

19 FEB 27 PM 2:25


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 87506 = C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ESMERALDA OLSON v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE No. RG17859149, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) (DEPARTMENT OF TRANSPORTATION – SIDEWALK).

WHEREAS, Esmeralda Olson alleges that on May 7, 2017, she tripped and fell on the sidewalk in front of Dimond Printers at 32525 Fruitvale Avenue; and

WHEREAS, Ms. Olson alleges that she broke and dislocated her elbow, that she was in a cast for six weeks and that she then needed surgeries to install and then remove hardware; and

WHEREAS, Ms. Olson alleged that for several months, she endured pain and was unable to use her arm; and

WHEREAS, Ms. Olson's medical expenses exceeded \$200,000; and

WHEREAS, Ms. Olson sued the City and Dimond Printers alleging a dangerous condition of public property where she fell, and has agreed to settle her lawsuit for a settlement payment of \$100,000.00, with Dimond Printers and the City each paying \$50,000.00; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Esmeralda Olson v. City of Oakland, et al., Alameda County Superior Court Case No. RG17859149, City Attorney's File No. 30828, for the sum of Fifty Thousand Dollars and No Cents (\$50,000.00); and be it

FURTHER RESOLVED: That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Esmeralda Olson and her counsel; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 21 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, ~~DISBONCELHANEY~~ KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 7

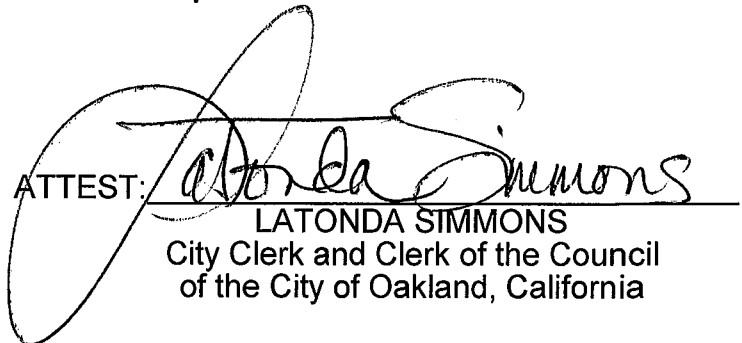
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 McElhaneey

ATTEST:



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