

2023 JUL 24 PM 4: 25

CITY ATTORNEY'S OFFICE

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO 89815 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF REBECCA JOHNSON V. CITY OF OAKLAND, AND DOES 1-20, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 21CV004044, CITY ATTORNEY'S FILE NO. 34576, IN THE AMOUNT OF ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS AND NO CENTS (\$175,000.00) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Rebecca Johnson (“Johnson”) allegedly tripped and fell on an uplifted portion of sidewalk on Bay Place near Grand Avenue on October 22, 2020; and

WHEREAS, Johnson sustained a right femur fracture as a result of the trip and fall; and

WHEREAS, Johnson filed *Rebecca Johnson v. City of Oakland, et al.*, Alameda County Superior Court Case No. 21CV004044 against the City of Oakland alleging a claim for dangerous condition of public property, and claiming past medical expenses, loss of income, and pain and suffering; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise Johnson’s claim for the sum of One Hundred Seventy-Five Thousand Dollars and no Cents (\$175,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Rebecca Johnson v. City of Oakland, et al.*, Alameda County Superior Court Case No. 21CV004044, City Attorney’s File No. 34576 for the sum of One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00); 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,

JUL 18 2023

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, ~~WILSON~~, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BASS 7

NOES 0

ABSENT 0

ABSTENTION 0

1 Excused - Jenkins

ATTEST:

ASHA REED

City Clerk and Clerk of the Council of the City of Oakland, Califom