REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: An Ordinance approving and authorizing the execution of a Compromise, Settlement and Release Agreement *(the Agreement)* between Freddie Offord and the City of Houston to settle a lawsuit, and approving and authorizing the sum of $225,000.00 out of the Property and Casualty Fund for the purpose of funding this Agreement.	**Category #**	**Page 1 of 1**	**Agenda Item #**
FROM: (Department or other point of origin): Legal Department	**Origination Date**		**Agenda Date**
DIRECTOR'S SIGNATURE: Ronald C. Lewis, City Attorney	**Council Districts affected:** All		
For additional information contact: Brian A. Amis, Assistant City Attorney **Phone:** (832) 393-6464	**Date and identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary)

That Council adopts an ordinance approving and authorizing the execution of a Compromise, Settlement and Release Agreement *(the Agreement)* between Freddie Offord and the City of Houston to settle a lawsuit, and approving and authorizing the sum of $225,000.00 out of the Property and Casualty Fund for the purpose of funding this Agreement.

AMOUNT AND SOURCE OF FUNDING: $225,000.00-Property and Casualty Fund (1004)	**Budget:**

SPECIFIC EXPLANATION:

FOR SETTLEMENT PURPOSES ONLY

CLAIM: On or about December 21, 2011, Freddie Offord was involved in a motor vehicle accident with Craig Nickerson, a City of Houston employee. Mr. Nickerson was driving a City of Houston vehicle that struck Mr. Offord's vehicle as he entered the intersection. Mr. Offord claims to have suffered injuries as a result of the accident and further claims that the accident was Houston's fault.

As a result of the accident, Offord brought a lawsuit in Cause No. 2013-49769; *Freddie Offord v. City of Houston*; in the 270th Judicial District Court of Harris County, Texas. Mr. Offord has retained the services of Scott Webre, APLC to represent his legal interests in the lawsuit. Offord, Scott Webre APLC and Houston VA Medical Center on behalf of the Department of Veterans Affairs as Offord worker's compensation carrier, have offered to settle the claim and worker's compensation lien for the total sum of $225,000.00.

After a thorough review, the Legal Department recommends that Council adopts an ordinance approving and authorizing the sum of $225,000.00 and approving and authorizing the execution of a settlement between Freddie Offord and the City of Houston of which $219,421.36 is to be made payable jointly to Freddie Offord and his attorney, Scott Webre APLC, and $5,578.64 made payable to Houston VA Medical Center on behalf of the Department of Veterans Affairs

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**