



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2839  
**Type:** Misc - Settlement Agreements  
**In control:** City Council A Session  
**On agenda:** 4/19/2018  
**Title:** Ordinance approving the settlement of a lawsuit styled Rosa Martinez v. City of San Antonio, et al, Cause Number 393432 pending in the County Court at Law #5, Bexar County, Texas in the amount of \$100,000.00 [Andrew Segovia, City Attorney]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ordinance 2018-04-19-0293

Date	Ver.	Action By	Action	Result
4/19/2018	1	City Council A Session	adopted	Pass

**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.