

AN ORDINANCE      2011-06-23-0578

**AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *DAVID ASH V. CITY OF SAN ANTONIO*, IN COUNTY COURT NUMBER THREE, BEXAR COUNTY, TEXAS, CAUSE NO. 339208, FOR THE AMOUNT OF \$107,705.00**

\* \* \* \* \*

**WHEREAS**, on January 14, 2008, David Ash was injured when his vehicle struck a City of San Antonio street sweeper; and

**WHEREAS**, David Ash alleges injuries resulting from the collision; and

**WHEREAS**, although the City of San Antonio has vigorously contested liability in this matter, it feels 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 \$107,705.00, 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 \$107,705.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund and General Ledger 5402530 General Liability Claims, Cost Center 1009020001 Risk Management-Liability, and is authorized to be made payable as follows: \$107,705.00 will be paid to plaintiff David Ash and his attorney Gostomski and Hecker, P. C., IOLTA, as settlement of Case No. 339208 styled *David Ash v The City of San Antonio*.

**SECTION 2.** The financial allocations in this ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO, 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.

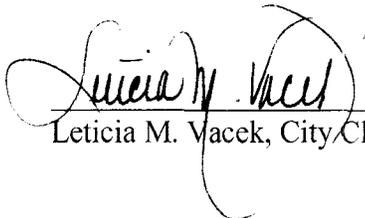
**SECTION 3.** This ordinance shall be effective on the tenth (10<sup>th</sup>) day after passage hereof.

**PASSED and APPROVED** this 23<sup>rd</sup> day of June, 2011.

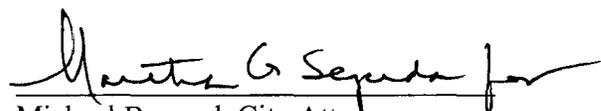


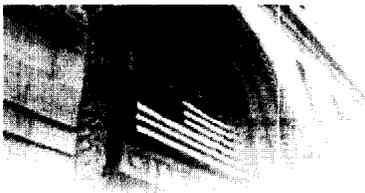
**M A Y O R**  
Julián Castro

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

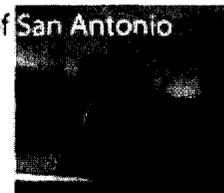
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael Bernard, City Attorney



Request for  
**COUNCIL**  
 ACTION

City of San Antonio



## Agenda Voting Results - 41

<b>Name:</b>	6A, 6B, 6C, 7, 8, 9, 10, 11, 12, 13, 14A, 14B, 15, 18, 19, 20, 21, 22, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 27, 28, 29, 30A, 30B, 31, 32, 33A, 35, 36, 37, 38A, 38B, 38C, 38D, 38E, 38F, 38G, 38H, 38I, 38J, 38K, 38L, 38M, 38N, 38O, 38P, 38Q, 38R, 38S, 38T, 40, 41, 43, 44, 45, 46, 47, 49A, 49B, 49C, 49D, 50, 51, 52, 53A, 53B, 54, 55, 56A, 56B, 57						
<b>Date:</b>	06/23/2011						
<b>Time:</b>	09:57:52 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing the settlement of a lawsuit styled David Ash v. City of San Antonio in County Court Number Three, Bexar County Texas, Cause No. 339208, for the amount of \$107,705.00, 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				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				x
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				