



City of San Antonio

Agenda Memorandum

File Number:15-2428

Agenda Item Number: 28.

Agenda Date: 4/9/2015

In Control: City Council A Session

DEPARTMENT: City Attorney's Office

DEPARTMENT HEAD: Martha G. Sepeda, Acting City Attorney

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Settlement of a lawsuit styled *Jane Doe vs. City of San Antonio, et al*

SUMMARY:

This item approves the settlement of a lawsuit styled *Jane Doe vs. City of San Antonio, et al*, Civil Action Number Civil Action Number SA-14-CV-00102-XR pending in the U.S. District Court, Western District of Texas, San Antonio Division in the amount of \$500,000.00.

BACKGROUND INFORMATION:

Plaintiff, Jane Doe, filed a lawsuit against the City of San Antonio alleging her civil rights were violated by on-duty Patrol Officer Jackie Neal during a traffic stop that occurred on November 22, 2013. Patrol Officer Neal was indefinitely suspended, without pay, from his position as a San Antonio Police Officer and is facing criminal charges in Bexar County.

It is in the City's best interest to settle this matter to avoid the uncertainty and risks associated with further litigation.

The City and Plaintiff have mediated this matter and have reached an agreement to settle this lawsuit against the City and former Chief William McManus for \$500,000 subject to City Council approval.

ISSUE:

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

ALTERNATIVES:

If this settlement agreement is not approved by City Council, the case will proceed to trial. It is in the best interest of the City to settle this matter against the City and former Chief McManus to avoid the uncertainties and risks associated with continued litigation.

FISCAL IMPACT:

If approved by City Council, the \$500,000 settlement will be funded in accordance with the FY 2015 Liability Fund Budget.

RECOMMENDATION:

Staff recommends approval of this item.