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CITY OF OAKLAND



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

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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

March 3, 2020

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Francisco Barriga Salinas, Francisco Romero Salinas v. City of Oakland and DOES 1-30**  
**Alameda County Superior Court Case No. RG16833669**  
**City Attorney File No. 31171**  
**(Department of Transportation - Automobile Collision)**

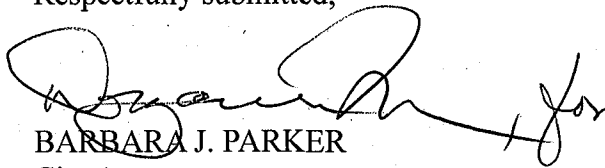
President Kaplan and Members of the City Council:

Pursuant to Section 401 of the City Charter, the City Attorney has prepared and requests your approval of a resolution authorizing the compromise and settlement of the above-entitled action for the sum of Eight Hundred Twelve Thousand Five Hundred Dollars payable to Plaintiff Francisco Barriga Salinas, Francisco Romero Salinas, and their attorney, Scott Dunning, Esq.

This action arises from an incident on October 8, 2015, wherein Mr. Francisco Romero Salinas and Francisco Barriga Salinas were involved in an automobile collision on Hegenberger Road and Hamilton Street, in Oakland. Mr. Romero Salinas allegedly suffered brain damage and hearing loss. Mr. Barriga Salinas sustained injuries to his hip. Both Plaintiffs alleged significant injuries, including multiple bodily fractures. They claim past and future medical expenses, costs for future care, and pain and suffering.

The City Council authorized settlement of this case in Closed Session on Tuesday, February 4, 2020 pending successful negotiations with Plaintiffs (moved by Vice Mayor Larry Reid and seconded by Councilmember Noel Gallo – 8 Ayes).

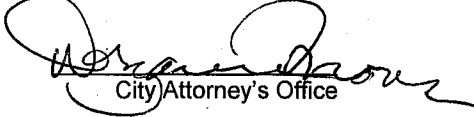
Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Christina Lum

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Approved as to Form and Legality

  
City Attorney's Office

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FRANCISCO BARRIGA SALINAS, FRANCISCO ROMERO SALINAS V. CITY OF OAKLAND AND DOES 1-30, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG16833669, IN THE AMOUNT OF EIGHT HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$812,500.00) AS A RESULT OF AN AUTO COLLISION ON OCTOBER 8, 2015 (DEPARTMENT OF TRANSPORTATION – AUTOMOBILE COLLISION)**

**WHEREAS**, Mr. Francisco Romero Salinas and Mr. Francisco Barriga Salinas were involved in an automobile collision on Hegenberger Road and Hamilton Street, in Oakland on October 8, 2015; and

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

**WHEREAS**, Alameda County Superior Court Action No. RG16833669 was filed against the City of Oakland alleging negligence; and

**WHEREAS**, the City of Oakland has determined that settlement without any admission of liability or wrongdoing is consistent with the City's position that the City was not negligent in any way and is in the best interest of the City; now, therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to compromise and settle the case of Francisco Salinas, et al v. City of Oakland, et al, Alameda County Superior Court Case No. RG16833669, City Attorney's File No. 31171, for the sum of Eight Hundred Twelve Thousand Five Hundred Dollars and No Cents (\$812,500.00); 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 - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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