



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 10/23/2018

ALL

Item Creation Date: 10/9/2018

LGL-Lawsuit Settlement-Watson v. City of Houston

Agenda Item#: 23.

Summary:

AN ORDINANCE APPROVING AND AUTHORIZING A SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE CITY OF HOUSTON, FELIPE GALLEGOS, JR., RICARDO EDUARDO PEREZ AND NICOLAS WATSON (USDC CIVIL ACTION 4:15-CV-1300) TO SETTLE A LAWSUIT; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

Background:

On or about May 14, 2015, Plaintiff filed his lawsuit entitled *Nicolas Watson v. City of Houston, Felipe Gallegos, Jr., Individually and Ricardo Eduardo Perez, Individually*, under the cause number 4:15-cv-1300 in the United States District Court for the Southern District of Texas, Houston Division. Plaintiff claimed that his civil and constitutional rights were violated by City Defendants due to the alleged use of excessive force to detain him during a burglary of habitation investigation on or about August 6, 2013.

The parties participated in court-ordered mediation. The City Attorney recommends that City Council adopt an ordinance approving and authorizing the compromise, settlement and release of Plaintiff's claims against the City Defendants by issuing a check to Nicolas Watson and his attorneys, Randall L. Kallinen and Jeralynn Manor, in the amount of \$200,000 in exchange for full and final release, settlement and indemnify agreement.

Fiscal Note: Funding for this item is included in the FY19 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

Amount of Funding:

\$200,000.00 – Property and Casualty Fund (Fund 1004)

Contact Information:

Don Fleming, Section Chief of LECR: 832-393-6303

Jim Butt, Sr. Assistant City Attorney: 832-393-6320

ATTACHMENTS:

Description

Type

RCA (Coversheet) Watson Settlement

Signed Cover sheet

Funds Reservation Form-Watson Settlement

Signed Cover sheet

Budget Funding Information Request-Watson Settlement

Signed Cover sheet

W9-Watson Settlement

Signed Cover sheet

Settlement & Release Agreement-Watson

Signed Cover sheet

ORD-Watson Settlement

Signed Cover sheet