

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 SEP 22 PM 6:13

CITY OF OAKLAND



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

October 4, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: Claim of Chris LaTraille
City Attorney File # C31055
(Oakland Public Works – Hillside Washout)

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 claim for the sum of Fifteen Thousand Three Hundred Thirty Six Dollars and 38/100 Cents (\$15,336.38), made payable to Chris LaTraille.

This action arises out of a January 19, 2016, incident in which Mr. LaTraille claims that a hillside washout caused property damage at his home.

The Council authorized settlement of this case in Closed Session on Tuesday, September 20, 2016 (moved by Councilmember Reid and seconded by Councilmember Kalb - 8 Ayes).

Respectfully submitted,

A handwritten signature in black ink, which appears to read 'Barbara J. Parker', written over the typed name.

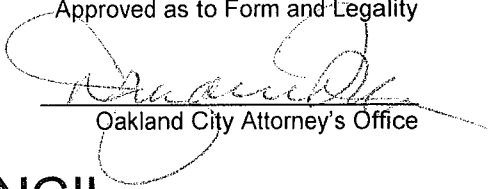
BARBARA J. PARKER
City Attorney

Attorney Assigned:
Colin Bowen

1927083v1

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


Oakland City Attorney's Office

2016 SEP 22 PM 6:13

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF CHRIS LATRAILLE, IN THE AMOUNT OF FIFTEEN THOUSAND THREE HUNDRED THIRTY SIX DOLLARS AND 38/100 CENTS (\$15,336.38) AS THE RESULT OF DAMAGES SUSTAINED FROM A HILLSIDE WASHOUT ON JANUARY 19, 2016 (OAKLAND PUBLIC WORKS-HILLSIDE WASHOUT)

WHEREAS, claimant alleges that on January 19, 2016, he sustained damages as a result of a hillside washout; and

WHEREAS, the claimant filed the above entitled claim seeking payment 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 Chris LaTraille, our file number C31055, in the amount of Fifteen Thousand Three Hundred Thirty Six Dollars and 38/100 Cents (\$15,336.38); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, 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