

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: **Tuesday, January 19, 2016**

The Council made a final decision in Closed Session on one item of Litigation:

NAME OF ACTION:

Ana Biocini v. City of Oakland, et al.
United States District Court Case No. C 14-3315 KAW

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

The Council approved settlement in the amount of \$450,000

This matter arose out of incidents that occurred on July 8, 2013

FACTS/ISSUES:

This suit stems from the in custody death of plaintiff, Ana Biocini's brother, Hernan Jaramillo. Ms. Biocini claims that her brother's death was caused by Oakland police use of excessive force.

Ms. Biocini called 911 early on the morning of July 8, 2013. She reported that people were at her house screaming and threatening to kill her and other occupants in the house. When officers arrived, Ms. Biocini informed them from a window that an intruder was in the house outside her door. The officers entered the house to investigate, heard noises from a room, found Mr. Jaramillo and took him into custody. Officers were not informed Mr. Jaramillo was Ms. Biocini's brother and they took him outside. Mr. Jaramillo resisted being placed in a squad car and was taken to the ground. Mr. Jaramillo died shortly after paramedics arrived.

Motion Made by: Councilmember Rebecca Kaplan

Motion Seconded by: Councilmember Abel Guillén

AYES: ~~Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson~~
McElhaney = 6

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

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

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

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: **Tuesday, January 19, 2016**

The Council made a final decision in Closed Session on one item of Litigation:

NAME OF ACTION:

Catherine Looper v. City of Oakland
Alameda County Superior Court Case No. RG147365721

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

The Council approved settlement in the amount of \$75,000

This matter arose out of incidents that occurred on March 17, 2013

FACTS/ISSUES:

Catherine Looper crashed her scooter after she ran over a pothole driving westbound on Golf Links Road between Elysian Fields Road and Venetia Road. Ms. Looper suffered injuries to her neck, shoulder, face and ribs, as well as nerve irritability and diminished range of neck motion and stability. Ms. Looper sued the City for maintaining a dangerous condition. She has needed and will continue to need physical therapy and other medical treatments and possibly surgery, and she has missed work. Ms. Looper's medical bills are estimated to reach \$40,000 and her wage losses are at \$14,000. She also claims pain-and-suffering damages.

Motion Made by: Councilmember Rebecca Kaplan

Motion Seconded by: Councilmember Abel Guillen

6 AYES: Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney

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

2 ABSENT: ~~Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney~~ = **2**

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

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: **Tuesday, January 19, 2016**

The Council made a final decision in Closed Session on one item of Litigation:

NAME OF ACTION:

Elmeda Reed v. City of Oakland

Alameda County Superior Court Case No. RG14732891
(Oakland Public Works – Dangerous Condition)

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

The Council approved settlement in the amount of \$11,500

This matter arose out of incidents that occurred on April 8, 2013

FACTS/ISSUES:

Ms. Reed, an 89 year-old woman, sustained a muscle sprain in her neck, bruised ribs and scrapes to her knees and chin when she tripped and fell on uneven pavement near the entrance of the Downtown Oakland Senior Center, located at 200 Grand Avenue. Ms. Reed sued the City for maintaining a dangerous condition and seeks to recover her economic damages which approximately \$3,000 and non-economic damages – i.e. ongoing neck discomfort and mobility problems.

Motion Made by: Councilmember Rebecca Kaplan

Motion Seconded by: Councilmember Anne Campbell-Washington

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

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

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

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