

RESOLUTION NO. R-2013-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS EXPRESSING THE CITY COUNCIL'S SUPPORT FOR AND AGREEMENT TO PROVIDE A DEFENSE AND INDEMNIFICATION TO A CERTAIN EMPLOYEE WHO HAS BEEN SUED AS A RESULT OF ACTIONS TAKEN AS A CITY EMPLOYEE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a certain employee has been sued as a result of actions taken as a City employee in a lawsuit entitled: *Yaneth Fuentes vs. City of Tyler, Chief of Police, Gary M. Swindle and Officer Matthew Riggle; Cause No. 2:13-CV-00474, United States District Court for the Eastern District of Texas.*; and

WHEREAS, the City's investigation of the events involved in this lawsuit and the evidence available at this time, show that this employee was acting in good faith and acted appropriately in the course and scope of his duties as a City employee; and


WHEREAS, it is in the public interest as well as the individual employee's interest for the City Council to state officially its support for him by providing a defense and agreeing to his indemnification, based upon all information and evidence available to date;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1. That the City Council, based upon all evidence and information available to it at this time, hereby agrees to provide a defense and indemnity to Gary M Swindle in the lawsuit styled *Yaneth Fuentes vs. City of Tyler, Chief of Police, Gary M. Swindle and Officer Matthew Riggle; Cause No. 2:13-CV-00474, United States District Court for the Eastern District of Texas.*

PART 2. That this Resolution shall take effect immediately upon its adoption.

ADOPTED this 26th day of June, 2013, A.D.



BARBARA BASS, MAYOR OF THE
CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY