

RESOLUTION # 01062022-CA1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY
REGARDING POTENTIAL LIABILITY OF CITY ELECTED OFFICIALS,
APPOINTED OFFICIALS AND EMPLOYEES**

- WHEREAS:** The City of Peachtree City is a municipal corporation duly chartered and incorporated by the State of Georgia; and,
- WHEREAS:** As a result of certain decisions by State and Federal Courts, elected and appointed officials and employees of the City may be subject to suits seeking to hold these persons personally liable for damages; and,
- WHEREAS:** Elected and appointed officials, employees, and other individuals may be subject to formal complaints under the City Code of Ethics; and
- WHEREAS:** The City Council deems it to be in the best interest of the City to indemnify, defend, and protect City elected and appointed officials and employees from certain liability.

NOW, THEREFORE BE IT RESOLVED THAT:

The City of Peachtree City shall indemnify, defend and pay any and all judgments rendered against any City elected official or appointed official (with exception of officials of authorities) or employees for any and all suits brought against them for any acts or omissions performed or neglected to be performed by them in the course of their employment, or association with the City.

The City of Peachtree City shall provide legal counsel to any elected official, appointed official, employee, or other individual who is investigated under the City's Code of Ethics (with the exception of officials of authorities) for representation before the Hearing Officer, the investigation conducted by the Hearing Officer, and any action taken by Council. Such legal counsel shall be selected by the individual requesting representation and be reimbursed by the City at a rate not to exceed the approved hourly rate of the City Attorney plus 20%.

The indemnification shall not apply to those individuals who acted oppressively, maliciously, corruptly, or without authority of law as defined under O.C.G.A. §36-33-4.

The resolution shall remain in full force and effect until such time as it may be amended or repealed by a subsequent resolution of the City Council.

SO RESOLVED, in open session assembled pursuant to law, this 6th day of January, 2022.

Kim Learnard, Mayor

Philip E. Prebor, Post 1

Mike King, Post 2

Gretchen Caola, Post 3

Frank Destadio, Post 4

ATTEST: _____
Yasmin Julio, City Clerk