

RESOLUTION NO. 11-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, PROVIDING THAT THE CITY WILL SAVE, PROTECT, DEFEND, HOLD HARMLESS, PAY EXPENSES AND INDEMNIFY ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES FROM CLAIMS, SUIT OR JUDGMENT IN CONNECTION WITH LAWSUITS FILED AGAINST THE CITY OF MESQUITE AND SAID OFFICIALS AND EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE THEREOF.

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

**SECTION 1.** That the City of Mesquite shall at City expense save, protect, defend, hold harmless, pay expenses and indemnify elected and appointed officials and employees from claims, suit or judgment in connection with lawsuits filed against the City of Mesquite and said officials and employees resulting from acts performed within the course of employment with the City of Mesquite.

- A. The City of Mesquite shall pay damages or losses that said officials and employees are legally obligated to pay arising from the official's and employee's employment with the City of Mesquite.
- B. In addition to the coverage provided in paragraph A, the City will pay:
  - 1. The City's expenses in investigating and defending the claim or lawsuit;
  - 2. Costs taxed against said employees in a suit covered by this resolution and interest that accrues after entry of judgment before the City has deposited payment with the court.
  - 3. Expenses incurred at the City's request for said officials and employees including mileage.
  - 4. Attorney's fees ordered by the court to be paid by the said employees.
- C. To be entitled to coverage, the said officials and employees must:
  - 1. Cooperate with the City Attorney and/or outside counsel selected by the City, and upon their request, assist in conducting the lawsuits;
  - 2. Attend hearings and trials and assist in securing and giving evidence and obtaining the attendance of witnesses;
  - 3. Not, except upon advice of the City Attorney or outside counsel, give any oral or written statement or enter into any stipulation or agreement concerning a claim or lawsuit; and
  - 4. Not, except at the said official's and employee's own cost, voluntarily make any payment, assume any obligation, or incur any expense with respect to a claim or lawsuit without the consent of the City.

**SECTION 2.** That this Resolution shall take effect immediately upon date of passage.


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DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 19th day of March, 1990.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Prigel  
City Secretary

  
B.J. Smith  
City Attorney