



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2065  
**Type:** Misc - Settlement Agreements  
**In control:** City Council A Session

**On agenda:** 2/21/2019

**Title:** 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]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 2019-02-21-0143

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** City Attorney's Office

**DEPARTMENT HEAD:** Andrew Segovia

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Settlement of a lawsuit styled *John McJilton v. City of San Antonio, et al.*

**SUMMARY:**

This item authorizes the settlement of a lawsuit styled *John McJilton v. City of San Antonio, et al.*; Cause Number 2017-CI-14721, pending in 45<sup>th</sup> Judicial District Court, Bexar County, Texas in the amount of \$95,000.00. This amount will be paid from the Self-Insurance Liability Fund.

**BACKGROUND INFORMATION:**

John McJilton is seeking damages from an accident that occurred on August 22, 2015 in the 21100 Bulverde Road in San Antonio involving a bicycle being operated by Mr. McJilton and a City owned vehicle.

The parties have reached a mutual agreement to settle these claims with payment to Mr. McJilton in the amount of \$95,000.00, subject to City Council Approval. This amount would be paid 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, \$95,000.00 will be paid to John McJilton and his attorney Taylor Harper, Ketterman, Westlund and Rowland. This will be funded in accordance with the FY 2019 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.