



City of San Antonio

Agenda Memorandum

File Number: 18-2839

Agenda Item Number: 19.

Agenda Date: 4/19/2018

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Andrew Segovia

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of a lawsuit styled *Rosa Martinez v. City of San Antonio*

SUMMARY:

This item authorizes the settlement of a lawsuit styled *Rosa Martinez v. City of San Antonio*; Cause Number 393432 pending in County Court at Law #5, Bexar County, Texas in the amount of \$100,000.00 paid from the Self-Insurance Liability Fund.

BACKGROUND INFORMATION:

Rosa Martinez is seeking damages as a result of a motor vehicle accident that occurred on April 24, 2012 at the intersection of Rittiman Road and Industry Park in San Antonio involving a City vehicle and a private vehicle operated by Rosa Martinez.

The parties have reached a mutual agreement to settle these claims including payment to Ms. Martinez in the amount of \$100,000.00, subject to City Council Approval. This amount would be paid from the Self-Insurance Liability Fund.

ISSUE:

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

ALTERNATIVES:

If this settlement is not approved by the City Council, this case will proceed to a jury trial. It is in the best interest of the City to settle this matter to avoid the uncertainties and risks associated with litigation in a case of disputed damages.

FISCAL IMPACT:

If approved, \$100,000.00 will be paid to Rosa Martinez and her attorney of record. This will be funded in accordance with the FY 2018 Liability Fund Adopted Budget.

RECOMMENDATION:

Staff recommends approval of this Ordinance.