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OAKLAND

CITY OF OAKLAND



13 MAY -8 AM 11:07

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Office of the City Attorney
Barbara Parker
City Attorney

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May 21, 2013

HONORABLE CITY COUNCIL
Oakland, California

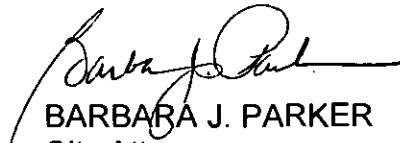
Subject: Claim of Sherrvel Johnson
City Attorney File No. C29476 (Public Works Agency – Sewers)

President Kernighan 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 Twelve Thousand One Hundred Dollars and No Cents (\$12,100.00), payable to Sherryel Johnson

This action arises out of a January 1, 2013 incident in which the City's sanitary sewer main collapsed and untreated effluent flooded the property located at 6136 Monadnock. Settlement of this matter is recommended to avoid the risk of litigation. This matter was heard in closed session on Tuesday, May 21, 2013.

Respectfully submitted,


BARBARA J. PARKER
City Attorney

1129725

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Office of the City Attorney

13 MAY -8 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

BJP

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF SHERRYEL JOHNSON, CITY ATTORNEY'S CLAIM NO. C29476, IN THE AMOUNT OF TWELVE THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$12,100.00) (PUBLIC WORKS AGENCY - SEWERS)

WHEREAS, on January 1, 2013, the City's sanitary sewer main collapsed and sewage flooded the property located at 6136 Monadnock, and

WHEREAS, the claimant filed the above entitled claim seeking settlement 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 matter of Sherryel Johnson v. City of Oakland, our file C29476, for the sum of Twelve Thousand One Hundred Dollars and No Cents (\$12,100.00) payable to Sherryel Johnson, 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; and be it

FURTHER RESOLVED: that the sum of Twelve Thousand One Hundred Dollars and No Cents (\$12,100.00) be made payable to Sherryel Johnson

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California