
City Attorney's Office

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OAKLAND

14 JUL 17 PM 12:14

OAKLAND CITY COUNCIL

Resolution No. 85122 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT V. CITY OF OAKLAND (FRANCIS LOVE), ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11601786, CITY ATTORNEY'S FILE NO. 29181, FOR A SUM NOT TO EXCEED ELEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$11,500) (PUBLIC WORKS—CONTRACT DISPUTE)

WHEREAS, the San Francisco Bay Area Rapid Transit District alleges that it incurred damages as a result of a breach of contract; and

WHEREAS, the San Francisco Bay Area Rapid Transit District settled a personal injury action brought by Francis Love and then filed a cross-complaint against the City of Oakland for indemnity and breach of contract; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle the San Francisco Bay Area Rapid Transit District's claims against it for the sum of eleven thousand five hundred dollars and no cents (\$11,500.00) payable by the City of Oakland; now, therefore, be it

RESOLVED: That the City of Oakland is authorized and directed to compromise and settle the case of San Francisco Bay Area Rapid Transit District v. City of Oakland (Francis Love), Alameda County Superior Court Case No. RG11601786, City Attorney's File No. 29181, for a sum not to exceed sixty-nine thousand seven hundred fifty dollars and no cents (\$11,500.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of eleven thousand five hundred dollars and no cents (\$11,500.00) be paid to San Francisco Bay Area Rapid Transit District.

IN COUNCIL, OAKLAND, CALIFORNIA, = JUL 29 2014

PASSED BY THE FOLLOWING VOTE:

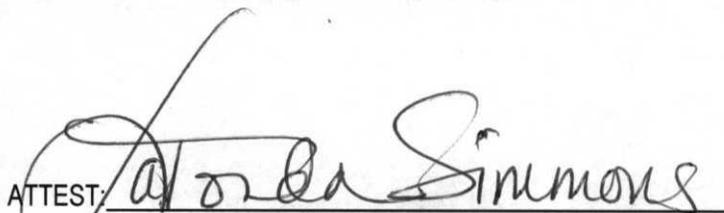
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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