



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 21

**Agenda Date:** September 12, 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 Agreement

**SUMMARY:**

This Ordinance authorizes a settlement of a state lawsuit styled Tyshell Klinedinst & Neco Baker v. City of San Antonio, in the 73rd Judicial District Court, Bexar County, Texas, Cause No. 2021CI11423 for the amount of \$200,000.00 payable to Tyshell Klinedinst and \$160,000.00 payable to Neco Baker.

**BACKGROUND INFORMATION:**

On May 13, 2020, a City of San Antonio Public Works Department vehicle operated by employee Aaron Tyler was involved in a collision with a vehicle driven by Tyshell Klinedinst with front seat passenger Neco Baker. Ms. Klinedinst and Ms. Baker allege they suffered injuries as a result of the accident, requiring medical attention.

This case is set for Jury Trial on September 23, 2024.

**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, \$200,000.00 will be paid to Tyshell Klinedinst and The Davis Law Firm and \$160,000.00 will be paid to Necoa Baker and The Davis Law Firm, from the Self Insurance Fund. 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-General Liability Fund.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance.