



# County of Fresno

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

## Legislation Details (With Text)

**File #:** 18-0149 **Name:** Request to Defend Public Officers or Employees

**In control:** Human Resources

**On agenda:** 2/20/2018 **Final action:** 2/20/2018

**Enactment date:** **Enactment #:** Agreement No. 18-055

**Title:** Approve and authorize Chairman to execute Agreement to Defend Public Officer or Employee for: Fresno County Sheriff's Department, Deputy Sheriff III Andres Solis, as named in Fresno County Superior Court Case No.17CECG01525, Dominic Elliott v. Deputy Andres Solis, et al.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Agreement A-18-055 to Defend Public Officer or Employee

| Date      | Ver. | Action By            | Action             | Result |
|-----------|------|----------------------|--------------------|--------|
| 2/20/2018 | 1    | Board of Supervisors | Conducted Hearings | Pass   |

**DATE:** February 20, 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**

Andres Solis

Deputy Sheriff III  
Sheriff's Department

Dominic Elliott  
v  
Deputy Andres Solis, et al.

### Description:

Claimant alleges a Fresno County employee rear-ended the claimant causing property damage and bodily injuries, which is the proximate cause of the claimant's damages/injuries.

Fresno County Claim No.: 9570 (Fresno Superior Court Case No.17CECG01525)  
Claimant: Dominic Elliott

### 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 to the Board.

ATTACHMENTS INCLUDED AND/OR ON FILE:

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

CAO ANALYST:

Sonia M. De La Rosa