



City of San Antonio

Agenda Memorandum

File Number:19-7561

Agenda Item Number: 15.

Agenda Date: 10/17/2019

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Andrew Segovia

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of a lawsuit styled *Carlos Mendoza v. City of San Antonio*

SUMMARY:

This item authorizes the settlement of a lawsuit styled *Carlos Mendoza v. City of San Antonio*; Cause Number 2016-CI-09979, pending in 73rd Judicial District Court, Bexar County, Texas in the amount of \$115,000.00. This amount will be paid from the Self-Insurance Liability Fund.

BACKGROUND INFORMATION:

Carlos Mendoza is seeking damages as a result of an auto accident that occurred on July 30, 2015 at the intersection of Cesar Chavez and South Flores in San Antonio. The accident involved a vehicle being operated by Mr. Mendoza and a San Antonio Park Police vehicle.

The parties have reached a mutual agreement to settle these claims with payment to Mr. Mendoza in the amount of \$115,000.00, 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, \$115,000.00 will be paid to Carlos Mendoza and his attorney of record, Fidel Rodriguez. This will be funded in accordance with the FY 2020 Liability Fund Adopted Budget.

RECOMMENDATION:

Staff recommends approval of this item.