

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, June 17, 2014*

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

NAME OF CASE:

**Francis Love v. BART, City of Oakland, et al.
Alameda County Superior Court Case No. RG11601786**

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

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

This case arose out of incidents that occurred on **October 2011**

FACTS OF THE CASE:

Francis Love fell and was injured on the sidewalk near the 9th Street entrance to the Lake Merritt BART Station. Ms. Love sued BART, which paid the claim and filed suit against the City of Oakland alleging the City was liable for the poor condition of the sidewalk. This settlement resolves the claim between the City of Oakland and BART.

Motion Made by: Councilmember Noel Gallo

Motion Seconded by: Councilmember Lynette Gibson McElhaney

AYES: Brooks Gallo Gibson McElhaney Kalb Kaplan ~~Reid~~ Schaaf President
Kernighan = **7**

NOES: Brooks Gallo Gibson McElhaney Kalb Kaplan Reid Schaaf President
Kernighan =

ABSENT: ~~Brooks Gallo Gibson McElhaney Kalb Kaplan Reid Schaaf President~~
~~Kernighan~~ = **1**

ABSTENTIONS: Brooks Gallo Gibson McElhaney Kalb Kaplan Reid Schaaf President
Kernighan =