

Barbara Pal
Office of the City Attorney

OFFICE OF THE CITY ATTORNEY
OAKLAND

13 APR -4 PM 4:07

OAKLAND CITY COUNCIL

RESOLUTION No. 84280 C.M.S.

BJP:MC

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF STATE FARM INSURANCE AS SUBROGEE OF MICHAEL FOSTER, CITY ATTORNEY'S CLAIM NO. C29446, IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED FORTY SIX DOLLARS AND TWENTY TWO CENTS (\$7,546.22) (PWA – SEWER OVERFLOW)

WHEREAS, on October 23, 2012, the City's sanitary sewer main backed up and sewage flooded the property located at 3000 Lakeshore Avenue, and

WHEREAS, the claimant filed the above entitled claim seeking damages for said damages, 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 settle the matter of State Farm Insurance as subrogee of Michael Foster v. City of Oakland, our file C29446, for the sum of Seven Thousand Five Hundred Forty Six Dollars and Twenty Two Cents (\$7,546.22) payable to State Farm Insurance as subrogee of Michael Foster, and be it

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

FURTHER RESOLVED: that the sum of Seven Thousand Five Hundred Forty Six Dollars and Twenty Two Cents (\$7,546.22) be made payable to State Farm Insurance as subrogee of Michael Foster.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 16 2013, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: *Latonda Simmons*
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California