

COTTONWOOD HEIGHTS

RESOLUTION NO. 2015-13

A RESOLUTION ACCEPTING
REQUESTS FOR INDEMNIFICATION

WHEREAS, Kelvyn H. Cullimore, Jr. ("*Mayor Cullimore*"), the mayor of the city of Cottonwood Heights (the "*City*"), and James Woods ("*Officer Woods*"), a sworn officer of the Cottonwood Heights Police Department, were served (in their individual and official capacities) as defendants in an action styled *Ryan Pyle vs. James Woods, Kelvyn Cullimore, Cottonwood Heights, and John and Jane Does 1-10* that currently is pending as case no. 150900786 in the Third Judicial District Court of Salt Lake County, Utah (the "*Lawsuit*"); and

WHEREAS, Mayor Cullimore and Officer Woods each have filed 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 10 March 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 Mayor Cullimore and Officer Woods 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 Mayor Cullimore and Officer Woods for all judgments, compromise or settlement of claim based on acts or conduct of Mayor Cullimore or Officer Woods, as applicable, specified in the Lawsuit, on the terms and conditions of the Act.

This Resolution, assigned no. 2015-13, shall take effect immediately upon passage.

PASSED AND APPROVED effective 10 March 2015.

COTTONWOOD HEIGHTS CITY COUNCIL



ATTEST:


Kory Solorio, Recorder

By


Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	<i>Abstain</i>	Yea	<input 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	<i>Absent</i>	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>
Tee W. Tyler	<i>electronically</i>	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 10th day of March 2015.

RECORDED this 10 day of March 2015.