street and Santa Rosa in San Antonio involving a vehicle being operated by John Aguero and a City owned vehicle; and

WHEREAS, as a result of this accident, Mr. Aguero suffered injuries, incurred medical expenses and is seeking to recover damages; and

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

WHEREAS, the parties have reached a mutual agreement to settle the claims of Mr. Aguero for the amount of \$120,000.00 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE:**

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

SECTION 1. The amount of \$120,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 7509020001 Risk Management-Liability, and is authorized to be made payable as follows: \$120,000.00 will be paid to plaintiff John Aguero, and his attorney of record; and as settlement of Cause Number 388742 styled Raul Champion v. John Aguero and City of San Antonio.

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 30th day of May, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney