

ORDINANCE

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

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WHEREAS, an auto accident occurred on September 7, 2018 near the Highway 90 exit ramp for South Zarzamora 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.

MK/DK
10/08/2020
Item No. xx

PASSED AND APPROVED this 8th day of October, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney