

*Barbara J. Parker*  
CITY ATTORNEY'S OFFICE

2023 JAN 24 PM 2:55

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

RESOLUTION NO. 89571 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CAROLYN LEVY V. CITY OF OAKLAND, AND DOES 1-100 INCLUSIVE, ALAMEDA SUPERIOR COURT CASE NO. RG18913570, CITY ATTORNEY FILE NO. 32579, IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$200,000.00) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION OF PUBLIC PROPERTY)**

**WHEREAS**, Plaintiff Carolyn Levy alleges that Plaintiff tripped and fell on an uplifted portion of sidewalk while walking on 3<sup>rd</sup> Street between Clay Street and Washington St.; and

**WHEREAS**, Plaintiff filed Alameda County Superior Court Case No. RG18913570 against the City alleging a claim for dangerous condition of public property and seeking general and economic damages for injuries Plaintiff sustained; and

**WHEREAS**, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

**WHEREAS**, without admitting wrongdoing or liability, the City has determined to compromise Carolyn Levy's claim against it for the sum of Two Hundred Thousand Dollars and No Cents (\$200,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Carolyn Levy v. City of Oakland and DOES 1-100, Alameda County Superior Court Case No. RG18913570, for the sum of Two Hundred Thousand Dollars and no Cents (\$200,000.00); 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,

FEB 07 2023

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS *-8*

NOES – *0*

ABSENT – *0*

ABSTENTION – *0*

ATTEST:

*Asha Reed*

ASHA REED

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