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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 Fred Hamilton and Stephanie Bowers
File Number: C29116

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Thirty Nine Thousand Five Hundred Forty Seven Dollars and Twenty-Four Cents (\$39,547.24), payable to Fred Hamilton and Stephanie Bowers.


The claim is for damages to the claimants' rental property located at 1647 90th Avenue 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,

A handwritten signature in black ink, which appears to read 'Barbara J. Parker', written over a horizontal line.

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 FRED HAMILTON AND STEPHANIE BOWERS IN THE AMOUNT OF \$39,547.24, ARISING OUT OF AN OAKLAND POLICE OPERATION (Oakland Police Department)

WHEREAS, on July 12, 2012, Oakland Police conducted a police operation at the claimant's' rental property located at 1647 90th Ave; and

WHEREAS Fred Hamilton and Stephanie Bowers filed a claim to recover for 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 and now,

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Fred Hamilton and Stephanie Bowers, our file number C29116, payable to Fred Hamilton and Stephanie Bowers, for the sum of Thirty Nine Thousand Five Hundred Forty Seven Dollars and Twenty Four Cents (**\$39,547.24**).

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, KALB, KAPLAN, REID, GALLO, SCHAAF, GIBSON MCELHANEY, AND PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

Attest: _____

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