



Legislation Details (With Text)

File #: O-101-20 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 2/25/2020 **In control:** Law Department
On agenda: 3/10/2020 **Final action:** 3/10/2020
Title: Authorizing the settlement of all claims of Paul Spence in case no. 3:11CV02066 captioned Spence v. City of Toledo, et. al., pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Zouhary for the sum of \$14,500; authorizing the expenditure of \$14,500 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review March 3, 2020, 2. Audio: City Council March 10, 2020

Date	Ver.	Action By	Action	Result
3/10/2020	1	City Council		
3/10/2020	1	City Council		
3/10/2020	1	City Council		

Claims Settlement Paul Spence
Department of Law
J. Charles (x1038)
(Revised)

Authorizing the settlement of all claims of Paul Spence in case no. 3:11CV02066 captioned *Spence v. City of Toledo, et. al.*, pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Zouhary for the sum of \$14,500; authorizing the expenditure of \$14,500 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Paul Spence has pending in the United States District Court a Complaint alleging violations of his Constitutional due process rights as a result of Mr. Spence being taken to the ground and detained on August 10, 2018 here in Toledo, Lucas County, Ohio.

A proposed agreement has been reached in the amount of \$14,500 to settle all claims resulting from this incident 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 \$14,500 in settlement of the claims against all named Defendants is approved.

SECTION 2. That payment of these claims is contingent upon the execution of the proper releases by the claimant.

SECTION 3. That an expenditure in the amount of \$14,500 is authorized from the Risk Management Fund, Account Code 7095-12000-1157001STDSTD, for the purpose listed in Section 1.

SECTION 4. That the Director of Finance is authorized to draw his warrant or warrants against the account code listed in Section 3 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 _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council