

MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

FROM: Bradley R. Hogin, Esq.
General Counsel


DATE: February 16, 2021

RE: Closed Session Items

The Steering Committee desires to hold a closed session on February 24, 2021 for the purpose of conferring with its legal counsel regarding anticipated litigation. Based on existing facts and circumstances, the Committee is deciding whether to initiate litigation against another party. Existing facts and circumstances reflect a significant exposure to litigation against the District. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(2).

The facts and circumstances are as follows. On January 19, 2021, the District received a claim from Raul Palazuelo, a district employee. Mr. Palazuelos's claim seeks damages and asserts causes of action for racial discrimination; racial harassment; retaliation for reporting discrimination and harassment; and failure to prevent harassment, discrimination and retaliation in violation of the Fair Employment and Housing Act (Government Code sections 12940 et seq.) ("FEHA"). Also asserted is a claim for violation of Labor Code section 1102.5 which is California's whistleblower protection statute.

Respectfully submitted,

By: 
Bradley R. Hogin, General Counsel