EG/dk
4/9/15
Item # 28

AN ORDINANCE 2015-04-09-0295

AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *JANE DOE v. CITY OF SAN ANTONIO, ET AL,* CIVIL ACTION NUMBER SA-14-CV-00102-XR, PENDING IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION, FOR PAYMENT IN THE AMOUNT OF $500,000.00.

* * * * *

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, it is in the City's best interest to settle this matter to avoid the uncertainty and risks associated with further litigation; and

WHEREAS, 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 $500,000.00 subject to City Council approval; **NOW THEREFORE:**

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

SECTION 1. Funding in the amount of $500,000.00 for this ordinance is available for Fund 75001000, Cost Center 0709020010 and General Ledger 5402530, as part of the Fiscal Year 2015 Budget.

SECTION 2. Payment in the amount of $500,000.00 is authorized to be made payable to Plaintiff and her attorney of record, Tim Maloney.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

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SECTION 4. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 9th day of April, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For
Martha G. Sepeda, Acting City Attorney

Agenda Item:	**28**
Date:	04/09/2015
Time:	10:50:29 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the settlement of a lawsuit styled Jane Doe vs. City of San Antonio, et al, 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. [Martha G. Sepeda, Acting City Attorney]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	