

AN ORDINANCE

97435

AUTHORIZING PAYMENT IN THE AMOUNT OF \$325,000.00 FOR THE FULL AND FINAL SETTLEMENT OF THE LAWSUIT STYLED JEFF KAPCHE V. CITY OF SAN ANTONIO, CAUSE NO. SA-CA-1215-EP, UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS.

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WHEREAS, the San Antonio Police Department did not hire the plaintiff, an individual with the physical impairment "insulin-treated diabetes mellitus," as a police cadet/police officer in 1994 relying on the per se rule approved by the Fifth Circuit; and

WHEREAS, the plaintiff alleges that the City discriminated against him in violation of the Americans With Disabilities Act and the Texas Commission on Human Rights Act; and

WHEREAS, the proposed settlement is reasonable and settlement of the disputed claims without any admission of liability is in the best interest of the City; and

WHEREAS, the plaintiff has agreed to accept \$325,000.00 from the City as full and final settlement of this lawsuit; **NOW THEREFORE:**

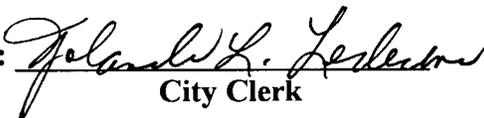
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Payment in the amount of \$325,000.00 is hereby authorized to be made as full and final settlement of the lawsuit styled Jeff Kapche v. City of San Antonio, Cause No. SA-CA-1215-EP, United States District Court, Western District of Texas, from 75-001000, Insurance Reserve Program, in Index Code 690529, entitled Cambridge Claims, in accordance with the Settlement Agreement.

SECTION 2. This ordinance shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 10th day of April, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney