



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 18

Agenda Date: May 1, 2025

In Control: City Council A Session

DEPARTMENT: Office of the City Attorney

DEPARTMENT HEAD: Andy Segovia

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

\$183,337.97 settlement in Richard Dutchover v. City of San Antonio

SUMMARY:

This Ordinance authorizes a settlement of a state lawsuit styled Richard Dutchover v. City of San Antonio, in the 224th Judicial District Court, Bexar County, Texas, Cause No. 2023CI15532 for the amount of \$183,337.97.

BACKGROUND INFORMATION:

On September 19, 2021, an SAPD patrol vehicle operated by Officer Alejandro Palacios was involved in a collision with a vehicle driven by Richard Dutchover. Mr. Dutchover alleges he suffered injuries as a result of the accident, requiring medical attention.

This case is not currently set for trial.

ISSUE:

Under the Texas Tort Claims Act, a municipality may be held liable for personal injury caused by a condition or use of tangible personal property, but recovery is limited to \$250,000.

ALTERNATIVES:

If this settlement agreement is not approved by the City Council, the case will proceed to trial. It is in the best interest of the City to settle this matter to avoid the uncertainty and risks associated with litigation.

FISCAL IMPACT:

If the settlement is approved, \$183,337.97 will be paid to Richard Dutchover and Cruz & Payne, PC from the Self Insurance Fund.

RECOMMENDATION:

Staff recommends approval of this Ordinance.