

OCTOBER 6, 2022

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, October 6, 2022*

Litigation Negotiations

NAME OF ACTION:

Darwin BondGraham; and Ali Winston v. City of Oakland; Oakland Police Department; and Susan Manheimer, in her official capacity
Alameda County Superior Court Case No. RG20071657

This matter is listed as **Item No. 1(a)** on the Closed Session Agenda:

The council authorized settlement in the amount of **\$105,000.00.**

This case arose out of incidents occurring **during 2019.**

FACTS/ISSUES:

This action arises out of a suit alleging that the City of Oakland and Oakland Police Department violated the California Public Records Act, Government Code section 6250 et seq., and the Oakland Sunshine Ordinance sections 2.20.010 et seq., in failing to promptly produce and redact Oakland Police Department personnel records. The Court entered an Order, on April 7, 2021, and a Writ of Mandate, on April 13, 2021, requiring the City and Police Department to produce all responsive records. The City previously settled attorneys' fees and costs for opposing counsel's work up to the entry of the Writ of Mandate. Since that time, the parties have engaged in extensive communications and made several appearances before the Court regarding challenges to redactions in the documents the City and Police Department produced. As a result, the City and Police Department have agreed to or been ordered to lift certain redactions and have been permitted to retain others. The Council authorized settlement of attorneys' fees and costs in connection with the redaction challenges in the amount of \$105,000.00.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Councilmember Taylor**

AYES: Fife, **Gallo, Kalb, Kaplan, Reid, Taylor,** Thao and **President Fortunato Bas= 6**

NOES: **Fife,** Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=**1**

ABSENT: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, **Thao** and President Fortunato Bas=**1**

ABSTENTIONS: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=**0**