

  
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 LYDIA M. TAHENY V. CITY OF OAKLAND AND DOES 1 - 30, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG18896127, CITY ATTORNEY'S FILE NO. 32518, IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$100,000.00) ARISING FROM A JULY 28, 2017 TRIP AND FALL ON PIEDMONT AVENUE (DEPARTMENT OF PUBLIC WORKS – DANGEROUS CONDITION)**

**WHEREAS**, On July 28, 2017, Plaintiff Lydia Taheny allegedly tripped and fell over a tree well on Piedmont Avenue and suffered a knee injury, requiring medical treatment; and

**WHEREAS**, Plaintiff filed Alameda County Superior Court Case No. RG18896127 against the City of Oakland alleging a dangerous condition of public property; and now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Lydia M. Taheny v. City of Oakland and DOES 1 - 30, Alameda County Superior Court Case No. RG18896127, City Attorney's File No. 32518, for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00); and be it;

**FURTHER RESOLVED:** That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Plaintiff and Plaintiff's counsel; and be it

**FURTHER RESOLVED:** That the City Attorney is authorized and directed to take whatever steps may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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

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