

FILED
OFFICE OF THE CITY CLERK
OAKLAND

21 MAY 20 PM 8: 11

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88674 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DANIEL ROTH V. EAST BAY MUNICIPAL UTILITY DISTRICT, CITY OF OAKLAND AND DOES 1-50, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG19005344, CITY ATTORNEY'S FILE NO. 32802, IN THE AMOUNT OF SEVENTY FIVE THOUSAND DOLLARS AND NO CENTS (\$75,000.00) AS A RESULT OF A SCOOTER ACCIDENT ON JANUARY 4, 2018 (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Daniel Roth was involved in a scooter accident on Miles Ave. on January 4, 2018; and

WHEREAS, Plaintiff Roth allegedly fell off the scooter when it hit a depression in the roadway and suffered a fracture knee requiring medical treatment as a result of this accident; and

WHEREAS, Plaintiff filed Alameda County Superior Court Case No. RG19005344 against the City of Oakland alleging dangerous condition of public property; and now, therefore, be it

RESOLVED, That the City Attorney is authorized and directed to compromise and settle the case of Daniel Roth v. East Bay Municipal Utility District, City of Oakland and DOES 1 – 50, Alameda County Superior Court Case No. RG19005344, City Attorney's File No. 32802, for the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000); and be it

FURTHER RESOLVED: That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Plaintiff and Plaintiff's counsel; and be it

FURTHER RESOLVED: That the City Attorney is authorized and directed to take whatever steps may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 6 1 2021

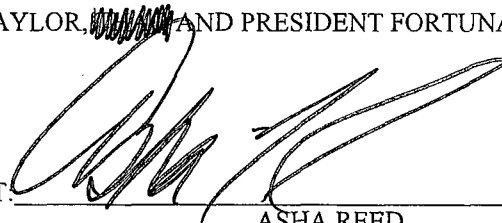
PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, ~~WILLIAMS~~ AND PRESIDENT FORTUNATO BAS - 7

NOES - 0
ABSENT - 0
ABSTENTION - 0

Excused - 1 Thao

ATTEST:



ASHA REED

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