



Jackson County Missouri

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Legislation Details (With Text)

File #: 19528 **Version:** 0 **Name:** James Ramirez v. Jackson County, Missouri, et al., No. 1716-CV15268
Type: Resolution **Status:** Passed
File created: 7/10/2017 **In control:** County Legislature
On agenda: 7/10/2017 **Final action:** 7/10/2017
Title: A RESOLUTION approving the settlement by the County Counselor of the claims of James Ramirez, in the case styled James Ramirez v. Jackson County, Missouri, et al., No. 1716-CV15268, now pending in Jackson County Circuit Court, for a total payment by the County of \$437,500.00.
Sponsors: Scott Burnett
Indexes: SETTLEMENT OF CLAIM
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------|--------|--------|
| 7/10/2017 | 0 | County Legislature | adopt | Pass |
| 7/10/2017 | 0 | County Legislature | adopt | Pass |

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION approving the settlement by the County Counselor of the claims of James Ramirez, in the case styled James Ramirez v. Jackson County, Missouri, et al., No. 1716-CV15268, now pending in Jackson County Circuit Court, for a total payment by the County of \$437,500.00.

RESOLUTION NO. 19528, July 10, 2017

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, James Ramirez has filed a lawsuit styled James Ramirez v. Jackson County, Missouri, et al., No. 1716-CV15268, now pending in Jackson County Circuit Court seeking compensation for alleged violations of his constitutional rights while in the custody of the Jackson County Detention Center; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$437,500.00 to be paid by the County to James Ramirez and/or his

attorney, Christopher Gahagan of McGonagle Spencer Gahagan P.C.; 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 James Ramirez by the total payment of \$437,500.00, 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 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 \$437,500.00 in full and complete settlement of this claim, payable to James Ramirez and/or his attorney Christopher Gahagan of McGonagle Spencer Gahagan P.C., 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. 19528 of July 10, 2017, was duly

passed on July 10, 2017 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 0

Absent 2

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: \$437,500.00

Date

Chief Financial Officer