



City of San Antonio

Agenda Memorandum

File Number:20-4788

Agenda Item Number: 28.

Agenda Date: 8/20/2020

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Andy Segovia, City Attorney

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Resolution of claims relating to the Servicemembers Civil Relief Act.

SUMMARY:

This item will authorize the City Attorney to enter into a proposed Consent Decree with the Department of Justice for claims relating to the Servicemembers Civil Relief Act.

BACKGROUND INFORMATION:

The U.S. Department of Justice notified the City in October 2017 of possible claims arising from the impoundment, storage and auction of vehicles that may have been covered by the Servicemembers Civil Relief Act (SCRA). The City has cooperated with the Department of Justice (DOJ) on the claims.

The City and the DOJ have negotiated terms of a Consent Decree that would, among other things, resolve any outstanding claims, develop policies and procedures in compliance with the SCRA, implement additional training and include a civil penalty the City will pay to the DOJ.

ISSUE:

City Council approval is needed to enter into a Consent Decree with the Department of Justice in this matter.

ALTERNATIVES:

None

FISCAL IMPACT:

If approved, the City would pay \$47,000 for identified claims, create a settlement fund in the amount of \$150,000 for additional claims and pay a civil penalty of \$62,029. This would be funded through the FY 2020 Self-Insured Liability Fund.

RECOMMENDATION:

Staff recommends approval of this item.