

COTTONWOOD HEIGHTS

RESOLUTION No. 2019-06

A RESOLUTION ACCEPTING REQUESTS FOR INDEMNIFICATION

WHEREAS, E. Robert Russo, Dan Bartlett, Ryan Shosted and Ken Dailey (collectively, the “CHPD Officers”), individually and in their capacities as members of the police department of the city of Cottonwood Heights (the “City”), have been or may be served as defendants in an action styled Vickie Bagshaw vs. Cottonwood Heights Police Department, Unified Police Department, Chief Robert Russo, Sergeant Ryan Shosted, Officer Emily Wood and John Does 1-10 that currently is pending as case no. 2:18-cv-00958-EJF in the United States District Court for the District of Utah, Northern Division, including any removal or appeal of such case to another court (the “Lawsuit”); and

WHEREAS, the CHPD Officers have filed requests 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 22 January 2019 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 Officers for all judgments, compromise or settlement of claim based on the 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 the CHPD Officers 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.

This Resolution, assigned no. 2019-06, shall take effect immediately upon passage.

PASSED AND APPROVED effective 22 January 2019.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By:

Paula Melgar, Recorder



Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input type="checkbox"/> Nay <input checked="" type="checkbox"/> Absent
J. Scott Bracken	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input type="checkbox"/> Nay <input checked="" type="checkbox"/> Absent
Christine Watson Mikell	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 22nd day of January 2019.

RECORDED this 22 day of January 2019.