



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 8

Agenda Date: February 1, 2024

In Control: City Council A Session

DEPARTMENT: Office of the City Attorney

DEPARTMENT HEAD: Andy Segovia

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

\$220,000.00 settlement in Santos Tejada, Jr. v. City of San Antonio

SUMMARY:

This Ordinance authorizes a settlement of a state lawsuit styled Santos Tejada, Jr. v. City of San Antonio, in the 408th Judicial District Court, Bexar County, Texas, Cause No. 2022-CI-05690 for the amount of \$220,000.00.

BACKGROUND INFORMATION:

On June 21, 2020, and SAPD officer drove around a barricade set up for installation of Google Fiber in West San Antonio. The vehicle ran over a cable that Plaintiff was working with, causing Plaintiff to be thrown up into the air, landing in a ditch. Plaintiff suffered injuries to his back requiring surgery.

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, \$220,000.00 will be paid by a check made payable to Mr. Tejada, his attorneys of record and any lienholders as directed by the City Attorney's Office from the Self Insurance Fund.

RECOMMENDATION:

Staff recommends approval of this Ordinance.