



## CITY OF HOUSTON – CITY COUNCIL

Meeting Date:

District ALL

Item Creation Date: 9/30/2020

Agenda Item#:

### **Summary:**

An ordinance approving and authorizing a consent decree and settlement and release agreement between the *City of Houston and United States of America and Ena Jane Draycott* (USDC civil action number 4:18-CV-0644) to settle a lawsuit.

### **Background:**

On or about February 28, 2018, Plaintiff United States of America filed its lawsuit entitled *United States of America v. City of Houston*, under the cause number 4:18-cv-00644 in the United States District Court for the Southern District of Texas, Houston Division. On or about March 29, 2018, Plaintiffs-Intervenors Ena Jane Draycott and Paula Keyes filed their Complaint in Intervention and intervened in the lawsuit pursuing claims on behalf of themselves.

Plaintiff and Keyes, individually, alleged that Ms. Keyes was discriminated against based on her race and sex and subjected to a hostile work environment based on her race and sex while stationed at Houston Fire Department Station 54. All claims related to Ms. Keyes were settled on April 22, 2020 by City of Houston Ordinance No. 2020-328.

Plaintiff and Draycott, individually, alleged that Ms. Draycott, while stationed at Houston Fire Department Station 54, was discriminated against based on her sex, subjected to a hostile work environment based on her sex, retaliated against for engaging in protected activity, and constructively discharged from her employment with the City of Houston Fire Department in violation of Title VII of the Civil Rights Act of 1964, as amended.

The parties participated in mediation. The City Attorney recommends that City Council adopt an ordinance approving and authorizing the consent decree and compromise, settlement and release of Plaintiff and Plaintiff-Intervenor's claims against the City by issuing a check to Ena Jane Draycott and her attorneys, Joseph Ahmad of Ahmad, Zavitsanos, Anaipakos, Alavi, Mensing P.C., in exchange for a payment of \$275,000.00. This resolves all claims in the lawsuit.

### **Fiscal Note:**

Fiscal Note: Funding for this item is included in the FY21 Adopted Budget. Therefore, no fiscal note is required as stated in the Financial Policies.

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Ronald C. Lewis

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Ronald C. Lewis, City Attorney

**Amount of Funding:**

\$275,000.00

Property and Casualty Fund

Fund No.: 1004

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