

Board of County Commissioners

Agenda Request

Date of Meeting: June 7, 2010

Date Submitted: May 21, 2010

To: Honorable Chairman and Members of the Board

From: Heather J. Encinosa, County Attorney

Subject: Request Board Approval of a Proposed Settlement Agreement in the Matter of Andrews v. Leon County, Wakulla County et al., Case No. 4:10-cv-51-RH-WCS

Statement of Issue:

This agenda item requests Board Approval of a Settlement Agreement in the matter of Andrews v. Leon County, Wakulla County et al., Case No. 4:10-cv-51-RH-WCS.

Background:

Wakulla County, along with the Wakulla County Sheriff's Office, Leon County, and the Leon County Sheriff's Office were sued by Udreka Andrews regarding alleged incidents that occurred while she was held at the Wakulla County Corrections facility. The specific allegations against the County were that the County failed to properly fund adequate facilities for the confinement of juvenile, female inmates at the corrections facility which resulted in alleged violation of Ms. Andrews' civil rights.

The County's insurer, FACT, is covering this lawsuit and is represented by McConnaughay, Duffy, Coonrod, Pope & Weaver, P.A. Attorney Mary Wakeman from that firm has been assigned the case and she is recommending that the County approve the settlement.

Analysis:

FACT's attorney, Mary Wakeman, is recommending approval of the Settlement Agreement in an effort to reach a reasonable disposition of the matter in the interest of compromise. The County is specifically not admitting any fault, accepting liability, or admitting the validity of any claims in the lawsuit. Under the proposed agreement, Ms. Andrews would release all claims against the County. The payment of \$6,125.00 to Ms. Andrews would be covered by FACT.

Options:

1. Approve the proposed Settlement Agreement in the matter of Andrews v. Leon County, Wakulla County et al.
2. Do not approve the proposed Settlement Agreement in the matter of Andrews v. Leon County, Wakulla County et al.
3. Board Direction.

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Recommendation:

Option #1

Attachment:

1. Proposed Settlement Agreement in the matter of Andrews v. Leon County, Wakulla County et al.