

CITY OF OAKLAND



16 OCT 20 PM 2:07

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Office of the City Attorney
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November 1, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Tracy Hobbs v. City of Oakland*
Alameda County Superior Court No. RG14753212
City Attorney File No. 30121
(Oakland Public Works – Dangerous Condition)

President Gibson McElhaney and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Seventy-Five Thousand Dollars (\$75,000.00).

This matter arises from a bicycle accident on January 27, 2014 on Beach Street.

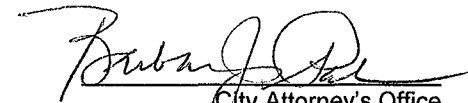
The Council authorized settlement of this case in Closed Session on Tuesday, October 18, 2016 (moved by Councilmember Noel Gallo and seconded by Councilmember Annie Campbell-Washington – 6 Ayes, 2 Absent – Councilmembers Desley Brooks and President Lynette Gibson-McElhaney).

Respectfully submitted,

BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Meyers

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney's Office

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *TRACY HOBBS V. CITY OF OAKLAND*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14753212, CITY ATTORNEY'S FILE NO. 30121, IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$75,000.00) (OAKLAND PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Tracy Hobbs alleges that she sustained injuries resulting from a bicycle accident on January 27, 2014; and

WHEREAS, Plaintiff filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff's claims against it for the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Tracy Hobbs v. City of Oakland*, Alameda County Superior Court Case No. RG14753212, City Attorney's File No. 30121, for a sum not to exceed Seventy-Five Thousand Dollars and No Cents (\$75,000.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement.

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