

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

**A RESOLUTION** authorizing the County Counselor to settle the claims of the plaintiff in the case styled Randy Spencer v. Jackson County, Missouri, et al., No.4:11-CV-00150-DGK, now pending in United State District Court for the Western District of Missouri, for a total payment by the County of \$8,500.00.

**RESOLUTION NO. 18737**, February 17, 2015

**INTRODUCED BY** Dan Tarwater, County Legislator

WHEREAS, Randy Spencer filed a lawsuit styled, Randy Spencer v. Jackson County, Missouri, et al., No.4:11-CV-00150-DGK, now pending in United State District Court for the Western District of Missouri, seeking compensation for alleged violations of his constitutional rights while incarcerated at the Jackson County Detention Center; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$8,500.00 to be paid by the County to Randy Spencer and his attorney Arthur Benson; and,

WHEREAS, the proposed settlement will limit the County's financial obligation in this matter and is in the best interests of the 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 Counselor be and hereby is authorized to settle the claims of Randy Spencer, in the case styled Randy Spencer v. Jackson County, Missouri, et al., No.4:11-CV-00150-DGK, by the total payment of \$8,500.00, in full, final, and complete release of all of the claims against

the County and all of its employees, officers, agents, and servants, as to any damages allegedly incurred; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to issue a check or checks in an amount totaling \$8,500.00 in full and complete settlement of this claim, payable to Randy Spencer and/or his attorney Arthur Benson pursuant to the specific direction of the County Counselor.

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. 18737 of February 17, 2015, was duly passed on February 17, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8


Nays 0

Abstaining 0

Absent 0

Excused 1

2-17-15  
Date

  
Mary Jo Spino, Clerk of Legislature

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.

ACCOUNT NUMBER: 060 5160 56380  
ACCOUNT TITLE: Self Insurance Fund  
Non-Departmental  
Uninsured Claimants  
NOT TO EXCEED: \$8,500.00

February 17, 2015  
Date

  
Director of Finance and Purchasing