

16 OCT -6 PM 4:09

Approved as to Form and Legality

  
City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION No. 86426 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF HERB LEVINE v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE RG15769001 IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00) AS A RESULT OF TRIP AND FALL PERSONAL INJURY ON JUNE 6, 2014 (OAKLAND PUBLIC WORKS - DANGEROUS CONDITION)**

**WHEREAS**, Mr. Herb Levine was injured when he tripped and fell on a City sidewalk on Broadway between 21<sup>st</sup> St. and 22<sup>nd</sup> St., in Oakland on June 6, 2014; and

**WHEREAS**, Mr. Levine allegedly sustained injuries requiring medical treatment as a result of this accident; and

**WHEREAS**, Alameda County Superior Court Actions RG15769001 was filed against the City of Oakland alleging a dangerous condition of public property; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Herb Levine's claim against it for the sum of Ten Thousand Dollars and No Cents (\$10,000.00); and

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Herb Levine v. City of Oakland, Alameda County Superior Court, Case no. RG15769001, City Attorney's File No. 30295, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00); 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

OCT 18 2016

PASSED BY THE FOLLOWING VOTE:

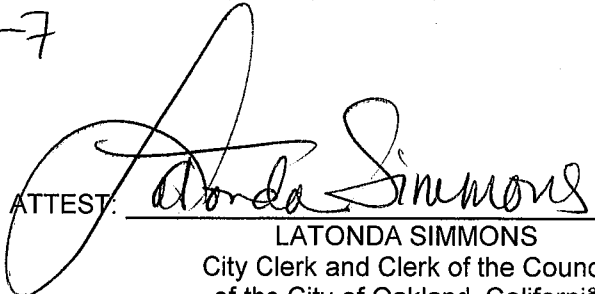
AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND ~~\_\_\_\_\_~~

NOES:  $\emptyset$

ABSENT:  $\emptyset$

ABSTENTION:  $\emptyset$

EXCUSED- GIBSON  
MCELHANEY-1

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