



# Jackson County Missouri

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

## Legislation Details (With Text)

**File #:** 20329      **Version:** 0      **Name:** Settlement of employment claim of Daniel Smith  
**Type:** Resolution      **Status:** Passed  
**File created:** 12/2/2019      **In control:** County Legislature  
**On agenda:** 12/2/2019      **Final action:** 12/2/2019  
**Title:** A RESOLUTION authorizing the County Counselor to settle the employment claim of Daniel W. Smith in the case styled Smith v. Jackson County, No. 1816-CV21991, now pending in the Circuit Court of Jackson County, MO.  
**Sponsors:** Theresa Cass Galvin  
**Indexes:** EMPLOYMENT CLAIM, JACKSON COUNTY, MISSOURI  
**Code sections:**  
**Attachments:** 1. 20329adopt.pdf

Date	Ver.	Action By	Action	Result
12/2/2019	0	County Legislature	adopt	Pass

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

**A RESOLUTION** authorizing the County Counselor to settle the employment claim of Daniel W. Smith in the case styled Smith v. Jackson County, No. 1816-CV21991, now pending in the Circuit Court of Jackson County, MO.

**RESOLUTION NO. 20329**, December 2, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, former County employee Daniel W. Smith filed a lawsuit styled Smith v. Jackson County, Case No. 1816-CV21991, now pending in the Circuit Court of Jackson County, MO, seeking damages for alleged employment discrimination; and,

WHEREAS, after a thorough investigation, mediation, and negotiations, special employment counsel and the County Counselor recommend a settlement in the amount of \$150,000.00, to be paid by the County to Daniel W. Smith and/or his attorneys, The Lunceford Law Firm; 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 Daniel W. Smith in case No. 1816-CV21991, now pending in the Circuit Court of Jackson County, MO, by the total payment of \$150,000.00, 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 Department of Finance and Purchasing be and hereby is authorized to issue a check or checks in an amount totaling \$150,000.00 in full and complete settlement of this claim, payable to Daniel W. Smith and/or his attorneys, The Lunceford Law Firm, 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. 20329 of December 2, 2019, was duly passed on December 2, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

\_\_\_\_\_  
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: \$150,000.00

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer