



# City of San Antonio

## Agenda Memorandum

**File Number:**17-5171

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**Agenda Item Number:** 32.

**Agenda Date:** 9/21/2017

**In Control:** City Council A Session

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**DEPARTMENT:** City Attorney's Office

**DEPARTMENT HEAD:** Andrew Segovia

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Settlement of *Jose Samaniego v. City of San Antonio*

**SUMMARY:**

This item authorizes the settlement of a lawsuit styled *Jose Samaniego v. City of San Antonio*; Cause Number 2016 -CI-02552 pending in the 438<sup>th</sup> Judicial District, Bexar County, Texas in the amount of \$120,000.00 paid from the Self-Insurance Liability Fund.

**BACKGROUND INFORMATION:**

Jose Samaniego is seeking damages as a result of a motor vehicle accident that occurred on July 25, 2014 in the 6200 block of Old Pearsall Road in San Antonio involving a City vehicle and a vehicle being operated by Jose Samaniego.

The parties have reached a mutual agreement to settle these claims including payment to Mr. Samaniego in the amount of \$120,000.00, 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, \$120,000.00 will be paid to Jose Samaniego and his attorney of record. This will be funded in accordance with the FY 2017 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance.