



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-5310

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**Agenda Item Number:** 15.

**Agenda Date:** 10/15/2015

**In Control:** City Council A Session

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**DEPARTMENT:** City Attorney's Office

**DEPARTMENT HEAD:** Martha G. Sepeda, Acting City Attorney

**COUNCIL DISTRICT(S) IMPACTED:** City-Wide

### **SUBJECT:**

Settlement in *Anthony Ortega, et al v. City of San Antonio, et al*

### **SUMMARY:**

City of San Antonio has settled, subject to City Council approval, the claims relating to the death and injuries of Laura Zepeda in an amount of \$245,000.00 to be paid from the Self-Insured Liability Fund.

### **BACKGROUND INFORMATION:**

On January 9, 2012, Laura Zepeda was driving her automobile southbound on Roosevelt Avenue when her vehicle collided at an intersection with a San Antonio Police Department vehicle being driven by Officer Elizabeth Padron. Officer Padron was in route to assist another officer that was pursuing a person in a stolen truck. As a result of the accident Laura Zepeda sustained serious injuries and ultimately died from those injuries on May 4, 2012. Ms. Zepeda and her estate incurred medical and funeral expenses.

Ms. Zepeda was survived by her three adult children: Mark Anthony Ortega, Zoe Michelle Zepeda, and Zachary Michael Zepeda who are parties to this lawsuit.

### **ISSUE:**

Settlements over \$50,000.00 require City Council approval.

**ALTERNATIVES:**

If this settlement agreement is not approved by the City Council, this matter will proceed to trial in State District Court. 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, \$245,000.00 will be paid to Anthony Ortega, Individually and as Legal Representative of the Estate of Laura Zepeda, Zoe Michelle Zepeda and Zachary Michael Zepeda and their attorneys of record. This will be funded in accordance with the Adopted FY 2016 Liability Fund Budget.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance.