

*U. J. ...*  
City Attorney's Office

16 NOV 17 PM 3:10

# OAKLAND CITY COUNCIL

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

**RESOLUTION AMENDING AND CORRECTING THE TITLE OF RESOLUTION NO. 86470, PASSED NOVEMBER 14, 2016, WHICH AUTHORIZED AND DIRECTED THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND V. CLARENCE W. PAYNE, JR., ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. 784459-1, TO CLARIFY THE CORRECT SETTLEMENT AMOUNT IS TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)**

**WHEREAS**, the City of Oakland obtained a judgment lien for special assessments on Lot 106, Gwin Units of Highland of Oakland, Tunnel Road, in 1998; and

**WHEREAS**, the City Council authorized settlement and release of the lien for a payment of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) on November 1, 2016 and approved the settlement in Resolution No. 86470 C.M.S. on November 14, 2016; and

**WHEREAS**, there was a typographical error in the title of Resolution No. 86470 C.M.S., which stated the settlement amount as Twenty Thousand Dollars and No Cents (\$20,000.00) instead of Twenty-Five Thousand Dollars and No Cents (25,000.00); now, therefore, be it

**RESOLVED:** That Resolution No. 86470 C.M.S is hereby amended to clarify that the correct amount of the authorized settlement in the case of City of Oakland v. Clarence W. Payne, Jr., et. al., Alameda County Superior Court Case No. 784459-1, is in the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00), payable to the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,  
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -  
ABSENT -  
ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California

FILED  
CITY OF OAKLAND  
OAKLAND

16 NOV -3 AM 11:56

# CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara Parker  
City Attorney

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November 14, 2016

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: City of Oakland v. Clarence W. Payne, Jr., et al.**  
**Alameda County Superior Court Case No. 784459-1**  
City Attorney File No. X04315  
(Oakland Fire Department-Lien)

President Gibson McElhaney and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled judgment lien in the sum of Twenty-Five Thousand Dollars and no Cents (\$25,000.00), payable to the City of Oakland.

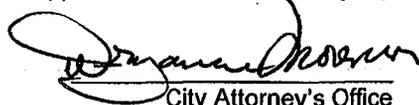
This action arises out of the settlement of a City judgment lien for unpaid special assessments. This matter was heard in closed session on Tuesday, November 1, 2016.

The Council authorized settlement of this case in Closed Session on Tuesday, November 1, 2016 (moved by Councilmember Noel Gallo and seconded by Councilmember Rebecca Kaplan - 8 Ayes).

Respectfully submitted,

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

BARBARA J. PARKER  
City Attorney

  
City Attorney's Office

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF OAKLAND

16 NOV -3 AM 11:56

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND V. CLARENCE W. PAYNE, JR., ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 784459-1, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) (OAKLAND FIRE DEPARTMENT – LIEN)**

**WHEREAS**, the City of Oakland obtained a judgment lien for special assessments on Lot 106, Gwin Units of Highland of Oakland, Tunnel Road, in 1998; and

**WHEREAS**, the City has determined to compromise and settle the judgment lien for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of City of Oakland v. Clarence W. Payne, Jr., et al., Alameda County Superior Court No. 784459-1 for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to the City of Oakland; and be it

**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-Five Thousand Dollars and No Cents (\$25,000.00) be paid to the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -  
ABSENT -  
ABSTENTION -

ATTEST:

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