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CITY OF OAKLAND



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Office of the City Attorney
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January 22, 2013

HONORABLE CITY COUNCIL
Oakland, California

President Patricia Kernighan and Members of the City Council


Subject: Claim of Roberto E. Mendoza
File Number: C29153

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Thirteen Thousand Five Hundred Twenty Dollars and No Cents (\$13,520.00), payable to Roberto Mendoza.

The claim is for damages to the claimant's personal property in his residence at 1647 90th Ave allegedly caused during the execution of a search warrant by the Oakland Police Department. The settlement is recommended to avoid the possibility of an adverse litigation result should the matter proceed to a lawsuit.

This matter was heard in closed session on January 22, 2013.

Respectfully submitted,


Barbara J. Parker
City Attorney


Office of the City Attorney

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RWH:WES

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF ROBERTO MENDOZA IN THE AMOUNT OF \$13,520.00, ARISING OUT OF AN OAKLAND POLICE OPERATION (Oakland Police Department)

WHEREAS, on July 12, 2012, Oakland Police conducted an operation at claimant's residence located at 1647 90th Ave; and

WHEREAS Roberto Mendoza filed a claim to recover for personal property damage allegedly caused during the operation; 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; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Roberto Mendoza, our file number C29153, payable to Roberto Mendoza, for the sum of Thirteen Thousand Five Hundred Dollars and No Cents (\$13,520.00); and be it

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

In Council, Oakland, California, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID AND PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

Attest: _____

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