

COTTONWOOD HEIGHTS

RESOLUTION NO. 2015-77

A RESOLUTION ACCEPTING
REQUESTS FOR INDEMNIFICATION

WHEREAS, Robert Russo (“*Chief Russo*”), the chief of the police department (“*CHPD*”) of the city Cottonwood Heights (the “*City*”), Corbett Ford (“*Mr. Ford*”), a former sworn officer of CHPD, Steven Olsen (“*Officer Olsen*”) and/or Dan Bartlett (“*Sgt. Bartlett*”) were served (in their individual and official capacities) as defendants in an action styled *Darrell Bloomquist vs. State of Utah* that currently is pending as case no. 150908030CR in the Third District Court of Salt Lake County, Utah, and which may hereafter be removed to the United States District Court for the District of Utah (the “*Lawsuit*”); and

WHEREAS, Chief Russo, Mr. Ford, Officer Olsen and Sgt. Bartlett (collectively, the “*CHPD Members*”) each have filed, or have indicated that they promptly each will file, a request for indemnification (the “*Requests*”) with the City as required by UTAH CODE ANN. §63G-7-902, a portion of the Governmental Immunity Act of Utah (the “*Act*”); and

WHEREAS, the city council (the “*Council*”) of the City met in regular session on 8 December 2015 to consider, among other things, granting the Requests; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to grant the Requests and, by so doing, to agree to defend and indemnify the CHPD Members for all judgments, compromise or settlement of claim based on the acts or conduct specified in the Lawsuit, on the terms and conditions of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the City hereby grants the Requests and hereby agrees to defend and indemnify each of the CHPD Members for all judgments, compromise or settlement of claim based on acts or conduct of such persons, as applicable, specified in the Lawsuit, on the terms and conditions of the Act, conditioned only on each indemnitee’s submission of a written request for indemnification before or after the effective date of this Resolution.

This Resolution, assigned no. 2015-77, shall take effect immediately upon passage.

PASSED AND APPROVED effective 8 December 2015.



COTTONWOOD HEIGHTS CITY COUNCIL

By *Kelvin H. Cullimore, Jr.*
Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael. J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 8th day of December 2015.

RECORDED this 8 day of December 2015.