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2012 JUL -5 PM 5:14

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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July 17, 2012

HONORABLE CITY COUNCIL  
Oakland, California

President Larry Reid and Members of the City Council

SUBJECT: Claim of Larry W. and Crystal Shields  
File number: C28801  
(Public Works Agency)

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Twenty One Thousand Seven Hundred Ninety Dollars and No Cents (\$21,790.00), payable to Larry W. and Crystal Shields as a result of sewer flood damage to the claimant's home located at 6368 Estates Drive. The flooding was caused by a clog in the City's sewer main line. This is not a closed session item.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Barbara J. Parker'.

Barbara J. Parker  
City Attorney

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Approved as to Form and Legality  
Oakland City Attorney's Office

2012 JUL -5 PM 5:11

# OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

BJP: MC

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF LARRY W. AND CRYSTAL SHIELDS IN THE AMOUNT OF \$21,790.00, AS A RESULT OF PROPERTY DAMAGE SUSTAINED CAUSED BY AN OBSTRUCTED CITY SEWER MAIN. (Public Works Agency)**

**WHEREAS**, on 12/23/11, the City's sanitary sewer main backed up and sewage flooded the property located at 6368 Estates Drive; and

**WHEREAS**, Larry W. and Crystal Shields filed a claim to recover damages caused by the December 23, 2011, flooding of the property located at 6368 Estates Drive; and

**WHEREAS**, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City and now,

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Larry W. and Crystal Shields, our claim number C28801, in the amount of Twenty One Thousand Seven Hundred Ninety Dollars and No Cents (\$21,790.00), payable to Larry W. and Crystal Shields.

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

**FURTHER RESOLVED:** That the sum of Twenty One Thousand Seven Hundred Ninety Dollars and No Cents (\$21,790.00) is approved.

In Council, Oakland, California, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

**Ayes-** Brooks, de la Fuente, Kaplan, Kernighan, Nadel, Schaaf, Brunner, and President Reid

**Noes-**

**Absent-**

**Abstention-**

Attest: \_\_\_\_\_

LaTonda Simmons  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA