

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND



2015 FEB -5 PM 5:00

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

February 17, 2015

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Socorro Guzman v. City of Oakland, et al.
Alameda County Superior Court Case No. RG13663115
City Attorney File No. 29290
Oakland Public Works - Dangerous Condition**

President Gibson McElhaney and Members of the City Council:

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 claim for Five Hundred Thousand Dollars and No Cents (\$500,000.00), payable to Socorro Guzman.

This action arises out of Ms. Guzman's injuries which she alleges that she sustained due to the condition of the City's property.

The Council authorized settlement of this case in Closed Session on Wednesday, November 18, 2014 (moved by President Gibson McElhaney and seconded by Councilmember Kalb – 8 Ayes).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker'.

BARBARA J. PARKER
City Attorney

1562756v1


City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 FEB -5 PM 5:00

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SOCORRO GUZMAN V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG13663115, CITY ATTORNEY'S FILE NO. 29290, FOR A SUM NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000.00) (OAKLAND PUBLIC WORKS — DANGEROUS CONDITION)

WHEREAS, Socorro Guzman alleges that she incurred damages as a result of an injury that she sustained due to the condition of a public property; and

WHEREAS, Socorro Guzman, filed a personal-injury lawsuit against the City; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Socorro Guzman's claims against it for the sum of Five Hundred Thousand Dollars and No Cents (\$500,000.00) payable by the City of Oakland; now, therefore, be it

RESOLVED: That the City of Oakland is authorized and directed to compromise and settle the case of Socorro Guzman v. City of Oakland, Alameda County Superior Court Case No. RG13663115, City Attorney's File No. 29290, for a sum not to exceed Five Hundred Thousand Dollars and No Cents (\$500,000.00); 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 Five Hundred Thousand Dollars and No Cents (\$500,000.00) be paid to Socorro Guzman.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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