

  
City Attorney's Office

18 JUN 14 PM 2:07

# OAKLAND CITY COUNCIL

Resolution No. 87241 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *ELLIOTT VAN FLEET V. CITY OF OAKLAND*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17864375, CITY ATTORNEY'S FILE NO. 31295, IN THE AMOUNT OF TWELVE MILLION DOLLARS AND ZERO CENTS (\$12,000,000.00) (OAKLAND POLICE DEPARTMENT – MOTOR VEHICLE ACCIDENT)**

**WHEREAS**, this matter arises from motor vehicle collision on March 25, 2017 involving the Oakland Police Department and a motorcyclist Elliott Van Fleet. Plaintiff Elliott Van Fleet sustained serious injuries, including the amputation of his lower left leg.

**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 Twelve Million Dollars and No Cents (\$12,000,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of *Elliott Van Fleet v. City of Oakland*, Alameda County Superior Court Case No. RG17864375, City Attorney's File No. 31295, for a sum not to exceed Twelve Million Dollars and No Cents (\$12,000,000.00) 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,

**JUN 19 2018**

PASSED BY THE FOLLOWING VOTE:

AYES - ~~XXXXXXXXXX~~ CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, ~~XXXXXXXXXX~~  
GIBSON MCELHANEY -6

NOES - 1 Brooks

ABSENT - 0

ABSTENTION - 0

1 Excused - Reid

ATTEST:



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