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CITY OF OAKLAND



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March 1, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: Claim of Dominique Rice
City Attorney File #C30462
(Oakland Fire Department – Automobile Incident)


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 Eighty Five Thousand Dollars and 00/100 Cents (\$85,000.00), made payable to Dominique Rice, and her attorney Mastrangelo Law Offices.

This action arises out of an October 4, 2014 incident in which Ms. Rice claims personal injuries and lost wages as a result of an incident with an OFD vehicle.

The Council authorized settlement of this case in Closed Session on Tuesday, February 16, 2016 (moved by Councilmember Kaplan and seconded by Councilmember Gallo – 8 Ayes).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
David Pereda

1834281v1

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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 DOMINIQUE RICE, IN THE AMOUNT OF EIGHTY FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$85,000.00) AS THE RESULT OF DAMAGES SUSTAINED FROM AN AUTOMOBILE INCIDENT ON OCTOBER 4, 2014 (OAKLAND FIRE DEPARTMENT—AUTOMOBILE INCIDENT)

WHEREAS, claimant alleges that on October 4, 2014, she sustained damages as a result of an automobile incident involving a City vehicle; 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 Dominique Rice, our file number C30462, in the amount of Eighty Five Thousand Dollars and 00/100 Cents (\$85,000.00); 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 Eighty Five Thousand Dollars and 00/100 Cents (\$85,000.00), be made payable to Dominique Rice, and her attorney Mastrangelo Law Offices.

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