

Mayor and Council Communication

DATE: 12/03/19

M&C FILE NUMBER: M&C 19-0341

LOG NAME: 12VILELA LAWSUIT

SUBJECT

Adopt Resolution Authorizing the City's Lawsuit Against Alexander Vilela in Tarrant County, Texas (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution authorizing the City Attorney's office to file a lawsuit against Alexander Vilela in Tarrant County, Texas.

DISCUSSION:

On October 18, 2017, a Fort Worth police officer, driving a City-owned patrol vehicle, was involved in a minor collision with a vehicle driven by Alexander Vilela in a gas station parking lot at the intersection of Trinity Boulevard and Precinct Line Road in northeast Fort Worth. Dash camera video from the police vehicle shows that Vilela's vehicle had been obscured from the officer's vision by a fence and that Vilela should have surrendered the right-of-way to the officer. Instead, Vilela pulled out in front of the officer leaving insufficient time for evasive action. This resulted in the collision between the two vehicles.

The officer was not injured in the accident, but the City-owned vehicle was damaged. The cost estimate to repair the City vehicle totaled \$4,731.88. Vilela, through his insurance agency, denies the City's demand for payment to cover this loss.

Accordingly, it is recommended that the City Council adopt the attached Resolution authorizing the filing of a lawsuit against Alexander Vilela in Tarrant County, Texas.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current operating budget, as appropriated, of the Risk Financing Fund.

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