



Board Agenda Item 36

DATE: September 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Request to Defend Public Officer or Employee

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for the employee listed below:

**Name of Officer/
Employee**

Position

Title of Action

Allen Cha	Behavioral Health Department Community Mental Health Specialist I	Jessica Brambila, et al. v Allen Cha, et al.
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Description:

Claimant alleges a Fresno County employee failed to yield the right of way that caused an auto accident, which is the proximate cause of the claimant's injuries and damages. The location of this incident was in District 3.

Fresno County Claim No.: 9779 (Fresno Superior Court Case No.18CECG01726)
Claimant: Jessica Brambila

ALTERNATIVE ACTION(S):

No alternative action is available as Article 4 (commencing with section 825), Chapter 1, Part 2, Division 3.6 of Title 1 of the Government Code requires the County indemnify its public employees.

FISCAL IMPACT:

Funds to finance the cost of defense are contained in the Risk Management Internal Services Fund. Defense costs are supported by annual budgetary contributions based on actuarial projections.

DISCUSSION:

The California Government Code requires the County to defend its officer(s) and/or employees(s) who are sued because of their actions while in the course and scope of employment. The County may require officer(s) and/or employee(s) to agree that the County's rights under the law are protected.

In the above-mentioned action, the officer(s) and/or employee(s) who have been named in the suit have requested the County to provide legal defense. The necessary agreement to protect the County's rights has been signed by said officer(s) and/or employee(s) and is on file with the Clerk of the Board.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement to Defend Public Officer or Employee for Allen Cha with Exhibit "A" Article 4. Indemnification of Public Employees

CAO ANALYST:

Juan Lopez