

2014 OCT 22 PM 3:09

CITY OF OAKLAND



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November 5, 2014

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Claim of Kevin Flynn
City Attorney File No. C30159
(Oakland Fire Department – Automobile Collision)**

President Kernighan and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Seven Thousand Five Hundred Sixty One Dollars and Twenty Five Cents (\$7,561.25) payable to Kevin Flynn.

This action arises out of a July 2, 2014 incident in which the Oakland fire fighter, driving a City fire services truck, collided with the claimant's parked car. Settlement of this matter is recommended to avoid the risk of litigation.

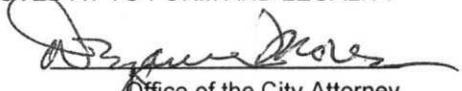
The Council authorized settlement of this case in Closed Session on Tuesday, October 9, 2014 (moved by Councilmember Gallo and seconded by Councilmember Kaplan – 6 Ayes, 2 Absent – Councilmembers Brooks and Gibson McElhaney).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

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Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF KEVIN FLYNN, CITY ATTORNEY'S CLAIM NO. C30159, IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED SIXTY ONE DOLLARS AND TWENTY FIVE CENTS (\$7,561.25), PAYABLE TO KEVIN FLYNN (OAKLAND FIRE DEPARTMENT - AUTOMOBILE COLLISION)

WHEREAS, the claimant alleges that on July 2, 2014, the Fire Services truck collided with the claimant's parked car, and

WHEREAS, the claimant filed the above entitled claim seeking payment for said damages, 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; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to settle the claim of Kevin Flynn, our file C30159, for the sum of Seven Thousand Five Hundred Sixty One Dollars and Twenty Five Cents (\$7,561.25); 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; and be it

FURTHER RESOLVED: That the sum of Seven Thousand Five Hundred Sixty One Dollars and Twenty Five Cents (\$7,561.25), be made payable to Kevin Flynn.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID AND
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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