

Mayor and Council Communication

DATE: 01/14/20

M&C FILE NUMBER: M&C 20-0010

LOG NAME: 14DAYLA OVIEDO SETTLEMENT

SUBJECT

Authorize Settlement of the Claims of Dayla Oviedo Related to the Lawsuit entitled Dayla Oviedo v. City of Fort Worth, No. 348-304903-18, in the 348th District Court, Tarrant County, Texas and Authorize Execution of Releases and Agreement Necessary to Complete the Settlement (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that the Mayor & City Council:

1. Approve the below-described settlement of the referenced claim and authorize payment of a total of \$249,000.00 to Dayla Oviedo and her attorneys, Chalalki Law, PC for settlement of possible claims related to lawsuit styled Dayla Oviedo v. City of Fort Worth, No. 348-304903-18, in the 348th District Court, Tarrant County, Texas; and
 2. Authorize execution of releases and Agreements necessary to complete the settlement.
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DISCUSSION:

This case arises out of a multi-vehicle automobile accident involving a City of Fort Worth water truck on December 16, 2016 at the 900 block of Alta Mere Drive. The plaintiff suffered injuries to her neck and back resulting in extensive medical treatment including anterior cervical discectomy and fusion. The plaintiff incurred medical bills that came to \$470,858.42. An agreement has been reached to settle Dayla Oviedo case for \$249,000.00 subject to City Council approval.

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 upon approval of the recommendations, funds are available in the current operating budget, as appropriated, in the Risk Financing Fund and that, prior to an expenditure being incurred, the Human Resources Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Jay Chapa 5804

Originating Business Unit Head: Brian Dickerson 7783

Additional Information Contact: Brian Dickerson 7783