

AN ORDINANCE 2009-05-14-0396

AUTHORIZING A SETTLEMENT IN THE AMOUNT OF \$250,000.00 IN THE CASE STYLED *DORA ARNOLD V. CITY OF SAN ANTONIO, WILLIAM MCMANUS AS CHIEF OF POLICE OF THE SAN ANTONIO POLICE DEPARTMENT, AND RUBEN SAENZ, CIVIL ACTION NO. SA-07-CV-0877 IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION*

* * * * *

WHEREAS, the Plaintiff, Dora Arnold, filed a lawsuit against the City of San Antonio for violations of her civil rights arising from a traffic stop; and,

WHEREAS, it is in the best interest of the City of San Antonio to settle this matter and avoid the uncertainties and risks associated with a jury trial; and,

WHEREAS, the parties have reached a settlement agreement for the amount of \$250,000.00, contingent upon City Council approval; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

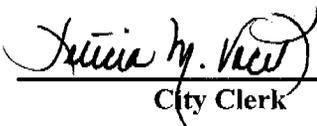
SECTION 1: The amount of \$250,000.00 is authorized to be paid from Fund 75001000, Insurance Reserve Fund, General Ledger 5402530 General Liability Claims, Cost Center 1009020001 Risk Management-Liability, and is authorized to be made payable as follows: \$107,611.02 will be paid to Plaintiff, Dora Arnold; and \$142,388.98 will be paid to the Clerk of the Court for the United States District Court of Texas on behalf of her attorneys, the Law Offices of David McQuade Leibowitz, P.C as settlement of Civil Action No. SA-07-CV-0877; *Dora Arnold v. City of San Antonio, William McManus as Chief of Police of the San Antonio Police Department, and Ruben Saenz*; In the United States District Court, Western District of Texas, San Antonio Division.

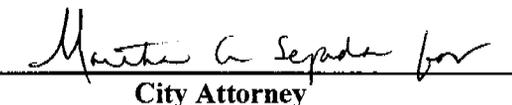
SECTION 2. The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts, cost centers, or fund numbers as necessary to carry out the purpose of this ordinance.

SECTION 3: This ordinance shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 14th day of May, 2009.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Item:	34 (in consent vote: 10, 12, 13, 14, 15A, 15B, 17, 19, 21, 22, 23, 27, 28, 29A, 29B, 31, 32, 33, 34, 35)						
Date:	05/14/2009						
Time:	05:56:40 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the settlement of a lawsuit styled Dora Arnold v. City of San Antonio, et al in in the United States District Court, Western District of Texas, San Antonio Division, Civil Action No. SA-07-CV-0877, for the amount of \$250,000.00. [Michael Bernard, City Attorney]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				x
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				