

APPROVED AS TO FORM AND LEGALITY



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 SHEILA HOOVER V. CITY OF OAKLAND, AND DOES 1 THROUGH 25, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 23CV029968, IN THE AMOUNT OF THIRTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$35,000.00) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)

WHEREAS, Plaintiff Sheila Hoover (“Hoover”) alleges that on May 6, 2022, Hoover suffered a fractured wrist and other personal injuries after tripping and falling on a crack in the street near 3107 Eastman Ave; and

WHEREAS, Hoover alleges that the crack in the street constituted a dangerous condition of public property pursuant to Government Code section 830, et seq., for which the City of Oakland (“City”) is liable; and

WHEREAS, Hoover filed a lawsuit against the City entitled, *Sheila Hoover v. City of Oakland*, in the Alameda County Superior Court (Case No. 23CV029968) seeking money damages; and

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

WHEREAS, the City admits no fault, 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 *Sheila Hoover v. City of Oakland, et al.*, and DOES 1-25, Alameda County Superior Court Case No. 23CV029968, for the sum of Thirty-Five Thousand Dollars and Zero Cents (\$35,000.00); 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, 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