



City of San Antonio

Agenda Memorandum

File Number:17-5448

Agenda Item Number: 19.

Agenda Date: 10/5/2017

In Control: City Council A Session

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.