

TREE  
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OAKLAND

CITY OF OAKLAND



12 DEC -6 PM 2:31

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

December 18, 2012

HONORABLE CITY COUNCIL  
Oakland, California

President Larry Reid and Members of the City Council

**SUBJECT:** Claim of Ruth Ann Binder  
File number: C29204

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Ten Thousand One Hundred and Fifty Eight and 02/100 Dollars (\$10,158.02), payable to Ruth Ann Binder as a result of an official City tree's limb falling on her car causing damage. This matter was heard in closed session on December 18, 2012.

Respectfully submitted,

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

BARBARA J. PARKER  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
Oakland City Attorney's Office

2012 DEC -6 PM 3:12

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF RUTH ANN BINDER, IN THE AMOUNT OF \$10,158.02, AS A RESULT OF PROPERTY DAMAGE SUSTAINED CAUSED BY A CITY TREE (Public Works Agency)**

**WHEREAS**, on August 7, 2012, an official City tree limb fell on the claimant's vehicle causing property damage.

**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,

**NOW, THEREFORE, BE IT RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Ruth Ann Binder for the sum of Ten Thousand and One Hundred Fifty Eight and 02/100 Dollars (\$10,158.02) ; and be it

**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 Ten Thousand and One Hundred Fifty Eight and 02/100 Dollars (\$10,158.02) is approved.

In Council, Oakland, California, \_\_\_\_\_, 2012 \_\_\_\_\_

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