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11 JUN -8 AM 10:57

CITY OF OAKLAND



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June 21, 2011

HONORABLE CITY COUNCIL  
Oakland, California

President Larry Reid and Members of the City Council

SUBJECT: Claim of Jean-Luc and Jeanne DuPont  
File number: C27853

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Sixteen Thousand Seventy Six Dollars and Thirty-Four Cents (\$16,076.34), payable to Jean-Luc and Jeanne DuPont as a result of sewer flood damage to the claimant's home located at 4118 Fruitvale Avenue. The flooding was caused by a clog in the City's sewer main line. This is not a closed session item.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

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## OAKLAND CITY COUNCIL

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

JAR: MC

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF JEAN-LUC AND JEANNE DUPONT, IN THE AMOUNT OF \$16,076.48, AS A RESULT OF PROPERTY DAMAGE SUSTAINED CAUSED BY AN OBSTRUCTED CITY SEWER MAIN. (Public Works Agency)**

**WHEREAS**, on October 13, 2009, the City's sanitary sewer main backed up and sewage flooded the property located at 4118 Fruitvale Avenue; and the property owners have made a claim for damages against the City of Oakland,

**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,

**RESOLVED**: That the City Attorney is authorized and directed to compromise and settle the case of Jean-Luc and Jeanne DuPont, for the sum of Sixteen Thousand Seventy Six Dollars and Thirty-Four Cents (\$16,076.34), payable to Jean-Luc and Jeanne DuPont.

**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 Sixteen Thousand Seventy Six Dollars and Thirty-Four cents (\$16,076.34), payable to Jean-Luc and Jeanne DuPont is approved.

In Council, Oakland, California, \_\_\_\_\_, 2011\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, AND  
PRESIDENT REID

**NOES-**

**ABSENT-**

**ABSTENTION-**

Attest: \_\_\_\_\_