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City Attorney's Office

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OAKLAND

15 JUL -9 PM 12: 13

OAKLAND CITY COUNCIL

Resolution No. 85708 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAMES WILLIAMS V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14734547, CITY ATTORNEY'S FILE NO. X04044, IN THE AMOUNT OF THIRTY-TWO THOUSAND, FOUR HUNDRED AND TWENTY-FIVE DOLLARS AND NINETY-SIX CENTS (\$32,425.96) (OAKLAND FIRE DEPARTMENT/CITY ADMINISTRATOR'S OFFICE-LEAVE/BENEFITS)

WHEREAS, Petitioner James Williams voluntarily resigned from the City in 2013 and sought to cash-out his remaining accrued sick leave but was denied; and

WHEREAS, On July 25, 2014, Petitioner James Williams filed a petition for writ of mandate and complaint for damages seeking the monetary value of one-third of his accrued sick leave hours; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Petitioner James Williams' claim against it for the sum of Thirty-Two Thousand, Four Hundred and Twenty-Five Dollars and Ninety-Six Cents Dollars (\$32,425.96); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of James Williams v. City of Oakland, Alameda County Superior Court Case No. RG14734547, City Attorney's File No. X04044, for a sum not to exceed Thirty-Two Thousand, Four Hundred and Twenty-Five Dollars and Ninety-Six Cents Dollars (\$32,425.96) payable by the City of Oakland; 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 Thirty-Two Thousand, Four Hundred and Twenty-Five Dollars and Ninety-Six Cents Dollars (\$32,425.96) be made payable to James Williams.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 21 2015

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY -7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST: *[Signature: Latonda Simmons]*

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