



City of San Antonio

Agenda Memorandum

File Number:14-326

Agenda Item Number: 20.

Agenda Date: 2/20/2014

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Robert F. Greenblum

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of *Cuellar v. City of San Antonio, et al*

SUMMARY:

This item authorizes the settlement of a lawsuit styled *Michael Cuellar v. City of San Antonio, et al*, Civil Action No. SA-13-CV-91-XR, pending in the United States District Court for the Western District of Texas San Antonio Division for payment from the Self-Insurance Liability Fund in the amount of \$90,000.00.

BACKGROUND INFORMATION:

In September, 2012, Michael Cuellar was prohibited from entering certain city facilities. Mr. Cuellar filed suit against the City challenging the City's decision to prohibit him from the certain city facilities. This settlement resolves the disputed claims.

ISSUE:

Settlements over \$50,000 must be approved by City Council.

ALTERNATIVES:

If the settlement is not approved by City Council, the 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 a jury trial.

FISCAL IMPACT:

If approved, the \$90,000 will be paid to Michael Cuellar and his attorneys of record. This will be funded in accordance with the Adopted FY2014 Liability Fund Budget.

RECOMMENDATION:

Staff recommends approval of this item.