

CLOSED SESSION REPORTING OUT FORM

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

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

NAME OF ACTION:

**Frances Mitchell v. City of Oakland
Alameda County Superior Court Case No. RG15776510
(Oakland Public Works – Dangerous Condition)**

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

Council authorized settlement in the amount of: **\$39,375.00**

This case arose out of incidents that occurred in **October 16, 2014**

FACTS/ISSUES:

On October 16, 2014, Ms. Mitchell tripped and fell on a missing portion of sidewalk near the corner of Peralta and 13th Streets. She suffered a torn ligament in her hand requiring emergency medical care and surgery at Kaiser Hospital. Kaiser asserted a lien in the amount of \$37, 868.75. This settlement will resolve all claims in this matter.

Motion Made by: Councilmember Rebecca Kaplan

Motion Seconded by: Councilmember Larry Reid

AYES: Brooks, Campbell-Washington, Gallo, Guillén, Kalb, Kaplan, Reid and President Gibson McElhaney = 8

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 =

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