

  
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 RAUL ALVAREZ-MAGANA V. CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA AND DOES 1-50, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20073347, CITY ATTORNEY FILE NO. 34184, IN THE AMOUNT OF FORTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$45,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITON OF PUBLIC PROPERTY)**

**WHEREAS**, Plaintiff Raul Alvarez-Magana alleges he was in a motor vehicle accident caused by a damaged traffic signal at the intersection of 98th Avenue and Airport Access Road; and

**WHEREAS**, Plaintiff Raul Alvarez-Magana alleges he sustained injuries to the left shoulder, wrist and elbow requiring medical treatment and lost income; and

**WHEREAS**, Plaintiff Raul Magana-Alvarez filed *Raul Alvarez-Magana v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG20073347 against the City of Oakland alleging dangerous condition of public property;

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise Raul Alvarez-Magana's claim for the sum of Forty-Five Thousand Dollars and no Cents (\$45,000.00); now therefore be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of *Raul Alvarez-Magana v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG20073347 for the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00); and be it

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