

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2016 APR 14 PM 2:00

RESOLUTION No. 86104 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JEFFREY BIGGS & EVAN ROBINSON, A MINOR v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15-758388, IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00) AS A RESULT OF AN AUTOMOBILE COLLISION ON APRIL 30, 2013 (PUBLIC WORKS - MOTOR VEHICLE COLLISION)

WHEREAS, Jeffery Biggs and his minor son, Evan Robinson were injured when their car was struck by a City Vehicle, driven by a City employee at a railway crossing located within the 800 block of 66th Ave. in the City of Oakland on April 30, 2013; and

WHEREAS, Jeffery Biggs and his minor son, Evan Robinson sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS, Alameda County Superior Court Action RG15-758388 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 Jeffrey Biggs & Evan Robinson, a Minor v. City of Oakland, RG15-758388, City Attorney's File No. 29623, for the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00); 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 Fifteen Thousand Dollars and No Cents (\$15,000.00) be payable to Plaintiffs Jeffrey Biggs & Evan Robinson, a Minor and their attorney ~~Mark W. Mandel~~ Walter L. Davis.

IN COUNCIL, OAKLAND, CALIFORNIA— **APR 19 2016**

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY **-8**

NOES: **0**

ABSENT: **0**

ABSTENTION: **0**

ATTEST: *[Signature]*

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