



Legislation Details (With Text)

File #: O-226-21 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 4/8/2021 **In control:** Law Department
On agenda: 4/27/2021 **Final action:** 4/27/2021
Title: Authorizing the settlement of the claims of Te'Arle Spears in case no. 3:20CV00068 captioned Spears v. City of Toledo pending in the United States District Court, Northern District of Ohio, Western Division for the sum of \$15,000; authorizing the expenditure of \$15,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review April 20, 2021, 2. Audio: City Council April 27, 2021

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
4/27/2021	1	City Council	declare emergency	Pass
4/27/2021	1	City Council	passage	Pass

Spears, Te'Arle
Department of Law
J. Charles (x1038)
Revised

Authorizing the settlement of the claims of Te'Arle Spears in case no. 3:20CV00068 captioned *Spears v. City of Toledo* pending in the United States District Court, Northern District of Ohio, Western Division for the sum of \$15,000; authorizing the expenditure of \$15,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Te'Arle Spears filed a lawsuit in the United States District Court, Northern District of Ohio, in 2020 alleging he was the victim of employment discrimination. After a recent mediation a proposed agreement has been reached in the amount of \$15,000 as to all claims resulting from the incidents described in the lawsuit without constituting an admission of liability for any violation of state or federal law.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That payment of \$15,000 to Te'Arle Spears and Jabrea Spears in settlement of the claims in case no. 3:20CV00068 captioned *Spears v. City of Toledo* is approved.

SECTION 2. That payment of this claim is contingent upon the execution of the proper release by the claimants.

SECTION 3. That the expenditure of \$15,000 is authorized from the Risk Management Fund Account Code 7095-12000-1157001STDSTD for the purpose authorized in Section 1.

SECTION 4. That the Director of Finance is authorized to draw a warrant or warrants against the above Account Code in an amount not exceed \$15,000 in payment of the above authorized obligations upon presentation of the proper vouchers.

SECTION 5. That this ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this ordinance must be immediately effective in order to implement the settlement in accordance with the conditional agreement.

Vote on emergency clause: yeas 12, nays 0.

Passed: April 27, 2021 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

April 28, 2021
Wade Kapszukiewicz
Mayor