


City Attorney's Office

OAKLAND CITY COUNCIL

86383

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAMES BARRETT V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15777910, CITY ATTORNEY'S FILE NO. 30502, IN THE AMOUNT OF THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) (PUBLIC WORKS - DANGEROUS CONDITION)

WHEREAS, Plaintiff, James Barrett, alleges that he sustained injuries after he fell, face first, on a public sidewalk, after his cane became lodged in an opening of a City maintained and owned irrigation located in front of 2100 Telegraph Avenue on October 4, 2014; and

WHEREAS, Plaintiff, James Barrett, filed the above referenced action to recover monetary damages for his alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff James Barrett's claim against it for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of James Barrett v. City of Oakland, Alameda County Superior Court Case No. RG15777910, City Attorney's File No. 30502, for a sum not to exceed Thirty Five Thousand Dollars and No Cents (\$35,000.00) payable by the City of Oakland; and be it

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

FURTHER RESOLVED: That the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00) be payable to the "James Barrett and his attorney, Brian L. Larsen".

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 04 2016

PASSED BY THE FOLLOWING VOTE:

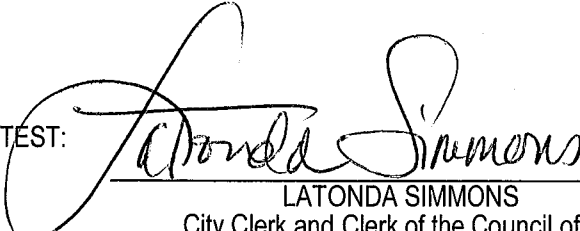
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND
~~XXXXXXXXXXXXXXXXXXXX~~ -7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Elasad-Gibson McElhoney -1 ATTEST:


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