

CITY OF OAKLAND



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February 6, 2024

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Gregory Miller v. City of Oakland and Does 1-100  
Case No. 22CV008896  
City Attorney File No. 34100  
(Public Works – Dangerous Condition of Public Property)**

President Fortunato Bas and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled lawsuit for the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00), payable to Gregory Miller (“Miller”) and their attorneys.

Miller alleges that on May 6, 2020, Miller was riding their bicycle northbound on Monterey Boulevard, south of Leimert Boulevard, when the bicycle wheel lodged into a parallel storm drain grate, throwing Miller from the bicycle. Miller alleges Miller suffered injuries including to the left knee and lower back causing considerable pain and significantly limiting their lifestyle to this day. Miller alleges that the presence of parallel slats in the grate constitutes a dangerous condition of public property.

The City has determined that settlement in the amount of \$100,000.00, without admitting liability and to avoid litigation, is in the City’s best interest.

The City Council authorized settlement of this case in Closed Session on Thursday, January 18, 2024 (moved by Councilmember Janani Ramachandran and seconded by Councilmember Treva Reid - 7 Ayes, 1 Absent – Councilmember Noel Gallo).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is fluid and cursive.

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Courtney O’Brien