

**FEBRUARY 24, 2022**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, February 24, 2022*

Litigation Negotiations

**NAME OF ACTION:**

**Ian Davidson v. City of Oakland, County of Alameda, State of California, and  
DOES 1-30**

Alameda County Superior Court, Case No. RG20061509

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

The Council authorized settlement in the amount of **\$165,000.00**.

This case arose out of an incident occurring on **August 18, 2019**.

**FACTS/ISSUES:**

On August 18, 2019, Plaintiff Ian Davidson was involved in a bicycle accident on Shepherd Canyon Road, between Paso Robles Drive and Shelterwood Drive, in Oakland. Plaintiff alleges that as Plaintiff was travelling downhill the front tire became lodged in a defect in the road, which caused Plaintiff to crash. Plaintiff broke bones in the right wrist and forearm, which resulted in several surgeries. Plaintiff alleges continued weakness, pain, and limited range of motion in the right wrist and hand, and anticipates additional surgery.

Plaintiff sued the City, alleging the condition of the roadbed was a dangerous condition of public property. Plaintiff's alleged economic damages at this time are approximately \$148,731. The approved settlement resolves all claims with Plaintiff in this matter.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Gallo**

**AYES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 8**

**NOES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=**

**ABSENT: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=**

**ABSTENTIONS: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=**