

*Barbara J. Parker*  
City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. 88184 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MAYONAH SHINE, BRAZIL SHINE GRIFFIN V. STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, CITY OF OAKLAND, AND DOES 1 THROUGH 25, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG16824128, CITY ATTORNEY FILE NO. 31111, IN THE AMOUNT OF ONE HUNDRED THIRTY-THREE THOUSAND, THREE HUNDRED THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$133,333.33) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)**

**WHEREAS**, this matter arises from an incident on October 19, 2015, wherein the guardrail and fencing became detached from the 23rd Avenue overpass and fell onto the 1-880 freeway below, resulting in an accident that caused personal injuries and property damage to Mayonah Shine and Brazil Shine Griffin; and

**WHEREAS**, Plaintiff filed the above-referenced action to recover monetary damages; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs' claims against it for the sum of One Hundred Thirty-Three Thousand Three Hundred Thirty-Three Dollars and Thirty-Three Cents (\$133,333.33); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Mayonah Shine, Brazil Shine Griffin v. State Of California, Department of Transportation, City of Oakland, and DOES 1 Through 25, inclusive, Alameda County Superior Court Case No. RG16824128, City Attorney File No. 31111, for the sum of One Hundred Thirty-Three Thousand Three Hundred Thirty-Three Dollars and Thirty-Three Cents (\$133,333.33), payable to the Law Offices of Charles A. Bonner Client Trust Account on behalf of Plaintiffs Mayonah Shine And Brazil Shine Griffin; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 3 0 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: *Asha Reed*  
ASHA REED  
Acting City Clerk and Clerk of the Council of  
the City of Oakland, California