



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Update on litigation: *Bonnie Crankshaw v. City of Elgin and Thomas Mattis, City Manager, in his individual capacity* and related matters

**DEPARTMENT:** City Manager

**PROPOSED ACTION:**

No Council action is requested or anticipated at this time. This item is to allow for an update by staff and general discussion among Council regarding the item as described.

**BACKGROUND:**

Discussed at previous meetings; former Human Resources Director Bonnie Crankshaw was terminated from her position for poor job performance. After refusing to accept a severance package, Ms. Crankshaw filed a federal lawsuit against the City of Elgin and the City Manager in his individual capacity alleging a number of violations; mainly that she was discriminated against and terminated because (1) she was disabled and the city failed to provide her requested accommodations under the Americans with Disabilities Act (ADA) and (2) she had been denied a request for intermittent leave under the Family Medical Leave Act (FMLA). The lawsuit was filed in early 2017; and the City's liability insurance provider, the Texas Municipal League Risk Pool (TML-RP) hired the law firm Wright & Greenhill of Austin to represent the City on this matter.

At the conclusion of a 4-day trial last week in federal court, the jury unanimously agreed that Ms. Crankshaw was indeed disabled, but that the City did not terminate her because she was disabled nor because she had requested FMLA. The jury also determined that the City Manager had "Qualified Immunity" and was "just doing his job" in terminating a bad employee and should not be subject to any individual liability, even if a violation occurred.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:** Review and discussion; No Council action is requested or anticipated at this time; other than routine direction to staff, if any.

**ATTACHMENTS:** None

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*