

ORDINANCE

APPROVING THE SETTLEMENT OF LITIGATION STYLED *PATTON ZARATE V. CITY OF SAN ANTONIO*; CAUSE NO. 2023CV04761, IN A TOTAL AMOUNT OF \$120,000.00.

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WHEREAS, an auto accident occurred on June 10, 2023, as Plaintiff Patton Zarate was stopped in his car at the intersection of Baywater Drive and Babcock Drive. Plaintiff was unable to see approaching traffic at the stop sign because his view was obscured by tall grass and weeds in the City of San Antonio's drainage easement. He pulled out into the street and was struck by another vehicle in the cross traffic.

WHEREAS, as a result of this accident, Patton Zarate alleges he suffered injuries and incurred medical expenses, and has 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 Patton Zarate in the amount of \$120,000 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 \$120,000.00 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: \$120,000.00 will be paid by way of a check to: Patton Zarate and Watkins and Shattles, PLLC.

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.

EF
_____, 2024
Item No. _____

PASSED AND APPROVED this _____ day of November, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney