

**MAY 5, 2022**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, May 5, 2022*

Litigation Negotiations

**NAME OF ACTION:**

**Raul Alvarez-Magana v. City of Oakland,**  
Alameda County Superior Court Case No. RG20073347

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

The council authorized settlement in the amount of **\$45,000.00.**

This case arose out of an incident occurring on **May 12, 2020.**

**FACTS/ISSUES:**

This action arises out of a motor vehicle accident which occurred on May 12, 2020, at approximately 10:30 a.m., wherein Plaintiff Raul Alvarez-Magana drove his semi-truck and collided with another vehicle at the intersection of 98th Avenue and Airport Access Road. Both Plaintiff and the other driver claim they entered the intersection facing solid green lights. A north-bound signal light was bent, facing Plaintiff's direction of travel. Plaintiff alleges the bent signal was a dangerous condition of public property and caused the accident.

Plaintiff claims injuries to the left shoulder, wrist and elbow, future medical expenses and income loss.

Motion Made by: **Vice Mayor Kaplan**

Motion Seconded by: **Councilmember Taylor**

**AYES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 7**

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

**ABSENT: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato** Bas= 1

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