

12 JAN 25 PM 4: **OAKLAND CITY COUNCIL**

RESOLUTION No. 83706 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BURGARDT V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11555191 IN THE AMOUNT OF \$23,000.00 (PUBLIC WORKS AGENCY – INVERSE CONDEMNATION)

WHEREAS: Plaintiff Christopher Burgardt's residence at 4459 Elinora Avenue was damaged by the intrusion of sewage from a malfunctioning City sewer main on August 30, 2009;

WHEREAS: The City has determined to compromise and settle Plaintiff Christopher Burgardt's claim against it for the sum of Twenty-three Thousand Dollars and no Cents (\$23,000.00);

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Burgardt v. City of Oakland, Alameda County Superior Court No. RG11555191, City Attorney's File No. 27427 for a sum not to exceed Twenty-three Thousand Dollars and no Cents (\$23,000.00), payable by the City of Oakland.

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 Twenty-three Thousand Dollars and no Cents (\$23,000.00), be paid to Christopher Burgardt and the Law Offices of Geordan Goebel, his attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 7 2012, 2012

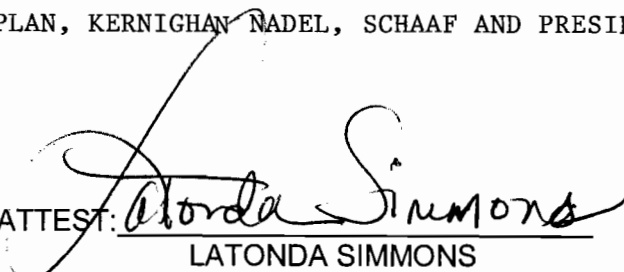
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, MADEL, SCHAAF 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