

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 79-96

**A RESOLUTION
ACKNOWLEDGING DEFENSE OF POLICE EMPLOYEES IN
CIVIL ACTION NO. 95 CV 171**

RECITALS.

On the 12th day of July, 1996, the City was served with a summons regarding the complaint in a Mesa County District Court action which generally alleges misconduct by Police Chief Darold Sloan, Captain Martyn Currie, Detectives Jim Hall, Kevin Imbriaco and Andy Martinez arising out of the death and subsequent investigation thereof of Gregory Boeschenstein. The action alleges that the investigation was negligently conducted and otherwise deficient and that the actions of the named police officers and officials were willful and wanton. The requested relief includes actual and punitive damages.

Under the provisions of the Colorado Governmental Immunity Act, specifically § 24-10-118, C.R.S., the City Council may, if it determines by resolution adopted at an open public meeting that it is in the public interest to do so, defend public employees against a claim for punitive damages or pay or settle any punitive damage claim against a public employee.

Because the City believes that the Detectives, the Captain and the Chief of Police were acting appropriately and within the scope of their employment, the City desires to convey that the City supports its employees who lawfully perform their duties.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF GRAND JUNCTION:**

That the City Council hereby finds and determines at an open public meeting that, based on the facts available to us at this time, it is in the public interest for the City to defend individually and collectively Chief Darold Sloan, Captain Martyn Currie, Detectives Jim Hall, Kevin Imbriaco and Andy Martinez against claims made in civil action 95 CV 171.

PASSED and ADOPTED this 7th day of August, 1996.

Attest:

/s/ Linda Afman

President of the Council

/s/ Stephanie Nye

City Clerk