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City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87611 C.M.S.

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF AARON MINYARD v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE No. RG18893200, IN THE AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS AND NO CENTS (\$180,000.00) (OAKLAND POLICE DEPARTMENT – VEHICLE COLLISION)**

**WHEREAS**, Aaron Minyard alleges that on February 15, 2016, an Oakland Police Department vehicle struck him at the intersection of Market Street and 53<sup>rd</sup> Street in Oakland, California; and

**WHEREAS**, Mr. Minyard alleges he suffered injuries, including a broken leg, facial bone fracture, and dental injuries, and sustained other damages as a result of this accident; and

**WHEREAS**, Mr. Minyard could not work for three and one-half months, endured pain and suffering including a leg cast for one month and use of a wheelchair for two months, and incurred medical and dental expenses of about \$65,000.00, lost wages of about \$10,000 and will require an additional \$5,000 to \$10,000 in future dental care; and

**WHEREAS**, Mr. Minyard sued the City of Oakland alleging negligent operation of a motor vehicle and has agreed to settle his lawsuit for a settlement payment of \$180,000; and

**WHEREAS**, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Aaron Minyard v. City of Oakland, et al., Alameda County Superior Court Case No. RG18893200, City Attorney's File No. 31272, for the sum of One Hundred Eighty Thousand Dollars and No Cents (\$180,000.00); and be it

**FURTHER RESOLVED:** That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Aaron Minyard and his counsel; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

**APR 16 2019**

PASSED BY THE FOLLOWING VOTE:

AYES -- FORTUNATO BAS, GALLO, ~~PERSONNELLI~~ KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN - 7

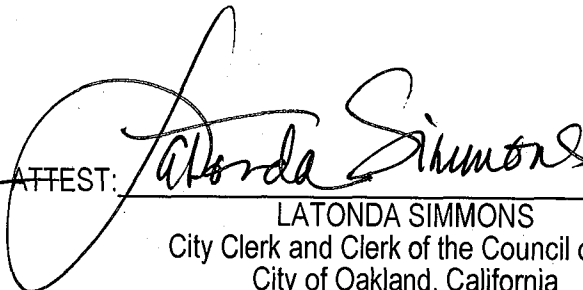
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 McElhenny

ATTEST:



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