

ORDINANCE 2019-10-17-0852

APPROVING THE SETTLEMENT OF A LAWSUIT STYLED SIMMS V. CITY OF SAN ANTONIO, CAUSE NUMBER 5:18-CV-00211-DAE, PENDING IN U.S. DISTRICT COURT OF THE WESTERN DISTRICT OF TEXAS, IN THE AMOUNT OF \$205,000.00.

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WHEREAS, Natalie D. Simms claims damages as a result of an interaction with a San Antonio Police Officer on August 8, 2016; and

WHEREAS, as a result of this interaction, Ms. Natalie D. Simms 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 a mutual agreement to settle the claims of Ms. Natalie D. Simms for the amount of \$205,000.00 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE:**

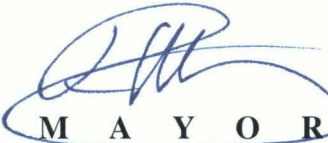
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The amount of \$205,000.00 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: \$205,000.00 will be paid to plaintiff Natalie D. Simms, and her attorney of record; and as settlement of Cause Number 5:18-CV-00211-DAE styled Simms 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.

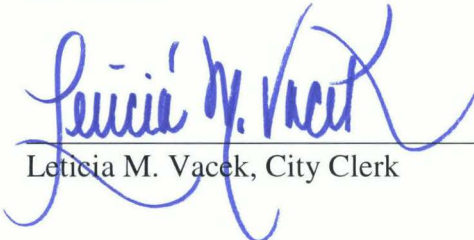
SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 17th day of October, 2019.




M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	16 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22A, 22B, 23A, 23B, 23C)
Date:	10/17/2019
Time:	10:17:53 AM
Vote Type:	Motion to Approve
Description:	Ordinance approving the settlement of a lawsuit styled Natalie D. Simms v. City of San Antonio, et al; Case Number 5:18-CV-00211-DAE, pending in U.S. District Court for the Western District of Texas in the amount of \$205,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
Jada Andrews-Sullivan	District 2		x			x	
Rebecca Viagran	District 3		x				
Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				