



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5448  
**Type:** Misc - Settlement Agreements  
**In control:** City Council A Session  
**On agenda:** 10/5/2017  
**Title:** An Ordinance authorizing the settlement of litigation styled Thomas Mathieu v. City of San Antonio, Texas, et al, Civil Action No. 5:15-CV-474 pending in the United States District Court, Western District of Texas, San Antonio Division in the amount of \$225,000.00. [Andrew Segovia, City Attorney]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ordinance 2017-10-05-0758

Date	Ver.	Action By	Action	Result
10/5/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** City Attorney's Office

**DEPARTMENT HEAD:** Andrew Segovia

**COUNCIL DISTRICTS IMPACTED:** City Wide

### SUBJECT:

Settlement of litigation in *Thomas Mathieu vs. City of San Antonio, et al*

### SUMMARY:

This item authorizes the settlement of a lawsuit styled *Thomas Mathieu v. City of San Antonio, et al*; Civil Action Number Civil Action No. 5:15-CV-474 pending in the United States District Court, Western District of Texas, San Antonio Division in the amount of \$225,000.00 paid from the Self-Insurance Liability Fund.

### BACKGROUND INFORMATION:

Mr. Mathieu filed a lawsuit against the City of San Antonio alleging civil rights violations arising out of events that occurred on January 13, 2014 in San Antonio. Mr. Mathieu incurred medical expenses.

The parties have reached a mutual agreement to settle these claims including payment to Mr. Mathieu and his

attorney of record in the amount of \$225,000.00, subject to City Council Approval. This amount would be paid from the Self-Insurance Liability Fund.

**ISSUE:**

Settlements over \$50,000 require City Council approval.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

If approved, \$225,000.00 will be paid to Thomas Mathieu and his attorney of record. This will be funded in accordance with the FY 2018 Liability Fund Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this item.