



14 MAY -8 PM 12:23

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City Attorney TDD: (510) 839-6451

May 20, 2014

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claim of Edward Rinne  
City Attorney File No. C29970  
(Public Works Agency – Sewer Overflow)**

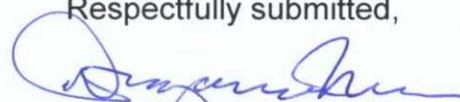
President Kernighan and Members of the City Council:

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 claim for the sum of Fourteen Thousand Five Hundred Twenty Dollars and No Cents (\$14,520.00), payable to Edward Rinne.

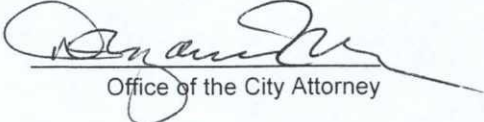
This action arises out of a February 8, 2014 incident in which the City's sanitary sewer main backed up and untreated effluent flooded the residence of Edward Rinne at 6490 Ascot Drive. Settlement of this matter is recommended to avoid the risk of litigation.

The Council authorized settlement of this claim in Closed Session on Tuesday, May 6, 2014, moved by Councilmember Noel Gallo seconded by Councilmember Rebecca Kaplan - 6 ayes, 2 absent (Councilmembers McElhaney and Reid).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

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Office of the City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

BJP

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF EDWARD RINNE CITY ATTORNEY'S CLAIM NO. C29970, IN THE AMOUNT OF FOURTEEN THOUSAND FIVE HUNDRED TWENTY DOLLARS AND NO CENTS (\$14,520.00) (PUBLIC WORKS AGENCY-SEWER OVERFLOW)**

**WHEREAS**, the claimant alleges that on February 8, 2014, the City's sewer main backed up and raw sewage flooded the residence located at 6490 Ascot Drive, and

**WHEREAS**, the claimant filed the above entitled claim seeking reimbursement for said damages, 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; now therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to settle the claim of Edward Rinne, our file C29970, for the sum of Fourteen Thousand Five Hundred Twenty Dollars and No Cents (\$14,520.00) payable to Edward Rinne, 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 Fourteen Thousand Five Hundred Twenty Dollars and No Cents (\$14,520.00) be made payable to Edward Rinne.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2014\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID AND PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

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