

*Donna Moore*  
City Attorney's Office

14 NOV -6 PM 12: 56

# OAKLAND CITY COUNCIL

RESOLUTION No. 85268 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STATE FARM GENERAL INS. CO. v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14-733470, IN THE AMOUNT OF THIRTEEN THOUSAND THREE HUNDRED TWENTY-SIX DOLLARS AND NINETY-TWO CENTS (\$13,326.92) AS A RESULT OF A TRAFFIC ACCIDENT ON SEPTEMBER 28, 2012 (PUBLIC WORKS DEPARTMENT- MOTOR VEHICLE COLLISION - SUBROGATION)**

**WHEREAS**, on September 28, 2012, a motor vehicle accident occurred at the intersection of 14<sup>th</sup> & Franklin Streets in Oakland involving a City of Oakland vehicle; and

**WHEREAS**, one of the vehicles involved in the accident was propelled into a business at 1407 Franklin Street; and

**WHEREAS**, Alameda County Superior Court Action RG14-733470 was filed against the City of Oakland alleging negligence; and

**WHEREAS**, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to compromise and settle the case of State Farm General Ins. Co. v. City of Oakland, City Attorney's File No. 29441, for the sum of Thirteen Thousand Three Hundred Twenty-Six Dollars and Ninety-Two Cents (\$13,326.92); 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 Thirteen Thousand Three Hundred Twenty-Six Dollars and Ninety-Two Cents (\$13,326.92) be payable to Plaintiff State Farm General Ins. Co. and their attorney Geordan Goebel.

IN COUNCIL, OAKLAND, CALIFORNIA

NOV 18 2014

PASSED BY THE FOLLOWING VOTE.

AYES. BROOKS, KAPLAN, GALLO, KALB, ~~GIBSON McELHANEY~~, REID, SCHAAF and PRESIDENT KERNIGHAN -7

NOES. Ø

ABSENT. *Gibson McElhaney -1*

ABSTENTION Ø

ATTEST *Latonda Simmons*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California