



City of San Antonio

Agenda Memorandum

File Number:15-5641

Agenda Item Number: 18.

Agenda Date: 10/29/2015

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Martha G. Sepeda, Acting City Attorney

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of litigation styled *Esmeralda Trevino v. City of San Antonio*

SUMMARY:

This item would authorize the settlement of *Esmeralda Trevino v. City of San Antonio* Cause No. 2013-CI-16646 pending in the 224th Judicial District, Bexar County, Texas in an amount of \$100,000.00 paid from the Self-Insurance Liability Fund.

BACKGROUND INFORMATION:

This matter involves a motor vehicle accident that occurred on October 4, 2011 at the intersection Alamo Street and Probandt Street in San Antonio, Texas. At that time, a City vehicle driven by City employee Rebecca Lopez struck a privately owned vehicle being driven by Esmeralda Trevino.

Ms. Trevino claims to have been injured in the accident, incurred medical expenses and lost wages as a result of this accident.

The parties have reached an agreement to settle this matter for \$100,000.00 subject to City Council approval.

ISSUE:

Settlements over \$50,000.00 must be approved by City Council.

ALTERNATIVES:

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

FISCAL IMPACT:

If approved, the \$100,000.00 settlement amount will be paid to Esmeralda Trevino and her attorney of record. This will be funded in accordance with the Adopted FY 2016 Liability Fund Budget.

RECOMMENDATION:

Staff recommends approval of this Ordinance.