


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 JOSE ALVOS V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG16843631, RELATED TO THE DECEMBER 2, 2016 TRAGIC FIRE AT THE PRIVATELY OWNED WAREHOUSE COMMONLY REFERRED TO AS THE "GHOST SHIP," AND THE CASES OF ELEVEN ADDITIONAL PLAINTIFFS WHO LIVED AT THAT LOCATION, FOR THE TOTAL AMOUNT OF THREE HUNDRED NINETY NINE THOUSAND DOLLARS AND NO CENTS (\$399,000.00) TO ALL THESE PLAINTIFFS COMBINED (POLICE DEPARTMENT)

WHEREAS, on December 2, 2016, there was a tragic fire at a privately owned warehouse which has been referred to as the "Ghost Ship";

WHEREAS, Plaintiff Jose Alvos and eleven other Plaintiffs who lived at that location filed a lawsuit naming the owners of the warehouse property, the property's master tenants, the City of Oakland, and others, alleging emotional distress and loss of personal property;

WHEREAS, the City previously entered settlement agreements with an individual who was severely injured in the tragic fire and the families of 32 of the 36 victims who did not survive the fire; and

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

WHEREAS, the settlement agreement expressly provides that the City admits no wrongdoing or liability; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jose Alvos v. City of Oakland, et al., Alameda County Superior Court Case No. RG16843631 and related cases brought by twelve residents of the "Ghost Ship" for the total amount of three hundred ninety nine thousand dollars and no cents (\$399,000) to all these Plaintiffs combined.

FURTHER RESOLVED: That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Plaintiffs, and their counsel; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps 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: _____

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