

1 **BY AUTHORITY**

2 RESOLUTION NO. RR22-1048
3
4 SERIES OF 2022

COMMITTEE OF REFERENCE
Safety, Housing, Education & Homelessness

5 **A RESOLUTION**

6 **Authorizing and approving the expenditure and payment from the**
7 **appropriation account designated “liability claims,” the sum of One Hundred**
8 **Eighty-Five Thousand Dollars (\$185,000.00) distributed as follows: One**
9 **Hundred and Fifteen Thousand dollars (\$115,000.00) made payable to Misty**
10 **Spencer and John R. Fuller, P.C., Forty-Five Thousand Dollars (\$45,000) made**
11 **payable to Judy Webster and John R. Fuller, P.C., and Twenty-Five thousand**
12 **dollars (\$25,000) made payable to Alyson McCumsey and John R. Fuller, P.C,**
13 **in full payment and satisfaction of any and all claims related to the civil action**
14 **captioned *Misty Spencer, Alyson McCumsey, and Judy Webster v. James***
15 ***Waidler and the City and County of Denver*, which was filed in the Denver**
16 **District Court, Case No. 2021CV32776.**
17

18 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**
19

20 **Section 1.** That the Council of the City and County of Denver hereby approves and authorizes
21 the expenditure and payment from the 2022 appropriation account designated as “Liability Claims”
22 (Accounting Number 11827 4511001), the sum of One Hundred Eighty-Five Thousand Dollars
23 (\$185,000.00) distributed as follows: One Hundred and Fifteen Thousand dollars (\$115,000.00)
24 made payable to Misty Spencer and John R. Fuller, P.C., Forty-Five Thousand Dollars (\$45,000)
25 made payable to Judy Webster and John R. Fuller, P.C., and Twenty-Five thousand dollars
26 (\$25,000) made payable to Alyson McCumsey and John R. Fuller, P.C, in full payment and
27 satisfaction of any and all claims related to the civil action captioned *Misty Spencer, Alyson*
28 *McCumsey, and Judy Webster v. James Waidler and the City and County of Denver*, which was filed
29 in the Denver District Court, Case No. 2021CV32776. Payment is to be made upon the execution
30 and delivery of such release or releases as is or are satisfactory to the attorney for the City and
31 County of Denver.

32 **Section 2. The Manager of Finance is hereby authorized and directed to make such book**
33 **and record such entries and to do such other things as may be necessary to accomplish**
34 **the purposes of this resolution.**

35 [BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: August 23, 2022

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 ATTEST: _____ - CLERK AND RECORDER,
6 EX-OFFICIO CLERK OF THE
7 CITY AND COUNTY OF DENVER
8

9 PREPARED BY: Jeremy Tyrrell, Assistant City Attorney DATE: August 24, 2022

10 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
11 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
12 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
13 3.2.6 of the Charter.

14 Kristin M. Bronson, City Attorney

15 BY: _____, Assistant City Attorney DATE: _____