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CITY OF OAKLAND



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October 30, 2018

HONORABLE CITY COUNCIL
Oakland, California

Subject: Harold Bowles v. City of Oakland, et al.
Alameda County Superior Court, Case No. RG16837846
City Attorney File No. X04343
(Department of Public Works - Employment)

President Reid and Members of the City Council:

Pursuant to Section 401 of the City Charter, the City Attorney has prepared and requests your approval of a resolution authorizing the compromise and settlement of the above-entitled action in the sum of: Seventy-Five Thousand Dollars and No Cents (\$75,000.00) payable to Curtis E. Allen Trust Account, in Trust for Harold Bowles.

This action alleges claims of discrimination, harassment, and retaliation in violation of the Fair Employment and Housing Act, and intentional infliction of emotional distress. This matter was heard in closed session on Tuesday, September 17, 2018.

The Council authorized settlement of this case in Closed Session on Monday, September 17, 2018 (moved by Councilmember Kaplan and seconded by Councilmember Gibson McElhaney – 7 Ayes, 1 Absent (Councilmember Brooks)).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
Kevin P. McLaughlin

2578707

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF: HAROLD BOWLES V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG16837846 IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$75,000.00) BASED ON CLAIMS OF DISCRIMINATION, HARASSMENT, AND RETALIATION IN VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT, AND INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS.

WHEREAS, Harold Bowles alleges that he suffered emotional distress and other harm as a result of alleged discrimination, harassment, and retaliation by reason of disability, and intentional infliction of emotional distress; and

WHEREAS, Alameda County Superior Court Case No. RG16837846 was filed against the City of Oakland and Derin Minor alleging claims under the Fair Employment and Housing Act and for intentional infliction of emotional distress; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise Harold Bowles's claim against it and Derin Minor for the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Harold Bowles v. City of Oakland, et al., Alameda County Superior Court No. RG16837846 for the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00); 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 - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN
AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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