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CITY OF OAKLAND



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Office of the City Attorney
Barbara J. Parker
City Attorney

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November 1, 2011

HONORABLE CITY COUNCIL
Oakland, California

President Larry Reid and Members of the City Council

SUBJECT: Claim of Jean-Luc and Jeanne DuPont
File number: C27853

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Eighteen Thousand Dollars and No Cents (\$18,000.00), payable to Jean-Luc and Jeanne DuPont as a result of sewer flood damage to the claimant's home located at 4118 Fruitvale Avenue. The flooding was caused by a clog in the City's sewer main line. This is not a closed session item.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

BJP: MC

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF JEAN-LUC AND JEANNE DUPONT, IN THE AMOUNT OF \$18,000.00, AS A RESULT OF PROPERTY DAMAGE SUSTAINED CAUSED BY AN OBSTRUCTED CITY SEWER MAIN. (Public Works Agency)

WHEREAS, on October 13, 2009, the City's sanitary sewer main backed up and sewage flooded the property located at 4118 Fruitvale Avenue; and the property owners have made a claim for damages against the City of Oakland,

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 case of Jean-Luc and Jeanne DuPont, for the sum of Eighteen Thousand Dollars and No Cents (\$18,000.00), payable to Jean-Luc and Jeanne DuPont.

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 Eighteen Thousand Dollars and No Cents (\$18,000.00), payable to Jean-Luc and Jeanne DuPont Is approved.

In Council, Oakland, California, _____, 2011_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, AND PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

Attest: _____

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