



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4968

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**Agenda Item Number:** 21.

**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 *Tracy Ann Carter, et al v. City of San Antonio, et al*

### **SUMMARY:**

This item authorizes the settlement of a lawsuit styled *Tracy Ann Carter, et al v. City of San Antonio, et al*; Cause Number 2017-CI-21176, pending in 150<sup>th</sup> Judicial District Court, Bexar County, Texas in the amount of \$225,000.00 paid from the Self-Insurance Liability Fund.

### **BACKGROUND INFORMATION:**

Tracy Ann Carter, Individually and as representative of the estate of Josephine Carter, Deceased and Paul Allen Carter are ~~Cynthia Harris~~ *is (corrected August 29, 2018)* seeking damages as a result of an auto accident that occurred on July 4, 2017 in San Antonio.

The parties have reached a mutual agreement to settle these claims including payment to Ms. Rodriguez in the amount of \$225,000.00, 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, \$225,000.00 will be paid to Tracy Ann Carter, et al and their attorney of record. This will be funded in accordance with the FY 2018 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.