

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2021 FEB 11 PM 12:12

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 88500 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF REBECCA REED-LUNN V. CITY OF OAKLAND, CITY OF OAKLAND PUBLIC WORKS, COUNTY OF ALAMEDA, AND DOES 1-50, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG19022470, CITY ATTORNEY'S FILE NO. 33115, IN THE AMOUNT OF NINETY EIGHT THOUSAND NINE HUNDRED NINETY NINE DOLLARS AND ZERO CENTS (\$98,999.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff alleges that on July 9, 2018, she fell from her bicycle and was injured near 77 Vernon Street in Oakland, due to a roadway depression that Plaintiff alleges is a dangerous condition on public property; and

WHEREAS, Plaintiff allegedly suffered a fractured elbow and AC joint separation, requiring surgery, due to her fall; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG19022470, was filed against the City of Oakland, alleging a claim for dangerous condition on public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City admits no wrongdoing or liability; now, therefore be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Rebecca Reed-Lunn v. City of Oakland, City of Oakland Public Works, County of Alameda and Does 1-50, Alameda County Superior Court Case No. RG19022470, City Attorney's File No. 33115, for the sum of Ninety Eight Thousand Nine Hundred Ninety Nine Dollars and Zero Cents (\$98,999.00); 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,

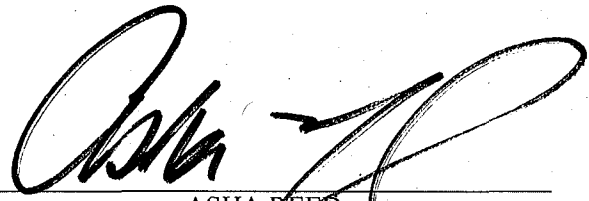
FEB 02 2021

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT
FORTUNATO BAS - 8

NOES -
ABSENT -
ABSTENTION -

ATTEST:


ASHA REED
Acting City Clerk and Clerk of the Council of
the City of Oakland, California