



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 31

**Agenda Date:** August 29, 2024

**In Control:** City Council A Session

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**DEPARTMENT:** Office of the City Attorney

**DEPARTMENT HEAD:** Andy Segovia

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Settlement of a claim in the matter styled Christopher Gutierrez v. City of San Antonio, in the amount of \$185,000.00 to Christopher Gutierrez

**SUMMARY:**

This Ordinance authorizes a settlement of a state lawsuit styled Christopher Gutierrez v. City of San Antonio, in the 408th Judicial District Court, Bexar County, Texas, Cause No. 2022CI02629 for the amount of \$185,000.00 to Christopher Gutierrez. This settlement will be funded from the Self-Insured Liability Fund.

**BACKGROUND INFORMATION:**

On January 14, 2021, at the intersection San Pedro and Audubon, a SWMD vehicle collided with Plaintiff's vehicle. Plaintiff alleges he suffered injuries as a result of the accident, requiring medical attention, to include surgery.

The parties have agreed to settle Christopher Gutierrez' claims for \$185,000.00, subject to City Council approval. The funds are available from the FY 2024 Liability Fund Adopted Budget.

Trial of this case has been postponed pending consideration of this settlement.

**ISSUE:**

Settlements over \$100,000 require City Council approval.

**ALTERNATIVES:**

If this settlement agreement is not approved by the City Council, the case will proceed to trial. It is in the best interest of the City to settle this matter to avoid the uncertainty and risks associated with litigation.

**FISCAL IMPACT:**

If the settlement is approved, \$185,000.00 will be paid by way of check, payable to Christopher Gutierrez and Joseph R. Corteguera, Nava Law Group, P.C.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance.