

Dorjanna Moore
City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

18 MAY 17 PM 12:45

OAKLAND CITY COUNCIL

RESOLUTION No. 87212 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STATE FARM GENERAL INSURANCE v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17869113, IN THE AMOUNT OF SIXTY TWO THOUSAND DOLLARS AND NO CENTS (\$62,000.00) AS A RESULT OF A BLOCKAGE IN THE CITY'S MAIN SEWER ON AUGUST 12, 2015 (PUBLIC WORKS - DANGEROUS CONDITION)

WHEREAS, State Farm General Insurance filed this subrogation lawsuit against the City as a result of the blockage in the City's main sewer on August 12, 2015, at 411 East 18th Street; and

WHEREAS, State Farm General Insurance demanded lost income, restoration costs, and deductible cost against the City as a result of this accident; and

WHEREAS, Alameda County Superior Court Action RG17869113 was filed against the City of Oakland alleging a dangerous condition of public property; and

WHEREAS, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of State Farm General Insurance v. City of Oakland, et al, RG17869113 City Attorney's File No. 30814, for the sum of Sixty Two Thousand Dollars and No Cents (\$62,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA

JUN 05 2018

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN,
~~KAPLAN, KAPLAN AND PRESIDENT RENO~~ - 4

NOES: *✓*

ABSENT: *✓*

ABSTENTION: *✓*

Excused: Ray, Kabb

ATTEST:

Latonda Simmons

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California