



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		6/13/2011		
Department:		Legal		
Department Head		Diane Wetherbee		
Agenda Coordinator (include phone #): Betsy Allen # 7545				
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, finding Officer Paul Malcom is entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of <u>Michelle Lucille Spikin v. City of Plano, Texas and Paul Malcom</u>; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2010-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	600,000	0	600,000
Encumbered/Expended Amount	0	-389,930	0	-389,930
This Item	0	0	0	0
BALANCE	0	210,070	0	210,070
FUND(S) PROERTY/LIABILITY LOSS				
<p>COMMENTS: Any costs associated with this item are underterminable at this time. Once determined, all costs will be covered by the Property/Liability Loss Fund.</p> <p>STRATEGIC PLAN GOAL: Legal representation for a City employee relates to the City's goal of Safe Large City.</p>				
SUMMARY OF ITEM				
<p>Pursuant to City Ordinance regarding defense of employees, staff recommends defense representation be provided for Officer Paul Malcom in the lawsuit entitled <u>Michelle Lucille Spikin v. City of Plano, Texas and Paul Malcom</u>.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
n/a			n/a	

A Resolution of the City Council of the City of Plano, Texas, finding Officer Paul Malcom is entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Michelle Lucille Spikin v. City of Plano, Texas and Paul Malcom; and providing an effective date.

WHEREAS, the City Council has reviewed the matter entitled Michelle Lucille Spikin v. City of Plano, Texas and Paul Malcom and finds that defense representation is appropriate for Officer Paul Malcom pursuant to Section 2-10 of the City Code of Ordinances.

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

Section I. The City Council finds that based upon the pleadings in the above-referenced lawsuit, the defense representation for Officer Paul Malcom is appropriate pursuant to the terms of City Code of Ordinances Section 2-10.

Section II. This Resolution shall become effective immediately after its passage.

DULY PASSED AND APPROVED this the 13th day of June, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY