

FILED
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OAKLAND

18 MAY -3 PM 3:00

CITY OF OAKLAND



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May 15, 2018

HONORABLE CITY COUNCIL
Oakland, California

Subject: Blakwomyn v. City of Oakland, et al.
Case No. RG17849960
City Attorney File No. 31494
(Department of Transportation – Dangerous Condition)

President Reid 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 claim for the sum of Sixty Thousand Dollars and Zero Cents (\$60,000.00), payable to Akilah Mwamba Blakwomyn.

This action arises out of a trip and fall allegedly caused by a dangerous condition of public property on May 4, 2016, in front of the building located at 1950 Franklin Street.

The Council authorized settlement of this case in Closed Session on Tuesday, April 17, 2018 (moved by Councilmember Dan Kalb and seconded by Councilmember Lynette Gibson McElhaney - 6 Ayes, 2 Absent – Councilmember Desley Brooks and Council President Larry Reid).

Respectfully submitted,

A handwritten signature in black ink, which appears to read 'Barbara J. Parker', written over a horizontal line.

BARBARA J. PARKER
City Attorney



City Attorney's Office

18 MAY -3 PM 3:11

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF AKILAH MWAMBA BLAKWOMYN V. THE CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17849960, IN THE AMOUNT OF SIXTY THOUSAND DOLLARS AND NO CENTS (\$60,000.00) AS A RESULT OF A TRIP AND FALL ALLEGEDLY CAUSED BY A DANGEROUS CONDITION OF PUBLIC PROPERTY, OCCURING ON MAY 4, 2016 (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)

WHEREAS, Akilah Mwamba Blakwomyn alleges she was injured when she tripped and fell over a tree grate in an empty tree well on a public sidewalk on May 4, 2016; and

WHEREAS, Akilah Mwamba Blakwomyn alleges she sustained injuries and received medical treatment as a result of that incident; and

WHEREAS, Alameda County Superior Court Action RG17849960 was filed against the City of Oakland, alleging a dangerous condition of public property;

WHEREAS, 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 Akilah Mwamba Blakwomyn v. City of Oakland, et al. Alameda County Superior Court Case No. RG17849960, City Attorney's File No. 31494, for the sum of Sixty Thousand Dollars and No Cents (\$60,000.00); and be it

FURTHER RESOLVED: That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Akilah Mwamba Blakwoymn and her counsel; 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,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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