



City of San Antonio

Legislation Details (With Text)

File #: 16-1022

Type: Misc - Settlement Agreements

In control: City Council A Session

On agenda: 12/17/2015

Title: An Ordinance authorizing the settlement of a lawsuit styled Valemas, Inc. v. City of San Antonio, Cause No. 2007-CI-15772, pending in the 166th Judicial District Court for the for an amount up to \$244,569.00. [Martha G. Sepeda, Acting City Attorney]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 2015-12-17-1071

Date	Ver.	Action By	Action	Result
12/17/2015	1	City Council A Session	adopted	Pass

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Martha G. Sepeda, Acting City Attorney

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of Cause No. 2007-CI-15772, *Valemas, Inc. v. City of San Antonio*.

SUMMARY:

An Ordinance authorizing the settlement of a lawsuit styled *Valemas, Inc. v. City of San Antonio*, Cause No. 2007-CI-15772, pending in the 166th Judicial District Court for the for an amount up to \$244,569.00. This amount will be paid from remaining project funds and the Self-Insured Liability Fund.

BACKGROUND INFORMATION:

Valemas claims damages as a result of delay and breach of a construction contract related to a Parks & Recreation project at Brackenridge Park.

The parties have reached an agreement to settle all claims by Valemas and its subcontractor, L. Payne Constructors, subject to City Council approval.

ISSUE:

Settlements over \$50,000 require City Council approval.

ALTERNATIVES:

If this settlement agreement is not approved by City Council, this matter will proceed to trial. It is in the best interest of the City to settle this lawsuit to avoid the uncertainty and risks attendant to litigation.

FISCAL IMPACT:

If approved, \$244,569.00 will be paid to Valemas and its attorney of record. This will be funded in accordance with the Adopted BY 2016 Liability Fund Budget

RECOMMENDATION:

Staff recommends approval of this ordinance.