

ORDINANCE

2020-10-08-0736

**APPROVING THE SETTLEMENT OF A LAWSUIT STYLED JOHN BRUBECK V. CITY OF SAN ANTONIO, CAUSE NO. 2019-CI-111545 PENDING IN THE 73<sup>RD</sup> JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS IN THE AMOUNT OF \$206,000.00.**

\* \* \* \* \*

**WHEREAS**, an auto accident occurred on September 7, 2018 near the Highway 90 exit ramp for South Zarcamora involving a vehicle driven by John Brubeck and a City owned vehicle being operated by an employee of the City's Solid Waste Management Department; and

**WHEREAS**, as a result of this accident, John Brubeck suffered injuries, incurred medical expenses and is seeking to recover damages; and

**WHEREAS**, although the City of San Antonio has vigorously contested this matter, it is in the City's best interest to settle this matter to avoid the uncertainties and risks associated with further litigation; and

**WHEREAS**, the parties have reached an agreement to settle the claims of Mr. Brubeck in the amount of \$206,000.00 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE:**

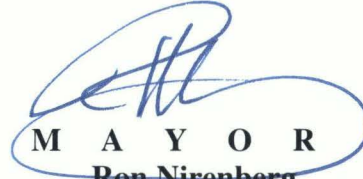
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The amount of \$206,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 7509020001 Risk Management-Liability, and is authorized to be made payable as follows: \$206,000.00 will be paid to plaintiff John Brubeck and his attorney of record as settlement of Cause Number 2019-CI-111545 styled John Brubeck v. City of San Antonio.


**SECTION 2.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 3.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

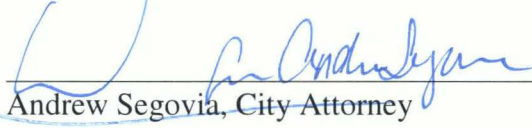
**PASSED AND APPROVED** this 8<sup>th</sup> day of October, 2020.

  
**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

  
\_\_\_\_\_  
Tina J. Flores, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Andrew Segovia, City Attorney



## City of San Antonio

### City Council

October 08, 2020

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**Item: 13**

**Enactment Number:**

**File Number: 20-5814**

**2020-10-08-0736**

Ordinance approving the settlement of litigation styled John Brubeck v. City of San Antonio in the amount of \$206,000.00 payable from the Self-Insurance Liability Fund. [Andy Segovia, City Attorney]

Councilmember Roberto C. Treviño made a motion to approve. Councilmember Adriana Rocha Garcia seconded the motion. The motion passed by the following vote:

**Aye:** 10 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia,  
Gonzales, Cabello Havrda, Sandoval, Pelaez and Courage

**Absent:** 1 Perry