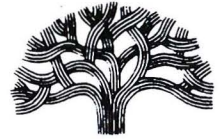


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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

July 30, 2015

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Melvin Odom v. City of Oakland  
Alameda County Superior Court No. RG14-747933  
City Attorney File No. 30043  
(Oakland Public Works – Dangerous Condition)**

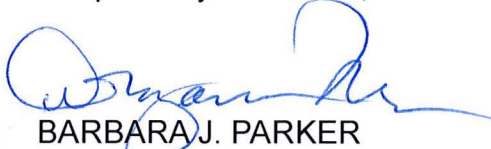
President Gibson-McElhaney and Members of the City Council:

Pursuant to Section 401 of the City Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Fifteen Thousand Five Hundred Dollars and No Cents (\$15,500.00) payable to Plaintiff Melvin Odom and his attorney Bianca Ennix.

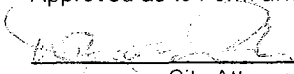
This action arises from an incident on March 25, 2014, wherein Mr. Odom struck a pothole while riding his bicycle on Telegraph Avenue between 34<sup>th</sup> and 36<sup>th</sup> Streets in Oakland. Mr. Odom suffered strains and possible fractures to his right wrist and right shoulder requiring medical treatment.

The Council authorized settlement of this case in Closed Session on Tuesday, July 21, 2015 (moved by Councilmember Kaplan and seconded by Councilmember Reid - 6 Ayes, 2 Absent – Brooks and Campbell-Washington).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Charles E. Vose

  
City Attorney's Office

15 JUL 23 PM 1:06

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MELVIN ODOM v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14-747933, IN THE AMOUNT OF FIFTEEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$15,500.00) AS A RESULT OF A BICYCLE ACCIDENT ON MARCH 25, 2014 (OAKLAND PUBLIC WORKS – DANGEROUS CONDITION)**

**WHEREAS**, Melvin Odom was injured when he fell from his bicycle on Telegraph Avenue between 34<sup>th</sup> and 36<sup>th</sup> Streets in the City of Oakland on or about March 25, 2014; and

**WHEREAS**, Mr. Odom sustained injuries requiring medical treatment as a result of this accident; and

**WHEREAS**, Alameda County Superior Court Action RG14-747933 was filed against the City of Oakland alleging 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 Melvin Odom v. City of Oakland, RG14-747933, City Attorney's File No. 30043, for the sum of Fifteen Thousand Five Hundred Dollars and No Cents (\$15,500.00); 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 Fifteen Thousand Five Hundred Dollars and No Cents (\$15,500.00) be payable to Plaintiff Melvin Odom and his attorney Bianca Ennix.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY

NOES:

ABSENT:

ABSTENTION:

ATTEST: \_\_\_\_\_

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