



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 20

Agenda Date: August 17, 2023

In Control: City Council A Session

DEPARTMENT: Office of the City Attorney

DEPARTMENT HEAD: Andy Segovia

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Settlement of Claim

SUMMARY:

This Ordinance authorizes a settlement of a motor vehicle accident claim filed on behalf of Diana Galvan arising from a motor vehicle accident involving a City vehicle for the amount of \$61,828.65.

BACKGROUND INFORMATION:

On January 13, 2023, an SAPD patrol vehicle operated by Officer Brandyn William Griffin was involved in a collision with a vehicle driven by Diana Galvan. Ms. Galvan alleges her 2022 Cadillac Escalade was totaled as a result of the accident.

ISSUE:

Under the Texas Tort Claims Act, a municipality may be held liable for personal injury caused by a condition or use of tangible personal property, but recovery is limited to \$250,000.

ALTERNATIVES:

If this settlement agreement is not approved by the City Council, claimant will file litigation against the City. 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, \$61,828.65 will be paid to Kemper Insurance Company, from the Self Insurance Fund.

RECOMMENDATION:

Staff recommends approval of this ordinance.