



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-7562

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**Agenda Item Number:** 16.

**Agenda Date:** 10/17/2019

**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 *Simms v. City of San Antonio, et al.*

### **SUMMARY:**

This item authorizes the settlement of a lawsuit styled *Natalie D. Simms v. City of San Antonio, et al.*; Case Number 5:18-CV-00211-DAE pending in U.S. District Court for the Western District of Texas in the amount of \$205,000.00. This amount will be paid from the Self-Insurance Liability Fund.

### **BACKGROUND INFORMATION:**

Natalie Simms claims damages as a result of an interaction with a San Antonio Police Officer on August 8, 2016. Ms. Simms claims to have sustained \_\_\_\_\_ (injury)

The parties have reached an agreement to settle all claims by Ms. Simms, subject to City Council approval.

### **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, \$205,000 will be paid to Natalie D. Simms and her attorney of record, Dean Malone. This will be funded in accordance with the FY 2020 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.