



City of Broken Arrow

Legislation Details (With Text)

File #:	19-1195	Name:	
Type:	General Business	Status:	Agenda Ready
File created:	9/24/2019	In control:	Broken Arrow City Council
On agenda:	10/1/2019	Final action:	
Title:	Consideration, discussion and possible approval and authorization to execute Resolution No. 1269, a Resolution authorizing the City Attorney to defend Rodney Garner in the civil action Ellsworth vs. The City of Broken Arrow et al, Case No. 19-CV-34-TCK-FHM in the United States District Court for the Northern District of Oklahoma		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 2019-10-01_Res No. ---Garner		

Date	Ver.	Action By	Action	Result
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Broken Arrow City Council Meeting of: 10-01-2019

Title:

Consideration, discussion and possible approval and authorization to execute Resolution No. 1269, a Resolution authorizing the City Attorney to defend Rodney Garner in the civil action Ellsworth vs. The City of Broken Arrow et al, Case No. 19-CV-34-TCK-FHM in the United States District Court for the Northern District of Oklahoma

Background:

On August 26, 2019 Amanda Ellsworth and Braeden Walling filed a Second Amended Complaint in the United States District Court for the Northern District of Oklahoma, case no. 19-CV-34-TCK-FHM alleging the City of Broken Arrow and City of Broken Arrow Officers Rodney Garner and Joshua Zoller violated the Ellsworths' civil rights during a traffic stop. This complaint arose from an incident on or about August 1, 2018 where the Ellsworths were allegedly detained without probable cause by City of Broken Arrow Police Officers. 11 O.S. § 23-101 *et seq* provides for the City of Broken Arrow to defend its municipal employees in such actions. Officer Garner acted in good faith and in the course and scope of his employment in this encounter and is entitled to a defense by the City of Broken Arrow.

Cost: Cost of litigation

Funding Source: Legal Department Operational Budget

Requested By: Trevor Dennis, City Attorney

Approved By: City Manager's Office

Attachments: Resolution No. 1269

Recommendation:

Approve Resolution No. 1269 and authorize its execution.