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CITY OF OAKLAND



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March 15, 2016

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of William Jetter  
City Attorney File #C30317  
(Public Works – Dangerous Conditions)**

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 Nine Thousand Nine Hundred and Ninety Seven Dollars and 00/100 Cents (\$9,997.00), made payable to William Jetter.

This action arises out of a May 15, 2014 incident in which Mr. Jetter claims personal injuries and property damage as a result of bicycle accident involving a pothole.

The Council authorized settlement of this case in Closed Session on Tuesday, March 1, 2016 (moved by Councilmember Kaplan and seconded by Councilmember Reid – 7 Ayes, 1 Absent – Councilmember Kalb).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
David Pereda

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Oakland City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF WILLIAM JETTER, IN THE AMOUNT OF NINE THOUSAND NINE HUNDRED NINETY SEVEN DOLLARS AND 00/100 CENTS (\$9,997.00) AS THE RESULT OF DAMAGES SUSTAINED FROM A BICYCLE INCIDENT INVOLVING A POTHOLE ON MAY 15, 2015 (PUBLIC WORKS – DANGEROUS CONDITIONS)**

**WHEREAS**, claimant alleges that on May 15, 2014, he sustained damages as a result of striking a pothole with his bicycle; 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 William Jetter, our file number C30317, in the amount of Nine Thousand Nine Hundred Ninety Seven Dollars and 00/100 Cents (\$9,997.00); 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 Nine Thousand Nine Hundred and Ninety Seven Dollars and 00/100 Cents (\$9,997.00), be made payable to William Jetter.

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