



City of San Antonio

Agenda Memorandum

File Number:15-5875

Agenda Item Number: 17.

Agenda Date: 11/19/2015

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 *Richard Soza v. Officer Sean Graham, et al*

SUMMARY:

An Ordinance authorizing the settlement of a lawsuit styled *Richard Soza v. Office Sean Graham, et al*, Civil Action Number 5:14-CV-01058-HLH pending in the United States District Court for the Western District of Texas, San Antonio Division for an amount up to \$85,000.00. This amount will be paid from the Self-Insured Liability Fund.

BACKGROUND INFORMATION:

Richard Soza claims to have been injured on November 4, 2013 during a Police call to his home. Mr. Soza claims to have sustained injury to his wrists which led to subsequent surgery and related medical expenses.

The parties have reached an agreement to settle all claims by Mr. Soza, 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, \$85,000 will be paid to Richard Soza and his attorney of record. This will be funded in accordance with the Adopted BY 2016 Liability Fund Budget

RECOMMENDATION:

Staff recommends approval of this ordinance.