

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, March 31, 2015*

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

NAME OF CASE:

Dessie Nelson v. The Hartford, et al.

United States District Court No. No.C13-04196 CRB

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

The Council authorized settlement in the amount of **\$70,000**

This case arose out of incidents that occurred in **January 2013**

FACTS OF THE CASE:

Plaintiff, Dessie Nelson, was designated as the beneficiary of an employee's death benefits. Upon the death of the employee another person asserted a claim to the death benefits. The City distributed the death benefits in error to the deceased's estate which, in turn, distributed the funds to another relative, not Ms. Nelson. Ms. Nelson sued The Hartford for the benefits, which in turn sued the City of Oakland. This settlement will resolve all claims and attorney's fees in this matter.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Reid**

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

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

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

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

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, March 31, 2015*

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

NAME OF CASE:

East Bay Municipal Utility District v. City of Oakland
Alameda County Superior Court Case No. RG15758444

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

The Council authorized settlement in the amount of **\$18,650.46**

This case arose out of incidents that occurred on **September 19, 2013**

FACTS OF THE CASE:

A City storm drain failed causing damage to a water main owned by E.B.M.U.D. located at 2233 Arrowhead Drive, Oakland, California. The water main broke from the weight of a storm drain directly above the main that the City installed about 10 years earlier. E.B.M.U.D. sued the City to recover the costs of repairs to the water main. This settlement will resolve all claims in this matter.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Campbell Washington**

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

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

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

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

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, March 17, 2015*

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

NAME OF CASE:

**Claim of Chubb Ins. (Lilian Wan)
Claim no. C29999**

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

The Council authorized settlement in the amount of **\$9,654.59**

This case arose out of incidents that occurred on **February 27, 2014**

FACTS OF THE CASE:

An Oakland Police Department Lieutenant rear-ended the insured's vehicle while he was driving a City vehicle on Oak Street in San Francisco. The Lieutenant was using the vehicle with the consent of his supervisor and to drive to work at OPD at the time of the collision. The insured's vehicle sustained moderate property damage and Chubb Insurance paid \$9,654.59 for vehicle repairs and rental expense. This settlement will resolve all claims and attorney's fees in this matter.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Gallo**

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

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

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

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