


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 DENISE BONGIOVANNI V. CITY OF OAKLAND AND DOES 1 – 10, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, CASE NO. 3:21-CV-01303-EMC, CITY ATTORNEY'S FILE NO. X05251, IN THE AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$150,000.00) (OAKLAND ANIMAL SERVICES – EMPLOYMENT/CIVIL RIGHTS)

WHEREAS, the City of Oakland employed Plaintiff as the animal shelter manager of Oakland Animal Services from April 2017 to December 2020;

WHEREAS, Plaintiff, who identifies as a gay woman, alleges she was subjected to a hostile work environment because of her gender and sexual orientation during her employment with the City and that she experienced retaliation for complaining;

WHEREAS, BonGiovanni alleges that the Animal Control Officers she supervised created an abusive environment by devaluing and disrespecting and bullying BonGiovanni and other female employees. BonGiovanni claims the City did not take action in response to her complaints which led to further harassment and retaliation.

WHEREAS, Plaintiff filed a lawsuit in United States District Court, Northern District of California, Case No. 3:21-cv-01303-EMC, against the City of Oakland, alleging hostile work environment based on gender and sexual orientation, retaliation, discrimination, and failure to prevent discrimination and harassment;

WHEREAS, the City denies any wrongdoing or liability and does not admit any of Plaintiff's allegations; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Denise BonGiovanni v. City of Oakland and DOES 1 – 10, United States District Court, Northern District of California, Case No. 3:21-cv-01303-EMC, City Attorney’s File No. X05251, for the sum of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), to be paid as (1) Seventy-Five Thousand Four Hundred Forty-Five Dollars and Ninety-Seven Cents (\$75,445.97) payable to Denise BonGiovanni; and (2) Seventy-Four Thousand Five Hundred Fifty-Four Dollars and Three Cents (\$74,554.03) payable to Angela Alioto, Professional Law Corporation; 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT
FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California