

ORDINANCE

2022-08-04-0550

APPROVING THE SETTLEMENT OF LITIGATION STYLED ALBERTO RIVERA V. CITY OF SAN ANTONIO; CAUSE NO. 2018-CI-19389 IN A TOTAL AMOUNT OF \$75,000.00.

* * * * *

WHEREAS, an auto accident occurred on April 3, 2017 on O'Connor Road involving a City owned vehicle operated by an employee with the Solid Waste Department and a vehicle driven by Plaintiff Alberto Rivera; and

WHEREAS, as a result of this accident, Alberto Rivera suffered injuries and incurred medical expenses and has filed suit seeking to recover damages; and

WHEREAS, although the City of San Antonio has vigorously contested this matter, it is in the City's best interest to settle this matter to avoid the uncertainties and risks associated with further litigation; and

WHEREAS, the parties have reached an agreement to settle the claim of Alberto Rivera in the amount of \$75,000 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:


SECTION 1. The amount of \$75,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 7509020001 Risk Management-Liability, and is authorized to be made payable as follows: \$75,000.00 will be paid to plaintiff Alberto Rivera and Davis Law Firm as his attorney of record as settlement of Cause Number 2018-CI-19389 styled Alberto Rivera v. City of San Antonio.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 4th day of August 2022.

CC
8/04/22
Item No. 26



M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:



Debbie Racca-Sittre, City Clerk



BP/JDS
Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting August 4, 2022

26.

2022-08-04-0550

Ordinance approving the settlement of a lawsuit styled Alberto Rivera v. City of San Antonio, Cause Number 2018-CI-19389 pending in Bexar County District Court, in an amount of \$75,000.00. [Andy Segovia, City Attorney]

Councilmember Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry