



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/4/2018

District E

Item Creation Date:

LGL - Cause No.: 1057740; Southwestern Bell Telephone Company v. City of Houston; In the County Civil Court at Law, Number Two (2), Harris County, Texas

Agenda Item#: 26.

Summary:

That Council adopt an ordinance approving and authorizing a Compromise and Settlement Agreement (CSA) between and Southwestern Bell Telephone Company (SWB) and the City of Houston in the amount of \$90,000.00 to settle a lawsuit.

Background:

On March 12, 2013, a City crew operating a backhoe allegedly damaged SWB's underground communication cables. SWB commenced litigation to recover alleged damages for repair costs to the cables. The lawsuit was tried to a jury verdict and the jury awarded Southwestern Bell Telephone Company \$140,762.98 in damages. The City appealed. The First Court of Appeals reversed and remanded the case to the trial court for retrial. SWB has agreed to settle the dispute for \$90,000.00.

Funding for this item is included in the FY2019 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. 2014-1078.

Ronald C. Lewis, City Attorney

Prior Council Action:

None

Amount of Funding:

\$90,000.00 Property & Casualty Fund (1004)

Contact Information:

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Judith Ramsey.....832-393-6468

ATTACHMENTS:

Description

- Budget Funding Information
- Fund Reservation Req Form
- CSA
- Ordinance

Type

- Budget/CM Amendment
- Budget/CM Amendment
- Backup Material
- Ordinance/Resolution/Motion