

1 **BY AUTHORITY**

2 RESOLUTION NO. **CR22-XXXX**

COMMITTEE OF REFERENCE

3
4 SERIES OF 2022

Safety, Housing, Education & Homelessness

5 **A RESOLUTION**

6 **Authorizing and approving the expenditure and payment from the**
7 **appropriation account designated “liability claims,” the total sum of One**
8 **Hundred Twenty-Eight Thousand and Two Dollars (\$128,002.00), distributed**
9 **as follows: Sixty-Four Thousand and One Dollars (\$64,001.00) made payable**
10 **to Killmer, Lane & Newman, LLP COLTAF Trust Account on behalf of Brian**
11 **Loma, and Sixty-Four Thousand and One Dollars (\$64,001.00) made payable**
12 **to Killmer, Lane & Newman, LLP COLTAF Trust Account on behalf of Mikel**
13 **Whitney, in full payment and satisfaction of any and all claims related to the**
14 **civil action captioned *Brian Loma and Mikel Whitney v. The City and County***
15 ***of Denver, Sergeant Anthony Guzman, Corporal Frederick Kitchens, and,***
16 ***Detective Michael Felsoci, which was filed in the United States District Court***
17 **for the District of Colorado, Case No. 20-cv-02827-RM-STV.**

18
19 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

20
21 **Section 1.** That the Council of the City and County of Denver hereby approves and authorizes
22 the expenditure and payment from the 2022 appropriation account designated as “Liability Claims”
23 (Accounting Number 11827 4511001), the total sum of One Hundred Twenty-Eight Thousand and
24 Two Dollars (\$128,002.00), distributed as follows: Sixty-Four Thousand and One Dollars
25 (\$64,001.00) made payable to Killmer, Lane & Newman, LLP COLTAF Trust Account on behalf of
26 Brian Loma, and Sixty-Four Thousand and One Dollars (\$64,001.00) made payable to Killmer, Lane
27 & Newman, LLP COLTAF Trust Account on behalf of Mikel Whitney, in full payment and satisfaction
28 of any and all claims related to the civil action captioned *Brian Loma and Mikel Whitney v. The City*
29 *and County of Denver, Sergeant Anthony Guzman, Corporal Frederick Kitchens, and, Detective*
30 *Michael Felsoci, which was filed in the United States District Court for the District of Colorado, Case*
31 *No. 20-cv-02827-RM-STV.*

32 Payment is to be made upon the execution and delivery of such release or releases as is or
33 are satisfactory to the attorney for the City and County of Denver.

34 **Section 2. The Manager of Finance is hereby authorized and directed to make such book**
35 **and record such entries and to do such other things as may be necessary to accomplish**
36 **the purposes of this resolution.**

37 [BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: August 16, 2022

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 ATTEST: _____ - CLERK AND RECORDER,
6 EX-OFFICIO CLERK OF THE
7 CITY AND COUNTY OF DENVER
8

9 PREPARED BY: Wendy Shea, Assistant City Attorney DATE: August 16, 2022

10 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
11 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
12 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
13 3.2.6 of the Charter.

14 Kristin M. Bronson, City Attorney

15 BY: _____, Assistant City Attorney DATE: _____