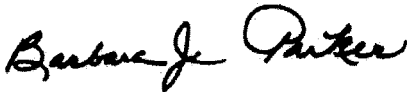


APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90094 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF GREGORY MILLER V. CITY OF OAKLAND AND DOES 1-100, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 22CV008896, CITY ATTORNEY FILE NO. 34100, IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00) (DEPARTMENT OF PUBLIC WORKS, DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Gregory Miller (“Miller”) alleges that on May 6, 2020, Miller was riding their bicycle northbound on Monterey Boulevard, south of Leimert Boulevard. Miller alleges the bicycle wheel lodged into a parallel storm drain grate, throwing Miller from the bicycle. Miller alleges Miller suffered injuries including to the left knee and lower back; and

WHEREAS, Miller alleges the parallel grate was a dangerous condition of public property of which the City had notice; and

WHEREAS, Miller seeks damages for past and future medical expenses and pain and suffering; and

WHEREAS, Miller filed Superior Court of the State of California, County of Alameda, Case No. 22CV008896 against the City of Oakland and others, alleging a claim against the City for dangerous condition of public property; and

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

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Gregory Miller v. City of Oakland and Does 1-100, Alameda County Superior Court Case No. 22CV008896, for the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00); and be it

FURTHER RESOLVED: That the City attorney is further authorized and directed to take whatever steps as may be necessary to effect this settlement.

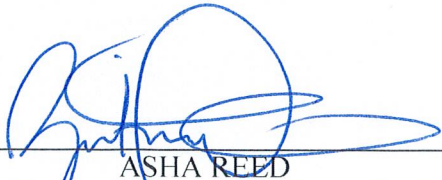
IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **FEB 06 2024**

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 8

NOES ~~0~~
ABSENT ~~0~~
ABSTENTION ~~0~~

ATTEST: _____


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