

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney's Office

16 OCT 20 PM 2:07

OAKLAND CITY COUNCIL

Resolution No. 86455 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *MICHAEL SMITH, A MINOR BY AND THROUGH HIS GUARDIAN AD LITEM DANELLE CYRUS V. CITY OF OAKLAND*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15778881, CITY ATTORNEY'S FILE NO. 30524, IN THE AMOUNT OF SIXTY THOUSAND DOLLARS AND ZERO CENTS (\$60,000.00) (OAKLAND PARKS AND RECREATION – DANGEROUS CONDITION)

WHEREAS, Plaintiff Michael Smith alleges that he sustained injuries resulting from the restroom door at Bushrod Recreation Center on October 1, 2014; and

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

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs' claims against it for the sum of Sixty Thousand Dollars and No Cents (\$60,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Michael Smith, by and through his Guardian Ad Litem Danelle Cyrus v. City of Oakland*, Alameda County Superior Court Case No. RG15778881, City Attorney's File No. 30524, for a sum not to exceed Sixty Thousand Dollars and No Cents (\$60,000.00) 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,

NOV 01 2016

PASSED BY THE FOLLOWING VOTE:

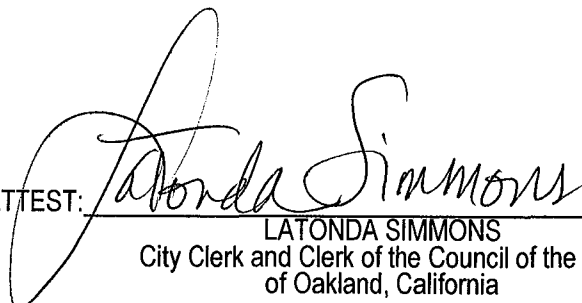
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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