



City of San Antonio

Legislation Details (With Text)

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| File #: | 20-7135 |
| Type: | Misc - Settlement Agreements |
| In control: | City Council A Session |
| On agenda: | 12/10/2020 |
| Title: | Ordinance approving the settlement of a lawsuit styled Alex Garcia v. City of San Antonio, Cause Number 2018-CI-15095 pending in the 57th District County, Bexar County, Texas, in an amount of \$215,000.00 payable from the Self Insured Liability Fund. [Andy Segovia, City Attorney] |
| Sponsors: | |
| Indexes: | |
| Code sections: | |
| Attachments: | 1. Draft Ordinance |

| Date | Ver. | Action By | Action | Result |
|------------|------|------------------------|--------|--------|
| 12/10/2020 | 1 | City Council A Session | | |

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Andy Segovia, City Attorney

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Settlement of litigation styled *Alex Garcia v. City of San Antonio*

SUMMARY:

This item will approve the settlement of a lawsuit styled *Alex Garcia v. City of San Antonio*, Cause Number 2018-CI-15095 pending in the 57th District County, Bexar County, Texas, in an amount of \$215,000.00. This settlement will be funded from the Self Insured Liability Fund.

BACKGROUND INFORMATION:

On November 14, 2016, an auto accident occurred on westbound IH-10 near the Laredo Street exit when a City owned vehicle being operated by an employee of the Animal Care Services Department collided with a vehicle being driven by Plaintiff Alex Garcia. Mr. Garcia suffered injuries, incurred medical expenses and is seeking to recover damages from the City.

The parties have agreed to settle the claims of Mr. Garcia for \$215,000.00, subject to City Council approval. The funds are available from the FY 2021 Liability Fund Adopted Budget.

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.

FISCAL IMPACT:

If approved, \$215,000.00 will be paid to Alex Garcia and attorney of record Davis Law Firm. This will be funded in accordance with the FY 2021 Liability Fund Adopted Budget.

RECOMMENDATION:

Staff recommends approval of this item.