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CITY OF OAKLAND



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Office of the City Attorney  
John A. Russo  
City Attorney

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June 15, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Beamon v. City of Oakland**  
Alameda Superior Court Case No. C 849854  
City Attorney File No. X00868(PWA)

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from a hostile work environment for a total sum of Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00), to be made payable to Lynn Beamon and Charles A. Bonner, Esq., his attorney.

Plaintiff alleges that a co-worker verbally harassed him between September 1998 and Fall 1999 and that the City failed to protect him from this hostile work environment. It appears that the Department did not take immediate and appropriate corrective action. This case was discussed in closed session May 4 and approved for settlement on May 18, 2004 at closed session.

The settlement is recommended to avoid the risk of an adverse verdict at trial and the additional exposure for attorney's fees should that occur.

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Maria Bee  
322374

10.5CC  
ORA/COUNCIL  
JUN 15 2004

OAKLAND CITY COUNCIL

*RWJ*

RESOLUTION NO. \_\_\_\_\_ C.M.S.

MXB/kj

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LYNN BEAMON v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. C849854, OUR FILE NO. x00868, IN THE AMOUNT OF \$87,500.00. THIS CASE INVOLVES CLAIMS OF A RACIALLY HOSTILE WORK ENVIRONMENT PUBLIC WORKS AGENCY- (EMPLOYMENT DISCRIMINATION)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Lynn Beamon v. City of Oakland, et al., Alameda County Superior Court Case No. C849854, City Attorney's File No. X00868, for a sum not to exceed a total of Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00) payable by the City of Oakland to Lynn Beamon and Charles A. Bonner, Esq., his attorney.

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

**FURTHER RESOLVED:** That the sum of Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00) be paid to Lynn Beamon and Charles A. Bonner, Esq.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2004

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

322372

*10.5CC*  
**ORA/COUNCIL**  
**JUN 15 2004**