



AGENDA MEMORANDUM

Future Item for the City Council Meeting of September 18, 2012
Action Item for the City Council Meeting of September 25, 2012

DATE: September 6, 2012
TO: Ronald L. Olson, City Manager
FROM: Floyd Simpson, Chief of Police
floyds@cctexas.com
886-2604

Motion approving the settlement agreement with the United States Department of Justice

CAPTION:

Motion authorizing the City Manager or his designee to approve the settlement agreement with the United States Department of Justice in Case No. 2:12-cv-00217, United States of America v. City of Corpus Christi, Texas, in the U.S. District Court, Southern District of Texas, Corpus Christi Division.

PURPOSE:

Council Approval is required for the execution of this settlement agreement.

BACKGROUND AND FINDINGS:

The United States Department of Justice determined that the City's use, since 2005, of a physical ability test to screen and select candidates for entry-level police officer positions had a disparate impact on women. It was also found that there was no evidence to show the test was job-related. Based on these findings, DOJ determined that 59 women were unfairly removed from the City's hiring process.

The City agrees to do the following under the settlement:

1. Stop using the physical ability test
2. Develop an alternative selection device
3. Hire 18 women out the eligible claimants within two hiring cycles
4. Create a settlement fund of \$700,000 to provide back pay to eligible claimants
5. Pay all federal, state, and/or local taxes or contributions that normally are paid by employers
6. Take the necessary steps to ensure individuals hired under the settlement are provided whole pensions.

ALTERNATIVES:

None

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Conforms to all city policies.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Finance

Legal

FINANCIAL IMPACT:

☐ Operating

☐ Revenue

☐ Capital

☐ Not applicable

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item		\$700,000		\$700,000
BALANCE		\$700,000		\$700,000

Fund(s):

Comments:**RECOMMENDATION:**

Staff recommends approval of the agreement.

LIST OF SUPPORTING DOCUMENTS:

None