



City of San Antonio

Agenda Memorandum

File Number: 15-3481

Agenda Item Number: 13.

Agenda Date: 6/4/2015

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Martha G. Sepeda, Acting City Attorney

COUNCIL DISTRICTS IMPACTED: City-Wide

SUBJECT:

Settlement of *Villagram v. City of San Antonio*

SUMMARY:

This Ordinance authorizes a settlement of a state lawsuit styled *Hector P. Esquivel and Raymond Villagram v. City of San Antonio*, Cause Number 2013-CI-04091, in the 285th Judicial District, Bexar County, Texas for the amount of \$68,000.00.

BACKGROUND INFORMATION:

On October 25, 2012, Raymond Villagram was injured when a vehicle in which he was a passenger was struck by a City of San Antonio vehicle driven by Wayne Johnson, an employee of the Health Department. Mr. Villagram claims to have injured his rotator cuff for which he has incurred medical expenses. He also claims lost wages.

At mediation, the parties reached a \$68,000 settlement agreement contingent upon City Council approval.

ISSUE:

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

ALTERNATIVES:

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

FISCAL IMPACT:

If approved \$68,000.00 will be paid to Plaintiff Raymond Villagram and his attorney, Davis Law Firm. This will be funded in accordance with the Adopted FY 2015 Liability Fund Budget.

RECOMMENDATION:

Staff recommends approval of this Ordinance.