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15 JUN 24 PM 1:30

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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July 7, 2015

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of Jerome Matthews  
City Attorney C30225**

President Gibson McElhaney 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 Ten Thousand Dollars and No Cents (\$10,000.00), made payable to Jerome Matthews.

This action arises out of a May 23, 2014 motorcycle accident in which claimant encountered a defect in the roadway that caused him and his motorcycle to fall over resulting in injuries to the claimant. Settlement of this matter is recommended to avoid the risk of litigation.

The Council authorized settlement of this claim in Closed Session on Tuesday, June 16, 2015 (moved by Councilmember Gallo and seconded by Councilmember Kaplan – 7 Ayes, 1 Absent Gibson McElhaney).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Barbara J. Parker".

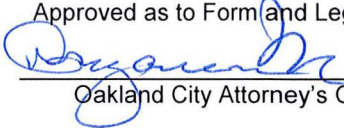
BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
James F. Hodgkins

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OAKLAND

Approved as to Form and Legality

  
Oakland City Attorney's Office

15 JUN 24 11:30 AM  
**OAKLAND CITY COUNCIL**

Resolution No. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF JEROME MATTHEWS (CLAIM NO. C30225) IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00), PAYABLE TO JEROME MATTHEWS (OAKLAND PUBLIC WORKS – DANGEROUS CONDITION/STREETS)**

**WHEREAS**, claimant filed a personal injury and property damage claim resulting from a roadway accident on Broadway Terrace on May 23, 2014; 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 Jerome Matthews, our file number C30225, in the amount of Ten Thousand Dollars and No Cents (\$10,000.00); 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; and be it

**FURTHER RESOLVED:** That the sum of Ten Thousand Dollars and No Cents (\$10,000.00), be made payable to Jerome Matthews.

IN COUNCIL, OAKLAND, CALIFORNIA,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON  
MCELHANEY

NOES-  
ABSENT-  
ABSTENTION-

Attest: \_\_\_\_\_

LATONDA SIMMONS  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA