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CITY OF OAKLAND



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Office of the City Attorney  
John A. Russo  
City Attorney

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January 06, 2009

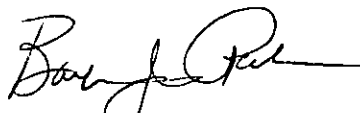
HONORABLE CITY COUNCIL  
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of  
Claim of Montclair Physical Therapy and Wellness (Simon Gibson)  
File Number: C26586

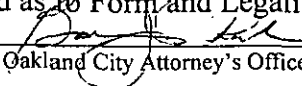
Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Six Thousand One Hundred Twenty Dollars and No Cents (\$6,120.00), payable to Montclair Physical Therapy and Wellness (Simon Gibson), as a result of sewer flood damage to their property on November 12, 2007. The flooding was caused by a failed City sewer main. (Public Works Agency) This was not a closed session item.

Respectfully submitted,

  
for JOHN A. RUSSO  
City Attorney

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Approved as to Form and Legality:

  
Oakland City Attorney's Office

2008 DEC 17 PM 4:44  
**OAKLAND CITY COUNCIL**

Resolution No. \_\_\_\_\_ C.M.S.

JAR: gdh

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF MONTCLAIR PHYSICAL THERAPY AND WELLNESS (SIMON GIBSON) IN THE AMOUNT OF SIX THOUSAND ONE HUNDRED TWENTY DOLLARS AND NO CENTS (\$6,120.00), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON NOVEMBER 12, 2007. (PUBLIC WORKS AGENCY).**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Montclair Physical Therapy and Wellness (Simon Gibson), our file number C26586, for the sum of Six Thousand One Hundred Twenty Dollars and No Cents (\$6,120.00), payable to Montclair Physical Therapy and Wellness (Simon Gibson).

**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 Six Thousand One Hundred Twenty Dollars and No Cents (\$6,120.00), be paid to Montclair Physical Therapy and Wellness (Simon Gibson).

In Council, Oakland, California, \_\_\_\_\_, 2009

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, BRUNNER, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE

**NOES-**

**ABSENT-**

**ABSTENTION-**

Attest: \_\_\_\_\_

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