

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

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

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MA CARMEN BAUTISTA V. CITY OF OAKLAND, MARK CRAWFORD AND DOES 1 TO 10 INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG21099088, CITY ATTORNEY FILE NO. 33908, IN THE AMOUNT OF ONE HUNDRED AND EIGHTY THOUSAND DOLLARS AND NO CENTS (\$180,000.00) (PUBLIC WORKS DEPARTMENT – NEGLIGENCE)**

**WHEREAS**, Plaintiff Ma Carmen Bautista alleges that Defendant City employee Mark Crawford rear-ended Bautista's vehicle while it was stopped at the intersection of Montana St. and Coolidge Ave.; and

**WHEREAS**, Bautista alleges that Bautista suffered injuries as a result of the incident, including injuries to Bautista's neck, back and right shoulder/arm. Bautista's medical expenses are approximately \$80,000, and Bautista claims future medical expenses, and damages for pain and suffering; and

**WHEREAS**, Bautista filed Alameda County Superior Court Case No. RG21099088 against City employee Mark Crawford and the City, alleging a claim for negligence against Mark Crawford and vicarious liability against the City, and seeking general and economic damages for injuries Bautista sustained; and

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

**WHEREAS**, without admitting wrongdoing or liability, the City has determined to compromise Ma Carmen Bautista's claim against the City and Mark Crawford for the sum of One Hundred and Eighty Thousand Dollars and No Cents (\$180,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Ma Carmen Bautista v. City of Oakland, Mark Crawford and DOES 1 to 100, Alameda County Superior Court Case No. RG21099088, for the sum of One Hundred and Eighty Thousand Dollars and No Cents (\$180,000.00); 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:

AYES - FIFE, GALLO, JENKINS KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California