

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: ***Tuesday, March 1, 2016***

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

NAME OF ACTION:

Claim of Bristol West as subrogee of (a/s/o) Sofia Alma Martin Del Campo
Claim No. C30757
(Oakland Police Department-Automobile Collision)

This matter is listed as **Item No. 2** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$9,675.16**

This case arose out of incidents that occurred on **May 5, 2015**

FACTS/ISSUES:

Ms. Del Campo was involved in a collision at the intersection of International Blvd. and 22nd Avenue on May 5, 2015 when an Oakland Police Officer responded to an emergency call involving a serious injury or death and struck Ms. Del Campo's vehicle as she proceeded through the intersection on a green light. This settlement will reimburse Ms. Del Campo's insurer for the costs of her claim and will resolve all claims in this matter.

Motion Made by: Councilmember Reid

Motion Seconded by: Councilmember Gallo

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

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 =

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: ***Tuesday, March 1, 2016***

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

NAME OF ACTION:

Antonio Tillis v. City of Oakland

Alameda County Superior Court Case No. RG12645745
(Oakland Public Works – Dangerous Condition)

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

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

This case arose out of incidents that occurred on **April 2012**

FACTS/ISSUES:

Mr. Tillis stepped in a pothole as he crossed Broadway at 19th Street, suffering a severe shoulder strain and ligament and other injuries to his wrist, ankle and back. Mr. Tillis, a truck driver, was unable to drive a truck for several months following the accident and was let go. He sued the city for maintaining a dangerous condition and seeks payment of past and future medical expenses estimated at \$225,000 and lost past and future wages estimated at \$221,000.

Motion Made by: Councilmember Kaplan

Motion Seconded by: Councilmember Reid

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

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 =

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: **Tuesday, March 1, 2016**

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

NAME OF ACTION:

Claim of William Jetter
Claim No. C30317
(Public Works-Dangerous Condition)

This matter is listed as **Item No. 2** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$9,997.00**

This case arose out of incidents that occurred on **May 15, 2014**

FACTS/ISSUES:

While traveling down Park Blvd near MacArthur Boulevard on his bicycle, Mr. Jetter struck a series of potholes and was ejected from his bicycle. He suffered fractured ribs and received multiple abrasions. Mr. Jetter filed a claim alleging the city maintained a dangerous condition and has agreed to settle for compensation primarily for his medical expenses and property damage. This settlement resolves all claims in this matter.

Motion Made by: Councilmember Kaplan

Motion Seconded by: Councilmember Reid

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

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 =

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: ***Tuesday, March 1, 2016***

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

NAME OF ACTION:

Trulynia Douglas v. City of Oakland

Alameda County Superior Court Case No. RG13691032
(Oakland Public Works – Dangerous Condition)

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

The Council authorized settlement in the amount of **\$60,000.00**

This case arose out of incidents that occurred on **August 5, 2012**

FACTS/ISSUES:

While driving his motorcycle on August 5, 2012, Andre Douglas, the plaintiff Ms. Douglas' husband, hit a pedestrian island near the intersection of 84th Avenue and MacArthur Boulevard. Mr. Douglas suffered major injuries and passed away a few days later from those injuries. Ms. Douglas sued alleging the city maintained a dangerous condition. This settlement will resolve all claims in this matter.

Motion Made by: Councilmember Reid

Motion Seconded by: Councilmember Gallo

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~~ = **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 =