



Jackson County Missouri

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

Legislation Details (With Text)

File #: 20455 **Version:** 0 **Name:** Settlement 1916-CV12993
Type: Resolution **Status:** Passed
File created: 6/29/2020 **In control:** County Legislature
On agenda: 6/29/2020 **Final action:** 6/29/2020
Title: A RESOLUTION authorizing the County Counselor to settle the claims of Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$50,000.00.
Sponsors: Theresa Cass Galvin
Indexes: JACKSON COUNTY DETENTION CENTER, SETTLEMENT OF CLAIM
Code sections:
Attachments: 1. 20455adopt.pdf, 2. 20455bu.pdf

Date	Ver.	Action By	Action	Result
6/29/2020	0	County Legislature	adopt	
6/29/2020	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claims of Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$50,000.00.

RESOLUTION NO. 20455, June 29, 2020

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, section 1606.1(3), Jackson County Code, 1984, authorizes the settlement of claims in excess of \$5,000.00 upon recommendation of the County Counselor, by Resolution of the Legislature; and,

WHEREAS, Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika

Rae Thurman, the surviving children of ReGina Thurman, have brought a claim against the County for alleged negligent acts regarding medical care within the Jackson County Detention Center in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement of this case in the amount of \$50,000.00 to be paid by the County to Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman and/or attorneys Cynthia Dodge and John Kurtz; 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 Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, 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 case, payable to Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Boniva, and Mika Rae Thurman and/or attorneys Cynthia Dodge and John Kurtz, pursuant to the specific direction of the County Counselor.

..Enacted and Approved

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. 20455 of June 29, 2020, was duly passed on June 29, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 1

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: \$50,000.00

Date

Chief Administrative Officer