



# City of San Antonio

## Agenda Memorandum

**File Number:**19-8108

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**Agenda Item Number:** 22.

**Agenda Date:** 11/7/2019

**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 *Dianna L. Cross v. City of San Antonio*

### **SUMMARY:**

This item authorizes the settlement of a lawsuit styled *Dianna L. Cross v. City of San Antonio*; Cause Number 2016-CI-01978, pending in 408<sup>th</sup> Judicial District Court, Bexar County, Texas in the total amount of \$100,000.00. This amount will be paid from the Self-Insurance Liability Fund.

### **BACKGROUND INFORMATION:**

Dianna L. Cross is seeking damages from an auto accident that occurred on April 15, 2014 on Interstate Highway 410 near Perrin-Bietel in San Antonio. The accident involved an auto being operated by Dianna L. Cross and a City owned vehicle.

The parties have reached a mutual agreement to settle these claims with payment of \$100,000 to Dianna Cross, 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, \$100,000.00 will be paid to Dianna L. Cross and her attorney Raul Rios. This will be funded in accordance with the FY 2020 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.