

14 OCT -9 PM 2:51

Ramona Espinoza
City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 85215 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF RAMONA ESPINOZA v. COMMUNITY BANK OF THE BAY, CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG13-672502, IN THE AMOUNT OF TWENTY-ONE THOUSAND DOLLARS AND NO CENTS (\$21,000.00) AS A RESULT OF A TRIP AND FALL ACCIDENT ON OR ABOUT MARCH 22, 2012 (PUBLIC WORKS AGENCY – DANGEROUS CONDITION/TRIP & FALL)

WHEREAS, Ramona Espinoza was injured when she tripped fell on the sidewalk near the intersection of Broadway and 17TH Street in the City of Oakland on March 22, 2012; and

WHEREAS, Ms. Espinoza sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS, Alameda County Superior Court Action RG13-672502 was filed against the City of Oakland and Community Bank of the Bay alleging negligence and a dangerous condition of public property; 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 Ramona Espinoza v. Community Bank of the Bay, City of Oakland, City Attorney's File No. 29217, for the sum of Twenty-One Thousand Dollars and No Cents (\$21,000.00); 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; and be it

FURTHER RESOLVED: That the sum of Twenty-One Thousand Dollars and No Cents (\$21,000.00) be payable to Plaintiff Ramona Espinoza and her attorney Steven R. Jacobsen.

IN COUNCIL, OAKLAND, CALIFORNIA

OCT 21 2014

PASSED BY THE FOLLOWING VOTE:

AYES: ~~SCHAAF~~, BROOKS, KAPLAN, GALLO, KALB, GIBSON McELHANEY, REID and PRESIDENT KERNIGHAN **7**

NOES: **0**

ABSENT: **1 schAAF**

ABSTENTION: **0**

ATTEST:

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