



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4966

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**Agenda Item Number:** 19.

**Agenda Date:** 8/30/2018

**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 a lawsuit styled *Cynthia Harris v. City of San Antonio*

### **SUMMARY:**

This item authorizes the settlement of a lawsuit styled *Cynthia Harris v. City of San Antonio*; Cause Number 2016-CI-01863, pending in 288<sup>th</sup> Judicial District Court, Bexar County, Texas in the amount of \$130,000.00 paid from the Self-Insurance Liability Fund.

### **BACKGROUND INFORMATION:**

Cynthia Harris is seeking damages as a result of a fall that occurred on April 22, 2014 in the elevator lobby at the city-owned parking garage at the corner of St. Mary's Street and Travis Street in San Antonio.

The parties have reached a mutual agreement to settle these claims including payment to Ms. Harris in the amount of \$130,000.00, 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, \$130,000.00 will be paid to Cynthia Harris and her attorney of record. This will be funded in accordance with the FY 2018 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.