



City of San Antonio

Agenda Memorandum

File Number: 16-5447

Agenda Item Number: 16.

Agenda Date: 10/20/2016

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Andrew Segovia

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of Babe Anderson v. City of San Antonio

SUMMARY:

This item authorizes the \$75,000.00 settlement of a lawsuit styled Babe Anderson vs. City of San Antonio pending in the 45th Judicial District Court, in Bexar County, Texas, Cause Number 2015-CI-12803. The settlement will be paid from the Self-Insurance Liability Fund.

BACKGROUND INFORMATION:

Plaintiff Babe Anderson is seeking damages for personal injuries that occurred when he was struck by a Solid Waste truck while crossing the street at the 600 block of General McMullen, after exiting a VIA bus. The parties have reached a mutual agreement to settle all claims for the amount of \$75,000.00 payable from the Self-Insurance Liability Fund.

ISSUE:

Settlements over \$50,000 require City Council approval.

ALTERNATIVES:

If this settlement is not approved by the City Council, this case will proceed to a jury trial. It is in the best interest of the City to settle this matter to avoid the uncertainties and risks associated with litigation in a case of disputed damages.

FISCAL IMPACT:

If approved, \$75,000.00 will be paid to Babe Anderson and Jim S. Adler and Associates. This will be funded in accordance with the Adopted FY 2017 Liability Fund Budget.

RECOMMENDATION:

Staff recommends approval of this Ordinance.