

**TAYLORSVILLE CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
AGENDA ITEM SUMMARY**

**MEETING DATE:** February 8, 2012

**AGENDA ITEM: ORDINANCE NO. 12-04** -- An Ordinance of the Taylorsville City Council Approving a Request for Indemnification and Legal Representation Stemming from a Lawsuit in the United States District Court Against the City of Taylorsville and Police Chief Del Craig.

**PUBLIC HEARING REQUIRED – No.**

**RESOLUTION/ORDINANCE REQUIRED**

**ORDINANCE   X   RESOLUTION**

**PRESENTER:** City Administrator John Inch Morgan

**ISSUE SUMMARY:**

Consideration of Ordinance No. 12-04 – In response to a request for indemnification and legal representation stemming from an amended complaint to a Lawsuit in the United States District Court against the City of Taylorsville and Police Chief Del Craig. Del Craig has filed a Request for Indemnification as required by Utah Code Ann. § 63G-7-902.

**CITY ATTORNEY (Approved as to form):**

**ACTION REQUIRED:** Move to approve Ordinance 12-04

**TAYLORSVILLE, UTAH**  
**ORDINANCE NO. 12-04**

**AN ORDINANCE OF THE TAYLORSVILLE CITY COUNCIL APPROVING REQUEST FOR INDEMNIFICATION AND LEGAL REPRESENTATION STEMMING FROM A LAWSUIT FILED IN THE UNITED STATES DISTRICT COURT AGAINST THE CITY OF TAYLORSVILLE POLICE CHIEF DEL CRAIG**

**WHEREAS**, the Taylorsville City Council (the "*Council*") met in a Special City Council Meeting on February 8, 2012, to consider approving a request for indemnification and legal representation stemming from an amendment to a lawsuit filed in the United States District Court against the City of Taylorsville, the Taylorsville City Police Department, and with the amendment Police Chief Del Craig; and

**WHEREAS**, on or about December 17, 2010, the City of Taylorsville ("*Taylorsville*") was served and named as a defendant in a certain civil rights complaint brought by Jolayne Sampson in the United States District Court for the District of Utah, Central Division, Case No. 2:CV-1232DB; and

**WHEREAS**, on or about January 31, 2012, Del Craig was served and named as a defendant in an amended complaint for to the above noted complaint and has filed a Request for Indemnification as required by Utah Code Ann. § 63G-7-902; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to defend and indemnify Chief Del Craig as referenced in the attached Request for Indemnification.

**NOW, THEREFORE, BE IT ORDANINED** by the Council that Taylorsville hereby agrees to indemnify and provide legal representation to Del Craig for their action arising in the referenced lawsuit.

This Ordinance, assigned Ordinance No. 12-04, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** by the Council of Taylorsville, Utah, this \_\_\_\_ day of February, 2012.

**TAYLORSVILLE CITY COUNCIL**

\_\_\_\_\_  
Jerry W. Rechtenbach, Chairman

**SEAL**

**VOTING:**

Dama Barbour	___	Yea	___	Nay
Ernest Burgess	___	Yea	___	Nay
Larry Johnson	___	Yea	___	Nay
Kristie Overson	___	Yea	___	Nay
Jerry W. Rechtenbach	___	Yea	___	Nay

**PRESENTED** to the Mayor of the City of Taylorsville for approval this \_\_\_ day  
February, 2012.

**APPROVED** this \_\_\_ day of February, 2012.

**ATTEST:**

\_\_\_\_\_  
**Mayor Russ Wall**

\_\_\_\_\_  
Cheryl Peacock Cottle, City Recorder

**DEPOSITED** in the office of the City Recorder this \_\_\_ day of February, 2012.

**RECORDED** this \_\_\_ day of February, 2012.