

ORDINANCE

APPROVING THE SETTLEMENT OF LITIGATION STYLED: *TYSHELL KLINEDINST AND NECOA BAKER V. CITY OF SAN ANTONIO*; CAUSE NO. 2021CI11423, IN A TOTAL AMOUNT OF \$200,000 AND \$160,000.

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WHEREAS, an auto accident occurred on May 13, 2020 at the intersection of Rigsby Ave. and WW White Rd., involving a City owned vehicle operated by an employee of the San Antonio Public Works Department and a vehicle driven by Plaintiff Tyshell Klinedinst with Plaintiff passenger Neco Baker; and

WHEREAS, as a result of this accident, Tyshell Klinedinst and Neco Baker both allege they suffered injuries and incurred medical expenses, and have filed suit seeking to recover damages; and

WHEREAS, although the City of San Antonio has vigorously contested this matter, it is in the City's best interest to settle this matter to avoid the uncertainties and risks associated with further litigation; and

WHEREAS, the parties have reached an agreement to settle the claims of Tyshell Klinedinst in the amount of \$200,000 and the claims of Neco Baker in the amount of \$160,000 payable from the Self-Insurance Liability Fund subject to City Council approval; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The amount of \$200,000 and the amount of \$160,000 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 7509020001 Risk Management-Liability, and is authorized to be made payable as follows: \$200,000 will be paid to *TYSHELL KLINEDINST AND THE DAVIS LAW FIRM* and \$160,000 will be paid to *NECOA BAKER AND THE DAVIS LAW FIRM*, in settlement of Cause Number 2021CI11423 styled *Tyshell Klinedinst and Neco Baker v. City of San Antonio*.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of September, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney