

15 OCT 29 PM 2:01

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

November 3, 2015

HONORABLE CITY COUNCIL
Oakland, California

Subject: **Claim of Pacific Gas & Electric Company**
City Attorney File # C30545
(Oakland Public Works – Property Damage)

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 Eight Thousand Three Hundred Ten Dollars and 72/100 Cents (\$8,310.72), made payable to Pacific Gas & Electric Company.

This action arises out of an October 18, 2014 incident in which Pacific Gas & Electric Company claims property damage as a result of a construction event.

The Council authorized settlement of this case in Closed Session on Tuesday, October 20, 2015 (moved by Councilmember Noel Gallo and seconded by Councilmember Rebecca Kaplan – 8 Ayes).

Respectfully submitted,

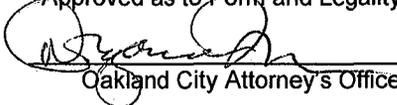
A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written over a horizontal line.

BARBARA J. PARKER
City Attorney

Attorney Assigned:
David A. Perada

1736671v1

15 OCT 29 PM 2:01

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF PACIFIC GAS & ELECTRIC COMPANY, IN THE AMOUNT OF EIGHT THOUSAND THREE HUNDRED TEN DOLLARS AND 72/100 CENTS (\$8,310.72) AS THE RESULT OF DAMAGES SUSTAINED FROM A CONSTRUCTION EVENT ON OCTOBER 18, 2014 (OAKLAND PUBLIC WORKS—PROPERTY DAMAGE)

WHEREAS, claimant alleges that on October 18, 2014, it sustained damages as a result of a construction event; 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 Pacific Gas & Electric Company, our file number C30545, in the amount of Eight Thousand Three Hundred Ten Dollars and 72/100 Cents (\$8,310.72); 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 Eight Thousand Three Hundred Ten Dollars and 72/100 Cents (\$8,310.72), be made payable to Pacific Gas & Electric Company.

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