

OAKLAND CITY COUNCIL

2010 OCT 26 PM 4:18

RESOLUTION No. 83039 C.M.S.

RWH:ssl

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOSE BUENROSTRO, SR. ET AL. V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. 009-00786-JSW, CITY ATTORNEY'S FILE NO. 26782, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000.00) AS A RESULT OF A CIVIL RIGHT ACTION ALLEGING WRONGFUL DEATH ACTION (OPD)**

**WHEREAS**, on March 19, 2008 Jose Buenrostro, Jr., was fatally shot by Oakland Police Officers; 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 compromise and settle the case of Jose Buenrostro, Sr., et al. v. City of Oakland, et al., City Attorney's File No. 26782, for the sum of Five Hundred Thousand Dollars and No Cents (\$500,000.00) made payable to Plaintiffs Jose Buenrostro, Sr. and Maria Buenrostro, and John L. Burris, their attorney; 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 Five Hundred Thousand Dollars and No Cents (\$500,000.00) payable to Plaintiffs Jose Buenrostro, Sr. and Maria Buenrostro, and John L. Burris, their attorney.

NOV 9 2010

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

**PASSED BY THE FOLLOWING VOTE:**

- AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER -- 8
- NOES- 0
- ABSENT- 0
- ABSTENTION- 0

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