

**MARCH 20, 2018**

**CLOSED SESSION - REPORTED OUT FINAL DECISION**

Date of Meeting: ***Tuesday, March 20, 2018***

Litigation Negotiations

**NAME OF ACTION:**

**Courtney Jones v. City of Oakland**

Alameda County Superior Court Case No. RG16825542

This matter is listed as **Item No. 1(b)** on the Closed Session Agenda:

Council authorized settlement in the amount of: **\$ 55,000.00**

This case arose out of incidents that occurred: **August 26, 2015**

**FACTS/ISSUES:**

On August 26, 2015, Plaintiff Courtney Jones rode his motorcycle on Perkins Street south of Adams Street in Oakland and hit a hole that caused him to fall and suffer a fracture to his left ankle. This injury required two surgeries, months of time off from work, and an accommodation to be allowed to work part-time. He sued the city for maintenance of a dangerous condition and seeking payment of medical expenses (\$61,000.00), lost wages (\$57,658.00), motorcycle repairs (\$1,000) and pain and suffering (\$130,342.00). This settlement of \$55,000.00 will resolve all claims in this matter.

Motion Made by: **Councilmember Gibson McElhaney**

Motion Seconded by: **Councilmember Gallo**

**AYES:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, ~~Kalb~~, Kaplan and President Reid = **7**

**NOES:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =

**ABSENT:** ~~Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid~~ = **1**

**ABSTENTIONS:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =

**MARCH 20, 2018**

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Litigation Negotiations

**NAME OF ACTION:**

**State Farm General Insurance v. City of Oakland**

Alameda County Superior Court Case No. RG17869113

This matter is listed as **Item No. 1(d)** on the Closed Session Agenda:

Council authorized settlement in the amount of: **\$ 62,000.00**

This case arose out of incidents that occurred: **August 12, 2015**

**FACTS/ISSUES:**

On August 12, 2015, a blockage in the City's main sewer caused sewage to infiltrate a business complex located at 411 East 18<sup>th</sup> Street, owned by Rhonda Glenn. As a result of the backflows, Ms. Glenn suffered damage to the interior of the complex and loss of rental income. Ms. Glenn's insurance carrier, Plaintiff State Farm General Insurance Company, paid for restoration and repairs in the amount of \$67,782.83 (\$2,862.50 for lost income, \$64,920.33 in restoration costs and \$500.00 for the deductible paid by Ms. Glenn). This settlement will resolve all claims in this matter.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Gallo**

**AYES:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, ~~Kalb~~, Kaplan and President Reid = **7**

**NOES:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =

**ABSENT:** ~~Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid~~ = **1**

**ABSTENTIONS:** Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =