

CITY OF OAKLAND



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

Office of the City Attorney
Barbara Parker
City Attorney

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

May 3, 2022

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Jorge Gonzalez and Pedro Rivas v. City of Oakland, Oakland Police Department, Daniel Darnell Mullens, and DOES 1 to 100
Alameda County Superior Court Case No. RG21091854
City Attorney File No. 34284
(Oakland Police Department – Motor Vehicle Collision)**

President Fortunato Bas 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 claims for the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00), payable to plaintiff Jorge Gonzalez in a manner specified by plaintiff's counsel.

This action arises out of a motor vehicle collision on March 31, 2020. Plaintiff Jorge Gonzalez was driving a car stopped on Adeline Street at a red light with Co-Plaintiff Pedro Rivas in the passenger seat when an Oakland Police Department vehicle driven by Officer Daniel Darnell Mullens collided with Gonzalez's vehicle. Officer Mullens was in pursuit of an armed robbery suspect with lights and sirens activated and turning from 7th Street onto Adeline Street when the collision occurred. (The City previously settled Co-Plaintiff Rivas's claims for \$15,000.) Plaintiff Gonzalez claims injuries to the back and neck and resulting income loss.

The City Council authorized settlement of this case in Closed Session on Thursday, April 21, 2022 (moved by Councilmember Noel Gallo and seconded by Vice Mayor Rebecca Kaplan - 8 Ayes).

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Andrew S. Huang