EFG/eg
10/15/2015
Item #15

AN ORDINANCE 2015-10-15-0877

AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *ANTHONY ORTEGA, ET AL v. CITY OF SAN ANTONIO, ET AL,* IN THE 225th JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS, FOR PAYMENT IN THE AMOUNT OF $245,000.00.

* * * * *

WHEREAS, on January 9, 2012, a vehicle driven by Laura Zepeda was struck by a vehicle being driven by a City of San Antonio police officer; and

WHEREAS, as a result of this accident, Ms. Zepeda suffered serious injuries and died on May 4, 2012; 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 mutual agreement to settle all plaintiffs' claims for the amount of $245,000.00 payable from the Self-Insurance Liability Fund, contingent upon Council approval, to resolve all contested claims; **NOW THEREFORE:**

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

SECTION 1. Payment in the amount of $245,000.00 is authorized to be made payable to Mark Anthony Ortega, Zoe Michelle Zepeda, and Zachary Michael Zepeda and their attorneys as settlement of cause number 2013-CI-15116, styled: Anthony Ortega, et al. v. City of San Antonio, et al.

SECTION 2. The amount of $245,000.00 is authorized to be paid from Fund 75001000, General Ledger 5402530 and Cost Center 1009020001, and is authorized to be made payable as follows: $245,000.00 will be paid to Mark Anthony Ortega, Zoe Michelle Zepeda, and Zachary Michael Zepeda and their attorneys as settlement of cause number 2013-CI-15116, styled: Anthony Ortega, et al. v. City of San Antonio, et al.

SECTION 3. 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.

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SECTION 4. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15th day of October, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**15 (in consent vote: 5, 6, 8, 9, 10, 11A, 11B, 12, 13, 15, 16, 17, 19, 20, 22A, 22B)**
Date:	10/15/2015
Time:	10:05:50 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the settlement of a lawsuit styled Anthony Ortega, et al v. City of San Antonio, Cause No. 2013-CI-15116 pending in the State District Court, Bexar County in the amount of $245,000.00 from the Self-Insured Liability Fund. [Martha G. Sepeda, Acting City Attorney]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Agenda Item:	**15 (in consent vote: 5, 6, 8, 9, 10, 11A, 11B, 12, 13, 15, 16, 17, 19, 20, 22A, 22B)**
Date:	10/15/2015
Time:	10:50:31 AM
Vote Type:	Motion to Reconsider
Description:	An Ordinance authorizing the settlement of a lawsuit styled Anthony Ortega, et al v. City of San Antonio, Cause No. 2013-CI-15116 pending in the State District Court, Bexar County in the amount of $245,000.00 from the Self-Insured Liability Fund. [Martha G. Sepeda, Acting City Attorney]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Agenda Item:	**15 (in consent vote: 5, 6, 8, 9, 10, 11A, 11B, 12, 15, 16, 17, 18, 19, 20, 22A, 22B)**
Date:	10/15/2015
Time:	10:51:02 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the settlement of a lawsuit styled Anthony Ortega, et al v. City of San Antonio, Cause No. 2013-CI-15116 pending in the State District Court, Bexar County in the amount of $245,000.00 from the Self-Insured Liability Fund. [Martha G. Sepeda, Acting City Attorney]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x			x	
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				