

AN ORDINANCE 2011-10-20-0866

**AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *JOANN PONCE V. CITY OF SAN ANTONIO*; IN THE 131<sup>ST</sup> DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2010-CI-18152 FOR THE AMOUNT OF \$65,000.00.**

\* \* \* \* \*

**WHEREAS**, on January 3, 2009, Joann Ponce was injured when her vehicle was struck by a City of San Antonio Police vehicle while responding to a call; and

**WHEREAS**, Joann Ponce alleges injuries and lost wages resulting from the collision; and

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

**WHEREAS**, the parties have reached a settlement agreement for the amount of \$65,000.00, contingent upon City Council approval; **NOW THEREFORE:**

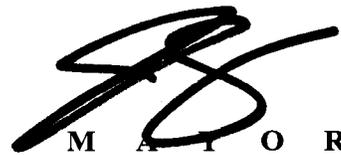
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The amount of \$65,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 1009020001 Risk Management-Liability, and is authorized to be made payable as follows: \$65,000.00 will be paid to plaintiff Joann Ponce as settlement of Cause No. 2010-CI-18152 styled *Joann Ponce v The City of San Antonio*.

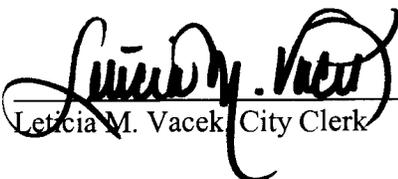
**SECTION 2.** The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts, cost centers, or fund numbers as necessary to carry out the purpose of this ordinance.

**SECTION 3.** This ordinance is effective immediately if passed by at least eight affirmative otherwise it is effective on the tenth (10<sup>th</sup>) day after passage.

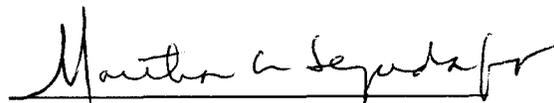
**PASSED and APPROVED** this 20th day of October, 2011.

  
M A Y O R  
Julián Castro

**ATTEST:**

  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
Michael Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**

City of San Antonio



## Agenda Voting Results - 29

<b>Name:</b>	6, 7, 8, 9, 10, 12, 15, 16, 17, 18, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33A, 33B, 34, 35						
<b>Date:</b>	10/20/2011						
<b>Time:</b>	02:38:13 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing the settlement of a lawsuit styled Joann Ponce v. City of San Antonio ; in the 131 st District Court of Bexar County , Texas , Cause No. 2010-CI-18152 for the amount of \$65,000.00, paid from the Self-Insurance Liability Fund. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Rey Saldaña	District 4		x				
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				x