

Agenda item #15
(Revised)

CITY OF SAN ANTONIO
CITY ATTORNEY'S OFFICE
CITY COUNCIL AGENDA MEMORANDUM

TO: Mayor and City Council

FROM: Martha Sepeda, Acting City Attorney

SUBJECT: Approving a settlement agreement in the lawsuit, *Jesus Sandoval v. City of San Antonio*, Cause No. 2004-CI-07464

DATE: July 7, 2005

SUMMARY AND RECOMMENDATION

This ordinance approves a \$135,000.00 settlement in *Jesus Sandoval v. City of San Antonio*.

BACKGROUND

On March 29, 2004, Plaintiff was struck by an automobile driven by a Code Compliance officer while walking across Vance Jackson Road. Plaintiff was diagnosed with a skull fracture, resulting in medical bills totaling approximately \$72,769.32. Plaintiff continues to complain of headaches, dizziness, vision and sensory problems, and difficulty concentrating. The City of San Antonio's medical expert has confirmed all the above injuries. The Code Compliance Department Accident Review Board ruled this accident "preventable" and the employee was ordered to attend defensive driving again.

Legal issues related to this case were discussed with City Council in executive session on June 30, 2005.

POLICY ANALYSIS

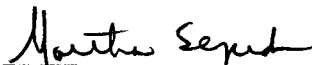
This case was settled in mediation, subject to council approval. Staff recommends approval of this settlement because it is in the best interest of the City.

FISCAL ANALYSIS

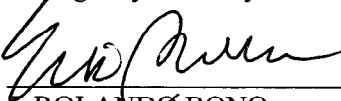
The \$135,000.00 will be paid from the self-insured fund for a full and final release of all claims.

COORDINATION

This item was coordinated with the Code Compliance Department and Risk Management Department.



MARTHA SEPEDA
Acting City Attorney



J. ROLANDO BONO
City Manager