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CITY OF OAKLAND



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Office of the City Attorney
Barbara J. Parker
City Attorney

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November 13, 2012

HONORABLE CITY COUNCIL
Oakland, California

President Reid and Members of the City Council:

Subject: Veronica Hodge v. City of Oakland
Alameda County Superior Court Case No. RG11579929
City Attorney File No. X03702 (Personnel, Human Resources)

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 action for the sum of Forty-Eight Thousand Dollars and No Cents (\$48,000.00), payable to plaintiff Veronica Hodge via IRS form 1099. This matter was approved in the October 10, 2012 Council closed session continued from the October 2, 2012, Council closed session.

Ms. Hodge, a former employee, appealed her termination seeking review by the Civil Service Board. Review was denied and Ms. Hodge filed suit asserting she was wrongfully denied civil service appeal rights and seeking reinstatement, back pay and attorneys' fees and costs. Ms. Hodge has agreed to resolve her claim against the City for non-wage settlement of \$48,000 payable via IRS form 1099, a change of her release to a resignation, removal from her personnel file of allegations of wrongdoing, if any, that may have served as the basis for her release, and a letter regarding her employment with the City.

Respectfully submitted,

A handwritten signature in cursive script, which appears to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney assigned:
Outside Counsel

Doc. No.: 1036122


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RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF VERONICA HODGE v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11579929, CITY ATTORNEY'S FILE NO. X03702, IN THE NON-WAGE SETTLEMENT AMOUNT OF FORTY-EIGHT THOUSAND DOLLARS AND NO CENTS (\$48,000.00) (PERSONNEL, HUMAN RESOURCES)

WHEREAS, in October 2010, Plaintiff, Veronica Hodge, a City employee, was notified that she would be released from employment, sought review of her termination by the Civil Service Board and was denied review; and

WHEREAS, Plaintiff filed the above entitled lawsuit seeking an order mandating review of the termination by the Civil Service Board, or reinstatement, back pay and attorneys' fees and costs; and

WHEREAS, Plaintiff has agreed to resolve her claims against the City for payment of \$48,000 to be paid to Ms. Hodge via IRS form 1099; and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interests of the City; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to settle the matter of Veronica Hodge v. City of Oakland, Alameda County Superior Court Case No. RG11579929, City Attorney File No. X03702, for the non-wage settlement sum of Forty-Eight Thousand Dollars and No Cents (\$48,000.00) payable to plaintiff Veronica Hodge via IRS form 1099, a change of her release to a resignation, removal from her personnel file of allegations of wrongdoing, if any, that may have served as the basis for her release, and a letter regarding her employment with the City; and be it

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

FURTHER RESOLVED: That the (non-wage settlement) sum of Forty-Eight Thousand Dollars and No Cents (\$48,000.00) be made payable to plaintiff Veronica Hodge via IRS form 1099.

IN COUNCIL, OAKLAND, CALIFORNIA,
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, and
PRESIDENT REID

NOES-
ABSENT-
ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the
Council of the City of Oakland, California