

FILED
OFFICE OF THE CITY CLERK
OAKLAND

12 APR 18 PM 1:51

CITY OF OAKLAND



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

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

May 1, 2012

HONORABLE CITY COUNCIL
Oakland, California

President Larry Reid and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of Helen S. Hyman
File Number: C28218

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Sixteen Thousand and 00/100 Dollars (\$16,000.00), payable to Helen S. Hyman as a result of injuries sustained from a trip & fall on a City sidewalk on 7/2/2010. This was not a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written over a horizontal line.

BARBARA J. PARKER
City Attorney

12 APR 18 PM 1:51 OAKLAND CITY COUNCIL

Resolution No. _____ 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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