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CITY OF OAKLAND



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December 10, 2013

HONORABLE CITY COUNCIL
Oakland, California

Subject: Don G. Jeffries v. City of Oakland, et al.
Alameda County Superior Court Case No. RG10545421
City Attorney's File No. 27220
(City Administrator's Office - Employment Discrimination)

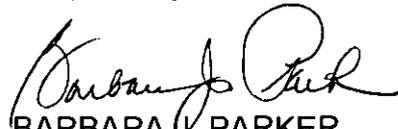
President Kernighan and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Four Hundred Thousand Dollars and no Cents (\$400,000.00), payable to Don G. Jeffries and the Law Office of Horowitz and Rubinoff, his attorneys.

This settlement arises out of the above-referenced action in which Plaintiff Don G. Jeffries alleges that he was unlawfully terminated from his position of Affirmative Action Manager because of his race and because he complained of alleged violations of law by City staff and officials.

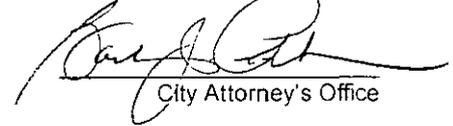
The Council authorized settlement of this case in Closed Session on Tuesday, November 5, 2013 (moved by Councilmember Schaaf and seconded by Councilmember Gibson McElhaney - 5 Ayes, 1 Absent, 2 Abstentions).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney assigned:
Outside Counsel
Randolph W. Hall

1259526


City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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OAKLAND CITY COUNCIL

Resolution No _____ C.M.S.

RWH:sl

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DON G. JEFFRIES V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG10545421, CITY ATTORNEY'S FILE NO. 27220, IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS AND NO CENTS (\$400,000.00) ARISING OUT OF MR. JEFFRIES' EMPLOYMENT DISCRIMINATION ALLEGATIONS (CITY ADMINISTRATOR'S OFFICE – EMPLOYMENT DISCRIMINATION)

WHEREAS, Plaintiff Don G. Jeffries alleges that he was unlawfully terminated from his position as Affirmative Action Manager on November 14, 2008; and

WHEREAS, Plaintiff Don G. Jeffries alleges his unlawful termination was based on racial discrimination and retaliation for complaining about matters of public policy; and

WHEREAS, Plaintiff Don G. Jeffries filed the above-referenced action to recover monetary damages arising out of his allegations of unlawful termination of employment; and

WHEREAS, Without admitting fault or wrongdoing, the City has determined its interest is best served to compromise and settle Plaintiff Don G. Jeffries' claim against it for the sum of Four Hundred Thousand Dollars and No Cents (\$400,000.00); and now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Don G. Jeffries v. City of Oakland, et al, Alameda County Superior Court Case No. RG10545421, City Attorney's File No.27220, for the sum of Four Hundred Thousand Dollars and No Cents (\$400,000.00) payable to Don G. Jeffries and the Law Office of Horowitz and Rubinoff, his attorney; and be it

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

FURTHER RESOLVED: That the sum of Four Hundred Thousand Dollars and No Cents (\$400,000.00) be made payable to Don G. Jeffries and the Law Office of Horowitz and Rubinoff, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____ 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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