


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 MARC SIMS V. CITY OF OAKLAND, TANYA XANTHENE WILLIAMS, AND DOES 1 TO 20, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG21086848, CITY ATTORNEY FILE NO. 34230, IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND DOLLARS AND ZERO CENTS (\$112,000.00) (DEPARTMENT OF TRANSPORTATION - NEGLIGENCE)

WHEREAS, Plaintiff Marc Sims alleges that on March 13, 2020, Sims was riding a motorcycle eastbound on Edgewater Drive traveling to work; and

WHEREAS, a Department of Transportation (“DOT”) employee was driving a City van in the opposite direction westbound on Edgewater Drive and Sims alleges the City employee made a sudden left turn with the van across Sims’ lane of travel, causing Sims to collide into the passenger side of the van; and

WHEREAS, Sims alleges that doctors diagnosed Sims with a traumatic brain injury and two fractured bones and a torn ligament in the right hand; and

WHEREAS, Sims underwent surgery to repair the fractures and torn ligament; and

WHEREAS, Sims filed Alameda County Superior Case No. RG21086848 against the City of Oakland and Tanya Xanthene Williams, alleging a claim for negligence; 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 Marc Sims v. City of Oakland, Tanya Xanthe Williams, and DOES 1 to 20, Alameda County Superior Court Case No. RG21086848, City Attorney File No. 34230, for the sum of One Hundred Twelve Thousand Dollars and Zero Cents (\$112,000.00); 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, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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