

12 FEB -8 PM 3: 22

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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February 21, 2012

**HONORABLE CITY COUNCIL**  
Oakland, California

President Reid and Members of the City Council:

**Subject: Almeta Forte v. City of Oakland**  
**-Alameda County Superior Court Case No. RG10549369**  
**Our Matter No. 27912 (Public Works Agency-Trip and Fall)**

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 action for the sum of Six Thousand Dollars (\$6,000), payable to Almeta Forte.

This action arises out of a trip and fall accident on the sidewalk at 826 58<sup>th</sup> Street on December 2, 2009 which, it is alleged, was caused by a dangerous condition of public property. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This matter was not heard in closed session.

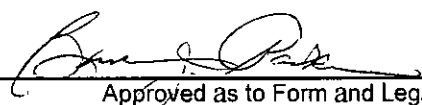
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written in a cursive style.

**BARBARA J. PARKER**  
City Attorney

Attorney assigned:  
Carolyn O. Tsai

Doc. No.: 901872

  
Approved as to Form and Legality

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

12 FEB -8 PM 3:22

RESOLUTION NO. \_\_\_\_\_ C.M.S.

COT:ljj

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ALMETA FORTE v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG10549369, CITY ATTORNEY'S FILE NO. 27912, IN THE AMOUNT OF SIX THOUSAND DOLLARS AND NO CENTS (\$6,000.00). (PUBLIC WORKS - TRIP AND FALL)**

**WHEREAS**, on December 2, 2009, Plaintiff Almeta Forte tripped and fell on a sidewalk and suffered personal injuries and has filed a lawsuit alleging that a dangerous condition of public property caused the accident, 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; and now therefore, be it

**RESOLVED**: that the City Attorney is authorized and directed to settle the matter of Ahmeta Forte v. City of Oakland, Alameda County Superior Court Case No. RG10549369, City Attorney File No. 27912, for the sum of Six Thousand Dollars and No Cents (\$6,000), payable to Almeta Forte; 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 Six Thousand Dollars and No Cents (\$6,000), payable to Almeta Forte.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**PASSED BY THE FOLLOWING VOTE:**

**AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, and PRESIDENT REID**

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
**LATONDA SIMMONS**  
City Clerk and Clerk of the  
Council of the City of Oakland, California