

City of Fort Worth, Texas

# Mayor and Council Communication

DATE: 04/09/24 M&C FILE NUMBER: M&C 24-0263

LOG NAME: 12CRUTCHER SETTLEMENT

SUBJECT

(ALL) Authorize Settlement and Approve Appropriation Ordinance and Payment in the Total Amount of \$850,000.00 for Full and Final Settlement of All Claims Related to the Lawsuits Styled Trisa Crutcher v. City of Fort Worth, No. DC-20-16941 in the 193rd District Court Dallas County, Texas; and Trisa Crutcher v. City of Fort Worth, No. DC-23-04323, in the 193rd District Court, Dallas County, Texas

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize settlement and payment in the amount of \$850,000.00 to Trisa Crutcher and her attorney Christopher Medlenka, for full and final settlement of all claims related to the lawsuits styled Trisa Crutcher v. City of Fort Worth, No. DC-20-16941 in the 193rd District Court Dallas County, Texas; and Trisa Crutcher v. City of Fort Worth, No. DC-23-04323, in the 193rd District Court, Dallas County, Texas;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Risk Financing Fund in the amount of \$850,000.00, from available net position, for the purpose funding lawsuit expenses; and
3. Authorize the appropriate City personnel to execute all releases, agreements and court filings necessary to complete the settlement.

DISCUSSION:

Trisa Crutcher was previously a forensic scientist in the Fort Worth Police Department Crime Lab. In 2018 through 2021, Ms. Crutcher made a series of complaints about the operations of the Crime Lab to various entities, including some law enforcement agencies. She claimed that these complaints were reports of violations of law by City employees.

Ms. Crutcher filed a Texas Whistleblower Act lawsuit against the City in November 2020.

In March 2023, Ms. Crutcher filed her second whistleblower Act lawsuit against the City, claiming she was terminated in retaliation for making reports of violations of law.

The two lawsuits were consolidated and, as part of the Court’s scheduling order, the parties participated in mediation for both cases on February 15, 2024. Through the mediation process, the parties agreed to settle both cases for a total payment of \$850,000.00, which will include Ms. Crutcher’s full and final release of all claims against the City. That agreement is contingent on City Council approval.

Funding is available for appropriation from net position of the Risk Financing Fund. The beginning available net position balance is \$35,714,354.88. and after appropriation the new net position balance will be \$34,864,354.88.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available from net position of the Risk Financing Fund, and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, in the Risk Financing Fund. Prior to any expenditure being incurred, the Human Resources department and the City Attorney’s Office have the responsibility to validate the availability of funds.

<b>Submitted for City Manager's Office by:</b>	ALL ACMs	6122
<b>Originating Business Unit Head:</b>	Leann Guzman	8973
<b>Additional Information Contact:</b>	Christopher Troutt	7609

Expedited