

2021 APR -9 PM 12: 09

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 88594 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHRISTOPHER ROBERT SAITES V. CITY OF OAKLAND AND DOES 1 TO 10, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20050438, CITY ATTORNEY'S FILE NO. 33640, IN THE AMOUNT OF ONE HUNDRED EIGHTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$185,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff alleges that on March 28, 2019, he fell from a scooter he was riding and was injured on Sixth Street near the intersection with Franklin Street in Oakland, due to a pothole that Plaintiff alleges is a dangerous condition on public property; and

WHEREAS, Plaintiff allegedly suffered extensive, complex maxillofacial fractures, requiring two surgeries, due to his fall, and will require additional surgeries in the future; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG20050438, was filed against the City of Oakland, alleging a claim for dangerous condition on public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case;

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Christopher Robert Saites v. City of Oakland and DOES 1 to 10, Alameda County Superior Court Case No. RG20050438, City Attorney's File No. 33640, for the sum of One Hundred Eighty Five Thousand Dollars and Zero Cents (\$185,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

APR 20 2021

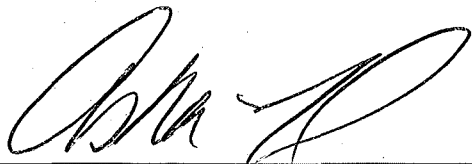
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT
FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California