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CLERK OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90878 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND V. PACIFIC GAS AND ELECTRIC COMPANY, VETERAN POWER INFRASTRUCTURE, ACCURATE SAWCUTTING, INC., AND DOES 1-10, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 25CV136869, CITY ATTORNEY FILE NO. CE05460, IN THE AMOUNT OF THREE HUNDRED FIFTY THOUSAND TWO HUNDRED AND SIXTY-NINE DOLLARS AND ELEVEN CENTS (\$350,269.11) (INFORMATION TECHNOLOGY DEPARTMENT - PROPERTY DAMAGE)

WHEREAS, on August 15, 2022, a subcontractor for Pacific Gas and Electric Company ("PG&E"), Veteran Power Infrastructure ("VPI"), cut through Bus Rapid Transit ("BRT") fiberoptic cables, causing service impacts for CalTrans, AC Transit, and the City of Oakland; and

WHEREAS, The City issued PG&E a permit for the construction work that ultimately led to the damage to the fiberoptic cables, and the City submitted a claim to PG&E for reimbursement for the costs to repair the damage; and

WHEREAS, the City performed a temporary repair which patched ninety-eight (98) fibers to restore services, and CalTrans and AC Transit agreed to reimburse the City for their proportional shares of the temporary repair; and

WHEREAS, on August 15, 2025, the City filed a lawsuit against PG&E, VPI, and its subcontractor Accurate Sawcutting, Inc. in order to preserve the City's rights before the statute of limitations expired and while a settlement could be finalized; and

WHEREAS, VPI's insurer has agreed to settle the City's claim for \$350,269.11. This amount represents the cost of the temporary repair, the full repair, contingencies and staff time. The City will pay to CalTrans and AC Transit their proportional share of this settlement; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *City of Oakland v. Pacific Gas and Electric Company, Veteran Power Infrastructure, Accurate Sawcutting, Inc. and Does 1-10*, Alameda County Superior Court Case No. 25CV136869, for payment of the sum of three hundred fifty thousand two hundred and sixty-nine dollars and eleven cents (\$350,269.11) to the City; and be it

FURTHER RESOLVED: That the City will reimburse \$116,756.37 of this settlement to CalTrans and \$47,281.37 of this settlement to AC Transit; 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, OCT 7 2025

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, ~~HOUSTON~~, JENKINS, RAMACHANDRAN, UNGER, AND
WANG - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

1 Excused - Houston

ATTEST:



ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California