CITY OF OAKLAND

July 26, 2021

HONORABLE CITY COUNCIL
Oakland, California

Subject: **Katherine De la Riva and William Allan v. City of Oakland, Officer Kaleo Albino, Sergeant Patrick Gonzales, and Sean Alexander Marine Services, Inc.**
United States District Court Case No. 4:19-CV-06106-JSW
City Attorney File No. 33287
(Oakland Police Department – Civil Rights/Seizure and Destruction of Property)

President Fortunato Bas and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Two Hundred Eighty Thousand Dollars and Zero Cents ($280,000.00), payable to Plaintiffs Katherine De la Riva and William Allan, through their attorneys, the law firm of Siegel, Yee, Brunner & Mehta and the East Bay Community Law Center.

This action arises out of the seizure and destruction of Plaintiffs' vessels in the Oakland Estuary. Plaintiffs allege that the Oakland Police Department violated their federal and state constitutional rights by seizing and destroying their vessels. Plaintiffs further allege that they suffered economic damages due to the loss of their vessels along with their personal possessions and that they suffered emotional distress damages. The City has determined that settlement in the amount of $280,000.00 to the Plaintiffs, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, July 15, 2021 (moved by Councilmember Noel Gallo and seconded by Councilmember Loren Taylor - 6 Ayes, 0 Noes, 2 Absent – Councilmember Dan Kalb and Councilmember Sheng Thao).

Respectfully submitted,

for BARBARA J. PARKER
City Attorney

Assigned Attorney:
Han Tran

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