

## Legislation Details (With Text)

File #:	20440	Version: 0	Name:	Settlement C.C. v Jackson Concenter	unty - Detention
Туре:	Resolution		Status:	Passed	
File created:	6/1/2020		In control:	County Legislature	
On agenda:	6/1/2020		Final action:	6/1/2020	
Title:	A RESOLUTION authorizing the County Counselor to settle the claims of C.C. in the case of C.C. v. Jackson County, MO, Case No. 4:19-CV-00842, now pending in the United States District Court for the Western District of Missouri, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$180,000.00.				
Sponsors:	Theresa Cass Galvin				
Indexes:	COUNTY COUNSELOR, JACKSON COUNTY DETENTION CENTER, SETTLEMENT OF CLAIM				
Code sections:					
Attachments:	1. 20440adopt.pdf, 2. 20440adopt.pdf				
Date	Ver. Action E	Зу	A	ction	Result
6/1/2020	0 County	Legislature	a	dopt	Pass

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**A RESOLUTION** authorizing the County Counselor to settle the claims of C.C. in the case of <u>C.C. v.</u> <u>Jackson County, MO</u>, Case No. 4:19-CV-00842, now pending in the United States District Court for the Western District of Missouri, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$180,000.00.

## **RESOLUTION NO. 20440, June 1, 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, C.C. has brought a claim against the County for alleged negligent acts within the

Jackson County Detention Center in the case of C.C. v. Jackson County, MO, Case No. 4:19-CV-

00842, now pending in the United States District Court for the Western District of Missouri; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement of this case in the amount of \$180,000.00 to be paid by the County to C.C. and/or attorneys Anthony LaCroix and Sarah Brown; 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 C.C. in the case of <u>C.C. v. Jackson County, MO</u>, Case No. 4:19-CV-00842, now pending in the United States District Court for the Western District of Missouri, by the total payment of \$180,000.00, 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 \$180,000.00 in full and complete settlement of this case, payable to C.C. and/or attorneys Anthony LaCroix and Sarah Brown, 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. 20440 of June 1, 2020, was duly passed on June 1, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas\_\_\_\_\_7\_\_\_\_\_

Nays\_\_\_\_0\_

Abstaining 0\_\_\_\_\_

Absent <u>2</u>

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:	\$180,000.00	

Date

**Chief Financial Officer**