

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claims of Rosalee Calegari and her surviving son Tony Calegari, in the case styled Rosalee Calegari v. Danny Barnes, No. 1016-CV16304, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$50,000.00.

RESOLUTION NO. 18119, March 11, 2013

INTRODUCED BY Greg Grounds, and Dennis Waits, County Legislators

WHEREAS, Rosalee Calegari, since deceased, filed a lawsuit, styled Rosalee Calegari v. Danny Barnes, No. 1016-CV16304, now pending in the Circuit Court of Jackson County, Missouri, seeking compensation for damages allegedly sustained when her daughter was shot and killed as Jackson County Sheriff's deputies attempted to apprehend a fleeing suspect; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$50,000.00 to be paid by the County to Tony Calegari, Ms. Calegari's surviving son, through his attorney, Walter Simpson; 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 Rosalee Calegari and Tony Calegari, in the lawsuit styled Rosalee Calegari v. Danny Barnes, No. 1016-CV16304, by

the total payment of \$50,000.00, 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 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 \$50,000.00 in full and complete settlement of this claim, payable to Tony Calegari and/or his attorney, Walter Simpson, 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:

Greg D. Hilde
Chief Deputy County Counselor

W. [Signature]
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18119 of March 11, 2013, was duly passed on March 11, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

3.11.13
Date

Mary Jo Spino
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: \$50,000.00

March 14, 2013
Date

[Signature]
Director of Finance and Purchasing

Fiscal Note:

Funds sufficient for this expenditure were included in the annual budget

Date: March 8, 2013 Res/Ord No. 18119

<u>Department / Division</u>	<u>Character/Description</u>	<u>Not to Exceed</u>
Self Insurance Fund - 060		
<u>5160 - Non Departmentl-Self Insurance</u>	<u>56380 - Uninsured Claimants</u>	<u>50,000</u>

Sarah Matheson 3/8/13
 Budgeting

Total 50,000