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CITY OF OAKLAND



09 OCT -7 PM 3:23

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

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October 20, 2009

HONORABLE CITY COUNCIL
Oakland, California

Subject: Randy Bell v. City of Oakland.
Alameda County Superior Court Case No. RG08394570
Our File No. X03202

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared a resolution and requests your approval of same, authorizing compromise and settlement of the above-entitled action in the total sum of \$41,000, payable to plaintiff Randy Bell and his attorney of record, James R. Grant.

The action claims that Randy Bell was subjected to disability discrimination and failure to accommodate arising out of his employment as a Heavy Equipment Operator in the Public Works Agency. The settlement is recommended as a compromise of this matter. This matter was presented in Closed Session on October 6, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Vicki Laden

599667

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Approved as to Form and Legality



Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF RANDY BELL V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08394570, OUR FILE NO. X03203, IN THE AMOUNT OF \$41,000.00 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Randy Bell v. City of Oakland, Alameda County Superior Court Case No. RG08394570, City Attorney's File No. X03203, for a sum not to exceed a total amount of Forty-One Thousand Dollars and No Cents (\$41,000.00), payable to Randy Bell and McCormac & Associates., plaintiff's attorneys of record.

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps that may be necessary to effect this settlement; and be it

FURTHER RESOLVED: That the sum of Forty-One Thousand Dollars and No Cents (\$41,000.00) be paid to Randy Bell and McCormac & Associates, plaintiff's attorneys of record.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

- AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California