

ORDINANCE 2019-02-21-0143

**APPROVING THE SETTLEMENT OF A LAWSUIT STYLED JOHN MCJILTON VS. CITY OF SAN ANTONIO, CAUSE NUMBER 2017-CI-14721, PENDING IN 45<sup>TH</sup> JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS IN THE AMOUNT OF \$95,000.00**

\* \* \* \* \*

**WHEREAS**, an accident occurred on August 22, 2015 on Bulverde Road involving a bicycle being operated by John McJilton and a City owned vehicle being operated by an employee of the Development Services Department; and

**WHEREAS**, as a result of this accident, Mr. McJilton 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 a mutual agreement to settle the claims of John McJilton for the amount of \$95,000.00 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE:**

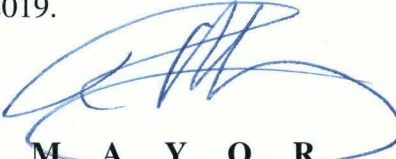
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The amount of \$95,000.00 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: \$95,000.00 will be paid to plaintiff John McJilton, and his attorney of record; and as settlement of Cause Number 2017-CI-14721 styled John McJilton 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.

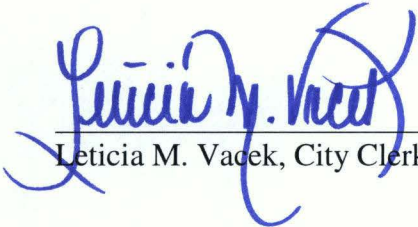
**SECTION 3.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this 21<sup>st</sup> day of February, 2019.



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

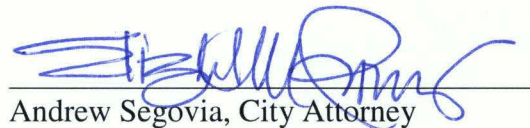
**ATTEST:**



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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



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for Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>19 ( in consent vote: 4, 6, 7, 8, 10A, 10B, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 26 )</b>						
<b>Date:</b>	02/21/2019						
<b>Time:</b>	09:38:53 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	Ordinance approving the settlement of a lawsuit styled John McJilton v. City of San Antonio, et al.; Cause Number 2017-CI-14721, pending in 45th Judicial District Court, Bexar County, Texas in the amount of \$95,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Art A. Hall	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	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				