

**JUNE 1, 2023**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, June 1, 2023*

Litigation Negotiations

**NAME OF ACTION:**

**Jose Sierra v. City of Oakland**  
**Alameda County Superior Court Case No. RG20061307**

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

The council authorized settlement in the amount of **\$400,000.00**.

This case arose out of incidents occurring on April 12, 2019.

**FACTS/ISSUES:**

This action arises out of a motor vehicle accident which occurred on April 12, 2019 wherein Plaintiff suffered personal injuries when the motorcycle Plaintiff was riding on 54th Avenue hit a pothole, fell over, and fractured Plaintiff's left foot. Plaintiff alleges the pothole was a dangerous condition of public property and caused the accident.

Plaintiff is claiming past medical expenses of approximately \$29,000 and future medical expenses of approximately \$103,000. Plaintiff also claims vehicle damage in the amount of approximately \$7,100 and a total past and future wage loss claim of approximately \$1.5 million. Plaintiff also seeks general damages for pain and suffering.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Councilmember Reid**

**AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato**  
**Bas=8**

**NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =0**

**ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =0**

**ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =0**