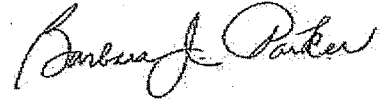


FILED
OFFICE OF THE CITY CLERK
OAKLAND

21 JUL 14 PM 4:03

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 88729 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF K.P., A MINOR, BY AND THROUGH HER GUARDIAN AD LITEM, JOURDAN MURRAY, AND KENNISHA JACKSON-CADLE V. CITY OF OAKLAND, KOLA THOMAS, AND DOES 1-30, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20056965, CITY ATTORNEY'S FILE NO. 33615, IN THE AMOUNT OF TWO HUNDRED EIGHTY THOUSAND DOLLARS AND ZERO CENTS (\$280,000.00) (PARKS, RECREATION & YOUTH DEVELOPMENT – NEGLIGENT SUPERVISION)

WHEREAS, an incident involving Plaintiffs allegedly occurred on February 15, 2019, at the Charles Porter Golden Gate Recreation Center ("Center"), and Plaintiffs allegedly suffered damages as a result of that incident; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG20056965, was filed against the City of Oakland and City employee Kola Thomas, alleging claims for negligence; negligent hiring, retention, training, and supervision; breach of mandatory duty; and negligent infliction of emotional distress; and

WHEREAS, Plaintiffs allege that the City operated the Center in noncompliance with state requirements and in an unsafe manner by failing to supervise, or inadequately supervising, children in their care resulting in the minor Plaintiff being physically injured and sexually molested and/or assaulted by another minor child and the minor Plaintiff and minor Plaintiff's parent sustaining damages for past and future pain and suffering, past and future hospital, medical, and professional and incidental expenses and future loss of earning capacity; and

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

WHEREAS, the City and Defendant Thomas do not admit any wrongdoing, liability or negligence in supervising or operating the Center; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of K.P., a minor, by and through her Guardian ad Litem, Jourdan Murray, and Kennisha Jackson-Cadle v. City of Oakland, Kola Thomas, and DOES 1-30, Alameda County Superior Court Case No. RG20056965, City Attorney's File No. 33615, for the sum of One Hundred Eighty-Five Thousand Dollars and Zero Cents (\$185,000.00), payable to Plaintiff K.P., a minor, and Ninety-Five Thousand Dollars and Zero Cents (\$95,000.00), payable to Plaintiff Kennisha Jackson-Cadle, through their attorneys; 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,

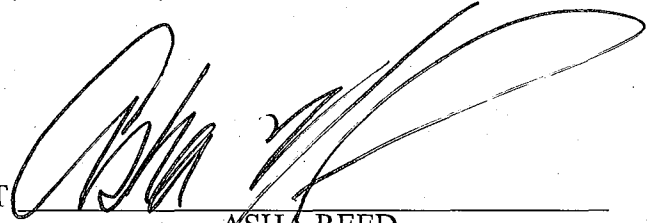
JUL 06 2021

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST


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

3070243v2