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CITY OF OAKLAND



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Office of the City Attorney  
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September 17, 2019

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Carlitta Collins v. City of Oakland, et al.**  
**Alameda County Superior Court No. HG16810675**  
**City Attorney File No. 30696**  
**(Department of Transportation – Dangerous Condition)**


President Kaplan 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 Thirty-Six Thousand Six Hundred and Sixty-Six Dollars and Sixty-Seven Cents (\$36,666.67).

This matter arises from an incident on October 19, 2015, wherein the guardrail and fencing became detached from the 23rd Avenue overpass and fell onto the 1-880 freeway below, resulting in an accident that caused personal injuries and property damage to Carlitta Collins.

The Council authorized settlement of this case in Closed Session on Tuesday, July 16, 2019 (moved by Councilmember Lynette Gibson McElhaney and seconded by Councilmember Noel Gallo – 8 Ayes).

Respectfully submitted,

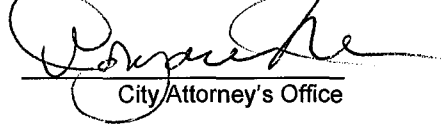
  
BARBARA J. PARKER  
City Attorney

Attorney assigned:  
Michelle M. Meyers

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2019 SEP -5 AM 4:18

Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *CARLITTA COLLINS V. CITY OF OAKLAND, ET AL.*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. HG16810675, CITY ATTORNEY'S FILE NO. 30969, IN THE AMOUNT OF THIRTY-SIX THOUSAND SIX HUNDRED AND SIXTY-SIX DOLLARS AND SIXTY-SEVEN CENTS (\$36,666.67) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)**

**WHEREAS**, this matter arises from an incident on October 19, 2015, wherein the guardrail and fencing became detached from the 23rd Avenue overpass and fell onto the 1-880 freeway below, resulting in an accident that caused personal injuries and property damage to Carlitta Collins.

**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 Thirty-Six Thousand Six Hundred and Sixty-Six Dollars and Sixty-Seven Cents (\$36,666.67); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of *Carlitta Collins v. City of Oakland*, et al., Alameda County Superior Court Case No. HG16810675, City Attorney's File No. 30969, for a sum of Thirty-Six Thousand Six Hundred and Sixty-Six Dollars and Sixty-Seven Cents (\$36,666.67), 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 - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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