

*M. Ba*  
City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

19 MAY -9 PM 3: 38

# OAKLAND CITY COUNCIL

RESOLUTION NO. 87680 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DAWIT BEHRE V. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17881593, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) AS A RESULT OF AN AUTOMOBILE COLLISION ON DECEMBER 27, 2016 (OAKLAND PUBLIC WORKS – AUTOMOBILE COLLISION)**

**WHEREAS**, Plaintiff alleges that a City employee, Pascal Zeino, caused an auto collision with Plaintiff while driving a street sweeping vehicle on Telegraph Avenue near 34<sup>th</sup> Street in the course and scope of his employment with the City of Oakland; and

**WHEREAS**, Mr. Behre allegedly sustained injuries to his left shoulder, neck, back and hip requiring medical treatment as a result of this accident; and

**WHEREAS**, Alameda County Superior Court Case No. RG17881593 was filed against the City of Oakland alleging negligence; and

**WHEREAS**, in order to avoid the risk of an adverse jury verdict under the circumstances; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Dawit Behre v. City of Oakland, Alameda County Superior Court Case No. RG17881593, City Attorney's File No. 31585, for the sum of Fifty Thousand Dollars and No Cents (\$50,000.00); 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,

**MAY 21 2019**

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:

*[Signature]*

LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California