

OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

*Barbara J. O'Neil*  
Oakland City Attorney's Office

12 APR 18 PM 1:51 OAKLAND CITY COUNCIL

Resolution No. 83798 C.M.S.

BJP:EY

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF HELEN S. HYMAN, CLAIM NO. C28218 IN THE AMOUNT OF \$16,000.00, AS A RESULT OF A TRIP AND FALL ON A CITY SIDEWALK THAT WAS UPLIFTED DUE TO ROOTS FROM A CITY TREE ON 7/2/2010 (PUBLIC WORKS - MAINTENANCE SERVICES)**

**WHEREAS**, on July 2, 2010 Helen S. Hyman was walking in front of 171 Ridgeway Ave., Oakland, CA when she tripped and fell on the sidewalk that was uplifted from roots from an Official City tree.

**WHEREAS**, Helen S. Hyman filed the above referenced claim seeking damages sustained in the July 2, 2010 fall, and

**WHEREAS**, The City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City and now,

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Helen S. Hyman , our file number C28218, for the sum of Sixteen Thousand and 00/100 Dollars (\$16,000.00) payable to Helen S. Hyman.

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

**FURTHER RESOLVED:** That the sum of Sixteen Thousand and 00/100 Dollars (\$16,000.00) to be paid to Helen S. Hyman.

In Council, Oakland, California, APR 30 2012, 20    

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF,  
BRUNNER AND PRESIDENT REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: *LaTonda Simmons*

LaTonda Simmons  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA