



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Details (With Text)

**File #:** 18-1184

**On agenda:** 10/23/2018

**Final action:** 10/23/2018

**Enactment date:**

**Enactment #:** Agreement No. 18-600

**Title:** Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Library - Supervising Librarian, Wendy Eisenberg, as named in Fresno County Superior Court Case No.18CECG02835, Stephanie Betancourt v. County of Fresno, et al.

**Attachments:** 1. Agenda Item, 2. Agreement A-18-600 to Defend Public Officer or Employee

Date	Ver.	Action By	Action	Result
10/23/2018	1	Board of Supervisors	Approved (Consent Agenda)	Pass

**DATE:** October 23, 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

Wendy Eisenberg

Library  
Supervising Librarian

Stephanie Betancourt  
v  
County of Fresno, et al.

### Description:

Claimant alleges a Fresno County employee was traveling at an unsafe speed and rear-ended another vehicle causing a multi car collision, which is the proximate cause of the claimant's injuries and damages. The location of this incident was in District 5.

**Fresno County Claim No.:** 9882 (Fresno Superior Court Case No.18CECG02835)

**Claimant:** Stephanie Betancourt

### 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 Wendy Eisenberg with Exhibit "A" Article 4. Indemnification of Public Employees

CAO ANALYST:

Juan Lopez