

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Executive to execute an Agreement of Indemnity with Zurich American Insurance Company, in support of surety bonds for the use and benefit of the Public Administrator in the performance of her statutory duties, at no additional cost to the County.

**RESOLUTION NO. 18197**, June 17, 2013

**INTRODUCED BY** Theresa Garza Ruiz, County Legislator

WHEREAS, section 473.730.2, RSMo provides that the County shall defend and indemnify the Public Administrator against any alleged breach of duty, within the scope of her fiduciary duties under the supervision of the Probate Court; and,

WHEREAS, the Public Administrator is required to obtain bonds for the assets of estates for which the Public Administrator serves as fiduciary as ordered by the Probate Court; and,

WHEREAS, due to the large volume of bonds requested, one of the three bond issuers has required that Jackson County execute an Indemnity Agreement; and,

WHEREAS, execution of the attached Agreement of Indemnity with Zurich American Insurance Company is in the best interests, health, safety and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive is hereby authorized to execute the attached Agreement of Indemnity with Zurich American Insurance Company.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18197 of June 17, 2013, was duly passed on June 24, 2013 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 9

Nays 0

Abstaining 0

Absent 0

6/24/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

**REQUEST FOR LEGISLATIVE ACTION**

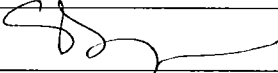
Completed by County Counselor's Office:

Res/~~Ord~~ No 18197

Sponsor(s): Theresa Garza Ruiz

Date: June 17, 2013

SUBJECT	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Resolution Authorizing the Jackson County Executive to Execute an Indemnity Agreement in Favor of Zurich Insurance for the Benefit of the Office of the Jackson County Public Administer is it Relates to the Issuance of Surety Bonds</u></p>										
<p>BUDGET INFORMATION  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 562 1203 842"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): N/A          Prior Year Actual Amount Spent (if applicable): N/A</p>	Amount authorized by this legislation this fiscal year:	\$0	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$0	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT
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Amount budgeted for this item * (including transfers):	\$0										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date): none          Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, &amp; phone): Rebecca Lake Wood P.A. 816.881.3775</p>										
REQUEST SUMMARY	<p>The Office of the Public Administrator is required to obtain surety bonds to guarantee her service as administrator or conservator for the estates she is appointed to administer. Due to the large volume of bonds requested, one of the three bond issuers has required that Jackson County execute an Indemnity Agreement to insure indemnification should the Public Administrator defalcate in her service. Such a request for indemnification is presently the standard in the surety bond industry.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
ATTACHMENTS											
REVIEW	<table border="1" data-bbox="315 1818 1539 1940"> <tr> <td>Department Director: <i>Rebecca Lake Wood PA</i></td> <td>Date: <i>6/17/13</i></td> </tr> <tr> <td>Finance (Budget Approval): N/A <i>If applicable</i></td> <td>Date:</td> </tr> </table>	Department Director: <i>Rebecca Lake Wood PA</i>	Date: <i>6/17/13</i>	Finance (Budget Approval): N/A <i>If applicable</i>	Date:						
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Finance (Budget Approval): N/A <i>If applicable</i>	Date:										

Division Manager: 	Date: 6/6/13
County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.