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CITY OF OAKLAND



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December 9, 2014

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Claim of Salvador and Laura Navarro
City Attorney File C29993
(Public Works Department - Sewer Overflow)**


President Kernighan and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Thirteen Thousand Seven Hundred Fifty Six Dollars and Fourteen Cents (\$13,756.14), made payable to Salvador and Laura Navarro.

This action arises out of a January 20, 2014 incident in which the City sewer main became clogged and caused raw sewage to overflow into the claimants' house located at 2457 63rd Ave. Settlement of this matter is recommended to avoid the risk of litigation.

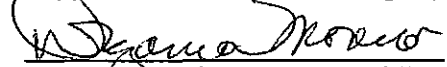
The Council authorized settlement of this case in Closed Session on Tuesday, November 18, 2014 (moved by Councilmember Gibson McElhaney and seconded by Councilmember Kaplan – 8 Ayes).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF SALVADOR AND LAURA NAVARRO, IN THE AMOUNT OF THIRTEEN THOUSAND SEVEN HUNDRED FIFTY SIX DOLLARS AND FOURTEEN CENTS (\$13,756.14), PAYABLE TO SALVADOR AND LAURA NAVARRO (PUBLIC WORKS DEPARTMENT - SEWERS)

WHEREAS, The claimants allege that on January 20, 2014 the City sewer main clogged and caused raw sewage to backup into the claimants house located at 2457 63rd Ave, and

WHEREAS, the claimants filed the above entitled claim seeking payment 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 claim of Salvador and Laura Navarro, our file number C29993, in the amount of Thirteen Thousand Seven Hundred Fifty Six Dollars and Fourteen Cents (\$13,756.14); 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; and be it

FURTHER RESOLVED: That the sum of Thirteen Thousand Seven Hundred Fifty Six Dollars and Fourteen Cents (\$13,756.14), be made payable to Salvador and Laura Navarro.

IN COUNCIL, OAKLAND, CALIFORNIA

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