


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
Approved as to Form and Legality

OAKLAND CITY COUNCIL

11 JUN -8 AM 10:57

RESOLUTION No. 83410 C.M.S.

CEV

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SOOKSAAN LAND TRUST, ET AL v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09-438657, IN THE AMOUNT OF \$45,000.00 AS A RESULT OF A DISCONNECTED SEWER LINE TO PLAINTIFFS' PROPERTY (PUBLIC WORKS AGENCY)**

**WHEREAS**, in 2007, the sewer lateral from the Plaintiffs' property at 2616-2622 Ivey Drive became disconnected from the City's sewer main leading Plaintiffs to file the above entitled action against the City; and

**WHEREAS**, Plaintiffs allege that City of Oakland employees disconnected and failed to reconnect the sewer lateral; and

**WHEREAS**, Plaintiffs allege that the damage to the property that is the subject of this lawsuit, was caused by the failure of the City of Oakland to reconnect the disconnected sewer lateral; 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**, the City of Oakland finds, determines, declares and

**RESOLVES**, that all the recitals above set forth are true and correct, and the City of Oakland so finds and determines; and be it

**FURTHER RESOLVED**, that the City Attorney is authorized and directed to compromise and settle the case of Sooksaan Land Trust, et al v. City of Oakland, Alameda County Superior Court Action No. RG09-438657, City Attorney's File No. 26468, for the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00); and be it

**FURTHER RESOLVED**, That the City Attorney is authorized and directed to do any and all things and take any and all actions and execute and deliver any and all agreements, and other documents which may be deemed necessary and advisable in order to effectuate the purposes of this resolution; and be it

OAKLAND CITY COUNCIL

RESOLUTION NO. 83410 C.M.S.

Page 2 of 2

**FURTHER RESOLVED**, That the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00) be payable to Plaintiffs The Sooksaan Land Trust and The Joseph F. Lee Irrevocable Trust and David Stein, their attorney.

**JUN 21 2011**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**PASSED BY THE FOLLOWING VOTE:**

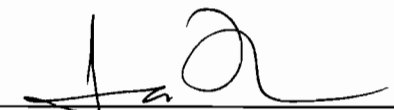
AYES- DE LA FUENTE, KERNIHGAN, NADEL, BRUNNER, SCHAFF, BROOKS, KAPLAN and PRESIDENT REID -8

NOES-0

ABSENT-0

ABSTENTION-0

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California