

JOINT RESOLUTION

JOINT RESOLUTION AUTHORIZING THE FIRM COLLINS, ZORN & WAGNER, P.C. TO REPRESENT CITY EMPLOYEES JOSE COLMENARES AND ELDON WALSH IN THE CASE OF *KEVIN DICKERSON V. JOSE COLMENARES, ET AL.*, UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-24-554-G.

WHEREAS, Oklahoma City Police Officers Jose Colmenares and Eldon Walsh are employed by the City of Oklahoma City at all times material to the case in Unites States District Court, Western District of Oklahoma, Case Number CIV-24-554-G, *Kevin Dickerson v. Jose Colmenares, et al.*; and,

WHEREAS, Plaintiff is seeking to recover damages from the Defendant Officers for allegedly violating certain civil rights of the Plaintiff by their actions on July 22, 2023, when Plaintiff was detained and issued a municipal citation for Interfering with Official Process; and

WHEREAS, the Defendant Officers have requested that the City provide legal representation on their behalf; and,

WHEREAS, there exists a potential conflict of interest between the City and these employees if Plaintiff is able to prove his allegations; and,

WHEREAS, these officers have requested that the City retain Collins, Zorn & Wagner, P.C. to represent them in this lawsuit; and,

WHEREAS, the Oklahoma City Municipal Facilities Authority has entered into a Comprehensive Retainer Agreement with Collins, Zorn & Wagner, P.C. to provide legal services on behalf of Oklahoma City Police Officers in these circumstances.

NOW BE IT RESOLVED BY THE CITY OF OKLAHOMA CITY AND THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY that Collins, Zorn & Wagner, P.C. is hereby retained as legal counsel on behalf of City employees Jose Colmenares and Eldon

Walsh, in the above-referenced case pursuant to the terms and conditions of their Agreement reserving unto the City further rights of indemnification as to the payment of any demands, claims or attorney fees, both in their defense or the plaintiff's prosecution of this case or judgment, resulting from this litigation as provided by 11 O.S. §23-102, 51 O.S. §§153, 162, and Oklahoma City Municipal Code §§2-321 through 2-325, inclusive, from these officers if it should be determined or decided by the Court or a jury or by the City Council of the City of Oklahoma City that this officer was acting outside the course and scope of his or his employment with the City of Oklahoma City.

ADOPTED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE
CITY OF OKLAHOMA CITY this 30TH day of JULY, 2024.

ATTEST:

Amy K. Simpson
City Clerk



David Holt
Mayor

ADOPTED BY THE TRUSTEES AND APPROVED BY THE CHAIRMAN OF THE
OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY this 30TH day of
JULY, 2024.

ATTEST:

Amy K. Simpson
Secretary



David Holt
Chairman

REVIEWED as to form and legality.

Sherril Katz
Assistant Municipal Counselor