

RESOLUTION NO. R-2015-14

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 CERTAIN EMPLOYEES AND CONTRACT EMPLOYEES WHO HAVE BEEN SUED AS A RESULT OF ACTIONS TAKEN AS CITY EMPLOYEES AND/OR CONTRACT EMPLOYEES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, certain employees and contract employees have been sued as a result of actions taken as City employees and/or contract employees in a lawsuit entitled: *Joseph Cotten vs. City of Tyler, Et Al.; Cause No. 2:15-CV-00520, 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 these employees and contract employees were acting in good faith and acted appropriately in the course and scope of their duties as City employees and/or contract employees; and

WHEREAS, it is in the public interest as well as the individual employees' and contract employees' interest for the City Council to state officially its support for them by providing a defense and agreeing to their 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, Steve Sharron, Jason Shields, Ayasha Eddins, Paul Robeson, Wendell Gardner, Don Martin, Adeline Medina, Sidalia Michelle Lira, Deborah Pullum, Terrance Garmon, David Chilek and Jeffrey Sanders, in the lawsuit styled *Joseph Cotten vs. City of Tyler, Et Al.; Cause No. 2:15-CV-00520, United States District Court for the Eastern District of Texas.*

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


PASSED AND APPROVED on this 13th day of May, 2015, A.D.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


STEVEN M. KEAN, DEPUTY
CITY ATTORNEY

