



# County of Fresno

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

## Legislation Details (With Text)

**File #:** 19-0828 **Name:** Request to Defend Public Officer(s) or Employee(s)

**In control:** Human Resources

**On agenda:** 7/9/2019

**Final action:** 7/9/2019

**Enactment date:** **Enactment #:** Agreement No. 19-312

**Title:** Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Brandi Orth, County Clerk/Register of Voters, as named in Eastern District Court Case No: 1:19-CV-00808-AWI-BAM, The Unitarian Universalist Church of Fresno v. Brandi Orth, Risk Management claim No.: 10096

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Agreement A-19-312 to Defend Public Officer or Employee - Orth

Date	Ver.	Action By	Action	Result
7/9/2019	1	Board of Supervisors	Conducted Hearings	Pass

**DATE:** July 9, 2019

**TO:** Board of Supervisors

**SUBMITTED BY:** Paul Nerland, Director of Human Resources

**SUBJECT:** Request to Defend Public Officers or Employees

**RECOMMENDED ACTION(S):**

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

**Name of Officer(s)/  
Employee(s)**

**Position**

**Title of Action**

Brandi Orth	County Clerk/Register of Voters County Clerk	The Unitarian Universalist Church of Fresno v Brandi Orth
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**Description:**

Claimant alleges discrimination and retaliation by the County Clerk's office, which is the proximate cause of the claimants' injuries/damages.

Fresno County Claim No.: 10096  
Eastern District Court Case No.: 1:19-CV-00808-AWI-BAM  
Claimant: The Unitarian Universalist Church of Fresno

**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(s) or Employee(s) for Brandi Orth with Exhibit "A" Article 4. Indemnification of Public Employees

**CAO ANALYST:**

Debbie Paolinelli